

Chapter 1: Introduction

Question 1

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

No comments

Chapter 2: Achieving sustainable development

Question 2

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

Yes

Please enter your comments here

No comments

Question 3

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?

No

Please enter your comments here

The Council disagrees and considers it to be important to retain the list of core principles up front in the NPPF to reflect and emphasise their importance - repetition of these in other chapters where relevant is also considered appropriate.

Question 4

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?

No comments

Chapter 3: Plan-making

Question 5

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?

Not sure

Please enter your comments here

The Council supports the requirement to set out an appropriate strategy, rather than the most appropriate strategy.

The requirement to prepare statements of common ground with neighbouring authorities is likely to eat into scarce resources within local planning authorities, particularly those such as Gateshead which border a number of other authorities with a range of cross-boundary issues.

With regard to plan-making, Gateshead Council has established close working arrangements with Newcastle City Council, as evidenced by the joint Core Strategy and Urban Core Plan (adopted 2015). Preparation of a statement of common ground will do little to enhance already well-established joint-working arrangements for those authorities who have committed resources into the preparation of joint Local Plan documents. It is the Council's view that the contribution of joint plans should be recognised as demonstrating effective joint-working, allowing for a proportionate reduction to be made to requirements for Statements of Common Ground for relevant authorities.

Question 6

Do you have any other comments on the text of chapter 3?

The Council accepts the need for, and value in, keeping the plan under regular review, which as proposed would be at least every 5 years for strategic policies and sooner should there be an imminent increase in housing need. However, the Council is concerned regarding the practicality of this, and impact on resources, particularly if the implication is that all necessary updates are required to be evidenced, consulted and examined on.

We are concerned that the proposed requirements for more frequent review (and updating) of plans, in addition to the other requirements proposed to be introduced by the NPPF will have the perverse effect of diverting local authority resources away from supporting delivery of housing, and focus planning activity on the frequent review and updating of evidence.

In relation to maintaining cooperative working, paragraph 27 could include reference to catchment partnerships given the benefits for planning for flood management, water/sewerage infrastructure, improving water quality, green infrastructure and ecology. Reference to catchment partnerships would also be in alignment with the 25 Year Environment Plan.

Chapter 4: Decision-making

Question 7

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

Yes

Please enter your comments here

Circumstances where this would be problematic include instances of more than one developer competing for the bidding on a site where public disclosure of a viability assessment may place that developer at a commercial disadvantage. This can include circumstances where land disposal is subject to obtaining planning permission; submission of the viability assessment at the same time may disclose the purchase price prior to it being registered at the land registry. This may lead to other developers obtaining pre-sale information and in turn submitting higher bids, particularly to Local Authorities selling land (who are subject to the provisions of s.123 of the Local Government Act 1972 on disposal of land), leading to delays in land disposal.

Question 8

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?

Yes

Please enter your comments here:

Further guidance would give certainty to local authorities and developers, as well as the general public and elected Members, and assist in addressing contentious issues – particularly the provision of affordable housing. It would be necessary for local authorities to amend their validation requirements to include the circumstances when a viability assessment is required. In addition, it would be helpful if guidance could emphasise the importance of viability assessments being submitted at pre-application stage as well as planning application stage as this may allow potential disputes to be resolved earlier.

Question 9

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?

Please enter your comments below

Mandating the use of review mechanisms could ensure that potential benefits were not lost over a long period of time as large and multi-phased developments can take time to build out and this timescale may cover several economic cycles. This would also give more confidence to members of the public and elected Members that benefits that cannot be delivered at the time of application may be secured in the

future and that developers would be held to account.

Alternatively, if economic circumstances change for the worse during the course of a development, the review mechanism may conclude that certain benefits cannot be delivered. This may not be popular with members of the public or elected Members but may ensure that development does not stall.

It should be noted that the viability assessment is a snapshot in time of the costs and values associated with a development. Further review mechanism may capture any increase but will also need to capture decreases in value in the time between submission, grant of planning permission and commencement of development. It is also relevant to note that the review mechanism will rely on the openness and transparency of the developer in providing development costs and potential sales values post planning permission.

Question 10

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

The pre-application engagement and front loading section should include reference to the benefits of early discussions on viability.

Chapter 5: Delivering a wide choice of high quality homes

Question 11

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?

Please enter your comments here

The proposed requirement in paragraph 69 that at least 20% of sites allocated for housing in a Local plan are of half a hectare or less appears to be an appropriate approach, contributing to securing the Government's ambition that a suitable proportion of land for homes comes forward as small or medium sized sites.

A site area of 0.5ha appropriately represents a size threshold for 'small and medium sized sites', while the proposal that such sites should comprise a minimum of 20% of housing allocations strikes a reasonable balance between ensuring sufficient small and medium sized sites are allocated in a Local Plan, and avoiding the introduction of excessive burden to plan-making.

Gateshead Council already brings forward a much higher proportion of small and medium-sized sites than the 20% under 0.5 hectares proposed, and therefore is generally content with the proposed paragraph 69. The area also has historically and at present a good range and balance of small, medium and large sites.

However, we note that the proposals in clauses (b) and (d) of paragraph 69 would be likely to require extra staff resources within local planning authorities.

Clause (b) could also mention Development Briefs and Permissions in Principle as tools to bring small sites forward.

We cannot see what incentive developers – as opposed to landowners – might have to co-operate with the proposal in clause (d).

Additional financial resources to support the de-risking of small (and perhaps medium) sites would assist their delivery in many cases in areas such as Gateshead where a high proportion of urban brownfield sites are on former industrial land and significantly contaminated.

In addition we see no reason why a minimum capacity threshold for inclusion in SHLAAs and allocations in development plans should not be set – Gateshead has adopted a minimum of 3 rather than the previous 5.

Question 12

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?

No

Please enter your comments here

Gateshead Council recognises the importance of delivering new housing - for meeting the needs of residents, supporting the sustainability of some communities and for supporting Council services. Although we are within an area of low housing demand, the Council has taken a proactive approach to support housing delivery through planning. This includes the adoption in 2015 of a Local Plan document prepared jointly with Newcastle City Council, adoption of CIL, our role as a pilot authority for preparation of Brownfield Registers and Permissions in Principle, and our successful bid to the Planning Delivery Fund (Innovation theme).

Notwithstanding these efforts, low levels of housing demand and complex issues surrounding our brownfield sites present significant challenges for the viable delivery of residential development on several strategic housing sites in Gateshead. However, all of our recent applications for grant aid funding to support housing delivery in Gateshead have been rejected by Homes England. This issue is exacerbated by Homes England's decisions to award grant funding to support development of greenfield sites in several of Gateshead's neighbouring areas. Although these neighbouring local authority areas do not have adopted Local Plans in place, Homes England funding has supported their ability to consistently deliver a relatively high number of net annual completions (substantially above their local housing need figure). In a region of relatively low demand for housing, high levels of housing delivery in our neighbouring areas undermines Gateshead's ability to deliver new housing on brownfield sites.

The failure of Homes England to provide financial support for residential

development of sustainable brownfield sites in Gateshead (while supporting greenfield development in our neighbouring areas) fundamentally undermines this Local Planning Authority's efforts to support housing delivery, and is a major factor in the area's poor performance against the proposed Housing Delivery Test.

Gateshead Council is concerned that the introduction of a relatively narrow housing delivery test threshold, with no apparent mechanism allowing for mitigating circumstances, will penalise those local authorities that seek to implement a plan-led approach and take action to improve the attractiveness of local areas through the clearance of unpopular housing. The potential for adopted Local Plans to be quickly deemed out-of-date, (through no fault of the Local Planning Authority in question) risks undermining public confidence in the value of Local Plans and strategic plan-making.

In terms of the approach set out, we note the proposed revisions to the NPPF include a difference between the 'significant' under-delivery of housing threshold of 85% set out in footnote 29 of the draft revised NPPF, and the 'substantial' under-delivery threshold of 75% proposed in footnote 30 and in the Consultation Proposals document with regard to question 12 (which incorrectly states that footnote 29 sets a threshold of 75%).

The stepped implementation of the threshold for the Housing Delivery Test, as set out in paragraph 211 introduces some uncertainty regarding what is meant by the term 'substantial under-delivery', as the threshold is proposed to increase each year from 2018 to 2020. However, footnote 30 sets a fixed threshold of 75% which does not allow for the stepped application of the threshold for substantial under-delivery as set out by paragraph 211.

Question 13

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

Not sure

Please enter your comments here

Recognition of the need to increase the supply of this type of housing at the national level is welcome, but there is potential for the proposed approach to result in increased housing provision in areas with poor public transport accessibility. In addition to the provisions regarding public transport in rural areas set out in paragraph 85, the new policy on exception sites for entry-level homes would benefit from acknowledging the important role that public transport and other sustainable transport options will have in delivering sustainable development.

Question 14

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

The proposed requirement, at paragraph 65, for planning policies and decisions to expect at least 10% of new homes from major housing developments to be available for affordable home ownership (as part of the overall affordable housing contribution from the site) undermines the ability of local authorities to meet local housing needs

through the application of Local Plan policy. Gateshead Council's adopted Local Plan requires 15% affordable housing, based on an assessment identifying that affordable housing need in Gateshead is predominantly for affordable housing for rent. The expectation that 10% of new homes will be built for affordable home ownership would seem to allow the Council to require that only 5% of homes are provided for affordable housing for rent (the type of affordable housing required to meet local needs). Increasing the overall affordable housing requirement in an updated Local Plan policy potentially undermines development viability, and may therefore not be deliverable under normal market conditions.

It is Gateshead Council's view that the requirements of paragraph 74 may need to be clarified, or revised. The proposed approach to applying a 'buffer' to local planning authorities' five year housing land supply figures set out in paragraph 74 appears to require local authorities which do not have an up-to-date Local Plan (but where persistent under-delivery does not trigger the 20% buffer set out in criterion (c)) to apply a 5% buffer, while those local authorities with a recently adopted Local Plan or an annual position statement (where the 20% buffer is not triggered) are required to apply a higher buffer, of 10%. The approach as drafted appears to suggest that evidence prepared by those local planning authorities which have sought to support housing delivery through a plan-led approach is less valid than evidence prepared by authorities which do not have a plan in place. The approach may also serve as a deterrent to those local authorities considering preparation of an annual position statement.

The approach set out in footnote 28 introduces arbitrary time horizons for the validity of Local Plan documents with no clear justification. Its requirements suggest that a plan adopted on 1 May on a given year will be considered 'recently adopted' for a period of around 18 months (i.e. until 31 October the following year), while a plan adopted one day earlier - on 30 April will only be considered recently adopted for a period of around six months (i.e. until 31 October 'that year'). An approach which simply clarifies that Local Plan documents will be considered up to date for a fixed period after the date of adoption would appear to be more appropriate.

Chapter 6: Building a strong, competitive economy

Question 15

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?

Yes

Please enter your comments here

No comments

Question 16

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

The requirement in paragraph 83d, that planning policies should be “flexible enough to accommodate needs not anticipated in the plan” should be phrased more cautiously. Taken at face value, this requirement could be considered to render any use-specific site allocation invalid if a proposal for alternative use (which may be argued to seek to deliver a use ‘not anticipated’ in the plan) comes forward after a plan’s adoption. For example, applicants commonly cite existing provisions within the current NPPF (including paragraph 21) which require policies to be flexible in an effort to justify proposals for alternative uses on allocated sites. Clarity on the balance that planning policies should provide to ensure that anticipated needs are met, while ensuring sufficient flexibility so that newly emerging needs are not constrained would be welcome. Paragraph 83d would also benefit from demonstrating consistency with the requirements of paragraph 120.

Chapter 7: Ensuring the vitality of town centres

Question 17

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

Yes

Please enter your comments here

The Council supports the proposed changes on planning for retail needs including the reference to planning ahead for the next 10 years.

The Council supports the widening of the sequential test scope to include town or edge-of-centre sites that might become available within a reasonable period of time. This will provide some additional scope for testing and resisting proposals which come forward in less appropriate or unsustainable locations. For this policy to be applied in practice, additional guidance would be required to determine what a ‘reasonable’ period of time should be considered to be.

Question 18

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

The Council considers that reference in paragraph 86b to identifying primary and secondary frontages should be qualified with “where appropriate” to reflect the changing nature of the retail sector and the potential for some centres and shopping areas to benefit from consolidation and/or diversification.

Chapter 8: Promoting healthy and safe communities

Question 19

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

Paragraph 96 states that the Local Authority should be addressing all plausible malicious threats especially in locations where larger numbers of people are expected to congregate. This is of particular importance for Gateshead in relation to the proposed Arena and International Conference Centre. Further guidance would be welcome on appropriate policies to ensure this issue is addressed appropriately, including clarification on the role of the regional counter terrorism units and the police Architectural Liaison Officer in plan making and planning applications. In addition, guidance on how the viability of implementing increased security measures should be weighted should be included within the NPPF or NPPG.

Question 20

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

Chapter 8 of the NPPF should refer to obesity, and acknowledge its importance in relation to the nation's health. Long term changes are needed in terms of planning to tackle the issues as current data suggests that by 2050, 50% of women and 60% of men in the UK will be obese. In the future being overweight will be the norm (Foresight, 2007). There needs to be an acknowledgement that health needs differ amongst communities and that there will be priority groups in each community to focus upon e.g. Obesity rates are highest for children from the most deprived areas.

To add clarity, Paragraph 92a could include reference to open spaces / Green Infrastructure, recognising that they can aid social interaction.

Reference within paragraph 92c to access to healthier food is welcomed. However there also needs to be a reference to decreasing access to unhealthy food, as there is a proven link between access to unhealthy food and obesity. The current lack of clarity on how planning can support access to healthier food could be addressed through the revised NPPF, or through revisions to the Use Classes Order (for example, there currently is no way for a Local Planning Authority to differentiate between an A1 use providing healthy food, and an A1 use providing unhealthy food). It is Gateshead Council's view that revisions to the NPPF provide an opportunity to support Local Planning Authorities in exercising greater influence over the health of local communities, and improved distinction between 'healthy' and 'unhealthy' food outlets could support wider objectives of reducing obesity.

The importance of access to local health services (in terms of their contribution to health, and to community cohesion) should be recognised within the NPPF: this will enable the delivery a range of community initiatives and training in the community to increase knowledge and skills relating to supporting people with a range of health issues.

Paragraph 93b should include examples of local strategies and how planning policies and decisions can contribute in terms of their potential to "support the delivery of local strategies to improve health, social and cultural wellbeing...".

We note that the term "shared spaces", as used in paragraph 93a, carries a meaning within transport planning that may or may not relate to this policy. This paragraph

would benefit from being accompanied by a definition of the term “shared spaces”, either in a footnote or within the glossary.

Chapter 9: Promoting sustainable transport

Question 21

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?

Not sure

Please enter your comments here

In general the policies in Chapter 9 are positive and welcome, given their particular focus on sustainable travel. However, we note three points of concern:

Firstly, the principals outlined in paragraph 104 should be the goal for all development, and we feel that the word ‘significant’ should be removed from the beginning of the second sentence.

Secondly, managing car parking (including supply) has been shown to be an important element in promoting more sustainable transport use. As such, clear and compelling reasons for applying maximum parking standards already exist generally. In this respect, paragraph 107 is anomalous in that it contradicts the philosophy of much of the rest of the document, notably the emphasis on ensuring sustainable development. In Gateshead Council’s view paragraph 107 should be deleted in its entirety as it introduces an element of ambiguity and internal conflict into the document.

Lastly, paragraph 109, which states that development should only be prevented where impacts on road safety are severe, should be amended. As currently drafted it conflicts with various other parts of the document (e.g., paragraphs 92, 96, 108b, 110c & 126f). It also goes against the High Court Ruling in *Mayowa-Emmanuel vs. Royal Borough of Greenwich* (2015), where the judgement states that ‘it cannot be the case that the Government considers anything other than severe impact on highway safety would be acceptable’. In addition, judgement as to what would constitute ‘severe’ is highly subjective and, in practical terms, very difficult to make (how many KSI’s, fatalities etc. are viewed as severe?).

Question 22

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

Please select an item from this drop down menu

Please enter your comments here

No comments

Question 23

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

The Council supports the statement made by paragraph 110c, but the reference to minimising the scope for conflict between pedestrians, cyclists and vehicles could be interpreted as discouraging the use of shared space within development. On that basis, some clarification of this paragraph would be helpful.

Chapter 10: Supporting high quality communications

Question 24

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

The Council supports the objective of delivering and improving digital infrastructure. However, there would be a concern regarding the capacity and level of expertise within Local Planning Authorities to adequately assess whether proposals for telecommunications infrastructure would affect other electrical equipment or instrumentation operated in the national interest or whether new development would affect telecommunications services.

The Council would question the proposed restriction, in paragraph 114, on applying Article 4 directions, particularly in areas where it would be expedient to do so, such as in conservation areas, for example.

Chapter 11: Making effective use of land

Question 25

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?

Not sure

Please enter your comments here

Reference in paragraph 118 to undeveloped land performing functions in terms of flood risk mitigation is welcomed.

Once rail infrastructure is lost it is both very difficult and very expensive to replace. We would therefore suggest that paragraph 118d should clarify that railway infrastructure should only be lost to built or other sterilising development where it is clearly redundant.

Paragraph 120b risks introducing a constant need to justify the allocations in an adopted Plan in the face of challenges from applicants seeking other uses, who will argue, in effect, that the application itself (i.e. developer interest manifesting in an application for development) constitutes evidence of an “unmet need for development in the area”. Whilst the clause is in principle unexceptionable, it appears to present an alternative to the plan-led system. This could perhaps be addressed by wording to indicate that the reviews should be scheduled and comprehensive (along the lines of a HELAA) rather than ad hoc.

Question 26

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

Yes

Please enter your comments here

No comments

Question 27

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

No comments

Chapter 12 : Achieving well-designed places

Question 28

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

The policy objectives of paragraphs 92a and 92c should be carried through to the provisions of paragraph 126.

Question 29

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

Paragraph 124 states that “Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.” This should be expanded to include other, more deliverable and readily available ‘tools’ such as Local Development Orders; Permission in Principle (PiP) guidance; and design guides such as Design Codes / Development Frameworks / Masterplans etc. This will provide greater clarity and offer more choice in illustrating what is appropriate and useful.

Paragraph 126b should make reference to the importance of streetscaping, and more specifically, highway design. These hard landscaped elements form the majority of the public realm in new development and their design and materiality

have a significant impact on the overall attractiveness of the environment, and the townscape and character of an area. In addition, paragraph 126d should make reference to the importance of architectural style and detailing (in addition to “building types”, which is a different aspect of built form) in contributing to a strong sense of place.

The requirement in paragraph 126c that development should “respond to local character” has little meaning in practice, as development can, in principle a ‘response’ can be in a positive or negative manner. The point needs to be re-phrased to be clear that planning policies or decisions need to respond positively to local character.

In the Council’s view, the last sentence of paragraph 129 creates a potential loophole where the design of a proposal may accord “with clear expectations in local policies”, as relevant Local Plan policies relating to design are often plan-wide and therefore generic in nature. However, the design of a proposed development may be found to be poor in relation to site-specific issues such as architecture or layout design which may not be (or could not be) addressed in Local Plan policies. In such circumstances, the decision maker may be unable to use design as a valid reason for objection, leaving no alternative but to approve a poorly designed scheme.

Paragraph 131 states that advertisements can be harmful to the quality and character of places if they are poorly sited and designed, but then deviates and concludes that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The current wording is contradictory and should be strengthened to require advertisements to be designed in a manner not harmful to the quality and character of a place.

Chapter 13: Protecting the Green Belt

Question 30

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?

Not sure

Please enter your comments here

Gateshead Council can see some potential benefit in the proposal to relax restrictions on brownfield Green Belt development for housing with the new test of “substantial harm”, but is concerned that this introduces uncertainty and scope for dispute, and on balance believes this will be unhelpful unless there is clear guidance about how to interpret “substantial harm”.

We also believe that there should continue to be a reference to the purpose of including land within the Green Belt, as in the final bullet point of current paragraph

89 - in the absence of clearer definition, this appears to help interpret what might constitute “substantial harm”.

The Council also notes that brownfield sites in the Green Belt may not be sustainably located and notes new paragraph 81 as part of the context.

The Council has no concerns regarding the provisions of paragraphs 144 (b) and 145 (f).

Question 31

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

No comments

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Question 32

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

Paragraph 156 should include reference to catchment management, to align with the 25 Year Environment Plan.

In relation to paragraph 157, the greater clarity regarding the sequential approach being used in areas at risk in the future from any form of flooding, is welcomed.

The greater clarity provided by paragraph 158 regarding the application of the exception test informed by a strategic flood risk assessment, is welcomed. In addition, the additional clarity in paragraph 160 regarding the re-application of the exception test at planning application stage is welcomed.

In relation to footnote 42, the additional requirement for a site specific flood risk assessment on land identified in a strategic flood risk assessment as being at increased flood risk in the future is welcomed. To assist the implementation of this policy, the NPPG should be updated about how SFRA's should assess future flood risk from all sources. This should include guidance on: the application of the national climate change allowances within SFRA's; and rising groundwater levels and mine water flood risk, resulting from future reductions or ceasing of mine water pumping regimes.

The addition of paragraph 163 regarding the incorporation of sustainable drainage systems in major development is welcomed. The additional criteria a-d will help to improve SuDS design standards and ensure long term maintenance arrangements. The emphasis on multifunctional benefits will assist the 25 year environment plan; although the definition of ‘multifunctional benefits’ should be set out in the glossary and the NPPG should be updated. The complexities of integrating SuDS within areas with a mining legacy may also need to be reflected in the NPPF/NPPG.

Question 33

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

No

In relation to paragraph 149b amendments only need to be made if they would improve clarity on how policies should be implemented in relation to new developments. Some of the Clean Growth Strategy is already integrated into NPPF; namely low carbon transport including plug in points, efficient homes, renewable energy generation for example. This could be added to, however additions would only be necessary if they were to provide more tools to implement action at the local level, rather than simply providing more examples.

Chapter 15: Conserving and enhancing the natural environment

Question 34

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?

Please select an item from this drop down menu

Please enter your comments here

No comments

Question 35

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

The proposed NPPF is not clear about the planning requirements currently covered by the Water Framework Directive and River Basin Management Plans, and any transitional arrangements post Brexit.

Chapter 16: Conserving and enhancing the historic environment

Question 36

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

No comments

Chapter 17: Facilitating the sustainable use of minerals

Question 37

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

No comments

Question 38

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

Please select an item from this drop down menu

Please enter your comments here

It is Gateshead Council's view that it is appropriate for national planning policy on minerals to be retained within the NPPF as is currently the case, with additional guidance set out in Planning Practice Guidance.

Question 39

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

Yes

Please enter your comments here

The preparation of National and Sub-National Guidelines has been a central component of the Managed Aggregate Supply System (MASS) which has operated successfully for many years through partnership working between Central and Local Government and the aggregate mineral operators/associations. The preparation of guidelines (for land-won production for both crushed rock and sand and gravel together with assumptions on future marine dredged sand and gravel supply, the contribution of alternative materials and net imports to England), have made an important contribution to helping Mineral Planning Authorities ensure that a steady and adequate supply of aggregates can be made available to meet needs (including the delivery of housing and other essential infrastructure).

Transitional arrangements and consequential changes

Question 40

Do you agree with the proposed transitional arrangements?

Not sure

Please enter your comments here

The proposed paragraph 207 could be interpreted to suggest that Plans should be reviewed or replaced wherever there is a conflict with the new Framework. We believe this is disproportionate (for example, an authority may have well in excess of a 5-year land supply but not meet the test in paragraphs 69 and 70 for the supply of small and medium-sized housing sites;). We believe the paragraph should be amended to read along the lines of “Where there is a substantial divergence between the Framework and existing Plans, and strategic policies in Plans are not proving effective or are in conflict with the Framework, plans will need to be revised as quickly as possible...”

As noted in our response to question 12, we note that the stepped implementation of the Housing Delivery Test set out in paragraph 211 does not appear to be compatible with the fixed threshold of 75% for substantial under-delivery set out in footnote 30.

Question 41

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 the consultation document? If so, what changes should be made?

Please select an item from this drop down menu

Please enter your comments here

No comments

Question 42

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 the consultation document? If so, what changes should be made?

No

Please enter your comments here

The Council considers there to be no obvious need for change to the Planning Policy for Waste document.

Glossary

Question 43

Do you have any comments on the glossary?

The requirement that sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should “only be considered deliverable where there is clear evidence that housing completions will begin on site within five years” is excessively strict. Replacing “will begin” with “could begin” would better reflect the limited control that local authorities have over the decisions of private landowners and developers, and better accord with the first sentence of the same definition – “a realistic prospect that housing will be delivered”.

A definition of ‘multifunctional benefits’ for SuDS should be added (either within the glossary, or perhaps as a footnote to paragraph 163d) in terms of ecology, water quality, amenity and flood management benefits.