

Submitted Comments on 2018 NPPF consultation

Chapter 2

Q4 Assessed Need: Is it reasonable for the assessed need for homes in a plan area to include the total demand from people who would just like to live in that area but do not have a strong reason, e.g. need to because of work, because they wish to return to where they grew up or to be close to family members? If assessed need is based on total demand areas such as the south west and south east of England and areas of special character will be subjected to disproportionate growth and England to further southward migration and significant demographic change.

Q4 Para 14: It would be helpful if this paragraph could be written so that its meaning is explicit without the need for references to two other parts of the NPPF, para 75 and within para 75 to para 11d.

Q4 Sustainable Development: Many homes are built with a planned life of 50 to 60 years before they incur substantial repair and modernisation costs or require replacing. Clearly the UK cannot afford to spend substantial sums on either the repair or replacement of the majority of homes every 50 or 60 years. Should homes be built to a higher standard and longer life? This would increase the build cost but in parallel with this land costs must be reduced by either compulsory purchase or a land tax that contributes to the cost of affordable homes built by Housing Associations.

Chapter 4

Q10: While the NPPF is a very good and useful document there must be scope for judgements to be made at the local level in exceptional situations based upon community views and special circumstances at the time.

Chapter 5

Q12 Presumption in favour of sustainable development when delivery is below 75% would be acceptable providing that there are very strong regulations to require developers to build homes that they have permission to build within a timescale agreed with the local planning authority. Related to this a developer should not be deemed to have commenced development because some minor works have commenced. They must be required to deliver as agreed. Exceptionally it should be possible for the local planning authority to explain why the situation has arisen and to agree that the presumption is not made.

Q14 Para 65: The minimum target of 10% affordable on major sites is too low given the demand for affordable homes. It should be set higher at 35%. Whatever the required minimum is, it should be explicit that development cannot be permitted or must be halted, if it has commenced and the situation changes, and if the minimum cannot be provided.

If despite representations you do not increase the minimum to 35%, in addition to any minimum there should also be a higher target figure and developers who state that they cannot provide the target must have their application subjected to a higher level of scrutiny than by the Local Authority.

Q14 Para 69e: The use of windfall sites should not be encouraged without qualification as they often result in harm to the character of towns through the loss of urban open space and gardens, space for biodiversity and compromise previous good planning. Need to be consistent with para 122d.

Q14 Para 69d: Sub-division of major sites where agreement has been reached between the local planning authority and the original applicant must not allow weakening of agreements made with the original applicant.

Q14 Para 71: Recommendations to resist inappropriate development of residential gardens need to be much stronger to halt the over development of residential areas, loss of character and urban biodiversity essential to healthy environments.

Q14 Para 72a: Rather than refer to a “high proportion” of affordable homes on exception sites a minimum proportion should be recommended.

Q14 Para 78: Statement that “development must begin” is not good enough. At present a developer just needs to start work on site to satisfy that measure. The requirement must be that they build out at the rate agreed with the local planning authority.

Q14 Para 81e: Isolated development should not be permitted because it is of “exceptional quality”. Maybe it should be permitted when it meets a clear community need and if permitted must be in character with the area.

Q14 Is the draft NPPF strong enough to ensure that sufficient affordable homes are built to meet the national need. It seems that stronger controls on developers are required.

Chapter 7

Q18 Para 86d: Agree that the need for town centre office space should be met but for a planning authority to achieve this the local planning authority must have the power to prevent the existing permitted development allowing conversion of office space to residential in locations where office space is required.

Chapter 8

Q20 Where possible planning should encourage the creation of green routes through urban areas creating a more pleasant environment and safe network for pedestrians and cyclists.

Chapter 9

Q23 Highway Authorities and local planning authorities must be subjected to significant sanctions if they do not give the required priority to pedestrians and cyclists, followed by public transport as they are required to do, because to date this is usually ignored.

Q23 Para 105 (d) this requirement to “provide high quality walking and cycling networks with supporting facilities” is welcome but planning authorities must be forced to comply with NPPF, not casually ignore aspects that they don’t want to apply.

Q23 Para 106/107: Should require objective consideration of likely use of residential garages for parking in establishing required parking space given their relatively low use.

Reference is made to maximum parking standards in para 107, reference should also be made to setting minimum parking standards to avoid inadequate provision.

Q23 Para 108 to 111: Reference needs to be made to the highway authority in two tier areas being required to respond promptly and to demonstrably have sought good solutions that would benefit the community. Too often the response is slow and limited to meeting the need. While this is addressed partly in para 105b this requirement is not just related to the preparation of the local plan but must also apply to the Highways Authority's response in relation to specific applications.

Q23 Para 110(a) this requirement "to give priority first to pedestrians and cycle movement" is also welcome, again planning authorities must be forced to comply.

Q23 Para 110(c) recognises conflicts between pedestrian, cyclists and vehicles. It must be stated that banning cyclist or pedestrians is not an acceptable means of avoiding conflicts.

Chapter 11

Q27 Para 118(e) While this proposed permitted development appears to be well qualified, it risks exploitation through among other things, reference to local precedence as a result of previous poor planning. This is a worrying trend and should be removed. Approving an unfettered allowance that bypasses planning controls for upward extension will require planning authorities to have street by street design guides. The unintended consequences of unfettered conversions from commercial to residential has already changed the nature of streets and properties for the worse, and reduced vitality from day time footfall in town centres from offices, this will have equally profound and unwanted effect.

Chapter 12

Q29 Para 125 and 126(a) This support for design guides and codes, and good architecture is welcome. Planning authorities must be forced to comply.

Q29 Para 127. "Early discussions with local community groups" must explicitly include Local Civic Societies. This must be specified otherwise less inclusive, planning authorities will only involve Parish Councils and Neighbourhood forums.

Q29 Para 129 Planning Authorities "must", not "should" refuse developments of poor design. Planning authorities must be required to produce Street and Design Guides in collaboration with Local Civic Societies as in para 125

Q29 Para 130 This support for innovative designs is welcome.

Chapter 14

Q32 Para 147 This chapter should encourage local energy creation but where, for example, waste is incinerated it must be a requirement that residential heat and energy is available for local heating schemes and local energy generation, not sold as profit to the national grid to finance the development.

Chapter 15

Q34 No Para 173(c) It is welcome that development on ancient woodland should be refused, however the excuse if it “clearly outweighs the loss” must be omitted. These habitats are irreparable. It must be clear that ancient woodland includes PAWS.

Aged and veteran trees are irreplaceable and should be considered and protected as ancient woodland. Why downgrade one irreplaceable woodland habitat while improving protection for another? England's oldest and most impressive trees would actually have less protection from development than ancient woodland in future. The new policy wording and related commentary around “irreplaceable habitats” should include both ancient woodland and aged and veteran trees.

Q35 Para 168: The loss of valued landscape as the result of the creation of bunds and new dense tree planting at field edges adjacent to public areas and routes should be prevented.

Chapter 16

Q36 Para 191(b) Omit the reference to a heritage property should be able to be destroyed simply because a viable use cannot be found in the “medium term”. There is no quantification of medium term and the timescale for finding viable uses should be unlimited.

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