

# National Planning Policy Framework Consultation Response

## Planning Policy Committee Thursday, 23 March 2023

Report of: Interim Chief Planning Officer

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Purpose: To update Members on the Council's response to the Government's consultation to national planning policy.

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Publication status: Open

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Wards affected: [All]

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### **Executive summary:**

On 22 December 2022, the Government began a ten-week consultation (closing 2<sup>nd</sup> March 2023) on proposed changes to national planning policy, in particular updates to the National Planning Policy Framework, the proposed approach to preparing National Development Management Policies and policies to support levelling up. This report summarises and provides a copy of the Council's full response to this consultation.

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### **This report supports the Council's priority of:**

Creating the homes, infrastructure and environment we need/ Supporting economic recovery in Tandridge/ Becoming a greener, more sustainable District

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### **Recommendation to Committee:**

Consultation response appended should be noted.

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## Introduction and background

- 1 As presented to the Committee on the 19<sup>th</sup> January 2023, Government began a ten-week consultation (22<sup>nd</sup> December 2022 – 2<sup>nd</sup> March 2023) on 'Levelling-up and Regeneration Bill: reforms to national planning policy. This focused on updates to the National Planning Policy Framework, the proposed approach to preparing National Development Management Policies and policies to support levelling up.
- 2 The consultation documents can be found here: [Levelling-up and Regeneration Bill: reforms to national planning policy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy)
- 3 A response to this consultation was prepared and submitted in consultation with and agreement of the Planning Policy Working Group.

## Response Summary

- 4 The response expressed support for:
  - Proposed reforms to the calculation of five-year housing land supply (5YHLS). A need for clear guidance for the calculation of 5YHLS was noted.
  - Increasing protection for Neighbourhood Plans while flagging concerns that an unintended consequence might be that areas without a Neighbourhood Plan are more vulnerable to development.
  - Revision of the opening chapters of the NPPF whilst flagging a need for more clarity regarding Green Belt and housing delivery and the need for policy to be about more than housing development.
  - Housing need numbers to take into account presence of Green Belt, avoidance of out-of-character densities and past over-supply. A need for clear guidance on the application of these constraints was noted.
  - Not applying revised test of soundness to plans at more advanced stages of preparation.
  - An additional permissions-based test that will 'switch off' the presumption in favour of sustainable development, although noting the proposed 15% buffer was not supported.
  - Suspension of Housing Delivery Test consequences until the new system is fully implemented.
  - More weight to social rent and further clarity around specialist older people's housing in policy.
  - Significant weight to be given to proposals that allow the adaption of existing buildings to improve energy performance.
  - Proposed transitional timelines for plan production, whilst highlighting serious concerns regarding the deliverability of the new proposed timescale for plan production.
  - Proposed scope and principles for National Development Management Policies (NDMP). Countryside protection, heritages, SPAs and SANGs and pollution were all suggested as possible topics for NDMP, while noting there is a need to allow local policy as well.

- 5 Particularly strong support was expressed for the proposed changes regarding Green Belt and the calculation of housing need.
  
- 6 The response noted that the following proposed changes were not supported:
  - Removal of justified from the test of soundness, while noting that more proportionate approach to examination and clear guidance regarding evidence requirements would be welcome.
  - Changes to the definition of affordable housing for rent to allow non-registered providers to develop affordable housing.
  - Taking applicant's past behaviour into account in decision-making. The likely legal risks were highlighted as was the fact that there are existing powers to address applicant behaviour, which could be expanded.
  - Inclusion of the term 'beauty' in policy, while noting that well-designed and high-quality development is supported.
  - Need for further visual clarity on design requirements.
  - Inclusion of specific reference to mansard rooves or artificial grass in national planning policy.
  - Changes to policy regarding food production value of high value farmland.
  
- 7 The response expressed the following views on implications of the changes:
  - Slowdown of plan making in the short term although speed up in the longer term
  - Reduction of housing supply, as appropriate given extensive constraints within Tandridge.

## **Key implications**

### **Comments of the Chief Finance Officer**

There are no direct financial implications arising from this report.

### **Comments of the Head of Legal Services**

There are no direct legal implications arising from this report. The options around the implementation of the proposed changes have been considered as part of preparing the proposed response.

### **Equality**

Duty under the Equalities Act 2010

In assessing this proposal, the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

### **Climate change**

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

### **Appendices**

Appendix A - NPPF & LURB Submitted Consultation Response

### **Background papers**

None

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