

TITLE OF REPORT: Response to Consultation – Levelling Up and Regeneration Bill – Reforms to National Planning Policy

REPORT OF: Sheena Ramsey – Chief Executive

Purpose of the Report

1. To endorse the responses to the Department for Levelling Up, Housing & Communities in respect of the [Levelling Up and Regeneration Bill – Reforms to National Planning Policy](#) consultation proposals issued on 22nd December 2022 with a deadline for responses of 2nd March 2023.

Background

2. The background to the consultation and reforms proposed are set out in Appendix 1, and the Council's proposed responses are set out in Appendix 2.

Proposal

3. To endorse the responses set out in Appendix 2.

Recommendation

4. It is recommended that Cabinet endorses the consultation responses set out in Appendix 2.

For the following reason:

To enable the Council to contribute a response to the consultation.

Policy context

1. DLUHC published consultation proposals on 22nd December on the approach to updating the National Planning Policy Framework (NPPF) and the preparation of National Development Management Policies. The consultation contains 58 questions and representations can be made on the proposals until 2nd March. The Government expect to revise the NPPF in Spring 2023 following the close of consultation.
2. A [track changed version of the NPPF](#) has been published alongside the consultation which indicates the scope of changes to the NPPF which the government expects to introduce subject to the results of the consultation.
3. The consultation sets out that a wider review of the NPPF will also take place and there will be further consultations in 2023 on preparing Local Plans, the Infrastructure Levy and alignment with Local Nature Recovery Strategies, planning's role in contributing to climate change mitigation and adaptation and on neighbourhood plans.
4. The government remains committed to delivering 300,000 homes by the mid-2020s and there are detailed questions in the consultation on the approach to developing housing need evidence and monitoring housing supply. Increased emphasis will be placed on Local Plans and policies will need to ensure that enough land is allocated for housing and it is also set out there will be increased focus on making sure the planning system capitalises on the opportunities to support the natural environment, respond to climate change and deliver economic development.
5. A challenging 2.5 year time frame is set out for preparing Local Plans whilst increasing the amount of community consultation during preparation. A proposed timetable for transitioning to new-style plans is included in the consultation.

The Government's Direction for Planning

6. The Levelling up and Regeneration Bill currently before Parliament puts the foundations in place for changes to the planning system. The government's direction through the Bill and the current consultation can be summarised as to:
 - Create a genuinely plan-led system which is streamlined and easier to access with stronger community involvement in the preparation of Local Plans
 - Build the types and quality of homes that communities need in the right places not just focusing on housing numbers
 - Set National Development Management Policies removing the need for Local Authorities to replicate national policy in Local Plans

- Continue to promote brownfield development in towns and cities and seek to densify. The urban uplift for housing will be retained which applies an uplift of 35% for the 20 largest towns and cities recognising potential for the best use of brownfield land. The government requires as far as possible that this is met by the 20 largest towns and cities rather than exporting the uplift to surrounding areas unless there is voluntary cross-boundary agreement
- Create beautiful places boosting civic pride requiring every Local Authority to produce a design code for its area setting minimum standards for development including on height, form and density
- Simplify the Local Plan tests of 'soundness' so that Local Plans no longer have to be 'justified'. This is intended to reduce the large amounts of evidence to demonstrate the growth and policy approach
- Place greater accountability on developers to demonstrate delivery and require developers to submit data to Local Planning Authorities resulting in greater transparency. This will help Local Authorities manage build out of housing. Delivery will be able to be a material consideration for planning applications.
- Afford greater protection to the Green Belt, there will no longer be a need to review and alter Green Belt boundaries if this would be the only way of meeting need in full. Authorities will still have the ability to review Green Belt boundaries but they will have to demonstrate exceptional circumstances exist.
- Capture uplifts in land value more effectively through a new Infrastructure Levy requiring greater provision of community infrastructure by developers
- Place greater emphasis on planning enforcement with increased weight against intentional unauthorised development
- Embed common data standards and the use of digital platforms to make data and information more accessible and user friendly

Key Proposals

7. Proposals for areas such as housing, design codes and greater responsibilities for developers if introduced in Spring 2023 will provide direction for preparation of the Local Plan. However, there are also some major challenges which need to be carefully considered including the reduced timetable for preparation of Local Plans whilst increasing consultation, the abolition of Supplementary Planning Documents and introduction of Supplementary Plans.
8. The key proposals are set out under themes and summarised below.
 - **A new system for Plan Making**
The content of Local Plans will be streamlined and they will need to be prepared more quickly and will have greater weight. The consultation sets out the intention to implement plan-making reforms from late 2024. There is a deadline of 30 June 2025 to submit Local Plans for examination under the existing legal framework when compliance with the existing system will still apply or alternatively to prepare a new style plan for submission after 30 June 2025.

- Supplementary Planning Documents (SPDs)**
 In the new system there will no longer be SPDs. Supplementary Plans will be introduced which will be afforded the same weight as a Local Plan. Existing SPDs will remain in force for a time bound period until the Local Planning Authority is required to adopt a new style plan.
- Duty to Co-operate**
 There will no longer be the Duty to Co-operate and an 'alignment policy' will be introduced. Planning Inspectors will have the ability to amend plans to improve alignment where there are cross boundary planning considerations.
- Empowering Communities**
 Neighbourhood Priority Statements will be introduced as a means for communities to formally input into the preparation of Local Plans. Residents will be able to bring forward development they would like to see in their area through 'street votes' and increased weight will be given to neighbourhood plans.
- Infrastructure Levy**
 A new Infrastructure Levy and Infrastructure Delivery Strategies will be introduced and there will be an opportunity to capture uplifts in land value more effectively.
- Planning for Housing and Communities**
 Local Authorities will be able to put forward a Local Plan with a housing requirement that is below their local housing need figure as long as proposals are evidenced. Similarly Local Authorities will also be able to plan for more homes than the standard method. The standard method for calculating housing will only be an advisory starting point to inform plan-making. Housing figures will be able to be derived and applied allowing response to local circumstances. There will be an updating of the housing delivery and land supply tests to reflect this. There will no longer need to annually demonstrate a deliverable five-year land supply providing the Local Plan is up to date.

The projections which underpin the standard housing methodology will be reviewed. There is acknowledgement that the 2014 based household projections data which underpin the standard housing methodology are out of date and the implications of the new 2021 Census based household projections will be considered which are due to be released in 2024.

Currently the NPPF outlines 10% of homes in major developments should be for affordable home ownership, the consultation seeks to place greater emphasis on the most affordable housing tenure social rent and support community led groups in delivering affordable housing. Clarity on the provision of older peoples' housing will be introduced and a specific expectation to ensure the needs of older people are met.

Housebuilders will be required to formally notify Local Authorities through a Development Commencement Notice (DCN) of the intention to commence

development and completion notices will be introduced which will specify a period for completion and if development remains unfinished in the specified timeframe planning permission will lapse for the unfinished development.

Housebuilders will have to report annually to Local Authorities on their actual delivery of housing against a proposed trajectory they submit on commencing a scheme. The government will publish data on developers where they fail to build out according to their commitments.

The government has set out proposals to tackle issues relating to slow build out housing rates. Developers will have to be more accountable, and the consultation suggests that past irresponsible behaviour of developers could be taken into account when considering planning permission. Options are set out to potentially allow Local Planning Authorities to decline to determine applications submitted by developers with past irresponsible behaviour or for their behaviour to be a material consideration.

- **Asking for beauty and embracing gentle density**

The importance of boosting civic pride, health and wellbeing through well designed beautiful places is set out and design codes will be required across Local Authority areas which will be prepared in line with the National Model Design Code. Design codes will provide a framework for creating healthy, safe, green, environmentally responsive, sustainable and distinctive places. Design codes are to be prepared by Local Authorities working with communities.

Beautiful homes are to be provided through gentle densification and airspace development above existing residential and commercial premises must be considered. Mansard roof extensions are specifically mentioned as means of securing additional residential development.

- **Protecting the environment and tackling climate change**

The NPPF already places environmental objectives at the heart of the planning system and the Environment Act has further strengthened the role of the planning system through mandatory Biodiversity Net Gain and Local Nature Recovery Strategies. Targets will be set under the Environment Act to drive further changes to deliver environmental improvement and it will be important to reflect these in plan making considering sites for bio-diversity net gain. Local Plans will need to reflect objectives of Nature Recovery Strategies, developing policies which provide public access to nature, consider nutrient mitigation and carbon sequestration. In the short term the government wants to make sure food production value of land is reflected in planning decisions.

A review of the NPPF will be carried out to consider climate change reflecting on the government's Transport Decarbonisation Plan to strengthen links between planning and transport. There will be further consultation on the approach to mainstream measurement and carbon reductions. Changes to the NPPF are proposed to promote onshore wind and energy efficiency to help achieve net zero and meet the binding decarbonisation targets.

- **National Development Management Policies**

National Development Management Policies will be developed to cover planning considerations that apply regularly across the Country in decision making including policies to conserve heritage assets, prevent inappropriate development in the Green Belt and in areas of high flood risk. The intention of these policies would be to aid decision making and remove duplication in the Local Plan, creating a clearer process with more locally relevant plans. Decisions on planning applications and appeals will need to be made in line with the Local Plan and National Development Management Policies unless material considerations strongly indicate otherwise.

Whilst National Development Management Policies will provide clarity and save time in plan making there will still be a need to ensure locally important issues such as setting open space standards are still reflected in locally set policies.

National Development Management Policies would take precedence where there is conflict between them and development plan policies when making a decision on a planning application. This has been included as a safeguard where plans have become out-of-date and important national policies, for example on the environment, need to be reflected fully in decisions.

- **Enabling Levelling Up**

Further changes to national planning policy are being considered to contribute to levelling up ambitions and to support business growth, boost productivity, pay and living standards, particularly in places currently lagging, and to raise pride in place, wellbeing and health outcomes. The NPPFs policies on economy will be aligned more closely with the economic vision set out in the Levelling Up White Paper to ensure plans support new business investment, including SMEs. There is an objective of gently densifying urban centres to increase labour pools, revitalise high streets, increase public transport use and affordability, and to create sustainable neighbourhoods.

Background

9. The consultation includes a number of questions and the Council's draft responses are provided in Appendix 2.
10. MHCLG's deadline for consultation responses is 2nd March 2023. Subject to Cabinet's approval the Council's proposed responses will be submitted by the deadline.

Consultation

11. The Cabinet Members for Environment and Transport have been consulted on the proposed response.

Alternative options

12. The options around the implementation of the proposed changes have been considered as part of preparing the proposed response.

Implications of Recommendation

13. **Resources:**
 - a) **Financial Implications** – The Strategic Director, Resources and Digital confirms there are no financial implications arising from this report.
 - b) **Human Resources Implications** – There are no human resource implications arising from this report.
 - c) **Property Implications** - There are no direct property implications arising from this report.
14. **Risk Management Implication** – No risks associated with the consultation.
15. **Equality and Diversity Implications** – None.
16. **Crime and Disorder Implications** – None.
17. **Health Implications** – None.
18. **Climate Emergency and Sustainability Implications** – None.
19. **Human Rights Implications** - None.
20. **Ward Implications** – None.

APPENDIX 2

GATESHEAD COUNCIL CONSULTATION RESPONSE

- 1 Do you agree that local planning authorities should not have to continually demonstrate a deliverable five- year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than five years old?

This would seem a reasonable and proportionate approach. However, in terms of being up to date or not the importance attached to the period of 5 years, particularly for strategic policies which should be looking longer term, isn't considered helpful, and is at a time when local authority funding is being significantly cut thus reducing the scope and capacity to continually update plans.

- 2 Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

Yes we agree – it is counter-productive to further increase the requirement going forward in areas such as Gateshead where supply isn't the issue, rather delivery is challenging and below current targets.

- 3 Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?

Yes, it should be taken into consideration.

- 4 What should any planning guidance dealing with oversupply and undersupply say?

It should confirm the proposed change to para 75 of the NPPF that past over-supply should be counted in a reduction of the required 5YHLS, in the same way as past under-supply will be counted to increase it as at present, and also clarify the reference to review of strategic policies in fn. 44. It should be confirmed that the latter provision applies for a further five years from the date of the review, until the next review is due.

- 5 Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

The potential changes appear to fit logically with the other proposed changes and the need for confidence that Neighbourhood Plans, once adopted, can have the intended expected effective lifespan, and would therefore be an improvement on the current wording.

- 6 Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

Although not a big change the Council considers the proposed revisions to be helpful in emphasising the need for plans to provide a framework for meeting housing needs and addressing other priorities.

- 7 What are your views on the implications these changes may have on plan-making and housing supply?

The proposals will make the requirements on local authorities more realistic and less onerous in a situation where (as in Gateshead) the market is weak and there are significant barriers to development, and more widely they will reduce the likelihood of strong pressure for unsustainable and/or poor-quality development and development which is not in accordance with the plan. They will therefore give greater confidence and certainty for authorities, developers and local residents and stakeholders. We agree with the principle of regularly updated plans based on the realistic local situation and constraints (Green Belt for example) rather than more mechanistically produced targets. They will not however make a significant positive difference to housing supply in such areas as Gateshead, which would require a much greater scale of support for the market and to bring forward difficult, normally brownfield, sites which are currently financially unviable for developers.

- 8 Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?

Yes. However there should not be an exhaustive, prescriptive list, but as stated, indications of the types of characteristics, and circumstances (demographic and geographical) which may justify an alternative method.

- 9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

Yes, we strongly agree that these points should be made as clear as possible, for the avoidance of doubt and confusion, misconceptions and wasted time and effort. This puts the priority on development of brownfield sites, which will require additional funding due to site constraints.

- 10 Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?

The evidence would be likely to be based on the supply of sites and potential broader areas for development, and the characteristics of the areas (including density, landscape and townscape) in which they are located and the sustainability of the location.

- 11 Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

The Council considers this to be a helpful change to allow a more proportionate approach to how plans are evidenced and supported at Examination – it is noted that the need to consider/evidence alternative options remain a requirement of the sustainability appraisal (para 32) which is a potential inconsistency. Clear guidance should be provided on the level of evidence needed to support the Local Plan.

- 12 Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?

The Council considers that the revised test should be introduced immediately which would benefit and not hinder those Plans which are at an advanced stage of preparation.

- 13 Do you agree that we should make a change to the Framework on the application of the urban uplift?

The uplift does not apply directly to Gateshead but it is crude and arbitrary, both in terms of the selection of authorities and the single blanket percentage. The proposed new para 62 and fn. 30 are very vague and general and not immediately clear in terms of the scope of their reference to conflicting with policies in the Framework.

- 14 What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

See answer to question 13.

- 15 How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

In conurbations it would seem reasonable to look beyond the local authority boundary when considering the urban uplift, particularly where adjacent areas share a common housing, transport or economic market area. Mitigation of the geographical arbitrariness of taking a single local authority boundary and the selection of the largest 20 cities is desirable in principle, as would be (though not proposed) mitigation of the 35% "one size fits all" requirement. However, it is difficult to see in areas such as Gateshead, where there has been under-delivery of housing in recent years and where many brownfield sites are currently unviable, how an additional housing requirement could be accommodated in the absence of associated funding. We would strongly argue that any extension to other areas needs to take account of local circumstances and character, capacity and constraints and be supported by funding streams to mitigate viability challenges

- 16 Do you agree with the proposed four-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?

This will be of some benefit to authorities affected, but if the intention is to allow for up to a 2 years' delay in plan preparation as a result of the changes, which is realistic, the requirement should be reduced equivalently to a three-year supply rather than a four-year supply.

- 17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

Yes, in that the additional guidance is a clarification and additional emphasis on what is already in the NPPF, not altered guidance.

- 18 Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

Yes. Housing delivery challenges are rarely solely related to planning issues so it is reasonable to consider what permissions exist, particularly in light of other changes being discussed in respect of delivery by house builders.

- 19 Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

The figure is somewhat arbitrary and does not sit well with other suggested policy changes in respect of green belt. All development should be sustainable whether there are delivery challenges or not. The Council would question why authorities would need to go beyond 100% in terms of permissions granted.

- 20 Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

It is suggested a cross sector working group should be set up to consider this issue alongside guidance on determining housing need.

- 21 What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

Given the proposed changes to HDT appear to be widely supported it is suggested that the new approach is adopted as a pilot for 2022.

- 22 Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?

Yes. Social rent is a very important part of our housing market and needs specific support through policy. If this is to be revised, the Homes England funding associated with social housing (SOAHP) should be revised accordingly

- 23 Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

Yes. Providing appropriate housing for our growing elderly population forms an important part of reducing social care costs.

- 24 Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

The viability of small sites is often difficult. With BNG requirements set to greatly affect the viability of sites later this year policies and strategies to deliver housing on these sites, that are often in the most sustainable locations is important. However, funding mechanisms will be equally important in ensuring delivery.

- 25 How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

It is the funding regime and the limited numbers of small developers in the market which affects small site delivery rather than planning policy.

Local evidence suggests that the cost to bring forward smaller sites is extremely challenging particularly due to the associated prelims, therefore it needs to be recognised that the associated costs are higher. In addition recent evidence indicates that many registered providers are no longer interested in smaller sites.

As a council we are committed to bringing forward smaller sites which can sometimes be a blight on a neighbourhood and attract antisocial behaviour and would welcome support of policy and funding.

- 26 Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?

Yes encouragement of affordable housing for rent is to be encouraged.

Absolutely – This can be really difficult for 3rd sector organisations who are small and have limited resources. They could also be a potential delivery option for smaller sites.

- 27 Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?

We are not aware of any desirable changes. This is not an issue of much salience to our authority, where the whole rural area is within a short distance of urban areas or has development sites available, but any change should not appear to provide a “backdoor” route for those wishing to develop market housing in the Green Belt.

- 28 Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

We are not aware of any desirable changes.

- 29 Is there anything else national planning policy could do to support community-led developments?

The community led housing fund should be re-instated to enable such groups to develop potential housing plans in partnership with housing development professionals.

- 30 Do you agree in principle that an applicant’s past behaviour should be taken into account into decision making?

Yes although we would question how this would be measured and implemented and how behaviour would be defined?

- 31 Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?

Option 2 would be both a more effective sanction, and reduce the burden of ultimately unproductive work on local planning authorities. Clear guidance should be provided to outline the evidence required to determine irresponsible behaviour.

- 32 Do you agree that the three build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?

It is a concern that in areas where the market is weak and profitability is relatively marginal, this approach could disincentivise the development of some sites altogether, as they could be deterred from developing sites where viability is marginal and market conditions might worsen during the duration of the permission. Alternatively, this might encourage developers to break sites up into small parcels and seek permission for them one at a time, which would both hinder effective overall planning and greatly increase the workload of the local planning authority. Option (b) appears positive but we already have planning policies to ensure a degree of diversity (a percentage of affordable housing on sites over a certain size for example). The proposal would not necessarily increase the absorption rate and would be likely in itself to add delay and argument rather than basing it on a clear-cut and already established policy.

Local authorities would need to have more teeth to enforce where developers promise delivery and then still fail to deliver.

- 33 Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

Yes we agree with the principle of trying to ensure new development is well designed and attractive but question how effective these changes will be, particularly when there is subjectivity as to what constitutes beauty and ugly. Clarity should be provided as to the level of weight which is given to beauty as opposed to scheme viability, for example.

- 34 Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?

As answer to q. 33.

- 35 Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

Yes. This would also assist with assessment of applications, and public understanding of proposals. Use of CGI and digital tools can help to understand the design. Prescriptive conditions will lead to a greater workload if application to vary conditions are required.

- 36 Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?

This could rule out other (maybe better) solutions – the Council considers that this would be better placed as ‘an option’ amongst a number of ‘other options’ where appropriate within national/local design codes or as permitted development. 37 How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?

Interventions that protect and enhance nature could be strengthened by recognising potential co-benefits of such interventions, such as health and wellbeing, air quality, water management, climate mitigation and adaptation. Small scale, nature-based interventions can be identified as mechanisms for delivering policy objectives such as those mentioned above, rather than additional requirements.

- 37 How do you think national policy on small scale nature interventions could be strengthened? For example in relation to the use of artificial grass by developers in new development?

The NPPF sets out an appropriate level of support for safeguarding and enhancing habitats and biodiversity, including opportunities for integrating improvements in and around new development. Specific small scale interventions are considered to be more appropriately dealt with at a local level whilst the use of artificial grass in new developments is not currently an issue in Gateshead.

- 38 Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?

Yes as long as there is clarity for LPAs in terms of the weight that should be given to this when considering proposals for alternative use/development.

- 39 What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

A carbon/climate impact assessment should be incorporated into plan making at the earliest stage. This can be part of the Sustainability Appraisal (or future equivalent) and be proportionate to the plan being prepared. The Carbon Assessment should use an agreed baseline, either from BEIS or other baseline that can be agreed locally/regionally. The Carbon assessment should forecast, based on agreed assumptions, the outcome of delivering the plan. This should include emission from all sources from site assembly, construction, embodied, operational and decommissioning. The assessment should include emissions that are outwith the LA area where there is a direct link, such as increased airport use. The assessment should include carbon sequestration. Consideration should be given to how other

plans policies and strategies will influence carbon emissions, and take into consideration and other forecasted carbon emissions.

The Climate/Carbon Assessment should include emissions from all sources and cover themes such as; Transport, Energy, Heat, Food, Economy, Consumption, Waste, Nature, Adaptation. The assessment should incorporate an assessment of adaptation required through the plan period, in addition to any flood and water assessments required. The assessment should also maximise opportunities for co-benefits such as decreased air pollution or increased health and wellbeing.

Cumulative net emissions should be fully mitigated/offset within the plan or identified other plan policy or strategy to the level committed to by either the Local Authority or by the Climate Act whichever is the earlier. Both carbon offsetting and adaptation required during the plan period should be included in the delivery plan. Ongoing monitoring on carbon emissions should be carried out, and trigger for remedial action needs to be agreed.

The methodology and toolkit for making this assessment should be prepared nationally and provided to Local Authorities free to enable consistency and reduce the likelihood of challenge.

At the Planning application stage, a carbon/climate assessment, proportionate to the development should be required. This assessment should be carried out and take account of any locally adopted heat and energy plans to ensure connection to feasible decentralised heat and energy schemes. The assessment should take into account whole lifetime emissions from development, seeking to firstly reduce heat and energy demand, secondly source residual heat and energy demand by means with the lowest emissions, thirdly to sequester emissions and finally offset emissions, either on-site, off-site or through a contribution.

40 Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?

Blue green infrastructure networks can provide nature-based solutions to support climate change adaptation and mitigation and help create climate resilient places, for example through carbon sequestration and water and flood risk management. Furthermore, green infrastructure can mitigate the urban heat island effect.

Planning policy should support the role of blue green infrastructure in climate change mitigation and adaptation and provide clear guidance on how this should be applied effectively to planning policies and decision making, building on Natural England's recently launched Green Infrastructure Framework.

Role of blue green infrastructure networks / catchment management to make adaptations and build resilience to existing critical infrastructure networks.

A carbon/climate impact assessment should be incorporated into plan making at the earliest stage. This can be part of the Sustainability Appraisal (or future equivalent) and be proportionate to the plan being prepared. The Climate/Carbon Assessment should include themes such as; Transport, Energy, Heat, Food, Economy, Consumption, Waste, Nature, Adaptation. The assessment should incorporate an assessment of adaptation required through the plan period, in addition to any flood and water assessments required. The assessment should also maximise opportunities for co-benefits such as decreased air pollution

or increased health and wellbeing. Maximising opportunities for co-benefits will be best achieved through nature-based solutions.

Planning applications should be refusable if suitable infrastructure to promote sustainable and active travel choices are not incorporated.

- 41 Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

No comment.

- 42 Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

Yes.

- 43 Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?

The revised footnote relating to on-shore wind development provides more scope for on-shore wind development through lifting some of the barriers. Allowing for supplementary plans to identify areas of least constraint, allows for greater responsiveness to the need or feasibility/viability of wind energy within a Local Authority or in changes to political or community opinion on wind energy. Relying solely on new paragraph 160 without the footnote, would enable on-shore wind development is planned for in suitable locations without additional requirements, which would enable LA's to increase renewable energy provision and meet carbon reduction targets sooner. The footnote singles out on-shore renewable energy provision as requiring community support which is not required for other types of essential infrastructure such as roads.

- 44 Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

Yes.

- 45 Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?

The Council is comfortable with the proposed timeline for preparing local plans under the current system which require a plan to be submitted by 30th June 2025.

- 46 Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?

The Council's Core Strategy and Urban Core Plan, prepared jointly with Newcastle City Council, was adopted in March 2015, and subsequently reviewed in 2020 and concluded to be up to date and still valid. The transitional arrangements ignore plans which are over 5 years old but which have been more recently reviewed, including where LPAs have then commenced an update of such plans and wish to proceed under the new system. An allowance should be made to ensure in those circumstances that key policies can still apply. Given resource issues and the likelihood of unforeseen issues arising, the Council is concerned that the 30-month period for preparing plans in the new system is unrealistic, and it unclear if

there will be penalties for not adhering to this timescale, or for not commencing updates at the prescribed times, for example.

- 47 Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?

The Council has no comment.

- 48 Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?

Supplementary planning documents play an important role in planning policy. The proposal to give greater status to Supplementary Plans would be welcomed, as this would enable LPAs to respond more quickly to emerging issues or changing circumstances without having to link this to Local Plan policies that may not adequately cover the issue. However, further clarification should be given regarding the approval process for Supplementary Plans: if they would need to be subject to a full examination process similar to that undertaken for Local Plans, this would effectively undermine the benefits of being able to develop Supplementary Plans relatively quickly.

The proposal to allow 30 months from the commencement of the new system (late 2024) before current SPDs would expire is supported, although there is a concern that this will place additional pressure on LPAs who have to prepare new local plans and supplementary plans concurrently. SPDs and Supplementary Plans should be able to be grandfathered in alongside new or updated Local Plans where the associated policy approach has not changed, or where the supporting evidence is still relevant. An alternative proposal would be to retain SPDs as a means of providing an effective way to prepare additional guidance as to how policies in the plan should be applied without needing to be tested to the same extent as the Plan, and which can be updated more easily and quickly when required.

- 49 Do you agree with the suggested scope and principles for guiding National Development Management Policies?

NDMPs should set minimum standards for development nationally, with Local Authorities able to go beyond this where this can be justified.

The topic of carbon reduction in new development should be included as a National Development Management Policy, which should align with national carbon reduction targets, taking into account that new development can usually more feasibly and viably achieve higher standards of carbon reduction than retrofitting existing buildings and therefore required standards should be zero carbon before overarching national targets/commitments.

The concept of 15- or 20-Minute Neighbourhoods could be encouraged at a national level. Developing such neighbourhoods where essential goods and services are available within walking distance would help deliver benefits to health and wellbeing, air quality and carbon reduction, which should be seen as national priorities. The 20-Minute Neighbourhood concept also promotes local economic growth and biodiversity. As opposed to planning for growth the 20-Minute Neighbourhoods perspective provides a new way of focusing on the local community, its residents and their day to day opportunities and choices, providing a delivery mechanism for genuine sustainable development.

Health Impact Assessment requirements and templates for planning applications should be included as a NDMP to provide certainty and consistency.

- 50 What other principles, if any, do you believe should inform the scope of National Development Management Policies?

NDMPs should focus on common nationwide development management issues whilst ensuring local issues continue to be considered at a local level.

Consistent nationally set design principles – such as separation distances, scale and massing, street hierarchies, cycle/pedestrian dominated design, street trees.

- 51 Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

Yes

- 52 Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

The Council would make the following suggestions:

Retail sequential approach – to more clearly include this as a national DM policy removing the need to replicate in Local Plans

Residential amenity and the issues set out in such policies

The integration of digital infrastructure into new development

Safeguarding of minerals and aggregates, hazards such as high-pressure gas pipelines and sensitive development such as airports

Green Belt policy

Standards such as the Nationally Described Space Standards could also be included in NDMPs, although may be best included in Building Regulations.

- 53 What, if any, planning policies do you think could be included in a new framework to help achieve the twelve levelling up missions in the Levelling Up White Paper?

A requirement to provide an economic impact assessment for larger development? So that impact on employment and productivity can be measured and considered as a material consideration.

Consider the introduction of streamlined planning processes for newly constructed commercial property where there are local gaps in provision to accelerate growth in the economy.

- 54 How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

We are pleased to see the Levelling Up White Paper recognise the importance of public and private investment in RDI activity outside London and the greater South East as a driver of improved productivity, good job creation and sustainable communities throughout the UK.

The depth of local labour markets and quality of jobs on offer are significant in determining where skilled people of working age choose to settle. Deploying RDI to attract investment, improve growth prospects, raise productivity, and tackle underemployment can help to reverse the effects of ageing and population decline affecting the sustainability of deindustrialised local communities across the North.

We welcome the SR21 pledge to increase government R&D spending to £20bn by 2024-25, and the setting of an economy-wide target of 2.4% GDP in R&D by 2027. An explicit commitment to invest a higher share this uplift outside London and the South East is long-awaited, together with a real-terms increase for Innovate UK annual funding, equivalent to £2.5bn over the SR21 period.

It is positive that at least £7 in every £10 will be invested outside the Greater South East but how this spend is allocated and distributed within regional ecosystems is key, particularly as government has indicated that all the additional RDI investment will build on centres of expertise. Ensuring the benefits of growth and good jobs created are felt in all places will continue to be challenging without a change in spatial outlook.

Desired levelling up outcomes cannot be achieved if government relies on a trickle-down policy that simply increases subnational R&D spending without significant spatial tailoring to ensure that all places benefit from investment. Otherwise, intra-regional, as well as inter-regional disparities will persist, resulting in opportunity costs and public scepticism about the advantages of levelling up.

Growing R&D hotspots by fostering greater collaboration between national funders, local leaders, the private sector, and high-quality research institutions is essential, but this activity must be underpinned by a whole system approach.

Public investment in R&D assets, infrastructure and activity is often determined by the presence of existing, predominantly university-led research institutions in major cities, which are used to catalyse physical regeneration, anchor investment, and support higher skilled job creation. However, the wider economic benefits of this intervention are too tightly bound, evident across several measures of local and regional economic performance including reduced business start-up rates, smaller scalable clusters, lower GVA, poorer higher-level skills attainment, fewer higher skilled jobs, and lower levels of employment.

Favourable outcomes are less perceptible in neighbouring areas because city regional agglomeration effects outside London and the South East tend to be weaker. Towns without the intrinsic advantage of a research institution to unlock regeneration opportunities must work harder to attract public and private RDI investment if they are to realise the wider economic, social, and cultural benefits this brings. The absence or under development of RDI infrastructure partly explains longstanding economic and social disparities discernible in the built environment, subdued growth, and stubborn levels of deprivation.

It is therefore critical that government consider how the planning framework facilitates investment in RDI-led physical regeneration within and outside cities, particularly where the totality of investment in the ecosystem can be maximised to deliver economic transformation, including FE, technical and HE infrastructure, the location of research catapults, Innovate UK and UKRI funding, and private facilities with deliverable development opportunities. Aligning departmental levelling up objectives and programme level interventions with sub regional

planning and capital investment is necessary to intensify RDI activity in all places and reap the benefits.

Government action to address five key barriers limiting the impact of RDI investment represents a step in the right direction:

1. An independent review of the UK's RDI Organisational Landscape, which should corroborate the gaps and imbalances created by the current distribution of RDI organisations across the country
2. A new UKRI organisational objective to deliver economic, social, and cultural benefit from research and innovation to all citizens by considering local growth criteria in R&D funded design, improving the mobility of investment
3. Tailored support to optimise the R&D strengths of different places by developing policies in partnership with local government, businesses, and R&D institutions, informed by the R&D Place Advisory Group
4. Levelling up criteria factored into R&D facility investment decisions
5. Reviewing the approach to bringing forward employment land, supporting supply chain development and overcoming connectivity issues

However, places can only capture improved investment outcomes if government devolves gap funding for commercial, as well housing development. In places like Gateshead, the issue is not one of land supply but viability. There are limited opportunities for private investment and development, compounded by complex land ownership arrangements. Public funding is needed to bring brownfield land back into productive use, attract private investment, support high skilled employment growth, and unleash innovation.

Brownfield land and infrastructure funding is vital to incentivise, unlock and intensify public and commercial R&D development. Alongside setting specific departmental spatial R&D targets for BEIS, DHSC, DfT and DEFRA, DLUHC must also consider what type of assets and infrastructure are created where, and how all places can benefit from this expenditure to:

- raise productivity,
- generate good jobs,
- improve take up from a skilled local labour force,
- and deliver wider societal impacts

As analysis by the National Institute for Economic and Research has already shown, the return on investment in regions perceived to be less high tech or knowledge intensive is considerable. In our view, a national planning framework that encourages development of a spatially balanced RDI investment portfolio outside the greater South East is imperative to creating a fairer, greener, more sustainable economy that enables everybody to thrive.

Further to the above, the Government should consider the reasons why businesses are not locating in every part of the country. In Gateshead, this is due to the need for investment in the existing employment stock, public sector intervention to de-risk or subsidise new economic development, a constrained land supply outside of the Green Belt that has good connectivity including direct access to the strategic transport network and investment in strategic transport infrastructure to unlock land.

Develop a clear understanding at regional and national level of economic demand by business sector and where it should be located (which isn't based necessarily on past take-up)

Remove the permitted development rights that allow the conversion of offices to residential uses as this can result in the loss of office space which can negatively impact on economic growth and productivity.

- 55 Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

The proposal to make national policy clear that Green Belt does not need to be reviewed or altered when making plans, including to meet housing need in full, will help to refocus development on brownfield land within city and town centres. Additional measures to stimulate additional brownfield development would be welcomed, particularly in areas such as Gateshead where viability is an ongoing issue which prevents development on some brownfield sites from coming forward. The provision of additional funding, including through regional devolution, could help to address this issue.

- 56 Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?

Equality and safety are key priorities, and are part of our Health and Wellbeing Strategy and Thrive agenda. Policies that increase safety and perception of safety for all groups would be welcomed. Such requirements should be flagged through an Equalities Impact Assessment.

Gateshead Council's Director of Public Health Annual Report 2022 includes a recommendation; *To enable girls and women have equality, then we must create and develop sustainable places and communities for girls and women.*

It is recommended that we review and refresh our local plan so that there is an explicit gendered response. For example, this may include ensuring our cycling infrastructure is reviewed from a female perspective. We should ensure that a positive effort is made to redress any gender inequality within our local plan, ensuring all planning and infrastructure is considered from a female perspective.

It is recommended that we ensure all of Gateshead is a safe environment for girls and women and that as we have a specific gendered response as we develop and implement our strategies, our interventions and our policies.

It is recommended that we continue to call out and not be bystanders in violence against women and girls. This should include assessing all our policies to ensure we create an environment which is supportive of measures to prevent domestic abuse and enable disclosure and support if needed.

- 57 Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

No suggestions at this time.

58 We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

In the current planning system there is a requirement to carry out a Sustainability Appraisal (SA) in Local Plan preparation. This appraisal will be replaced by an Environmental Impact Report. The SA included an environmental assessment, and also a social and economic assessment. It is unclear whether the social and economic assessment will be required. A social assessment would ordinarily include an Equalities Impact Assessment and Health Impact assessment, and these are vital tools to ensure that plans maximise opportunities to address inequality and improve health and wellbeing as well as mitigate any potential negative impacts. It should be a requirement at plan making stage to carry out these assessments.