

**Q1** Do you have any comments on the text of Chapter 1?

No comment

**Q2** Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?

Footnote 7 would benefit from greater clarity about what areas at flood risk means. We would suggest specific reference to flood zone/s  
Paragraph 11(b) would benefit from greater certainty about the treatment of unmet needs. We suggest “any” be replaced with “formally agreed and subject to a current Statement of Common Ground”

The cross-referencing between paragraph 11 and paragraph 75 is sub-optimal, and would benefit from being tidied up to aid clarity.

**Q3** Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?

Our preference is that the core principles are retained, as they provide a very useful reference point.

**Q4** Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

Paragraph 14 effectively gives neighbourhood plans no ‘weight’ at all until they have passed at Referendum, when they would have full ‘weight’ in decision making. It is not clear why this would be the case, other than to encourage neighbourhood plans to progress quickly, but also the law of unintended consequences means that the leap from no weight to full weight would act as an incentive for local planning authorities to delay the determination of controversial planning applications which are outside an emerging neighbourhood plan, until such time as the emerging NP has passed Referendum. This is likely to lead to an increase in appeals, on the ground of non-determination.

**Q5** Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

Regular review of development plans makes sense, and five years is a reasonable period to enable plans to take effect, while still moving with the times.

We have concerns that, as drafted, the Duty to Cooperate may in effect become a Duty to Agree. This was one of the earlier tests of the Localism Act, and the outcome was that because it is not always possible, for instance because of constraints, to reach agreement there should be some recognition of this. It is a risk that those authorities which do have significant constraints to their ability to deliver required growth could find themselves without agreement and open to unsustainable developments through no fault of their own.

We also have concerns about a potential vacuum between 'larger than local' strategic plans and neighbourhood plans, since one possible interpretation could be that local plans are optional. This section would benefit from additional clarity, as we do not believe that to be the Government's intention.

We agree with the proposal to allow plans to be a reasonable strategy, rather than the more onerous optimal strategy (in all respects). We welcome this recognition of the importance that a strategy is locally supported.

**Q6** Do you have any other comments on the text of Chapter 3?

Paragraph 16(b) says that plans should be 'aspirational'. There may be an argument that restricting development to below AON is an aspiration. This would benefit from additional clarity.

The use of the term 'strategic plans' would benefit from greater clarity, as there is an argument that local plans may contain strategic and local policies. It is understood that the use of 'strategic' plans indicates a difference between local and neighbourhood plans on the one hand, and HMA wide or other larger scale plans on the other. Setting out these differences would be to everyone's benefit.

**Q7** The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?

We support this, and welcome the assumption that all viability assessments should be published.

**Q8** Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?

Viability assessments are one of the most controversial aspects of the planning system, and specific guidance of when they might be appropriate could assist the public's understanding of them. Our concern would be if the range of circumstances set out as acceptable use of viability assessments were to be too broad, the law of unintended consequences could lead to a significant opportunity cost in the form of loss of developer contributions which would not otherwise have arisen. It will therefore be very important that an appropriate balance is struck.

**Q9** What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?

A standard review mechanism would assist in this regard, to ensure consistency in its application. A risk to mandating this approach could be delays in negotiating agreements, as they would be more complicated as a matter of course, and it could provide an incentive for applicants to 'low ball' their initial obligations package in the knowledge that there will be compulsory subsequent reviews. This needs to be carefully thought through, to ensure that loopholes are not exploited, and that the process is not made unnecessarily complicated.

**Q10** Do you have any comments on the text of Chapter 4?

Paragraph 50(b) would benefit from clarity about what is meant by an advanced stage, to avoid this matter being debated at numerous appeals and ultimately ending with the court being asked to decide.

**Q11** What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

A potential unintended consequence of paragraph 69 could be for local plans to allocate a disproportionate amount of its housing requirement on a relatively small number of very large strategic sites. These very large sites are known to be slower to come forward than smaller greenfield sites on the edges of settlements, and there is a risk that efforts to manage the supply of new homes coming forward for development could lead to unsustainable developments won at appeal, because the delivery on larger sites is behind the trajectory.

Another risk with paragraph 69 is that applicants sub-dividing sites, and disposing of each parcel to a different developer, could lose economies of scale, and reduce the contributions, either to infrastructure or affordable housing, or both. This would not assist developments to achieve community support in subsequent phases.

Paragraph 69 would benefit from small sites being defined. This could be added to the Glossary.

**Q12** Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?

We support paragraph 74, which provides a reward for local authorities to get plans in place and keep them up to date.

**Q13** Do you agree with the new policy on exception sites for entry-level homes?

This relates to a concern within North West Leicestershire. North West Leicestershire has a strong demand for individual homes, in the countryside, to enable local people to remain in the area. These homes, to meet local needs, are currently precluded in principle, and applicants are reluctant to sign S106 agreements to secure the home for a local need. This tension between planning policies and local needs should be addressed in the NPPF.

**Q14** Do you have any other comments on the text of Chapter 5?

We note that, as per footnote 21, Travellers who do not fall under the definition of 'traveller' in accordance with the PPTS, are to be included within the general housing requirement as an identified specific group. This is an important change, which effectively reverses that aspect to the PPTS.

We have concerns about paragraph 81, which may be too restrictive. This relates to paragraph 72, and we consider that paragraph 81 would benefit from a reference to paragraph 72.

We also have a concern about shared houses (HIMOs), and we consider that the Framework would benefit from some guidelines to manage the proliferation of HIMOs. North West Leicestershire, for instance, is currently experiencing pressure in a rural village, related to a University campus in a neighbouring district. These HIMOs are coming forward in tranquil residential areas, as well as trunk roads with no off

street parking and with waiting restrictions. These applications create a disproportionate amount of tension in the local community, and it would be better if the Framework were to address the issues rather than each individual local authority preparing Article 4 Directions and other mechanisms to regain an element of control.

**Q15** Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?

North West Leicestershire is located in the logistics 'golden triangle', and benefits from strong demand for large scale employment space. We support the prospect of allocating strategic inward investment sites, akin to those which were at the heart of Regional Strategies. We also believe an 'in principle' support for new employment sites and developments would be to the benefit of all. Site specific considerations will always need to be carefully considered, and it is likely to be a faster process if the principle of employment development is established early.

**Q16** Do you have any other comments on the text of chapter 6?

No comment

**Q17** Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?

Yes

**Q18** Do you have any other comments on the text of Chapter 7?

No comment

**Q19** Do you have any comments on the new policies in Chapter 8 that have not already been consulted on?

No comment

**Q20** Do you have any other comments the text of Chapter 8?

No comment

**Q21** Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?

Yes

**Q22** Do you agree with the policy change that recognises the importance of general aviation facilities?

Yes

**Q23** Do you have any other comments on the text of Chapter 9?

No comment

**Q24** Do you have any comments on the text of Chapter 10?

The provision of high quality broadband and other telecommunications infrastructure is an important aspect of economic competitiveness and quality of life. It is felt that the appearance of modern equipment can ‘jar’ with existing environments, especially the historic environment. It would be helpful if the Framework were to be firmer that there is a presumption that masts are to be shared.

**Q25** Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?

Areas of high housing demand, which are referenced in paragraph 121(a), would benefit from a definition, to avoid debate at appeals. This could be included within the Glossary.

There is a concern that paragraph 121b may have unintended consequences that existing sites, which are in highly sustainable and accessible locations, could become unviable and/or unable to expand, if part of the estate were to be released for other forms of development. This may especially be the case if the existing community services sites are needed to be expanded to accommodate large scale new housing development in the wider area.

**Q26** Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing needs?

The definition of areas where there is a shortage of land for meeting housing needs must be very carefully considered, to ensure that appropriate densities are achieved relative to the existing built form to ensure context is not lost. Good design should not be compromised to achieve higher densities.

**Q27** Do you have any other comments on the text of Chapter 11?

We support paragraph 122e, which makes it clear that new developments should be appropriately designed. There will always be trade-offs between design quality and density, however this must be skewed in favour of design quality if we are to avoid repeating mistakes of the past when the numbers took precedence over the quality of places.

**Q28** Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?

We support the emphasis on the quality of design. We especially support the use of Building for Life, as set out in paragraph 128.

**Q29** Do you have any other comments on the text of Chapter 12?

No comment

**Q30** Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are 'not inappropriate' in the Green Belt?

No comment

**Q31** Do you have any other comments on the text of Chapter 13?

No comment

**Q32** Do you have any comments on the text of Chapter 14?

Our concern about flood risk management is the resources that are available to upper tier authorities to carry out the functions as LLFA. We do not have specific comments to make on this section of the draft Framework, other than in response to question 33.

**Q33** Does paragraph 149b need any further amendment to reflect the ambitions in the Clean Growth Strategy to reduce emissions from buildings?

It is disappointing that the opportunity has not been taken to strengthen the environmental performance requirements of new developments. Experience from local authorities around the country who have attempted to go beyond the minimum has not been as good as we might collectively have hoped for.

**Q34** Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context

of the 25 Year Environment Plan and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?

We believe that mature trees make places better, and add value to new and existing developments.

**Q35** Do you have any other comments on the text of Chapter 15?

No comment

**Q36** Do you have any comments on the text of Chapter 16?

We support the approach to managing heritage assets, which is proportionate

**Q37** Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text of this chapter?

No comment

**Q38** Do you think that planning policy on minerals would be better contained in a separate document?

No comment

**Q39** Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?

No comment

**Q40** Do you agree with the proposed transitional arrangements?

Yes, they appear to be a reasonable and proportionate approach.

**Q41** Do you think that any changes should be made to the Planning Policy for Traveller Sites as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?

It would be helpful if the PPTS were to encompass the requirement to meet the needs of Travellers, regardless of whether individual applicants would meet the revised definition. There is a risk that, as currently proposed, unnecessary and complex appeals and/or the court will need to clarify the position.



**Q42** Do you think that any changes should be made to the Planning Policy for Waste as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?

No comment

**Q43** Do you have any comments on the glossary?

A definition of small sites should be included, for the purposes of paragraph 69.

A definition of areas of high housing demand should be included, for the purposes of paragraph 121.