

PLANNING POLICY COMMITTEE
THURSDAY, 16TH JANUARY, 2025 AT 7.30 PM

Supplementary Agenda

To all members of Planning Policy Committee,

The following paper, which was not available for dispatch with the agenda, is enclosed. Hard copies can be provided at the meeting if required.

Agenda No	Item
------------------	-------------

- | | |
|----|--|
| 5. | <u>Planning Policy Reforms (National Planning Policy Framework 2024) (Pages 3 - 46)</u> |
|----|--|

Yours faithfully,

David Ford
Chief Executive

This page is intentionally left blank

Planning Policy Reforms, including new December 2024 NPPF

Planning Policy Committee Thursday, 16 January 2025

Report of: Deputy Chief Executive

Purpose: For information

Publication status: Open

Wards affected: All

Executive summary:

Over the course of December 2024, the Government published a raft of new planning policy and guidance, as well as details of further planning reform. This report summarises the key changes that will impact both on plan making and development management moving forward.

This report supports the Council's priority of:

Protecting and enhancing our environment. /Delivering affordable housing for local people./Financial prudence and sustainability./Putting residents at the heart of what we do./A safe, healthy and caring community supporting those most in need./A thriving economy.

Contact officer Katya Fox, Interim Planning Policy Manager
kfox@tandridge.gov.uk

Recommendation to Committee:

- a) The report be noted.
 - b) Work begins on the preparation of a new Local Development Scheme (LDS) and a special planning policy committee be held to approve the LDS in February 2025.
-

Reason for recommendation:

Given the scope of the enacted and proposed changes in Government policy for both the Council's new Local Plan and its development management functions, it is considered important that the Council is fully aware of the key changes.

MHCLG has issued a directive that a new LDS must be prepared and submitted to themselves by 12 March 2025.

Introduction and background

- 1 Following the UK general election on 4 July 2024, the newly formed Labour government began a consultation on a range of reforms to the planning system on 30 July 2024, to help achieve their campaign pledge of delivering 1.5 million homes in the next five years. The annual collective target for house building across the country was raised to 370,000. A public consultation on proposed changes to National Planning Policy Framework (NPPF) and wider planning reform subsequently ran between July and September 2024.
- 2 Over the course of December, the Government published many documents outlining reform, or potential reform, which will have implications for planning. The Ministry for Housing, Communities and Local Government (MHCLG) published a response to the consultation, a new NPPF, and new Planning Practice Guidance (PPG) on 12 December 2024. This was accompanied by a press release, ministerial statements and a letter to Leaders and Chief Executives of Local Planning Authorities (LPAs) highlighting the key changes.
- 3 In addition to these documents, the government also published their response to the summer 2024 consultation, which contains important information about upcoming updates to the planning systems, and likely areas for further consultation.
- 4 Three working papers/ white papers were also published by the government in December 2024, which have implications for plan making and development management. These relate to devolution, modernising planning committees and Compulsory Purchase Orders (CPOs).

Changes to the planning system

- 5 The enacted changes and proposed changes to the planning system are presented in full in appendix 1.
- 6 The main changes have been summarised below. NPPF changes impacting development management are effective from the date of publication of the NPPF, the 12 December 2024. Changes in relation to plan-making will come into force on 12 March 2025.

Housing

- 1 The new NPPF puts a strong emphasis on the need to deliver housing in sustainable locations.
- 2 The government has introduced mandatory minimum housing targets across the country. The formula to calculate Local Housing Need (LHN), the Standard Method, has been updated. The Standard Method now uses an LPA's housing stock as the basis for the calculation of an LHN, which is then subject to an affordability uplift. The Standard Method enacted differs from the Standard Method which was consulted on in the summer. Under the new, compulsory Standard Method, Tandridge's LHN has increased from 634 to 843.
- 3 The requirement for all councils to annually report a five-year housing land supply (5YHLS) has been reinstated. Buffers to the 5YHLS have been reintroduced.
- 4 The changes place a stronger emphasis on delivering socially rented homes. The mandatory requirement for First Homes has been revoked, although it remains an option for delivery where locally judged appropriate.

Planning for Travellers

- 5 The planning definition of a Gypsy or Traveller has been expanded and changes have been made as to how traveller sites in the Green Belt should be considered. Where an authority does not have a 5-YHLS for traveller sites, the presumption of favour of sustainable development now applies for permanent and temporary permissions.

Green Belt

- 6 A new category of Green Belt has been introduced, called 'Grey Belt'. Development on Grey Belt will not be considered inappropriate development for the purposes of decision-making if new, Golden Rules are applied. The Golden Rules require new developments on Grey Belt to make contributions to affordable housing, infrastructure and green spaces.
- 7 Green Belt reviews are now mandatory for any authorities which cannot meet its LHN and other development needs on non-Green Belt land. Meeting housing need has been explicitly defined as an exceptional circumstance to justify release of Green Belt.
- 8 A new sequential test for the release of Green Belt has been introduced, with priority given to previously developed land, Grey Belt and then other Green Belt locations. A category does not need to be exhausted

before higher performing locations are brought forward. The sustainability of any proposed location in the Green Belt for release is key.

Infrastructure

- 9 The previous 'predict and provide' approach to transport planning has been replaced with a 'vision-led' approach.
- 10 Revisions have been made to the sequential test for flooding and the requirements for Sustainable Drainage Systems (SuDS) have been widened.

Plan-making

- 11 The government has also set out transitional arrangements for Local Plans, which are to be submitted for Independent Examination under the current plan-making system by December 2026. Local Plans submitted after that date should be prepared under the new plan-making regime, which is expected to be introduced in summer 2025.
- 12 New intervention powers for the Secretary of State have been introduced in relation to the production of Local Plans.
- 13 All local planning authorities are required to prepare and issue an updated Local Development Scheme to MHCLG within 12 weeks of the publication of the NPPF 2024.

Upcoming reform

- 14 The Government has announced that it intends to review / publish / consult on further policy and guidance in 2025:
 - a. publish Green Belt planning practice guidance in January 2025;
 - b. publish new guidance on the role of local nature recovery strategies in January 2025;
 - c. consult on a set of national policies for decision making in Spring 2025;
 - d. review the Planning Policy for Traveller Sites in 2025;
 - e. review the viability planning practice guidance as a priority in 2025;
 - f. review the Flood risk and coastal change PPG;
 - g. publish guidance to support councils and developers in reducing carbon emissions;
 - h. publish new guidance on LPAs setting their own planning fees;
 - i. publish further planning practice guidance on the role of Local Nature Recovery Strategies;
 - j. keep planning design standards under review; and
 - k. take further steps to increase build out rates on housing sites.

- 15 Householder planning fees will be set at cost-recovery level, as estimated by MHCLG. The upcoming Planning and Infrastructure Bill will enable LPAs to vary or set fees to cost recovery levels, as appropriate for their area. Changes will also be introduced to allow cost recovery for Nationally Significant Infrastructure Projects.
- 16 The Government is proposing reforms to planning committees, which will be introduced via the Planning and Infrastructure Bill. A formal consultation will be launched in 2025.
- 17 The Government is intending to move to a model of universal strategic planning within the next five years. This is combined with proposed reform of the local government system. Local Plan making would become the responsibility of newly formed unitary authorities, while strategic plans (Spatial Development Strategies) would be produced by Strategic authorities. The latter will be created by grouping County Councils where they do not already exist.
- 18 A consultation on reformed Compulsory Purchase Orders (CPOs) has been launched. The aim is to simplify the process and widen the circumstances under which such directions may be obtained.

Key implications

Comments of the Chief Finance Officer

Whilst the Council will need to work through the full implications of the Government changes as more details emerge, in the immediate future the Council will increase its Development Fees resulting from these Planning reform changes.

The Council will apply the draft statutory instrument (New Draft Fees Order) once it is made, and will increase planning application fees in England from 1 April 2025 as appropriate. The fee changes are highlighted in section 8 of the appendix to this report, and these fee changes will contribute to the recovery the costs of development management services for the Council.

As the New National Planning Policy Framework (NPPF) was published in mid December 2024, these increased fees are yet to be modelled into next year's budget alongside assumptions on volumes of applications in each category. Consultation with stakeholders will be undertaken if the Localisation of Planning fees is agreed in the Planning Infrastructure Bill.

As referred to in the recommendations of this report, the Local Development Scheme (LDS) document provides a project plan identifying which local development documents will be produced, in what order and when. It outlines the details and timetable for the production of all documents that make up the

Local Plan. The Council's LDS will be delivered using internal officers, and the associated staff expenditure will be funded from Local Plan resources.

The Government has announced additional funding to carry out Green Belt Reviews in light of the extensive changes introduced. An EOI will be submitted.

Comments of the Head of Legal Services

The Ministry for Housing, Communities and Local Government (MHCLG) published its revised [National Planning Policy Framework](#) on 12 December 2024. The legal implications of the proposed changes are largely set out in the main body of this report.

The Committee will be aware that it represents the most significant set of national planning policy changes since the original Framework was published in 2012.

The changes have wide ranging implications for Local Plan preparation; the calculation of housing need; promoting housing and commercial schemes; and how we approach development in the Green Belt. They also cover a range of other sectors such as sustainability, renewable energy, take-away/fast food units and the approach to flood risk.

The impact of the NPPF will be site, scheme, settlement and authority area specific. The Council will therefore need to work through its policies/guidance and practices to identify where changes are required to ensure ongoing compliance.

The Committee is asked to note the holistic changes proposed by the Government as set out in this report and in greater detail at Appendix 1 pursuant to their terms of reference as set out in Part E of the Council Constitution.

Equality

There are no equalities implications as a result of this report. Separate equality impact assessments will be undertaken as the implications, as set out in Appendix 1 of the NPPF filter into the Council guidance/policies/procedures.

Climate change

There are no significant environmental / sustainability implications associated with this report.

Appendices

Appendix 1 December 2024 Planning Reforms Summary Document

Background papers

None.

----- end of report -----

Tandridge District Council

**New National Planning Policy Framework (December 2024) and
other changes and proposed reform to the planning system**

Summary

January 2024



Contents

1	Introduction	1
2	Government agenda	3
2.1	Plan for Change	3
2.2	Planning overhaul to reach 1.5million homes (press release).....	3
2.3	Building the homes we need (Written Ministerial Statement).....	4
2.4	Letter to Local Planning Authority Leaders and Chief Executives.....	6
3	Sustainable Development	9
3.1	Presumption in favour of sustainable development.....	9
4	Delivering homes	10
4.1	Local Housing Need	10
4.2	Standard Method.....	10
4.3	Five-Year Housing Land Supply (5YHLS).....	11
4.4	Delivering affordable housing.....	12
4.5	Small site allocation.....	12
4.6	Planning Policy for Traveller Sites.....	12
4.7	Community-led Development.....	13
4.8	Densities, beauty and design	13
5	Brownfield, Green Belt and Grey Belt	15
5.2	Brownfield.....	15
5.3	Green Belt	15
5.3.2	Grey Belt	16
5.3.3	Exceptional circumstances	16
5.3.4	Golden rules	17
5.3.5	Sequential Test	18
6	Economy, infrastructure, transport and environment	19
6.1	Economy	19
6.2	Healthy Communities	19
6.3	Public service infrastructure	19
6.4	Open space	20
6.5	Transport.....	20
6.6	Green Energy and Environment.....	20
6.7	Water infrastructure.....	21
6.8	Climate change mitigation and adaptation	21
6.9	Flooding.....	21
7	Plan making, viability, transition and intervention	23

7.1	Plan making.....	23
7.2	Viability	23
7.3	Transitional arrangements for decision-making and plan-making.....	24
7.4	Local Plan intervention criteria	26
8	Changes to Planning Fees.....	27
8.1	Householder Application Fee	27
8.2	Other Planning Application Fees.....	27
8.3	Localisation of Planning Application Fees.....	27
8.4	Wider Planning Service Fees	27
8.5	NSIP Cost Recovery	28
9	Further Reform.....	29
9.1	Future planning reforms	29
9.2	Planning Reform Working Paper: Planning Committees.....	29
9.2.2	National Scheme of Delegation.....	29
9.3	Devolution White Paper.....	31
9.3.2	Reform to the local government system	31
9.3.3	Planning powers.....	31
9.3.4	Proposed transport reforms.....	32
9.3.5	Other proposed reforms	32
9.4	Compulsory Purchase Process and Compensation Reforms	33

1 Introduction

- 1.1 Following the UK general election on 4 July 2024, the newly formed Labour government began a consultation on a range of reforms to the planning system on 30 July 2024, to help achieve their campaign pledge of delivering 1.5 million homes in the next five years. The annual collective target for house building across the country was raised to 370,000.
- 1.2 As previously documented in a summary for the September 2024 Planning Policy Committee, the ambitions of the new government for the planning system were highlighted in:
- A Written Ministerial Statement.
 - Two letters from the Secretary of State, one to the Chief Executives and Leaders of Local Planning Authority and one to the Planning Inspectorate
 - Consultation on proposed changes to the National Planning Policy Framework (NPPF) (December 2023) and to the legal planning framework via a Planning and Infrastructure Bill. Government ran a public consultation on the proposed planning reform, which ran between 30 July 2024 and 24 September 2024.
 - Policy statement on new towns.
- 1.3 On 12 December 2024, Government published a suite of documents including a new [NPPF](#), a response to the [planning reform consultation](#) and updated standard method figures for housing need. To accompany the revised NPPF, updates to the Planning Practice Guidance (PPG) were also published on 12 December 2024, in particular on:
- [Housing and economic need assessment](#)
 - [Housing supply and delivery](#)
 - [Plan-making](#)
 - [Viability](#)
- 1.4 On 16 December 2024, additional guidance was also published on [furthering the purposes of protected landscapes](#). Government has confirmed that further guidance will be published in 2025, including new guidance on carrying out Green Belt Reviews due to be published in January 2025.
- 1.5 Over the course of December, the Government also provided clarification on various matters via Written Ministerial Statement, House of Commons evidence and a letter to Chief Executives and Leaders of Local Planning Authorities (LPAs). Additional planning reform consultations were also launched regarding devolution, modernising planning committees and Compulsory Purchase Orders. Further consultations on wider planning reform are to be expected in 2025.

1.6 This report provides a summary of these documents, and is structured as follows:

- Section 2 summarises the Government’s agenda as evidenced in the publication of a national plan, press release, written ministerial statement and letter to Chief Executives and Leaders.
- Sections 3 – 8 provides thematic summaries of the new policy and guidance. They also detail key messages from the Government’s response to the planning reform consultation.
- Section 9 details the proposed reforms including in relation to devolution and planning committees.

2 Government agenda

2.1 Plan for Change

2.1 On the 5 December 2024, the Prime Minister's Office published the [Plan for Change: Milestones for a Mission Led Government](#). This set five national missions, two of which planning has a direct role to play in delivery: kickstart economic growth and make Britain a clean energy superpower. Six milestones were established, again two of which planning has a direct role to play in delivery:

- 'rebuilding Britain with 1.5 million homes in England and fast-tracking planning decisions on at least 150 major economic infrastructure projects
- securing home-grown energy, protecting billpayers, and putting us on track to at least 95% clean power by 2030, while accelerating the UK to net zero'.

2.2 As part of its delivery plan for growth and infrastructure, the Government set out its commitment to publishing a new NPPF by the end of 2024, publishing 10-year national housing and infrastructure strategies in Spring 2025, updating all relevant National Policy Statements by Summer 2025, modernising planning committees, increasing local planning capacity and taking forward the Planning and Infrastructure Bill.

2.2 Planning overhaul to reach 1.5million homes (press release)

2.3 On the 12th December 2024, the Ministry of Housing, Communities and Local Government (MHCLG) published a [press release](#) to accompany the publication of the new NPPF and associated documents. The following changes were highlighted:

- Mandatory higher housing targets across the country.
- Stronger action to ensure councils adopt up-to-date local plans or develop new plans.
- Additional cash for councils to update local plans and review Green Belt land to be used for additional staff and consultants; and increased planning fees to cover costs along with 300 additional planning officers to deliver faster decision making. EOI to be submitted by 17 January 2025 for additional grant funding for local plan delivery and Green Belt reviews.
- Introduction of 'grey belt' land and 'golden rules' for development on Green Belt.

- New approach to Green Belt requiring councils to review Green Belt boundaries to meet targets, identify and prioritise lower quality ‘Grey Belt’ land.
- Greater consideration to social rent when building new homes and delivery of genuinely affordable homes.
- Local Planning Authorities must commit to timetables for new plans within 12 weeks of the publication of the updated NPPF or ministers will use intervention powers to ensure plans are put in place.
- Councils with plans based on old targets that are still in place from July 2026, will be required to provide six years housing land supply (rather than the standard five), otherwise the strengthened presumption in favour of sustainable development applies.

2.4 A commitment was also made to updating the National Design Guide and National Model Design Code in Spring 2025.

2.3 Building the homes we need (Written Ministerial Statement)

2.5 A Written Ministerial Statement¹ (WMS) titled ‘Building the homes we need’ was made by [Matthew Pennycook](#) (Minister of State for Housing and Planning) in the House of Commons and [Baroness Taylor of Stevenage](#) in the House of Lords. The key messages from the government in the statement are as follows.

Restoring and raising housing targets

- **Plan-led approach** is the cornerstone of planning system.
- **Mandatory housing targets** are restored, and local authorities must use the standard method as the basis for determining housing requirements in their local plans.

Building in the right places

- **Brownfield or previously developed land (PDL) first approach.** The default answer to building in brownfield is ‘yes’ and the definition of brownfield land has been expanded to include hard standing.
- **Strategic approach to Green Belt land release** with a sequential approach to be adopted in local plans, considering brownfield, then Grey Belt and only then higher performing Green Belt land.
- **LPAs to conduct Green Belt Reviews** to identify the right land to bring forward in their areas.

¹ Written statements - Written questions, answers and statements - UK Parliament

- **Where LPAs fail to meet need**, developers may bring forward proposals on low-performing Grey Belt land outside of the plan process, but with higher performing land protected from this form of release.
- The **definition of Grey Belt** has been refined since the summer consultation and further guidance on how to assess whether land meets the definition will be provided in 2025. Existing protections for land covered by environmental and national landscape designations, for example National Parks, Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest, remain.
- **Golden rules** have been introduced that mean housing can only be built on Green Belt land if developers deliver high levels of affordable housing, appropriate local infrastructure, and accessible public green space. Reflecting consultation feedback, the policy introduces a 15-percentage point premium on top of existing affordable housing requirements, up to a maximum of 50 percent, and rules out any negotiation until Government has strengthened national planning practice guidance on viability. Local authorities will be required to adopt their own ambitious golden rules through the local plan process, which will supersede these national requirements as new plans come into force.

Supporting local planning

- **Universal local plan coverage** is a priority.
- **The new housing need numbers are to be fed through** into local plans as quickly as possible. Those preparing plans under the current plan-making system, will only be allowed to progress if there is no significant shortfall in housing provision. Plans must provide at least 80% of the new standard method figure.
- **New plan-making system** commences Summer 2025.
- LPAs with plans adopted under the old standard method must provide an **additional year's worth of homes in their five-year housing land supply**. This requirement begins from 1 July 2026.
- **£14.8m grant funding** available to support authorities with local plan delivery and Green Belt review. The minister will be writing to LPAs with more details and asking for an **updated plan-making timetable within 12 weeks** of NPPF publication.
- **Full range of ministerial intervention powers** will be used if progress is not made with plan-making. This includes taking over an authority's plan-making directly. Revised intervention criteria have been published.

- **Household application fees will be set at cost-recovery level** as estimated by MHCLG. The Planning and Infrastructure Bill will enable LPAs to vary or set fees to cost recovery levels as appropriate for their area.

Securing high-quality development and more affordable housing

- The **number of permissions secured outside of local plan allocations is expected to increase** in the short term. The presumption in favour of sustainable development has been adjusted to ensure appropriate scale of delivery is secured. However, additional changes have been made to ensure affordable housing, design quality and sustainability of location is not compromised.
- **Mixed tenure** is expected on large sites and **more small sites** should be supported. Social rent homes have been given greater priority. Homes England has launched a new clearing service to help unblock the delivery of S106 affordable housing.
- **Secondary legislation** to be introduced in 2025 implementing powers brought forward under the Levelling Up and Regeneration Act to require developers to commit to a build out trajectory upfront and report on delivery against it. Authorities will be empowered to hold them to account.

Building infrastructure to grow the economy

- Changes have been made to make it easier to build laboratories, gigafactories, data centres and digital infrastructure and the facilities needed to support the wider supply chain.
- Suitable sites for these types of modern economy uses should be identified in local plans.
- Changes to National Significant Infrastructure Projects consenting regime will be introduced in 2025.

Part of a bigger plan

- More changes to come with the Planning and Infrastructure bill and empowerment of local leaders to work cross-boundary to deliver strategic plans.

2.4 Letter to Local Planning Authority Leaders and Chief Executives

2.6 MHCLG sent a **letter** titled ‘Building the homes we need²’ to all local authority Leaders and Chief Executives in England on 12 December 2024.

2.7 The letter provides some pre-amble regarding the housing crisis and introduces some of the key actions taken by Government to help address this crisis. There is an emphasis on housing delivery being a *shared endeavour* between Government and local authorities.

2.8 The letter then sets out principal elements of the Government’s plan covering the following policy areas:

- New standard method for assessing housing needs
- Grey Belt, Green Belt and Golden Rules
- Universal coverage of local plans
- Securing high quality development and more affordable housing
- Delivering community needs
- Building infrastructure to grow the economy
- Green energy, flood risk and the natural environment
- Planning capacity and capability
- Planning fee increases
- Modernising planning committees.

2.9 Much of the content is broadly the same as in the press release and / or the WMS and therefore is not repeated here. The letter contained further detail on a couple of topics, which is set out below.

Delivering community needs

- Meeting community needs goes beyond homes to include the range of services and infrastructure to support communities. The NPPF has been amended to further support the provision of public infrastructure.

Green energy, flood risk and the natural environment

- To support climate change mitigation and adaption changes have been made to the NPPF, relating to increased deployment of renewables and emphasising the importance of climate change considerations in both decision-making and plan-making.

² Letter from the Deputy Prime Minister to local authorities: Playing your part in building the homes we need - GOV.UK (www.gov.uk)

- Flood risk planning policy has been amended to support the delivery of sustainable drainage systems and to improve the operation of the sequential test where no development on site would be at risk from flooding.

Planning capacity and capability

- **£14.8m grant funding** will be provided to LPAs that are at an advanced stage of plan-making (Regulation 19), as well as to provide additional support to local authorities that will need to undertake a Green Belt Review.

Planning fee increase

- Additional measures will be implemented to enable host local authorities to **recover costs of the services** they provide in relation to applications under the Nationally Significant Infrastructure Projects consenting regime.

3 Sustainable Development

3.1 Presumption in favour of sustainable development

3.1 Changes to paragraph 11 of the NPPF, which covers the presumption in favour of sustainable development, are of a lesser scale than initially proposed through the summer consultation. Paragraph 11c continues to direct Councils to approve development proposals that accord with an up-to-date development plan without delay.

3.2 Revisions have been made to paragraph 11d where there are no relevant development plan policies or relevant policies are out-of-date, recommending that permission should be granted unless

*'i) the application of policies in this Framework that protect areas or assets of particular importance provides a **strong** reason for refusing the development **proposed**; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, **having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination**' (Additional text in bold.).*

3.3 New footnotes 8 and 9 have been added, giving greater specificity as to when the presumption in favour of sustainable development applies.

4 Delivering homes

4.1 Local Housing Need

- 4.1 Many of the NPPF changes relate to reversing the alterations made by the previous Government in December 2023. The following additional changes are made to the NPPF:
- i. Minor wording changes to the NPPF (paragraphs 1 and 61) to make it clearer the importance of planning to meet housing needs.
 - ii. Revisions to NPPF paragraph 62 to **make the identified housing need a mandatory minimum target**. However, it is noted in the [consultation response from Government](#) that *'The standard method identifies the minimum number of homes needed and local planning authorities are expected to plan to meet their housing needs in full. However, it is recognised that there may be local constraints on land and delivery that could justify a lower housing requirement figure.'* All LPAs will be required to demonstrate that they have done everything possible, including optimising density, sharing need with neighbouring authorities and **reviewing Green Belt boundaries before a lower housing requirement will be considered**. The Government has published revised PPG on assessing housing needs and setting a housing requirement to accompany these changes.
 - iii. Revisions to the NPPF (paragraph 62) to make it clear that **the use of the standard method to assess housing needs is mandatory**. The consultation response notes that there are specific circumstances in which an alternative approach to the standard method could be justified. These are limited to the specific scenarios where strategic policy making authority boundaries do not align with local authority boundaries, or because the data used in the method is not available. The PPG provides further guidance on this issue.

4.2 Standard Method

- 4.2 The Standard Method to calculate Local Housing Need (LHN), which is set out in the PPG on Housing and Economic Needs Assessment, was amended.
- 4.3 The old Standard Method, originally introduced in 2018, was based on 2014 population projections, affordability ratios uplifts, a cap to limit the increase and a 35% uplift for the largest 20 urban areas in the UK.
- 4.4 The new **Standard Method is based on current housing stock** and the application of an affordability ratio uplift. The cap to limit the increase and the 35% urban uplift for the largest 20 urban areas in the UK have been removed.
- 4.5 The new Standard Method reduces the number of calculation steps to four:
- i. Using the latest dwelling stock data, calculate the baseline stock figure equivalent to 0.8% of the LPA's dwelling stock, using data published by central government using monitoring returns by authorities.

- ii. This housing stock baseline figure is then adjusted based on the affordability of the area. This uses the average of the median workplace-based affordability ratios from ONS for the most recent five years. No adjustment is applied when the ratio is 5 or below. For each 1% the ratio is above 5, the housing stock baseline is increased by 0.95%:

$$\text{Adjustment factor} = \left(\frac{\text{five year average affordability ratio} - 5}{5} \right) \times 0.95 + 1$$

- 4.6 These changes to the Standard Method differ from the proposed changes which were consulted upon in the summer:
- i. The affordability ratio is calculated using data from the most recent 5 years available rather than 3 years;
 - ii. The affordability adjustment threshold has been increased from 4 to 5; and
 - iii. The affordability adjustment ratio has been increased from 0.6 to 0.95.
- 4.7 In Tandridge, the average of the mean affordability ratio over the last five years is 14.37. The **new method results in a LHN of 843** compared to 634 under the old method.

4.3 Five-Year Housing Land Supply (5YHLS)

- 4.8 Most of the changes which came into force in December 2023 have been reverted. The **requirement that all authorities produce an annual 5-YHLS statement** has been reinstated (NPPF paragraph 78). Previous over-supply can no longer be set against upcoming supply.
- 4.9 The buffers to be applied to the 5YHLS have also changed, meaning that all authorities should add one of the following **buffers to their 5YHLS** (see Housing supply and delivery PPG, paragraph 013):
- i. A 5% buffer (which had been removed in December 2023) to be added to all 5YHLS for both decision-making and plan-making (NPPF 2024, paragraph 78a).
 - ii. a 20% buffer for those authorities with significant under delivery of housing over the previous 3 years, meaning where delivery has fallen below 85% of the requirement, as set out in the last published Housing Delivery Test (HDT) results (NPPF 2024, paragraph 78b and footnote 40).
 - iii. From 1 July 2026, for decision-making only, a new buffer of 20% is to be applied where the LPA has a housing requirement which was adopted in the last five years under a previous version of the NPPF and is 80% or less of the latest Local Housing Need figure under the new Standard Method.
- 4.10 The consultation response clarifies that this new 20% buffer (criterion iii) will not apply to those authorities who already have to apply a 20% buffer under criterion (ii) since none of the housing supply buffers are cumulative.

- 4.11 The revised PPG on housing supply and delivery states that Annual Position Statements for 5YHLS will no longer be in use. Existing Annual Position Statement examined under the previous version of the Framework will stand for their normal duration until expiry (NPPF 2024, paragraph 233).

4.4 Delivering affordable housing

- 4.12 The following requirements have been revoked:
- i. at least 10% of the total number of homes on major sites as **affordable home ownership**
 - ii. 25% of affordable housing units delivery through S.106 as **First Homes**.
- 4.13 First Homes are being retained as a type of affordable housing and as an option for delivery, where judged appropriate for local needs, including through First Homes exception sites and S106 developer contributions. Starter homes have been removed from the definition of affordable housing.
- 4.14 The support for **social rent** as a form of affordable housing has been strengthened through additions in paragraphs 63, 64 and 66 of the NPPF 2024.
- 4.15 Further, authorities will need to specify their social rent delivery expectations as part of broader affordable housing policies.
- 4.16 Explicit reference to meeting need associated with ‘looked after children’ has also been included in paragraph 63 of the NPPF.
- 4.17 Rural affordable housing and exception sites policy will be reviewed further as part of the production of the National Development Management Policies.

4.5 Small site allocation

- 4.18 The wording in the NPPF (paragraph 73) has been strengthened to make clear the importance of allocating small sites to small to medium sized housebuilders. The new NPPF retains the requirement that **LPAs should allocate at least 10% of their housing requirement on small sites**, unless there are strong reasons established during plan-making as to why this target cannot be achieved.
- 4.19 The Government consultation proposed making this target mandatory, however, this proposal was not taken forward. Instead, further consideration as to how policy can better support small site development will be undertaken as part of the production of the National Development Management Policies.

4.6 Planning Policy for Traveller Sites

- 4.20 [Planning Policy for Traveller Sites](#) (PPTS) was also updated to reflect the revised NPPF policy and case law.

- 4.21 The definition of gypsies and travellers in Annex 1 of the Planning Policy for Traveller Sites guidance was amended to be more inclusive with the addition of ‘**[...], and all other persons with a cultural tradition of nomadism or of living in a caravan**’. The Government encourages emerging plans which would be affected by this change to take a case-by-case based approach in deciding whether changes are needed, taking into account the evidence base which has already been produced under the NPPF and the PPTS. The definition of ‘travelling showpeople’ has not been amended and the PPTS policies still apply to all travellers, defined as gypsy and travellers and travelling showpeople.
- 4.22 Traveller sites should now be considered in the same way as any other development for the purpose of development within the Green Belt (PPTS 2024, Policy E, paragraph 16). This means that traveller sites in the Green Belt are still considered inappropriate development but have the potential to be considered appropriate through the same exceptions as other housing development, as set out in Chapter 13 of the NPPF.
- 4.23 Changes have been made throughout the NPPF and PPTS to clarify the position on delivery of traveller sites. This includes clarification that:
- i. the lack of a 5-year supply of traveller sites engages the presumption in favour of sustainable development for traveller sites, which is also now explicitly applicable for permanent permissions, not only temporary permissions (PPTS 2024, paragraph 28);
 - ii. the development of traveller sites in the Green Belt should not be considered inappropriate development in the conditions set out in paragraph 155 (as specific by footnote 56); and
 - iii. exceptional circumstances for the release of Green Belt land will exist where the need for traveller sites cannot be met on non-Green Belt land (NPPF 2024, paragraph 146). In the case that a site is released to meet gypsy and traveller need, the site should be specifically allocated in the development plan as a traveller site only ((PPTS 2024, Policy E, paragraph 17).
 - iv. The Golden Rules for development on Green Belt sites do not apply to traveller sites.
- 4.24 The PPTS will be further reviewed next year as part of a suite of wider planning policy reforms.

4.7 Community-led Development

- 4.25 Changes were made to the definition of ‘community-led development’ housing to include that developed by groups that were originally set up for a purpose other than housebuilding; and to **remove the size limit for community-led exception sites**, where an alternative limit is set through the development plan.
- 4.26 The Government did not go through with any amendment of the definition of ‘affordable housing for rent’ and will continue to consider options in future changes to national policy. However, to match the emphasis which has been given to it

throughout the document, Social Rent is now defined separately from ‘Affordable housing for rent’ in the Glossary of the NPPF.

4.8 Densities, beauty and design

- 4.27 The changes made in 2023 to the NPPF (existing paragraph 124e) to encourage mansard roof development has been updated to become more general and support all types of upward extensions (NPPF 2024, 125.e).
- 4.28 Old NPPF 2023 paragraph 130 which set out that ‘significant uplifts in density may be inappropriate if this would result in development wholly out of character with the existing area’ has been removed. The consultation response highlights that new NPPF paragraphs 130 and 131 already covered provisions to ensure density and local character can be considered through planning processes.
- 4.29 All changes made in 2023 to the NPPF that referenced beauty and beautiful have been reversed and the wording has been updated to ‘**well designed**’ places in several paragraphs of the NPPF 2024.
- 4.30 Wording has been added to paragraph 137 which put the onus on developers to provide sufficient information to demonstrate how their proposals would meet the design expectations set out in local and national policy.
- 4.31 The wording of paragraph 138 has been amended and makes it clear that the National Model Design Code should be the ‘*primary basis for the preparation and use of local design codes*’.
- 4.32 Provisions contained in the LURA 2023 on authority wide design codes and other design tools will be kept under review.

5 Brownfield, Green Belt and Grey Belt

- 5.1 The most significant changes to the Green Belt policy concern the introduction of a new sub-category of Green Belt called Grey Belt, which benefits from a different status in decision-making. Regarding plan-making, the new NPPF makes clear that exceptional circumstances to amend Green Belt boundaries will exist where an LPA cannot otherwise meet its development needs. Combined with new mandatory housing targets, this means that **Green Belt boundaries will have to be reviewed** in cases where local housing need and other development needs cannot be met on non-Green Belt land.
- 5.2 Government has announced a fund to support LPAs with the additional costs associated with Green Belt Reviews. Authorities seeking to apply for funding need to complete an [Expression of Interest](#) by 17 January 2025.

5.2 Brownfield

- 5.3 The amendments to the NPPF have not changed the brownfield first approach (NPPF 2024, paragraph 147a). As proposed in the consultation, paragraph 125c of the NPPF was amended to make clear that **brownfield development is acceptable in principle** unless substantial harm would be caused.
- 5.4 Amendments were made to paragraph 154g of the NPPF to create a clearer route to the redevelopment of Previously Developed Land (PDL) in the Green Belt, by making it clearer in what circumstances that development would not be inappropriate.
- 5.5 The definition of PDL has been amended to include ***'large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed'***. Glasshouses have not been included in the definition.
- 5.6 In September 2024, the government published a planning reform working paper on ['Brownfield Passports – Making the Most of Urban Land'](#). This paper considers options for providing faster and more certain routes to permission for urban brownfield land. The Government intends to take further action in relation to this issue through the publication of National Policies for Decision Making.

5.3 Green Belt

- 5.7 The five Green Belt purposes (NPPF 2024, paragraph 143) have been retained and have not been amended. Plan-making is still the only way to amend Green Belt boundaries through the demonstration of exceptional circumstances (NPPF 2024, paragraphs 145 and 146). The test for granting permission for inappropriate development in the Green Belt also remains the same as previously. However, significant changes are being introduced, including:
- i. Introduction of a new sub-category of Green Belt, called **Grey Belt**;
 - ii. Expansion of the definition of **exceptional circumstances**;

- iii. Introduction of a **sequential test** for the release of Green Belt;
- iv. Introduction of **'Golden rules'** for housing development on Green Belt; and
- v. Amendment to the definition of **inappropriate development** (paragraph 154).

5.3.2 Grey Belt

- 5.8 The Grey Belt definition in the NPPF 2024 differs from that proposed in the summer consultation, removing the test against purpose c) (NPPF 2024, paragraph 143) and by including all land that does not contribute strongly, when the consultation proposed to only include land which made a weak contribution to the purposes. The definition of grey belt is:

*'For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising **previously developed land** and/or any other land that, in either case, **does not strongly contribute to any of purposes (a), (b), or (d)** in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'* (NPPF 2024, glossary)

- 5.9 For plan-making, Grey Belt will be used in the new sequential test for Green Belt release. It should be prioritised over higher quality Green Belt land in the selection of site allocations to meet local housing needs (see section 5.3.5).
- 5.10 For decision-making, schemes proposed on Grey Belt will **no longer be considered 'inappropriate development' in the Green Belt**. They are some additional requirements for the development to be acceptable (NPPF 2024, paragraph 155):
- i. The development needs to **not fundamentally undermine the purposes** (taken together) of the remaining Green Belt across the area of the plan;
 - ii. The development needs to be in a **sustainable location**;
 - iii. The development would need to meet the **'Golden Rules'** where appropriate (see section 5.3.4); and
 - iv. There should be a **demonstrable need** for the type of development proposed. There will be a 'need' for the purpose of paragraph 155 where the LPA does not have a demonstrable 5YHLS, including the relevant applicable buffers, or where the Housing Delivery Tests over the last previous three years was below 75% of the housing requirement. For Traveller sites, this will be where there is a lack of five-year supply of deliverable traveller sites in line with the Planning Policy for Traveller Sites (NPPF 2024, footnote 56).

5.3.3 Exceptional circumstances

- 5.11 Where an LPA cannot meet housing, commercial or other needs after considering brownfield, optimised densities and wider opportunities, a Green Belt review should be undertaken. Such reviews would look to identify Grey Belt and Green Belt land for release.

- 5.12 Reviewing **Green Belt boundaries is now mandatory** for LPAs which cannot meet their Local Housing Need on non-Green Belt land. This new position is explicitly stated in paragraph 146 of the NPPF: *‘Exceptional circumstances in this context include, but are not limited to, instances where an authority cannot meet its identified need for homes, commercial or other development through other means. If that is the case, authorities should review Green Belt boundaries in accordance with the policies in this Framework and propose alterations to meet these needs in full, unless the review provides clear evidence that doing so would fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across either the area of the plan or the wider Green Belt as a whole.’*
- 5.13 As mentioned above, the release of Green Belt land will not be supported where it would fundamentally undermine the purposes of the remaining Green Belt.
- 5.14 New additions to paragraph 146 of the NPPF support the release of Green Belt land for housing but also for ‘commercial and other developments’. This includes Gypsy and Traveller sites.

5.3.4 Golden rules

- 5.15 The ‘Golden Rules’ (NPPF 2024, para 156) apply to:
- i. **major housing developments** proposed on land released from the Green Belt through plan-making, or
 - ii. sites which are the subject of a planning application on the Green Belt, which will need to satisfy the ‘Golden Rules’ not to be considered ‘inappropriate development’.
- 5.16 Where a development meets the ‘Golden Rules’, there will be a **significant weight in favour of granting the permission** (paragraph 158).
- 5.17 The developments which qualify will need to make the following contributions under the ‘Golden Rules’:
- i. **affordable housing** which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
 - ii. necessary improvements to **local or national infrastructure**; and
 - iii. the provision of new, or improvements to existing, **green spaces** that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces. (NPPF 2024, paragraph 156).
- 5.18 The NPPF sets out transitional arrangements for affordable housing policies in development plans, prior to their update in line with new paragraphs 67 and 68. Where an LPA has an existing affordable housing requirement, the **affordable housing contribution** under the Golden rules should be **15 percentage points higher** than the highest existing applicable affordable housing requirement, subject to **a cap of 50%** (NPPF 2024, paragraph 157). This cap of 50% does not preclude a developer from agreeing to provide affordable housing contribution exceeding 50%

(Viability PPG, paragraph 029). Where an LPA does not have an affordable housing requirement, **a default 50% affordable housing contribution should be applied** (NPPF 2024, paragraph 157).

5.19 The Golden Rules do not apply to traveller sites.

5.3.5 Sequential Test

5.20 Paragraph 148 of the NPPF introduces a **new sequential test for the release of Green Belt land** through plan-making: *'Where it is necessary to release Green Belt land for development, plans should give priority to:*

- i. previously developed land,*
- ii. then consider grey belt which is not previously developed,*
- iii. and then other Green Belt locations.'*

5.21 However, consideration should be given to the need to promote sustainable patterns of development. The need to promote **sustainable patterns of development** should determine whether a site is in an appropriate location, with particular reference to **sustainable transport modes and patterns** (NPPF 2024, paragraphs 110 and 115).

5.22 The Government has made clear in their consultation response that although priority should be given to PDL and grey belt, **the sustainability of the location should be a key consideration**. This means that more sustainable sites on higher performing Green Belt land can be brought forward without all the Previously Developed Land and Grey Belt opportunities having to be exhausted first.

6 Economy, infrastructure, transport and environment

6.1 Economy

- 6.1 Alongside supporting housing, the revised NPPF supports changes to the planning system to drive greater commercial development and to have regard to the national industrial strategy. A positive expectation that suitable sites for **modern economy uses** are identified in Local Plans, particularly laboratories, gigafactories, digital infrastructure, and freight and logistics has been introduced in paragraph 86. This is matched by an equivalent provision related to decision-making in paragraph 87. (NPPF 2024, paragraph 86c and 87a -c).

6.2 Healthy Communities

- 6.2 In the summer 2024 consultation, Government asked how the planning system could better support local authorities in promoting healthy communities and tackling childhood obesity. The Government has taken forward some of its proposals as well as new proposals made through the consultation.
- 6.3 The new NPPF (paragraph 96c) strengthens the role that planning has to play in **promoting good health and preventing ill-health** as well as reducing health inequalities between the most and least deprived communities.
- 6.4 Under new paragraph 97 of the NPPF, LPAs are to **refuse planning applications for hot food takeaways and fast food within walking distance of schools** and other places where young people meet. This does not apply to locations within designated town centres. LPAs are also to refuse planning application for hot food takeaways and fast food in locations where evidence shows that a concentration of those uses is having an adverse impact on local health, pollution and anti-social behaviour.
- 6.5 Additional text has been added to paragraph 102, emphasising that safety around open water, railways and other potential hazards should be considered in policies and decisions.

6.3 Public service infrastructure

- 6.6 Paragraph 100 of the new NPPF was amended to include details of what 'school' means in the context of the NPPF, i.e. early years, schools and post-16 places.
- 6.7 The non-exhaustive list of 'other public service infrastructure' which is contained in paragraph 101 of the NPPF has been amended to **reflect a wider range of community infrastructure** and to emphasise the weight to be given to the delivery of such infrastructure when considering proposals for development.

6.4 Open space

- 6.8 Formal play spaces have been added to the list of open spaces that should not ordinarily be built on (NPPF 2024, paragraph 104). Clarification has been added that policies and decisions in relation to Local Green Space should be consistent with national Green Belt policy.

6.5 Transport

- 6.9 Previously, planning for travel has followed a **'predict and provide'** pattern, where places are designed for a worst-case peak hour scenario. The Government has highlighted that this gives insufficient regard for quality of place created and whether the planned transport infrastructure is fully justified.
- 6.10 Instead, the new NPPF sets a **vision-led approach to transport planning** within the opening paragraph of the chapter on 'Promoting sustainable transport' (chapter 9, paragraph 109). A definition of 'vision-led' has been included in the Glossary of the NPPF, which states: *'an approach to transport planning based on setting outcomes for a development based on achieving well-designed, sustainable and popular places, and providing the transport solutions to deliver those outcomes as opposed to predicting future demand to provide capacity (often referred to as 'predict and provide')'*.
- 6.11 Additions to paragraph 115 and 116 of the NPPF have also been implemented, to shift the provision of transport to be vision-led rather than a 'predict and provide' pattern.

6.6 Climate change mitigation and adaptation

- 6.12 Changes have been made throughout the NPPF to support climate change mitigation and adaptation. Particularly:
- i. Addition of paragraph 163 which adds mitigation and adaptation to climate change **as well as the potential climate change impacts of planning applications** as a consideration for decision-making;
 - ii. Emphasis on the development of **renewable energy**;
 - iii. Amendment to transport policies to promote **more sustainable travel patterns**;
 - iv. Additional requirements for **sustainable drainage systems**;
 - v. Additional emphasis on **sustainable patterns of development** in plan-making and decision-making; and
 - vi. More weight given to the **improvements of green spaces** and their role in nature recovery as part of the new Golden Rules requirements (NPPF 2024, paragraph 159).

- 6.13 The footnote added in 2023 regarding the availability of agricultural land for food production when considering what sites are most appropriate for development has been removed (NPPF 2023, footnote 52).
- 6.14 Additional planning practice guidance will be published to assist LPAs to consider carbon emissions within the plan-making process and to support developers to use carbon accounting as part of development proposals.

6.7 Natural environment

- 6.15 The NPPF has been updated to reflect the new name, National Landscapes, for legally designated Areas of Outstanding Natural Beauty.
- 6.16 Additional **guidance has been published by DEFRA** on the duties of Local Authorities to actively take ‘appropriate, reasonable and proportionate steps’ to further the statutory purposes of protected landscape, as revised under the LURA 2023 (section 245). The duty is an active rather than a passive duty, which means that authorities need to “*seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes*”.
- 6.17 Additional text has been added to specify that provision of net gains for biodiversity to include ‘*incorporating features which **support priority or threatened species** such as swifts, bats and hedgehogs*’ (NPPF 2024, paragraph 187.d).
- 6.18 A land use consultation will be launched in early 2025 which will inform the development of a Land use Framework for England, to be published in 2025. This will set the vision for long term land use change and include principles for land use decision making.

6.8 Green energy

- 6.19 More significant weight has been given to renewable energy in the new NPPF and changes have been introduced to paragraphs 167, 168 and 169 of the new NPPF.
- 6.20 **The ban on onshore wind has been lifted**, with the removal of the additional footnotes which had been inserted in the NPPF in 2023. Large onshore wind projects will be reintegrated into the Nationally Significant Infrastructure Project (NSIP) regime, as defined by the 2008 Planning Act. The **threshold** above which proposals come under the NSIP regime has been set at **100MW**, as consulted.
- 6.21 The solar power development threshold for NSIP has been set at 100MW, rather than the 150MW which was consulted on.
- 6.22 The Government intends to bring forward **legislation in spring 2025** to make these changes effective and reintroduce onshore wind into the **NSIP regime**, set its threshold at 100MW and increase the solar threshold from 50MW to 100MW. All schemes which fall below these thresholds will continue to be consented through the Town and Country Planning Act regime. The Government intends to put in place a

transitional window until the end of 2025 when the changes to the NSIP regime will come into effect.

- 6.23 Planning practice guidance on renewable and low carbon energy development will be updated shortly.

6.9 Water infrastructure

- 6.24 The consultation sought views on amendments to the definition of water infrastructure projects in the 2008 Planning Act to **improve the current thresholds for water resource developments in the NSIP regime**. The Government has decided to consider these changes alongside the findings of **the Independent Commission into the water sector** which was launched on 23 October 2024. Water infrastructure can already be considered Critical National Infrastructure and the Government will monitor the current pipeline of projects to consider if it would be beneficial to additionally define projects as Critical National Priorities beyond that of being in water companies' statutory plans.

6.10 Flooding

- 6.25 New paragraph 173 specifies that present and future flood risk should be taken into account: *'a sequential risk-based approach should also be taken to individual applications known to be at risk now or in the future from any form of flooding'*.
- 6.26 Wording was added to the NPPF (NPPF 2024, paragraph 175) to clarify that the **requirement for a sequential test is not triggered** where it can be demonstrated that no new development or access or egress route is proposed in an area of flood risk from a source. This includes fluvial, tidal and surface water flooding. This will need to be demonstrated through a **site-specific risk assessment**.
- 6.27 The government will also be updating the planning practice guidance on [Flood Risk and Coastal Change](#) to clarify the meaning of the phrase *'reasonably available sites'* in relations to the sequential test.
- 6.28 New paragraph 182 of the NPPF widens the requirements for **Sustainable Drainage Systems** (SuDs) to all developments. It was previously limited to major development only. The proposal should incorporate SuDs which *'control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal'*. These SUDs should also be multifunctional where possible.
- 6.29 A definition a SUDs has been added to the NPPF glossary which details what SUDs can be and gives examples of the type of SUDs which would be appropriate for different scales of development.

7 Plan making, viability, transition and intervention

7.1 Plan making

- 7.1 The Levelling-Up and Regeneration Act 2023 revokes the **Duty to Cooperate** (DtC) in relation to the reformed plan-making system. However, Government has reiterated that DtC remains a legal requirement under the current local plan system and continues to apply to local plans progressed within the current system. The DtC requirement has been strengthened in the new NPPF.
- 7.2 It is the Government's intention to move to a model of **universal strategic planning** covering functional economic areas within the next five years. This will need to be formalised in legislation (see section 9.3)
- 7.3 In the short-term measures have been introduced to strengthen cross-boundary cooperation, ahead of introducing formal strategic planning mechanisms:
- 7.4 The Duty to Cooperate wording at NPPF paragraph 24 has been strengthened to include a non-exhaustive list of key spatial issues to be considered.
- i. a new paragraph 27 has been added to strengthen the requirement for **effective cooperation** and to ensure that the right engagement is occurring in relation to the delivery of major infrastructure, unmet housing need, cross boundary allocations or designations and other strategic issues where plans are being progressed.
 - ii. Additions to the new paragraph 28 aim to ensure that the DtC is examined in a pragmatic way.
- 7.5 No changes have been made to the way the **test of soundness** assesses the soundness of strategic scale plans and proposal. Government will consider this policy area in a future revision of the NPPF, alongside the introduction of a universal system of strategic planning.

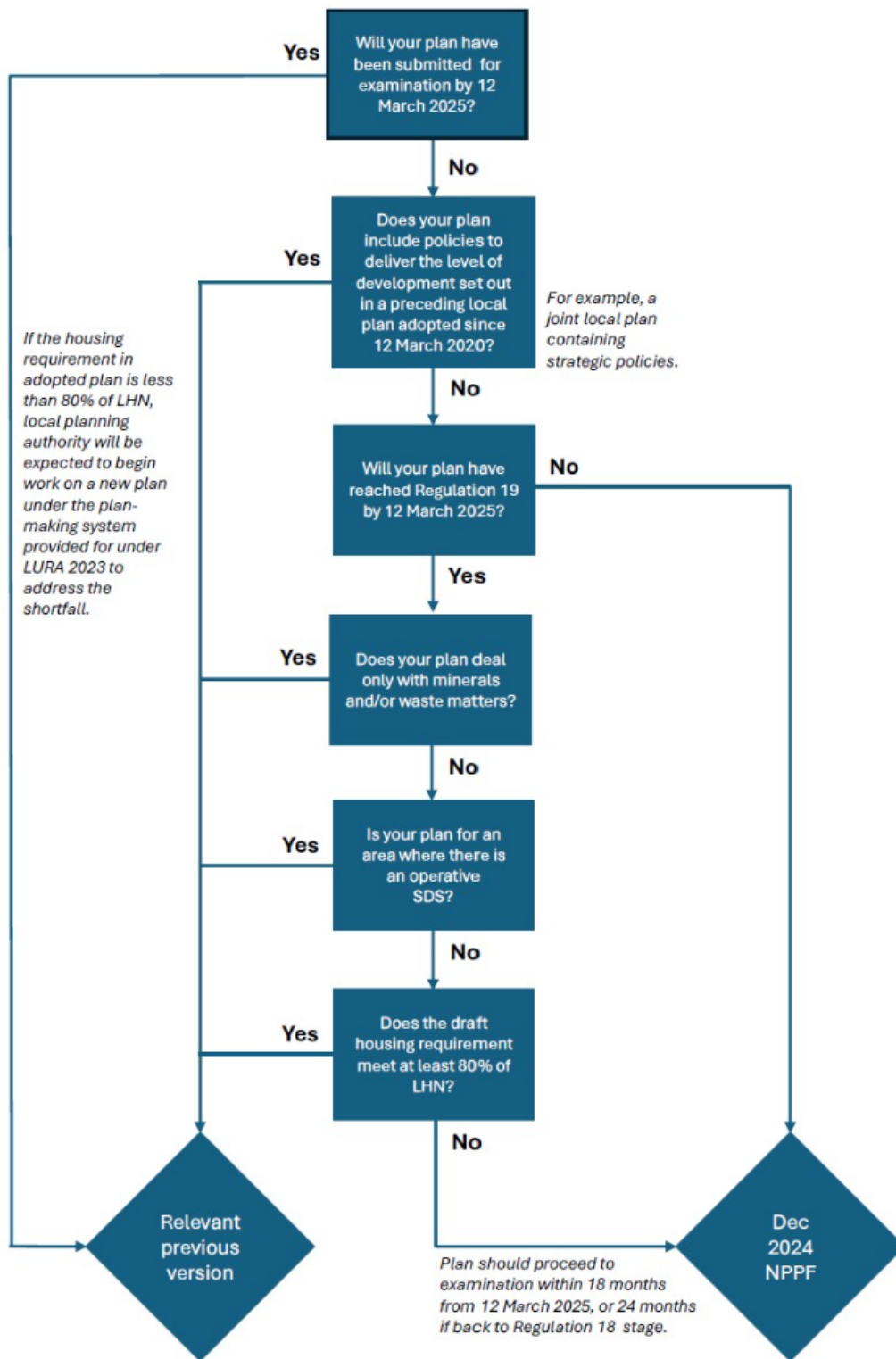
7.2 Viability

- 7.6 The **Planning Practice Guidance on Viability** was updated with a new paragraph on the Golden Rules for Green Belt development. It specifies that for these sites, '*site specific viability assessment should not be undertaken or taken into account for the purpose of reducing developer contribution*'. This part of the guidance will be reviewed in 2025.
- 7.7 In the consultation, Government proposed to set national benchmark land values. This is not part of the current policy changes contained in the NPPF. Benchmark values will be considered in the review of the viability planning practice guidance in 2025.

7.3 Transitional arrangements for decision-making and plan-making

- 7.8 Annex 1 of the new NPPF sets out the implementation and transitional arrangements for the new NPPF. **The new NPPF came into force on 12 December 2024 for decision-making.**
- 7.9 **For plan-making, the new NPPF will come into force on 12 March 2025.** There are exemptions which will enable a plan to be examined under the December 2023 NPPF, which are:
- i. Where a plan has reached Regulation 19 on or before 12 March 2025 and proposes a housing requirement which meets at least 80% of its local housing need.
 - ii. Where a plan has been submitted for Independent Examination (Regulation 22) before or on 12 March 2025.
 - iii. Where a plan includes policies to deliver housing and other development set out in preceding local plan adopted since 12 March 2020.
 - iv. For neighbourhood plans, where the plan has been submitted to the local planning authority (Regulation 15) before or on 12 March 2025.
- 7.10 For plans at Regulation 19 on or before 12 March 2025, where the draft housing requirement meets less than 80% of the LPA's local housing need (LHN), the plan will need to be updated to meet the LHN prior to submission. The expectation is for these plans to be submitted within 18 months of 12 December 2024 or 24 months if the changes require the LPA to return to Regulation 18 consultation.
- 7.11 For authorities with a plan currently being examined, where the draft housing requirement meets less than 80% of the LPA's LHN, the authority will be expected to begin a new plan under the new plan-making framework as soon as the relevant provisions under the LURA are brought into force.
- 7.12 The Planning Reform consultation response states that all earlier stage plans (i.e. not at Regulation 19 or further in the plan-making progress), on or before 12 March 2025, will be expected to be submitted for examination under the existing 2004 Act plan-making framework before December 2026. Any plan which is expected to be submitted for Examination after December 2026 should be prepared under the new provisions of the LURA 2023 on plan-making, when these come into force.

Figure 1 Transitional arrangements for local plans (source: MHCLG Consultation response)



7.4 Local Plan intervention criteria

- 7.13 The Secretary of State is allowed to intervene in the plan-making process under sections 27 and 27A of the 2004 Planning and Compulsory Purchase Act (as amended by the Levelling-up and Regeneration Act 2023).
- 7.14 The Government consulted in summer 2024 on whether changes to the local plan intervention criteria should be made, and whether the criteria should be withdrawn, relying on the existing legal tests to underpin future use of the intervention powers. Following consultation, the **Government decided to introduce new local plan intervention policy criteria** to ensure that *'future local plan intervention action is targeted, swift and proportionate'*.
- 7.15 The **Plan Making Planning Practice Guidance** has been updated to provide some high-level guidance on which criteria the Secretary of State may consider when deciding to intervene in plan-making. The new PPG guidance states: *'Decisions on intervention will be taken in line with **relevant legal tests** and should have regard to **plan progress and local development needs**. The Secretary of State may also consider other matters that they deem relevant to the case, including **sub regional or regional or national development needs**.'* (PPG Plan-making, paragraph 085). These criteria replace the previous criteria set out in the 2017 Housing White Paper.
- 7.16 Under the new guidance, Planning Authorities will be invited to put forward any **exceptional circumstances** which they believe the Secretary of State should consider in relation to any plan-making intervention action.
- 7.17 These new criteria took effect immediately with regards to sections 27 and 27A of the 2004 Planning and Compulsory Purchase Act. Once the relevant provisions in the Levelling-up and Regeneration Act 2023 are commenced, they will also apply to local plan and minerals and waste plan intervention taken under sections 15HA and 15HD of the 2004 Act.

8 Changes to Planning Fees

8.1 Householder Application Fee

8.1 The **fee for householder application will be increased** to help Local Planning Authority recover the cost of development management services. The fee for household development which involves the enlargement, improvement or alteration of a single dwelling house will increase from £258 to £528. The equivalent fee for two or more dwelling houses will increase from £509 to £1,049. The fee of £258 for small-scale operations within the curtilage of a dwelling house, such as the construction of gates or fences, was deemed appropriate and will not be increased.

8.2 The Government laid a draft statutory instrument (New Draft Fees Order) before parliament on 13th January, which once made will increase planning application fees in England from 1 April 2025.

8.2 Other Planning Application Fees

8.3 The Draft Order also increases other fees:

- the charge for prior approval notifications that do not involve building operations will increase from £120 to £240, and for those that involve building operations will increase from £258 to £516. The fees for prior approvals relating to the change of Class E uses to residential will increase from £125 to £250 per dwelling house. The fees for prior approvals related to the construction of new dwelling houses are not changing.
- the fee for discharge of conditions will be increased from £43 to £86 for householders and £145 to £298 for any other development. The fee for the submission of a Biodiversity Gain Plan will increase from £145 to £298.
- a new banded fee structure for section 73 applications will be introduced - £86 for householder applications, £586 for non-major development and £2,000 for major development.

8.4 The order also amends the fee levels for two miscellaneous fee categories:

- i. the fee for an outline application for the erection of a building where gross floor area exceeds 3,750 sq.m. will increase to £31,385
- ii. the fee for an application for the erection of an agricultural building where gross floor space created is between 1,000 sq.m. and 4,215 sq.m will increase to £5,077.

8.5 All planning application fees are subject to indexation. The draft order also changes the fee increase date for the amended rates. Fees will be fixed for a year and then updated for inflation on 1 April 2026.

8.3 Localisation of Planning Application Fees

- 8.6 The Government intends to propose **new powers for LPAs to be able to set their own fees** in the Planning and Infrastructure Bill. National fees will be reviewed as part of this process to ensure that the national default fee provides a robust base for cost recovery. Supporting regulations will need to be introduced.
- 8.7 In its consultation response, the Government has indicated that a local variation model of fees may be appropriate and would answer concerns from respondents on locally set fees. This model would include **a minimum benchmark fee set by Government**, which could be varied locally, **only to recover costs**. Guidance would accompany this model, including on what costs can be recovered. A schedule of fees would have to be consulted on and the Secretary of State would have power to intervene where it would be considered that the fee would be excessive or unjustified.

8.4 Wider Planning Service Fees

- 8.8 The consultation sought views on whether councils should be allowed to raise planning fees to fund wider planning services such as plan-making, enforcement, heritage, conservation and design. The Government has decided **not to allow planning fees to be raised to cover wider planning services** at present.

8.5 NSIP Cost Recovery

- 8.9 The Government proposes to develop secondary legislation to **enable cost recovery** for relevant services provided by local authorities in relation to applications and proposal applications for NSIP under the 2008 Planning Act. Fees would be payable by applicants.
- 8.10 The Government will develop an evidence base to determine an appropriate fee or fee range for local authorities, ensuring that the fees charged by local authorities are proportionate to the costs of delivering the relevant services. The government will also seek to ensure that there is accountability of local authorities in delivering the service applicants paid for, as well as promote joint working to provide effective economies of scale where appropriate.

9 Further Reform

9.1 Future planning reforms

9.1 The new plan-making system which is set out in the LURA will be brought into force in Summer or Autumn 2025. All plans not subject to the new transitional arrangements will need to be submitted for examination under the existing 2004 Act system **no later than December 2026**.

9.2 The Government has announced that it intends to:

- i. publish Green Belt planning practice guidance in January 2025;
- ii. publish new guidance on the role of Local Nature Recovery Strategies in January 2025;
- iii. consult on a set of National Policies for Decision Making in Spring 2025;
- iv. to review the Planning Policy for Traveller Sites in 2025;
- v. review the Viability Planning Practice Guidance as a priority in 2025;
- vi. review the Flood Risk and Coastal Change PPG;
- vii. publish guidance to support councils and developers in reducing carbon emissions;
- viii. publish new guidance on LPAs setting their own planning fees;
- ix. keep planning design standards under review; and
- x. take further steps to increase build out rates on housing sites.

9.2 Planning Reform Working Paper: Planning Committees

9.3 On the 9 December 2024, Government published a [policy paper](#) on reforming planning committees. Any subsequent changes will require changes to primary legislation through the Planning and Infrastructure Bill. Responses to the paper will be used to refine proposals before a formal public consultation in 2025. There is no formal deadline to submit responses to the paper.

9.4 The paper introduces three different types of proposals:

- i. A national scheme of delegation;
- ii. Dedicated committees for strategic development; and
- iii. Training for committee members.

9.2.2 National scheme of delegation

9.5 The proposal of a national scheme of delegation has four different options being proposed:

- i. Delegation when a planning permission complies with the development plan. This would include delegating decisions to planning officers where the application is fully

compliant. LPAs would retain discretion to make their own rules around committee v delegated decision in cases where the application does not comply with the development plan.

The Government is seeking views on how compliance will be determined; and also whether there should be different approaches depending on whether a LPA has an up-to-date Local Plan.

- ii. Delegation as default with exceptions for departures from the development plan. Under this option, all applications would be delegated to officers unless special circumstances apply:

- The application is recommended for approval but departs from the development plan; or
- The application has been submitted by the local planning authority, its members or officers.

Views are being sought on the operational impacts of applying special circumstances approach.

- iii. Delegation as a default option, with a list of exceptions. Under this option, the government would need to publish a list of applications which would be delegated by default and of the type of applications to be determined by committees. The paper gives the following example of a prescriptive list of applications which would need to be delegated:

- *'All applications for planning permission must be delegated to officers unless the application is: i. for major residential or commercial development not on an allocated site; ii. for an allocated site and the proposals depart from the policy in the local or neighbourhood plan for that site; iii. for land on the Green Belt which engages the exceptional circumstances test in the NPPF; iv. for development subject to Environmental Impact Assessment or which is likely to have a significant impact on a habitats site; v. for development that would cause substantial harm to a designated heritage asset and there could be exceptional reasons for its approval; vi. submitted by a local planning authority, its members or officers; or vii. subject to over a specified number of objections.'*
- *All applications for other planning consents and approvals must be delegated to officers unless, for applications for listed building consent, the application was for works which would cause substantial harm to a listed building and there could be exceptional reasons for its approval.'*

The Government is less inclined to pursue this option, however it is seeking views as to whether it might have any merit.

- iv. A fourth option of scheme of delegation which could combine all the proposals above.

9.2.3 Dedicated committees for strategic development

- 9.6 The government is also proposing that where relevant, LPAs establish an additional committee specifically dedicated to strategic development opportunities. These are

defined as development opportunities that will bring long term change to an area and will be large scale. The Opportunity Areas in the London Plan and the Ebbsfleet Garden City are identified as examples of the scale of development involved.

- 9.7 If relevant for an area, the dedicated strategic development committee would be a smaller committee, which could provide a clearer and more direct decision-making process for long-term developments of strategic significance for the LPA. The committee would operate in addition to the main planning committee.
- 9.8 The paper asks for views on a number of factors: the size of the committee (three to five members is proposed), the definition of strategic development and whether these committees should include both elected members and independent experts.

9.2.4 Planning training

- 9.9 The paper proposes mandatory planning training for all planning committee members. Any member who did not receive training would be prevented from sitting on a planning committee. The paper makes proposals on what the content of the training might be and seeks views on the type and depth of the training.

9.3 Devolution White Paper

9.11 On 16 December 2024, the government published the '*English Devolution White Paper: power and partnership: foundations for growth*'. The main implications of this White Paper for planning are summarised below. This summary does not cover all aspects of the White Paper, which also proposes significant changes to environmental and climate change policies.

9.3.2 Reform to the local government system

9.12 Government is proposing a fundamental change to the current local government system, with a new uniform system of **wholly unitary authorities** across England. Above this layer of unitary authorities would sit a new form of 'Strategic Authority' which could either be:

- i. **A Foundation Strategic Authority** if it is a non-mayoral Combined Authority, a Combined County Authority or a Local Authority designated as a Strategic Authority without a mayor; or
- ii. **A Mayoral Strategic Authority** if it is a Mayoral Combined Authority or a Mayoral Combined County Authority. The Greater London Authority would fall into this category. Certain of these Strategic Authorities will be designed as Established Mayoral Strategic Authority if they meet specific criteria, which will enable them to access further devolution powers, such as Integrated Settlements.

9.13 These Strategic Authorities, where they do not already exist, will be created by **grouping county councils together**. The Government has acknowledged that the creation of Strategic Authorities is likely to be finalised prior to the finalisation of the full reorganisation of local government which will see the emergence of a full unitary system. This means that for a period of time, Strategic Authorities, County Councils and District or Borough Councils will coexist. District and Borough Councils will not be part of the newly created Strategic Authorities but it is expected that there will be '*effective levels of collaboration.*' between the District or Borough Councils, County Councils and Strategic Authorities.

9.3.3 Planning powers

9.14 It is proposed by government that **Strategic Authorities will gain planning powers** which will require them to create **Spatial Development Strategies (SDS)**. The government is keen that all of England is covered by SDS and will be creating powers in the Planning and Infrastructure Bill to direct groupings of authorities to act in place of the Strategic Authority for the purpose of planning until a Strategic Authority is formally established.

9.15 SDS will be high level documents. Drafting and adoption of detailed policies and site allocations will remain with the constituent LPAs. The **SDS are expected to propose a housing requirement at least equivalent to the sum of the constituent authorities LHN**. The SDS will also need to apportion this housing requirement between the different constituent LPAs. The body preparing the SDS will be under a duty to consult the district and borough councils during the development of the SDS.

- 9.16 The government is also proposing the creation of **new intervention powers** to ensure that SDS are being progressed in line with the government's aim of having SDS for the whole of England by the end of this Parliament. The powers are proposed to include giving directions on timetables or distribution of housing needs and the powers to **take over the preparation and adoption of an SDS** where it is not being produced quickly enough.
- 9.17 The White Paper proposes to give Mayors the ability to create **Mayoral development Orders**.

9.3.4 Proposed transport reforms

- 9.18 The White Paper sets ambitions to build on the success of the London transport system and the Bee Network and seeks to 'give mayors a strategic role in transport planning'. This is likely to include giving Mayors a **statutory role in governing, managing the planning and development of the rail network**. They will also be allowed to request further devolution of rail services. Subject to some criteria, Mayors will also be given the option for greater control over appropriate local stations to 'capitalise on the opportunities for economic growth, accessibility and intermodal connectivity in and around stations.'
- 9.19 In terms of the road network, Mayoral Strategic Authorities will coordinate a Key Route Network for essential local roads, with the Mayor holding a **Power of Direction to implement the Local Transport Plan**. This power's effectiveness will be reviewed two years post-implementation.
- 9.20 Greater powers will be given to **Local Transport Authorities** through the removal of the requirement for the SoS to consent to certain local transport decisions, simplifying local transport funding and encouraging the development of an electric vehicle Charge Point strategy. It is proposed that the process for bringing buses back into public control will be made faster and simpler through the **Buses Bill** which aims to empower Local Transport Authorities with options to manage bus services through franchising, Enhanced Partnerships or public ownership.

9.3.5 Other proposed reforms

- 9.21 The White Paper includes other reforms which are not being covered in detail in this paper, including:
- i. Moving Mayoral Strategic Authorities from unanimity to simple majority voting system, including the Mayor's vote.
 - ii. New development manager powers such as the ones exercised by the Mayor of London, will be devolved.
 - iii. Mayors will be able to charge a Mayoral Levy to fund infrastructure.
 - iv. Homes England will be moved to a more regionalised model to ensure stronger partnership between Homes England and Established Mayoral Strategic Authorities.

- v. Mayors will be handed a number of powers in relation to climate change adaptation including on retrofit funding, the delivery of the Great British Energy Local Power Plans and leading on Local Nature Recovery Strategies.

9.4 Compulsory Purchase Process and Compensation Reforms

- 9.22 On 19 December 2024, the government launched an eight-week consultation on changes to **Compulsory Purchase Orders (CPO)**. The consultation closes on 13 February 2025.
- 9.23 The government is consulting on the proposal to amend CPO powers to make it easier for councils to purchase sites without having to take into account the 'hope value' of the site. These would be additional powers to the ones already contained in the LURA 2023.
- 9.24 The changes aim at making it easier to obtain a direction to remove hope value from CPO schemes, through an easier process and through the widening of circumstances under which such direction may be obtained.
- 9.25 The following is proposed:
 - i. Expanding the list of CPOs which can apply for directions to remove hope value to **include those made on behalf of town and community councils** for affordable or social housing (under section 125 of the Local Government Act 1972.;
 - ii. **Remove the requirement for involvement of the SoS** to confirm a CPO direction to remove hope value that has been objected to, allowing inspectors to determine such directions;
 - iii. Allow for **delegation of decision-making functions** to an Inspector for the making of a direction on additional compensation under Schedule 2A to the Land Compensation Act 1961;
 - iv. clarify that **directions to remove hope value apply to all forms of CPO compensation** where market value of land is a component of the calculation of the amount due. This would include claims for home loss payments under the Land Compensation Act 1973; and
 - v. Create new powers which would **allow the making of blanket directions for the removal of hope value** from a specific type of property rather than requiring case-by-case directions. This could include brownfield land in built-up areas suitable for housing delivery or land allocated for residential development in an adopted plan but which has not come forward for development.
- 9.26 The consultation also proposes modernisation to the CPO process, such as allowing notices to be served electronically and streamlining the information required.

This page is intentionally left blank