

The Council's response to the Government's proposed reforms to the National Planning Policy Framework (NPPF) and other changes to the planning system

Statement by London Borough of Bexley

The London Borough of Bexley is significantly concerned at the changes proposed to the NPPF and sees it as a fundamental undermining of local democracy and the primacy of the Development Plan. Growth is essential to national prosperity, but the proposals are likely to remove local control and accountability that is essential to inclusive and sustainable development and the ongoing support of local residents and businesses.

The “default yes” position for development within ‘settlements,’ where the starting point becomes approval, rather than neutrality, creates a stronger presumption for any housing development at all costs. This causes a significant concern for the Council that the emphasis on housing supply and intensification, and the introduction of a minimum number of dwellings per hectare, will lead to an increase in conversions of existing housing and that local amenity, housing standards and housing-mix will carry less weight in decision making. This could lead to a loss of family housing and an over-concentration of HMOs.

If the planning system is to help achieve sustainable development and in doing so take local circumstances into account to reflect the areas individual character, needs and opportunities then local councils should not be set up to fail.

But that is what the Government's proposed changes do to plan-making in the revised Framework. They undermine strategic planning at the local level, making local plans second-class, only able to follow blindly what is set out in national and regional planning policy, and only able to focus on a few things.

To level the playing field, spatial development strategies and local plans **must have equal status** in development plans and follow the same requirements, including being reviewed every five years and not repeating or modifying the national development management policies (referred to as national ‘decision-making’ policies in the consultation). Plan-making should be positively prepared and local plans must also be allowed to be strategic and aspirational for their areas.

Equally importantly, local plans that are up-to-date where there is an existing spatial development strategy should still have their development management policies carry significant planning weight, not just assumed to have limited weight when the revised Framework is implemented. It should be for the decision-maker to consider relative material planning weight when determining applications for development.

This is of particular relevance to London boroughs with up-to-date local plans as there are current London Plan policies in place and a draft London Plan expected to be published for consultation by the summer that, in line with the transitional arrangements, will be examined under the current 2024 Framework. The draft London Plan will have requirements for London boroughs to include in their local plans and these local plans need to be in general conformity with the London Plan.

Specific questions posed by MHCLG and Council responses

There are 225 specific questions (many with further questions) in the Government's consultation published in December 2025 on 'proposed reforms to the NPPF and other changes to the planning system.' These are set out below, with the Council's officer-level response. Where no response is considered necessary, the Council has stated 'no comment.'

Consultation introduction

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

The proposed national development management policies, for this is what the national decision-making policies are, should be identified as such to avoid confusion. They are included as part of the draft NPPF consultation and the wording set out in the Planning and Compulsory Act (PCPA) 2004 is suitably flexible (see section 38 of the PCPA 2004, as amended by the Levelling-up and Regeneration Act 2023) for the Secretary of State to include them (clearly identified) in the Framework.

Whilst legislation has given the role of national development management policies their 'statutory' status even with this legally mandated 'weight' the policies are still technically policy, not legislation.

Before making a national development management policy, the Secretary of State must ensure that such consultation with, and participation by, the public or any bodies or persons as the Secretary of State thinks appropriate takes place.

This is what is happening with the national decision-making policies in the draft NPPF. As such, there would be no reason to replicate this work as the NDMP. **Probably the easiest and most effective way to introduce them is to just change the name from national 'decision-making' policies to national 'development management' policies in the NPPF.** This would aid clarity and avoid confusion.

2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies?

Agree

a. Please provide your reasons, particularly if you disagree.

The national development management policies carry legally mandated weight in legislation and separating them from the plan-making policies in the NPPF provides clarity in this matter.

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework?

Partly agree

a. Please provide your reasons, particularly if you disagree.

As with many parts of the draft NPPF, the annexes include inaccuracies, omissions, lack clarity and can be inconsistent. Whilst the topics of the annexes may be acceptable, the content needs further work. Additional comments on the Framework's annexes are set out in the Council's responses to questions 192, 193 and 194 that address Annex A and any further policy comments.

4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

Whilst incorporating Planning Policy for Traveller Sites into the NPPF is in itself practical, the intent of that policy document has been fundamentally changed. Accommodation needs are now to be assessed as part of the preparation of a spatial development strategy with pitch and plot requirements set out at a strategic level, with policy HO2 stating that “these figures should not be re-tested as part of local plan preparation unless there has been a significant change in circumstances which affect the overall requirement...” This undermines local plan making, where information feeding into such assessments will be of a finer grain and better focussed on the needs of the communities that live in the area. A strategic approach will not be able to do this. Pitch and plot figures should be set at the local plan level, based on local accommodation needs assessments.

Chapter 1: Introduction

5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied?

Partly disagree

a. Please provide your reasons, particularly if you disagree

The introduction emphasises that the planning system should be genuinely plan-led but then goes on to undermine planning at the local level, with plan-making policies indicating “actions which should be taken at the most appropriate level” that essentially means taking control from local councils.

A spatial development strategy for a region does not allocate land use however they set spatial, quantitative and qualitative requirements for local authorities that then need to be delivered in local plans. These requirements may or may not be ‘strategic’ and are likely to be based on needs assessments undertaken at a regional level. The terminology in the Framework must be able to be applied flexibly where justified, to allow a rigorous testing of the evidence that underpins requirements for local planning authorities by policies in the spatial development strategy.

The Council is concerned that the regional assessments may not accurately represent needs, opportunities or development constraints at the local level. As such, local assessments will be necessary to justify policy approaches taken in local plans, which can still be consistent with national policy and in general conformity with the spatial development strategy but that accurately reflect what a local authority can actually deliver.

The terminology of the draft Framework, in particular at paragraph 6, is too rigid in this ‘top-down’ approach and undermines strategic planning at a local level. The terminology of the draft Framework must not prejudice production of local plans, which are equally important to a local authority’s statutory development plan as the spatial development strategy for the area.

The terminology of the draft Framework does not set a requirement for genuine partnership working between the regional and local levels (e.g. evidence is prepared together with all findings shared including proprietary models and/or methods). Unless this approach is taken, there is a significant risk that unrealistic requirements will be created at a regional level that do not take account of local circumstances.

Chapter 2: Plan-making policies

The plan-making framework

6) **Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?**

Strongly disagree

a. Please provide your reasons, particularly if you disagree.

Reference should be made to the requirements of policy PM6 in policy PM1, as these general principles for plan-making are for “all plan-makers” in preparing [development] plans. Policy PM6 should be reviewed and reworded where necessary to be relevant to the preparation of all plans.

The wording of the policy should be more collaborative. The stated objective of the plan-making policies in Chapter 2 includes allowing “people to influence development in their area, including directing growth to the most appropriate and sustainable locations, supporting regeneration and conserving and enhancing the quality of the built and natural environment.”

This includes the preparation of the spatial development strategy, which is directed in the policy to set broad locations not just for growth but for nature conservation, habitat creation, green belt, strategic infrastructure (including waste infrastructure) all without any suggestion that this will happen in partnership with the local authorities within the region that will ultimately be saddled with the responsibility of ensuring that they are deliverable through their local plans.

The policy states that need for housing “and other uses” is best assessed at a strategic scale for the duration of the 20-year plan period, with no explanation for this assumption. These assessments will inform requirements for local authorities to address in their local plans but without genuine scrutiny. The spatial development strategy does not have to be replaced for 10 years, meaning that local communities will have to live with potentially poorly justified decisions set out for them that they cannot unpick at part of the local plan process.

7) **Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?**

Disagree

a. If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?

Spatial development strategies should be **reviewed in full every five years** in partnership with the local planning authorities in the strategy area to ensure that policies remain relevant. A spatial development strategy is only meant to set out broad, strategic policies and not designate land uses, so this should not be too onerous.

A five-year review that only reflects any changes to housing requirements can affect the achievement of sustainable development, which could undermine spatial approaches to growth set out in local plans. Changes may not be able to be rectified at local plan level where competing land requirements for other uses will need to be reassessed to ensure sustainable development is still achievable.

This is not joined-up planning, this has become a top-down system where the local plan has to do all the hard work to reconcile changes set out in isolation at the regional level.

- 8) **If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?**

Disagree

a. Please provide your reasons, particularly if you disagree.

As stated in the response to question 7, A five-year review that only reflects any changes to housing requirements can affect the achievement of sustainable development, which could undermine spatial approaches to growth set out in local plans.

Currently, local authorities can set housing requirement figures in their local plan strategic policies. As long as the local plan is up to date, even where these requirements set out in a spatial development strategy have become out of date, the local authority can continue to apply these figures for their five-year housing land supply assessments and have them used as the basis for the housing delivery test. The ability to do this must continue so that the planning system remains relevant in determining planning applications for residential development.

- 9) **Do you agree with the role, purpose and content of local plans set out in policy PM2?**

Disagree

a. Please provide your reasons, particularly if you disagree.

Development plans (including local plans) should be prepared positively, in a way that is aspirational but deliverable. This includes assessing need at a local level to ensure that the contribution a local authority makes to the regional strategy is fully justified.

Local plans appear to have become subordinate in the draft Framework, and this is not conducive to a genuinely plan-led system. Why no more than 10 measurable outcomes? From the very short list of what can be considered for the measurable outcomes, the final part (iv) restricts local authorities to only consider development needs that have been identified by the strategic planning authority in accordance with policy S1.

There is no specific question on policy S1 in this consultation and comments are set out here

For local plans to be positively prepared, local planning authorities must be able to consider their own development needs – not just those that have been identified by the strategic planning authority. This is too restrictive and does not invest in the principle of local people having local control over planning in their area. The Council therefore **strongly disagrees** with the restrictive wording in policy S1(1a) and policy should be modified as identified by the removal of the strikethrough text:

S1: Positive plan-making

1. *The development plan should plan positively for future growth and change by:*

- a. *Seeking to meet the development needs of their area as a minimum. ~~For spatial development strategies, and for local plans where a spatial development strategy is not in place, This means providing for objectively assessed needs for housing and other uses (including supporting infrastructure), as well as any needs that cannot be met within neighbouring areas, unless:~~*

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?

Yes. Strategic policies should be prepared over a minimum 15 year period and a local planning authority should be planning for the full plan period. This timeframe allows for a vision and aspirational objectives that can link to longer term delivery programmes and for local people to consider how their area will be shaped in the longer term.

a. If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why.

A shorter time period dilutes the strategic nature of a local plan.

Preparing plans

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

All parts of Policy PM6 presumably apply equally to **all spatial plans** as it is addressed to “all plan-makers.” This includes spatial development strategies as well as local plans and neighbourhood plans, as these documents are prepared by “plan-makers” and form part of a development plan.

On this point, a reference to policy PM6 should be included in policy PM1 to ensure that the requirements of PM6 relate to “all plan-makers” in preparing [development] plans. Policy PM6 should be reviewed and reworded where necessary to be relevant to the preparation of all plans.

Part (1b) of the policy allows for the inclusion of policies supporting any of the matters considered relevant to the preparation of the plan where there is justification for their inclusion, and this is welcomed. A slight rewording will be necessary to relate to all [development] plan making.

Part (1c) needs to be clear that if an existing up-to-date development plan document, such as a spatial development strategy or a local plan, includes policies that have been addressed (in the main) by a national decision-making policy (or national development management policy), that this does not make the entire development plan out of date. For the avoidance of doubt, perhaps include wording in the policy (or as a foot note) that points the reader to paragraph 2 in Annex A: Implementation.

Further to this, local plans that are up-to-date where there is an existing spatial development strategy should still have their development management policies carry significant planning weight, not just assumed to have limited weight when the revised Framework is implemented. It should be for the decision-maker to consider relative material planning weight when determining applications for development.

This is of particular relevance to London boroughs with up-to-date local plans as there are current London Plan policies in place and a draft London Plan expected to be published for consultation by the summer that, in line with the transitional arrangements, will be examined under the current 2024 Framework. The draft London Plan will have requirements for London boroughs to include in their local plans and these local plans need to be in general conformity with the London Plan.

12) Do you agree with the approach to initiating plan-making in PM7?

Disagree

a. Please provide your reasons, particularly if you disagree

PM7(1) sets out a 30-month timeframe from the initiation of plan-making (e.g. the preparation and adoption of a local plan) and this is considered too ambitious. There is no evidence that demonstrates this has been rigorously tested and does not account for uncertainties, including capacity of local planning authorities or the Planning Inspectorate, and the timeframe should be treated as an aspirational target.

Part (2) of the policy uses the term 'four year plan evaluation report' but this is not defined. Use of new, undefined terms is not helpful. Local planning authorities are perfectly capable of applying section 13 of the PCPA 2004 and considering relevant information, including plan monitoring of policies, when undertaking reviews of local plans.

Currently, it is accepted that policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after five years, as policies are designed for the full plan period. Following a five year review of the plan a local planning authority may revise a plan rather than prepare an entirely new one, where the review has determined that some policies remain effective. It would be useful to understand what should be provided for these policies, beyond the review itself, when they are 'subject to consultation and examination' as per PM7(2).

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

PM8(1) sets out reasonable tests of soundness for a plan to be positively prepared and justified, which includes being shaped by evidence.

However, parts (2) and (3) of the policy manage to be both overly prescriptive and completely vague, using terms such as 'where appropriate.' The sentence "evidence related to development needs should be considered up-to-date if it has been produced using appropriately up-to-date information and data" is an example of a meaningless statement. Scrap parts (2) and (3).

14) Do you agree with the approach to identifying land for development in PM9?

Agree

a. Please provide your reasons, particularly if you disagree.

Presumably, this is for every type of development needed to deliver the spatial strategy set out in the plan. With this comes the understanding that the assessment of the land available will need to consider different uses, which are likely to compete for a finite amount of land.

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11?

Disagree

a. Please provide your reasons, particularly if you disagree.

Policies PM10 and PM11 are entitled 'maintaining cooperation' and 'demonstrating cooperation,' however the lists of requirements in them could prevent plan-makers from securing the sustainable development of their area through a well-reasoned spatial approach to growth. Plans should be produced that accommodate development needs and improve the environment for the

residents (of all species) of their area. This is a complex process that must strike the right balance to succeed.

Not all parts of these policies relate to 'strategic interdependencies across boundaries' or 'relevant cross-boundary matters' and again the choice of words and sentence structure lacks clarity – "to identify and address cross boundary matters that need to be addressed in their plans" in PM10(1) is meant for which of the many bodies that precede this statement in the sentence? If it is for plan-making authorities to agree cross-boundary matters then setting out a shopping list of what should be included is not necessary as matters that should be in spatial plans are set out in legislation.

PM10(3) undermines a local planning authority's ability to reflect strategic policies in its local plan. PM10(1b) and PM11(1b) do not necessarily relate to a strategic interdependency across boundaries and 'neighbouring and other relevant nearby plan-making authorities' could fetter the ability of another plan-making authority to positively prepare a plan. The insistence on addressing matters in statements of common ground that are not cross-boundary or that do not have strategic interdependencies is not in the spirit of cooperation, and this could include meeting unmet need.

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals?

Partly agree

a. Please provide your reasons, particularly if you disagree.

PM12(4) is useful. The remainder of the policy is not, except for the testing of whole plan viability.

The viability of a plan, on the whole, is assessed to determine that development proposals that accord with the development plan (e.g. that are policy compliant) are deliverable. The government is introducing national development management (decision-making) policies into its Framework and presumably has tested these, on the whole, against development viability.

If the purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest, then it is for those proposing development to understand the costs of meeting the requirements and to consider these costs when purchasing land for development. And it is also for those proposing development to make the case to the decision taker when they consider that meeting all relevant requirements is not achievable (hence why part (4) of the policy is useful).

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?

Agree

a. Please provide your reasons, particularly if you disagree.

As stated in the response to question 16, PM12(4) is useful. If the Framework can include a statement that the national development management (decision-making) policies have been tested to ensure that a policy compliant development proposal is viable and deliverable, then plan-making authorities can set out the circumstances in which review mechanisms will be used.

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

While the Council recognises the Government's objective of achieving national consistency in energy efficiency standards, the proposed commencement of section 43 of the Deregulation Act 2015 would significantly constrain the ability of plan-making authorities to deliver regionally and locally justified climate change objectives.

In London, higher energy efficiency and carbon reduction standards are already embedded within the strategic planning framework through the London Plan, which requires major developments to be net zero carbon and to achieve a minimum 35% on-site carbon reduction beyond Part L 2021 Building Regulations. These requirements are supported by a robust evidence base and are consistently applied across London boroughs, including through local plan policies.

Preventing plan-making authorities from setting such standards would risk undermining established, plan-led approaches to climate change mitigation that are already delivering tangible outcomes and investor certainty. In constrained urban authorities such as Bexley, locally set standards play a critical role in meeting climate targets and supporting national net zero objectives.

The Council therefore considers that national policy should continue to allow plan-making authorities in their development plan to set energy efficiency standards that exceed national minimum requirements where justified by evidence.

Examining plans

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination?

Disagree

a. If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?

PM14(1) is just a (poorly worded) summary of section 12I of the PCPA 2004.

PM14(3) is just additional information regarding the test for the plan to be **effective**.

The remaining part of PM14 and the whole of PM15 is a slight rewording of the tests that does not fundamentally change the intention of the tests of soundness.

The test for plans to be **justified** (e.g. an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence) has been replaced with a test to be **appropriate**, which essentially just removes the evidence base from the test.

Local plans do not need to be **effective**; they instead need to be **realistic**, which reads the same as **effective**.

It is not considered that there was any need for the draft Framework to tinker with the wording of the tests of soundness. These have been embedded in the plan-making system for years and function well. General conformity with the adopted spatial development strategy for the area is

already set out in section 24 of the PCPA 2004, so is not necessary to add to the tests of soundness.

The tests of soundness as they are set out in the current Framework are written clearly. Development plans (both spatial development strategies and local plan) do not need separate tests of soundness. The current arrangements are well understood and operate effectively.

20) Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?

There is a need for the new Framework to be clear, consistent and concise. The consultation draft revised Framework needs further work for this to be the case and a comprehensive edit of the text undertaken before the final Framework is published.

Chapter 3: Decision-making policies

Preparing planning proposals

21) Do you agree with the principles set out in policy DM1?

Partly agree/disagree

a. Please provide your reasons, particularly if you disagree.

The Council supports the principle of proportionality in the preparation of development proposals and welcomes the intention to reduce unnecessary complexity and information requirements, particularly for smaller-scale development, while focusing more detailed engagement and supporting material on major schemes. The emphasis on early engagement for major development and the expectation of a planning statement addressing development plan compliance, engagement, and planning obligations are appropriate.

However, pre-application engagement is a critical component of the development management process, and the associated fee income is essential to sustaining an effective planning service. Pre-application discussions should not be limited to major schemes, as smaller-scale proposals can raise complex issues due to site constraints, sensitive locations, or cumulative impacts. In such circumstances, early engagement and the submission of proportionate supporting information remain necessary to enable the Council to accurately assess proposals and provide timely, well-informed advice.

The policy should therefore make clear that proportionality does not prevent planning authorities from promoting pre-application engagement across all scales of development or from requesting essential information where justified, ensuring that decisions remain robust, efficient, and properly resourced.

22) Do you agree with the policy DM2 on information requirements for planning applications?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The Council supports the objective of greater consistency and proportionality in information requirements and agrees that local validation lists should be focused on what is necessary to support sound decision-making, particularly in instances where it would avoid disproportionate burdens on minor development. The clarification of information required to support national

decision-making policies is welcomed, as it may provide greater certainty for applicants and decision-takers.

Notwithstanding the positives, limiting local validation requirements only to circumstances where explicit local policies exist could unduly restrict the ability of local planning authorities to respond to site-specific constraints and locally evidenced issues, such as flood risk, highway capacity, or cumulative impacts. Local validation lists should therefore retain sufficient flexibility to require proportionate and locally justified information where necessary to enable robust determination of applications.

23) Do you have any views on whether such a policy could be better implemented through regulations?

The information provided is insufficient to enable an accurate or detailed assessment of the implications. The Council recognises that a regulatory approach could offer greater clarity and national consistency for applicants in relation to the information required to support national development management (decision-making) policies. Nonetheless, there is a risk that regulations may reduce the flexibility currently available to local planning authorities to respond to site-specific constraints and locally evidenced issues.

Any regulatory framework would therefore need to be clearly defined and sufficiently flexible to allow proportionate, locally justified information to be requested where necessary to support robust development management decision.

24) Do you agree with the principles set out in DM3?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The Council supports a positive and proactive approach to decision-making, including collaborative working between applicants and planning authorities and the proportionate consideration of material planning issues. This aligns with effective development management and reinforces the importance of early, constructive pre-application engagement, where applicants are expected to be proactive in working with planning authorities to resolve issues at an early stage. It should be noted the policy is open to interpretation and should more clearly define expectations, particularly in relation to the respective responsibilities of applicants and planning authorities.

In addition, while timely decision-making is supported, delays arising from statutory consultee responses are often beyond a planning authority's control. This constraint should be clearly acknowledged to ensure that expectations around timeliness do not compromise decision quality or legal robustness.

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The Council supports the intention of policy DM5 to significantly reduce the routine use of site-specific viability assessments and to reassert a plan-led approach to developer contributions. The Council's experience is that viability arguments are frequently advanced at application stage to

justify substantial reductions in affordable housing and other policy requirements, with the result being that policy-compliant provision is not delivered in practice.

While limited flexibility is necessary in genuinely exceptional circumstances, this should not be allowed to undermine adopted plan policies. The Council therefore considers that policy DM5 must be applied robustly, with a clear expectation that departures from policy are exceptional, fully justified, and subject to appropriate review mechanisms.

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

If applied consistently, policy DM5 could materially strengthen decision-making by curtailing protracted viability negotiations, discouraging land value inflation, and improving affordable housing delivery. However, the Council considers that without firm application and adequate resourcing, there remains a risk that viability will continue to be used to justify non-compliance with adopted policy requirements. The policy should therefore be supported by strong national guidance and decision-taking practice that gives full weight to the harm arising from reduced affordable housing and infrastructure provision.

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

The Council considers that the current S106A process does not operate effectively in practice and often facilitates the repeated renegotiation of planning obligations, particularly affordable housing, long after permission has been granted.

a. If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.

Reforms should focus on strengthening the statutory tests for modification, limiting the circumstances in which viability can be revisited and ensuring that plan-led expectations are upheld, while allowing narrowly defined flexibility where genuinely necessary to facilitate improvement and prevent erosion of standard.

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.

In advance of legislative change, the Council strongly supports clearer national direction restricting the use of Section 73 to revisit fundamental issues of viability and planning obligations. Decision-makers should be explicitly directed to resist reductions in affordable housing unless exceptional and robustly evidenced, and to give substantial weight to the harm caused by any such reduction.

a. If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations.

The Council's current experience is that the use of Section 73 to re-open viability and reduce affordable housing provision has undermined the delivery of plan-led outcomes. Stronger scrutiny and clearer national policy direction are therefore necessary to protect affordable housing supply and maintain confidence in the planning system.

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?

Partly agree. The Council supports the aim of improving consistency and clarity in the use of planning conditions and obligations, including aligning policy with statutory tests and avoiding duplication with existing legislation. The proposed use of national model conditions and obligations

is supported in principle, as this may assist efficiency and reduce uncertainty for applicants and decision-makers. Notwithstanding this, the Council considers it essential that any model conditions and obligations remain sufficiently flexible to reflect local circumstances, site-specific constraints, and locally evidenced policy requirements. Planning authorities must retain discretion to tailor conditions and obligations to ensure development is acceptable in planning terms and delivers adopted development plan objectives.

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The Council supports the policy's intention to clarify the respective roles of the planning system and other regulatory regimes, and to reaffirm that planning decisions should focus on land-use considerations, all the while assuming that other regimes operate effectively. The recognition of relevant case law, requiring planning authorities to consider matters regulated elsewhere where they have clear land-use implications, is welcomed.

Careful application will be necessary to ensure that this clarification does not create uncertainty in decision-taking or constrain the ability of planning authorities to address site-specific impacts where regulatory matters and land-use considerations overlap. Clear guidance on the practical application of the policy should be provided as this would assist in ensuring consistent and robust development management decisions.

31) Do you agree with the new intentional unauthorised development policy in policy DM8?

Strongly disagree with part 2 of the policy

a. Please provide your reasons, particularly if you disagree.

Intent is difficult to prove, creating unnecessary disputes and administrative burdens. Where the onus lies to prove that the development was, or was not intentional should be made clear. If it sits with the local planning authority, it should be made explicit when this needs to be proven and whether it would lead to the creation of a new appeal process alongside costs applications that are considered separately for unreasonable behaviour.

Substantial weight is disproportionate, especially where the development is otherwise policy compliant. Moreover, the development should be considered on its merits and as if the development had not been built. Intentional breaches of planning control do not always amount to harm requiring an action by the developer to resolve the breach of planning control.

If the Government wishes to penalise intentional breaches, this should be done through statutory financial penalties, not through distorting the planning balance. If intentional development is harmful and irreversible, substantial weight may in those circumstances be considered; and to consider reimbursement of the full costs incurred by a local planning authority to investigate/solve such breaches.

Requiring local planning authorities to prove intent is impractical and will increase complaints, encourage tactical objections and embroil enforcement in subjective assessments of motive.

32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

Yes. Below is a list of the types of harm that may arise:

- public distrust if development proceeds without permission
- expectation of local planning authorities to be punitive in response to unauthorised development
- disproportionate use of enforcement resources to investigate monitor matters of principle i.e. consent should have been sought prior to development; and to conduct further 'just in case' investigations of other potential breaches, where no harm is being caused
- loss of essential technical assessments prior to development taking place (noise, flood risk, land contamination, highways surveys, BNG and biodiversity, and very special circumstances with development in the green belt)
- green belt harm where very special circumstances were not demonstrated before building
- breaches of pre-commencement conditions, leading to irreversible impacts (e.g., archaeology, contamination)
- harder to prove the order of development to apply permitted development rights and to avoid technical breaches of planning control where development is not policy compliant, but where no overall harm is being caused
- harder to establish the facts of the matter on the ground i.e. any changes to land levels, topography to assess the development before it has been carried out.

These harms arise not because the breach was intentional, but because building first bypasses necessary safeguards and the current planning system allows for retrospective applications to be made.

a. If so, are there any particular additions or mitigations which we should consider?

The Council considers that a clearer, fairer system would be to increase fees for retrospective applications (as can be applied in Building Control regularisations) and apply penalties for deliberate breaches, while keeping planning decisions focused solely on planning merits.

What constitutes intentional development should be defined. If intentional development is harmful and irreversible, substantial weight may be applied in those circumstances and to consider reimbursement of the full costs incurred by the local planning authority to investigate/resolve such breaches and for the lifetime of resolution.

33) Do you agree with the new Article 4 direction policy in policy DM10?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

Overall, the Council considers that proposed policy DM10 will provide greater flexibility for local planning authorities in instances where Article 4 directions are considered necessary.

The Council welcomes the proposed removal of the wording that currently exists under paragraph 55(a).

The proposed removal at part (1c) of the word 'geographical' regarding area is welcomed. It is considered that (1c) could go further with the following additional wording: 'Apply to the smallest area possible, where relevant.' This would then capture situations where Article 4 directions are

borough/district-wide but only cover specific buildings and/or uses within them e.g. preventing against the demolition of locally listed buildings where they could otherwise be demolished under national permitted development rights.

Chapter 4: Achieving sustainable development

Plan-making policies

34) Do you agree with the proposed approach to setting a spatial strategy in development plans?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Policy S2(1a) uses the term 'settlements,' which is not particularly useful in a large metropolitan area such as Greater London. The Bexley Local Plan has applied the term 'sustainable development locations,' which allows for a more nuanced spatial approach where much of the borough is continuous urban form. Consider changing the term in the policy to 'sustainable development locations' and then the methodology for how to determine these locations can be defined more easily in the glossary.

35) Do you agree with the proposed definition of settlements in the glossary?

Strongly disagree

a. Please provide your reasons, particularly if you disagree.

The term, and its definition in the glossary, is too vague. If the planning concept of the term 'settlements' is meant to be locations where new development should be, then call these places 'sustainable development locations' instead of 'settlements.' This would allow, when defining these locations in the glossary, for a standard method to be set out (e.g. a list of criteria) that could enable an assessment of a planning authority's administrative area to determine sustainable development locations. It could include a series of indicative characteristics while still retaining flexibility for local plans to reflect local difference. For example, some local authority areas will be primarily urban, such as London borough administrative areas within Greater London; however not all urban areas would necessarily be capable of sustaining more development as this is dependent on existing (or planned) infrastructure such as local services and facilities and public transport .

National decision making policies

36) Do you agree with the revised approach to the presumption in favour of sustainable development?

Strongly disagree

a. Please provide your reasons, particularly if you disagree.

The "default yes" position of Policy SP4, where the starting point becomes approval, rather than neutrality, creates a stronger presumption for housing development. This causes concern that the emphasis on housing supply and intensification will lead to an increase in conversions of existing housing and that local amenity, housing standards and housing-mix will carry less weight in decision making. This could lead to a loss of family housing and an over-concentration of HMOs.

The use of the term 'settlements' is vague and not well defined in the glossary. 'Sustainable development locations,' which can more accurately be defined in the glossary, with a standard

method for local planning authorities to use to assess their administrative area, should be used instead.

37) Do you agree to the proposed approach to development within settlements? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree

a. Please provide your reasons, particularly if you disagree.

The “default yes” position of Policy SP4, where the starting point becomes approval, rather than neutrality, creates a stronger presumption for housing development. This causes concern that the emphasis on housing supply and intensification will lead to an increase in conversions of existing housing and that local amenity, housing standards and housing-mix will carry less weight in decision making. This could lead to a loss of family housing and an over-concentration of HMOs.

Policy SP4(1) needs additional wording after ‘substantially outweighed by any adverse effects’ that reads: ‘either singly or cumulatively.’ This will allow for consideration of incremental adverse effects within the immediate area, including the over-concentration of HMOs.

The use of the term ‘settlements’ is vague and not well defined in the glossary. The term ‘sustainable development locations’ should be used instead, as this term can more accurately be defined in the glossary, with a standard method for local planning authorities to use to assess their administrative area. As it currently stands, ‘settlements’ could potentially be any built up area irrespective of the existing (or planned) provision of services, facilities and public transport that would make an area capable of sustaining additional development.

38) Do you agree to the proposed approach to development outside settlements? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree

a. Please provide your reasons, particularly if you disagree.

The approach raises a number of questions and suffers from a lack of clarity. The term ‘groups of houses’ in Policy S5(1.e) is not numerically or spatially defined. ‘Reasonable walking distance’ (which appears frequently throughout the revised Framework) is never quantified in a meaningful way (distance/time/quality of route).

Moreover, the existence of a railway station does not mean the location is sustainable, particularly if local connections and service provision are poor (safety, affordability, capacity etc) and rail services are limited in terms of destinations (rather than frequency). How proposed stations or improvements to services are dealt with also need to be clarified, particularly where these are not confirmed or may be the subject of change.

The use of the term ‘settlements’ is vague and not well defined in the glossary. ‘Sustainable development locations,’ which can more accurately be defined in the glossary, with a standard method for local planning authorities to use to assess their administrative area, should be used instead.

39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree

a. Please provide your reasons.

The approach raises a number of questions and suffers from a lack of clarity. The term 'groups of houses' in Policy S5(1.e) is not numerically or spatially defined. 'Reasonable walking distance' (which appears frequently throughout the revised Framework) is never quantified in a meaningful way (distance/time/quality of route).

Moreover, the existence of a railway station does not mean the location is sustainable, particularly if local connections and service provision are poor (safety, affordability, capacity etc) and rail services are limited in terms of destinations (rather than frequency). How proposed stations or improvements to services are dealt with also need to be clarified, particularly where these are not confirmed or may be the subject of change.

The use of the term 'settlements' is vague and not well defined in the glossary. 'Sustainable development locations,' which can more accurately be defined in the glossary, with a standard method for local planning authorities to use to assess their administrative area, should be used instead.

40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Disagree

a. Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.

The approach raises a number of questions and suffers from a lack of clarity. The term 'groups of houses' in Policy S5(1.e) is not numerically or spatially defined. 'Reasonable walking distance' (which appears frequently throughout the revised Framework) is never quantified in a meaningful way (distance/time/quality of route).

Moreover, the existence of a railway station does not mean the location is sustainable, particularly if local connections and service provision are poor (safety, affordability, capacity etc) and rail services are limited in terms of destinations (rather than frequency). How proposed stations or improvements to services are dealt with also need to be clarified, particularly where these are not confirmed or may be the subject of change.

The Council also objects to the use of minimum density standards appropriate in any location, including at these stations.

Prescribing minimum dwellings per hectare does not account for the practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units or conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context.

Instead, the Council considers that density and intensity of development around well-connected stations should remain flexible and contextually appropriate, informed by local plan allocations, design quality, and the site's physical and environmental constraints. This would allow growth to be optimised without undermining placemaking objectives which are essentially to creating places people want to dwell and spend time, rather than meeting arbitrary housebuilding targets.

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?

Neither agree nor disagree

a. If not, please provide your reasons

No comment

Chapter 5: Meeting the challenges of climate change

Plan-making policy

42) Do you agree with the approach to planning for climate change in policy CC1?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The Council considers that the revised Chapter 5 represents a strengthening of national policy on climate change compared with the current NPPF. The proposed approach aligns closely with the London Plan and the adopted Bexley Local Plan and is therefore broadly supported.

However, this support is contingent on the understanding that the policies in Chapter 5 establish a national baseline rather than a ceiling. To effectively support a plan-led approach to climate change mitigation and adaptation, the revised NPPF should continue to allow strategic and local planning authorities, particularly in constrained urban areas such as London, to set more ambitious requirements where these are justified by local evidence and aligned with the objectives of the development plan.

National decision-making policies

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?

Agree

a. If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?

No comment

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?

Strongly agree

a. What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?

No comment

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated?

Strongly agree

a. Please provide your reasons

No comment

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

No comment

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

No other comments

Chapter 6: Delivering a sufficient supply of homes

Plan-making policies

48) Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

HO1(1a) – Permanent and transit site accommodation needs of travellers in the area is a local matter, not a strategic matter. This undermines local plan making, where information feeding into such assessments will be of a finer grain and better focussed on the needs of the communities that live in the area. A strategic approach will not be able to do this. Pitch and plot figures should be set at the local plan level, based on local accommodation needs assessments.

HO2(1) – Spatial development strategies should not set pitch and plot requirements for each local planning authority in their area. Pitch and plot figures should be set at the local plan level, based on local accommodation needs assessments.

HO2(3b) – The word ‘necessary’ in the second sentence in this part of the policy is inappropriate as the concept being proposed is related to cooperation between plan-making authorities. It should be amended to read: “This includes situations where a higher housing requirement is agreed...”

49) Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?

Neither agree nor disagree

a. If so, what elements should this guidance cover?

This should be assessed at the local level, where information feeding into such assessments will be of a finer grain and better focussed on the needs of the communities that live in the area. Further guidance is not required but may be useful in ensuring local assessments are undertaken consistently across neighbouring authority areas.

50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

Whilst incorporating Planning Policy for Traveller Sites into the NPPF is in itself acceptable, the intent of that policy document has been fundamentally changed. Accommodation needs are now to be assessed as part of the preparation of a spatial development strategy with pitch and plot requirements set out at a strategic level, with policy HO2 stating that “these figures should not be re-tested as part of local plan preparation unless there has been a significant change in circumstances which affect the overall requirement...” This undermines local plan making, where information feeding into such assessments will be of a finer grain and better focussed on the needs of the communities that live in the area. A strategic approach will not be able to do this.

Pitch and plot figures should be set at the local plan level, based on local accommodation needs assessments.

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures?

Partly agree

a. If so, what are the key principles this guidance should establish?

Guidance may be useful but is not necessarily needed if the information from Planning Policy for Traveller Sites has been incorporated into the revised Framework. Note that accommodation needs assessments should be undertaken at the local authority level as local councils best understand the needs of their residents. A strategic approach (e.g. requirements set for local authorities in a spatial development strategy based on regional assessments) is not able to understand, or set out, the local context.

52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply?

Agree

a. Please provide your reasons, particularly if you disagree.

No comment

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making?

Agree

a. Please provide your reasons, particularly if you disagree.

No comment

54) Do you agree the requirements to establish a 5-year supply of deliverable traveller sites and monitor delivery are sufficiently clear?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

There is no mention of monitoring with regards to traveller sites in Annex D, or indeed in any of the policies in the revised Framework.

55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Another policy that can be interpreted more than one way. All parts of this policy can apply to local plan-making, but HO4(2) only relates to local plan-making. Presumably, spatial development strategies and local plans can identify locations in line with HO4(1).

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?

Neither agree nor disagree

57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?

The Council partly agrees with the proposals. At present, the Council applies London Plan policy. In accordance with London Plan Policy D7, at least 10% of new dwellings (created via works to which Part M Volume 1 of the Building Regulations applies) are required to meet Building Regulations requirement M4(3) (wheelchair user dwellings), with all other dwellings required to meet M4(2) (accessible and adaptable dwellings).

Requiring authorities to explicitly set out proportions of new housing to be delivered to M4(2) and M4(3) standards could be beneficial, as it would help ensure that accessibility requirements are clearly aligned with local evidence, demographic trends, and identified needs, including an ageing population and the needs of disabled residents.

However, any such requirement should retain sufficient flexibility to reflect local viability and site characteristics, particularly in constrained authorities such as Bexley. It should also recognise the role of existing strategic planning policies in London, to avoid duplication or inconsistency between national, strategic and local policy frameworks.

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?

Partly agree

a. Please provide your reasons, and would you support an alternative minimum percentage requirement?

A minimum proportion of new housing delivered to M4(2) (accessible and adaptable dwellings) standards is supported in principle, as it reflects the increasing need for accessible homes arising from demographic change, including an ageing population and the needs of disabled residents.

However in Bexley accessibility standards are currently secured through the application of London Plan Policy D7, with which the adopted Bexley Local Plan is in general conformity. In practice, this means that: at least 10% of new dwellings are required to meet M4(3) (wheelchair user dwellings) standards; and all remaining dwellings are required to meet M4(2) (accessible and adaptable dwellings) standards, subject to site suitability, other viability considerations.

In this context, the proposed national minimum of 40% M4(2) is significantly lower than the standard already applied locally. A higher minimum proportion – more closely aligned with the London Plan approach (for example, up to 80% M4(2)) – would provide greater consistency across the planning framework and better reflect identified needs, provided that appropriate flexibility is retained for exceptional circumstances, including site-specific constraints and viability.

It is also important that local planning authorities retain discretion to justify alternative proportions where supported by robust local evidence, to ensure that accessibility requirements do not inadvertently compromise deliverability.

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

LB Bexley supports the principle that local planning authorities should proactively plan to meet the needs of different groups, including older people, disabled people, those experiencing homelessness and other vulnerable households. However, the proposed requirement to identify specific sites or prescribe parts of allocated sites for specified groups may not always be proportionate or necessary.

As a non-stock holding authority, the Council relies on partnerships with Registered Providers and private developers to deliver specialist and supported housing. Overly prescriptive site allocations could reduce flexibility, constrain delivery partnerships and undermine viability.

The Bexley Local Plan already requires housing needs to be assessed and reflected in policies and site allocations where appropriate. A rigid requirement to earmark specific parts of sites risks: reducing scheme flexibility, creating delivery delays where a particular tenure or provider cannot be secured and potentially stalling wider housing delivery on strategic sites.

Meeting the needs of different groups is essential, but this is often best achieved through borough-wide policy requirements, site-specific negotiation informed by evidence, and ongoing partnership working with commissioners and providers.

National policy should therefore support proactive planning for different groups, while allowing local authorities discretion in how and where those needs are met.

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?

Partly disagree

a. Please provide your reasons and indicate if an alternative site size threshold would be preferable?

While the Council supports the principle of securing mixed and balanced communities on large sites, there is a clear risk that requiring authorities to set out prescriptive tenure mixes for developments of 150 homes or more could undermine local flexibility and delivery, particularly in a complex strategic planning environment such as London.

In London boroughs, tenure mix is already shaped through the London Plan's strategic policies, alongside locally evidenced housing need, viability considerations and the availability of Registered Providers and funding. Introducing a national requirement to specify broader tenure mixes risks cutting across the established plan hierarchy, reducing the ability of local planning authorities to respond pragmatically to site-specific and market conditions.

For non-stock holding local authorities, overly prescriptive tenure requirements could disrupt affordable delivery or result in schemes being redesigned or stalled where required tenures are not fundable or deliverable at the point of implementation. This risk is particularly acute on large, phased sites where tenure demand, funding programmes and delivery capacity can change over time.

National policy should instead reinforce the principle of securing a broad tenure mix, while explicitly allowing local planning authorities to determine the most appropriate tenures and proportions through plan-making, informed by local evidence and viability

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?

Neither agree nor disagree

a. Please provide your reasons

No comment

National decision-making policies

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

No further changes required. The Council considers that the existing policy framework already provides a clear basis for giving substantial weight to meeting the housing needs of different groups.

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?

Neither agree nor disagree

a. Please provide your reasons, particularly if you disagree.

This proposal has little relevance in Bexley where there is limited identified demand for this type of housing. A clear justification of local need should be required, evidenced by a local assessment.

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?

Strongly disagree.

a. Please provide your reasons, particularly if you disagree.

While the Council recognises that viability is an important consideration in development and decision-taking, the proposed flexibility relating to the size of market homes would risk significantly undermining the delivery of larger, family-sized dwellings within the private sector.

The Bexley Local Plan seeks to secure a balanced mix of dwelling sizes across all tenures, reflecting the Council's objective of creating mixed and balanced communities and robust evidence of local need for family housing across all tenures including market housing. Introducing greater discretion to reduce the size of market homes is likely to incentivise the delivery of smaller units, particularly on higher-density sites, and would conflict directly with these objectives.

Such an approach risks prioritising short-term viability considerations over long-term housing need and place-making outcomes. Without strong safeguards, it would weaken the effectiveness of local plan housing mix policies and reduce the ability of local planning authorities to secure an appropriate range of home sizes to meet the needs of families.

Accordingly, the Council does not support the proposed change and considers that existing policy approaches, which balance viability with clear housing mix requirements, are more effective in supporting sustainable and inclusive communities.

65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?

Strongly disagree

a. If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?

While the objective of increasing the delivery of social rent homes would be supported in principle, the introduction of a nationally prescribed minimum proportion of social rent would be overly rigid and risks undermining flexibility and deliverability, particularly on smaller or constrained sites.

The attainability of such a requirement is questionable in practice – with scarce examples of such delivery in Bexley. Requiring a fixed proportion of social rent, rather than the broader category of low-cost rented housing, would present significant challenges in areas with lower land values or marginal viability, where the delivery of social rent without significant public subsidy is often very difficult. This could result in schemes becoming unviable or lead to a reduction in the overall amount of affordable housing delivered. Preference would be given to the use of the broader ‘low-cost rent’ definition.

The adopted Bexley Local Plan (April 2023), through Policy DP1, seeks the maximum reasonable amount of affordable housing on residential developments of 10 or more gross units, informed by site-specific viability considerations. This approach is consistent with London Plan (March 2021) Policies H4 and H5, which provide a flexible framework to secure affordable housing, including social rent, while supporting delivery.

The Council therefore strongly considers that locally determined, evidence-led policies are more effective than nationally prescribed minimum proportions in securing social rent homes without compromising overall housing delivery or scheme viability.

66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?

The Council’s position is that temporary accommodation is best managed through local plan policies and targeted interventions, rather than as a formal requirement in the Framework, to ensure that long-term housing delivery and quality standards remain paramount.

a. If so, what changes would be beneficial?

The Council does not support the inclusion of temporary accommodation, such as stepping-stone housing, as a specific category within the NPPF. Whilst such accommodation can play a limited role in addressing short-term housing needs, it must never be treated as a substitute for permanent affordable housing.

Any policy changes should clearly reinforce that permanent affordable housing remains the priority, and temporary accommodation should only be supported where it is evidence-led, genuinely time-limited, well-managed, and demonstrably does not displace or reduce the delivery of permanent affordable homes.

Whilst acknowledging that this may be appropriate in exceptional cases, this **should not** be embedded in national policy, as doing so could set a precedent for lower standards in permanent housing and risk undermining local plan objectives on housing quality, amenity, and accessibility.

67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?

Strongly disagree

- a. If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.**

The Council does not support giving applicants blanket discretion to discharge social and affordable housing requirements through cash payments in lieu of on-site delivery, particularly on medium-sized sites.

As a non-stock holding authority, the Council does not directly develop or manage affordable housing and relies on on-site delivery through planning obligations, in partnership with Registered Providers, to secure affordable homes. Allowing developers unilateral discretion to opt for commuted sums would significantly weaken the Council's ability to secure timely, place-based affordable housing and would increase reliance on future, uncertain off-site delivery.

Cash contributions do not guarantee that affordable housing will be delivered: in the same locality, within a reasonable time, or in a form that meets identified local needs, and often result in delays while suitable sites and delivery partners are identified. This risk is particularly acute for non-stock holding boroughs in areas with limited land availability, where opportunities to spend commuted sums effectively are constrained

- b. If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer.**

This should be in exceptional circumstances only. Cash contributions can be permitted but should be strictly limited to clearly evidenced exceptional circumstances, subject to local planning authority approval, not applicant discretion, and supported by robust mechanisms to ensure contributions are sufficient to deliver equivalent or better affordable housing outcomes in terms of quantity, quality and timing.

- 68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).**

The risks associated with expanding the use of commuted sums significantly outweigh any potential benefits, particularly for non-stock holding authorities such as LB Bexley.

The most significant risk is a reduction in certainty of social and affordable housing delivered. On-site provision is the most reliable mechanism for securing affordable homes. Substituting this with financial contributions introduces delay, uncertainty and delivery risk.

Greater reliance on commuted sums would reduce opportunities for Registered Providers (of whom the Council is reliant for the provision of affordable housing) to secure integrated, on-site provision within market-led schemes. This risks reducing RP pipeline certainty, undermining long-term partnership working, and disproportionately affecting smaller and SME providers who rely on Section 106 opportunities.

This may also result in an increased lag in delivery of affordable homes, as cash contributions often requires identification of alternative sites and thus, additional planning processes. Ultimately, this slows delivery and increases pressure on other housing services, such as emergency temporary

accommodation and homelessness prevention, which is a concern for the Council, as a non-stock holding authority.

69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.

As a non-stock holding authority, the Council does not have the same level of operational flexibility and is heavily reliant on both RP delivery partner capacity and land availability. As such, increasing commuted sums will not result in faster delivery.

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

The Council's position remains that on-site delivery should be the default and preferred mechanism for securing affordable housing. Any guidance must be clear that contributions in lieu should not provide a discounted or more attractive alternative to policy-compliant on-site provision. It is important that any guidance must not weaken delivery certainty or reduce overall affordable housing outcomes – particularly for non-stock holding authorities.

a. If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.

No comment

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?

Partly agree

a. Please provide your reasons, particularly if you disagree.

This would be supported if it delivers better quality, quantum, or specialist provision and aligns with local strategy. Preference still needs to be for on-site delivery of affordable

72) Do you agree with the criteria set out regarding the locations of specialist housing for older people?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Criteria are broadly appropriate but should allow flexibility to reflect local context, accessibility, and service availability and local assessments of need for this type of accommodation.

73) Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

The Council supports clearer locational criteria for community-based specialist accommodation, particularly where it ensures integration within existing communities and access to services, public transport, healthcare and support networks. However, flexibility is essential to reflect local context and local assessments of need for this type of accommodation.

74) Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary?

Partly disagree.

a. Please provide your reasons, particularly if you disagree.

The Council recognises the role of purpose built student accommodation and shared living in diversifying housing supply. However, proposals must ensure such forms of accommodation do not displace conventional self-contained housing, particularly family-sized homes, or undermine affordable housing delivery. A proliferation of HMOs within areas can lead to cumulative negative impacts and undermine the local character of the area.

In outer London boroughs such as Bexley, housing need is predominantly for conventional housing, including family accommodation and genuinely affordable rented homes. Policies must avoid incentivising higher-yield models that reduce affordable housing contributions, limit tenure diversity, or potentially move supply away from identified local need.

Large-scale shared living schemes must not become a substitute for policy-compliant affordable housing or a mechanism to reduce space standards or affordable housing obligations. As such, clear safeguards are required to ensure affordable housing requirements remain robust and any schemes are appropriately located.

75) Do you agree the proposals provide adequate additional support for rural exception sites?

Neither agree nor disagree

a. Please provide your reasons, including what other changes may be needed to increase their uptake?

No comment

76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

In the context of the limited take-up of this scheme, this move simplifies policy and allows greater focus on genuinely affordable tenures aligned with identified need.

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?

Neither agree nor disagree

a. If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?

No comment

78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?

Disagree

79) Please provide your reasons, particularly if you disagree.

The policy implies that traveller sites will be of a certain size or number of pitches, although this is not defined. Many private sites will be for a single family and the number of pitches on the site will

increase or decrease over time as the family's needs change. Whilst decision-makers, when considering proposals for traveller sites, should consider that they are located in sustainable locations this is not always possible, given the cost of land. In addition, some pitches may just be a single pitch, within the curtilage of a residential property and treated as living accommodation ancillary to the primary residence. In order to ensure equal treatment in the planning system, the size and location, and design, of sites can take many forms. These are people's homes and a 'one size fits all' approach does not work. This demonstrates that a national policy approach does not necessarily understand the needs of local residents as well as the local authority does.

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?

Neither agree nor disagree

a. Please provide your reasons, particularly if you disagree.

The text lacks clarity in places and reference should be made to other policies such as review mechanisms where plans change. In addition, large scale developments are more likely to have pre-commencement conditions slowing down the process, such as surveys or modelling, and objections from national agencies or statutory authorities can stall developments.

81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large-scale development are supported?.

Partly agree

a. Please provide your reasons, particularly if you disagree.

Reference should be made to other policies such as review mechanisms where plans change

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns?

Neither agree nor disagree

a. Please provide your reasons.

There are probably many other approaches that could support the delivery of strategic sites.

83) Do you agree with the proposed changes to the Housing Delivery Test rule book?

Agree

a. Please provide your reasons, particularly if you disagree.

These changes are set out in the covering consultation document, not in the revised Framework, which is confusing. The Council agrees that where an up-to-date plan is in place, the authority should be assessed against their adopted housing requirement, and that the relevant housing requirement is derived from whichever is the most recently adopted plan (either the spatial development strategy or the local plan).

Chapter 7: Building a strong, effective economy

Plan-making policy

84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

Emphasis should be placed on local and regional strategies for economic growth first as these should have considered national economic strategies but within a local and regional context and an understanding of what is best for the area in seeking to achieve sustainable growth. Sites that have been identified for certain types of commercial uses that are fully justified within the plan should be resilient to 'changing commercial property requirements.' 'AI Growth Zones' should be better defined as there is not definition in the glossary.

National decision-making policies

85) Do you agree with the approach to meeting the need for business land and premises in policy E2?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Again, the term 'AI Growth Zones' is undefined. Part 2 of the policy should be clear that the list of considerations is not exhaustive and there may be local requirements depending on the particular industry that needs to demonstrate that unmet need exists.

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

There needs to be greater clarity as to what is meant by 'good access' including a consideration of network capacity. Agencies such as National Highways may object in this regard based on traffic modelling. Similarly the term acceptable impacts require greater clarity, including how to consider cumulative impacts whilst documents to enable the evaluation of sufficient parking should be more explicit.

87) Do you agree with the approach to rural business development in policy E4?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Development in rural areas could be on green belt land and as such a reference to green belt policies might be useful.

Chapter 8: Ensuring the vitality of town centres

Plan-making policy

88) Do you agree with the proposed changes to policy for planning for town centres?

Agree

a. Please provide your reasons, particularly if you disagree.

The Council considers that the plan-making policy approach for town centres appears reasonable, drawing on existing principles set out in the existing Framework at paragraphs 90 and 94. The proposed removal of the current requirement to look at least ten years ahead when allocating sites, instead of aligning with the applicable plan period also appears reasonable, to aid flexibility in approach.

National decision-making policies

89) Do you agree with the approach to development in town centres in policy TC2?

Strongly agree

a. If not, please explain how you would achieve this aim differently?

The Council welcomes the approach to supporting the overall vitality and viability of town centres as part of policy TC2.

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

The Council has observed (as a direct result of Use Class E being introduced) the loss of units and thereby commercial, business and service floorspace as a direct result of the loosening of planning regulations through the introduction of the change in Permitted Development Rights (PDR) under Class MA.

With Use Class E being so broad, many units of commercial floorspace which are within designated town centres now fall within Use Class E. As a direct result of this, units falling within this Use Class are particularly (and arguably highly) vulnerable to a change of use to residential under Class MA PDR. In the case of LB Bexley, prior to the Council confirming an Article 4 Direction to restrict these changes of use (A4D confirmed December 2025), the Council was losing Class E units to residential (Class C3). This matter was evidenced as affecting the vitality and viability of the borough's town centres, to the detriment of local amenity, offer, and choice.

91) Do you believe the sequential test in policy TC3 should be retained?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

The sequential test is necessary to ensure that the core principle of 'main town centre uses' being located within existing town centres is maintained, and that such types of development should only be considered outside of these locations where suitable sites are not available.

92) Do you agree with the approach to town centre impact assessments in policy TC4?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

The Council would agree that impact assessments should continue to be required where proposals exceed a floorspace threshold that is set out locally in up-to-date development plans (in Bexley's case this being 280 square metres, measured at gross level). This provides for assessment of impacts at an appropriate local level, rather than the application of the blanket 2,500 square metre floorspace which is otherwise to be applied by policy TC4.

The submission of impact assessments remains necessary so that the 'town centre first' approach is maintained, thereby ensuring that commercial, business and service provision is located within existing, designated town centres and that out-of-centre retail provision does not significantly harm the viability and viability of these designated centres.

Chapter 9: Supporting high quality communications

National decision-making policies

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

This appears to be a straightforward redraft of the existing policies which have been updated to reflect changes in technology. Whilst the updated policy will support the rollout of 5G and gigabit broadband, this shouldn't be done at the expense of other existing and important policy protections such as highway safety or the functionality of other street furniture. As there are no plan-making policies that would allow this element of the policy to be retained at a local level, the new NPPF policy should be amended to address this issue.

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

Reference to the minimisation of visual impact could be strengthened by additionally referencing the need for appropriate screening including landscaping where necessary.

The Council would suggest that policy CO1(1b) should be strengthened to include that particular care and attention should be made to proposals in areas where there are character-based land-use designations applicable e.g. Conservation Areas.

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?

Neither agree nor disagree.

a. Please provide your reasons, particularly if you disagree.

The rewritten policy does not introduce any new supporting information requirements to applicants; it only clarifies the existing NPPF policy.

Chapter 10: Securing clean energy and water

Plan-making policies

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1?

Strongly agree.

a. Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?

The Council already follows this approach, which closely aligns with Bexley Local Plan.

We strongly agree with this approach as we are increasingly finding issues at the planning stage due to a lack of capacity with the surface water sewer network. Any requirement to engage and address these issues early in the planning stage will help to resolve the burden on an already stretched network.

97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

W2(1b) is already reflected in Bexley Local Plan. However, there is a concern that the emphasis on ensuring that adverse impacts are addressed has been removed. This could potentially undermine relevant considerations and protections for proposals that may for example result in significant visual impacts or the loss of natural assets to the detriment of existing wildlife networks.

National decision-making policies

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?

Partly disagree.

a. Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.

It is recognised that this policy takes into account the recently Planning and Infrastructure Act 2025. However, the policy direction for this type of development that falls outside of suitable areas needs clarification. The revised Framework has now been presented in a format that contains specific policies. Therefore, other relevant policy areas should be cross-referenced here for clarity, rather than just stating a reference to decision-making policies as a whole, which may leave room for ambiguity.

As this is a decision-making policy, some clarity is also required around the need to limit adverse impacts and to take into account other important considerations such as special protections and competing land designations.

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

Elements of this policy position are already supported within Bexley Local Plan. However, we would only partially agree with the approach set out within policy W4 as a whole. Capacity issues in the surface water sewer network are an increasing issue for the borough, so we would welcome the encouragement of new development to increase this capacity. However, we would like to see a reference to the maintenance and management of any new proposed infrastructure, so the burden does not fall to the Lead Local Flood Authority or Local Authority.

Chapter 11: Facilitating the sustainable use of minerals

Plan-making policies

100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

No comment

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

The term 'licenced areas' in policy M1 is not defined, and where this term occurs in other parts of the Framework it is spelled 'licensed areas.' It is relevant to the understanding and application of the policy to have the term clearly defined.

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'?

Neither agree nor disagree

a. Please provide your reasons, particularly if you disagree.

No comment

103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development?

Disagree

a. Please provide your reasons, particularly if you disagree.

Why would sites be allocated for non-mineral development if minerals resources are identified there? They would be included in a minerals safeguarding area.

National decision-making policies

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The inclusion of (1d.iv) in the policy is likely to be problematic as these are more likely to change.

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?

Strongly agree.

106) Please provide your reasons, particularly if you disagree.

Development involving onshore oil and gas extraction is set out at policy M5 not M3.

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?

Partly agree

108) Please provide your reasons, particularly if you disagree.

All parts of the policy need to be written more clearly with terms defined.

For part (1a), 'unacceptable adverse impact' is not defined and it is unclear whether it includes cumulative impacts.

For part (1b), 'in proximity to' noise sensitive properties also needs to be clarified.

109) Do you agree with approach to coal, oil and gas in policy M5?

No comment

a. Please provide your reasons, particularly if you disagree.

No comment

110) Are there any other exceptional circumstances in which coal extraction should be permitted?

No.

111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.

No comment

112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Part (3) would not appear to be required in as much as it is unlikely that an undeveloped area with minerals would not be a mineral safeguarding area already, with associated protection.

113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Both 'mineral consultation area' and 'local minerals plan' (as 'minerals and waste plans') are terms defined in the glossary, although the 'mineral consultation area' seems to be the same as a 'mineral safeguarding area' and the definition is not particularly useful.

Chapter 12: Making effective use of land

Plan-making policy

114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?

Partly disagree

115) If not, what further guidance is needed?

The proposal for local authorities to identify and allocate small, medium and large sites is welcomed as site allocations have historically tended to focus on larger development sites. The guidance is also generally clear on the preparation of Local Plans to promote the efficient use of land.

The above notwithstanding, the wording of L1(1a.i) should be amended to enable development that is 'appropriate,' rather than 'possible.' Maximising density on site will not always be appropriate in relation to its context and character, even where higher density may technical be 'possible.' A requirement to pursue what is 'possible' risks encouraging overdevelopment and could lead to poorly designed places that fail to respond to their context or meet the needs of communities effectively.

The introduction of minimum density standards, as proposed in (1a.iii) and (iv) is not deemed appropriate across all sites. This fails to address the practical realities of site-specific constraints – such as contamination, viability, and existing services and buildings – often identified during the design process. Such constraints could render a minimum density target obsolete, impractical and undeliverable.

Imposing blanket minimum density standards could have unintended consequences, potentially constraining otherwise suitable development or leading to suboptimal design outcomes to meet purely numerical targets. Prescribing minimum dwellings per hectare does not account for the practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units or conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context. The Council strongly recommends that this approach is reconsidered.

A more appropriate alternative would be to allow local authorities to define density expectations – for example, “minor,” “intermediate,” or “major” density thresholds – tailored to individual site allocations and informed by their specific context and the potential cumulative impacts of increased densities within a locale. This approach would ensure that density remains responsive to providing a local housing mix in order to meet local need, and to local character and site-specific circumstances, while retaining appropriate discretion at Council-level. It would also provide greater flexibility for decision-makers and developers to fully assess a site’s constraints and opportunities through the pre-application and design process, helping to secure high-quality and, importantly, deliverable schemes that are intended to meet the needs of local residents.

Regarding Part (1b.ii) and the objective to “reduce the need to travel,” this is considered overly simplistic and could inadvertently discourage wider movement and support for other local economies. Instead, the policy would be more effective in promoting enhanced active travel infrastructure and sustainable transport connectivity to support new developments and people’s movement around and between them.

Part (1c) refers to instances in which “an alternative use” may be appropriate for site allocations, however no detail is provided on what alternative uses may be considered acceptable. Greater clarity on this should be provided to ensure consistency in interpretation and application.

National decision-making policies

116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

The Council generally agrees with the guidance on how to assess development proposals, however further emphasis should be placed upon addressing the potential cumulative negative impacts of densification on local character and amenity (which includes the effects of anti-social behaviour), whilst not deterring innovation and good design.

Infill and backland development and upwards extensions could result in an overdevelopment of smaller housing units that do not meet local housing need, or cause a conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context.

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification?

Partly agree.

a. If not, what typologies should be added or removed and why?

The Council generally agrees with the proposed typologies to support intensification, however notes that these are skewed towards urban and some suburban contexts and don't address how intensification could be achieved within more rural settings.

The Council strongly considers that the identification and application of contextually appropriate development typologies should be refined at a local level. Local authorities are best placed to determine which forms of intensification are suitable within their locale, using the design tools set out in the revised Framework and the Design and placemaking planning practice guidance (DPPPG). This would ensure that intensification responds positively to local character, infrastructure capacity and environmental constraints and avoids a "one-size-fits-all" approach to intensification.

In addition, L2(3) should be strengthened to secure high-quality placemaking and prevent inappropriate site layouts that lead to overdevelopment. The policy should ensure that new development delivers a well-designed public realm, including soft landscaping, play space, and communal amenity areas.

As currently drafted, the policy appears to prioritise maximising built form on development sites, rather than achieving an appropriate balance between buildings and the wider elements that contribute to successful, well-functioning places.

118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy?

Partly disagree.

a. Please provide your reasons, particularly if you disagree.

The proposals in Part (1d) appear to focus on urban and some suburban contexts, and in these contexts, proposals are deemed suitable. However, Part (1d) does not make allowances for rural settings. The policy should reflect a variety of settings to truly be appropriate for national policy.

119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions.

Partly disagree

a. Please provide your reasons, particularly if you disagree.

The Council supports the objective of enabling appropriate development that may differ from the existing street scene, but the current wording is considered overly prescriptive.

Strictly advocating for consistency with the existing street scene could constrain well-designed and innovative schemes that respond positively to their context while introducing a different, and appropriate, architectural approach.

The policy should provide greater flexibility and focus on ensuring that proposals are appropriate in scale and design relative to the host building and the surrounding context. The emphasis should be on delivering high-quality design that respects local character without resulting in an overdevelopment of smaller housing units that do not meet local housing need, or cause a conversion of family housing into HMOs, leading to an erosion of the established character and amenity of an area.

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?

Disagree

a. Please provide your reasons, particularly if you disagree.

The Council recognises the potential contribution to housing supply that sensitive infill and curtilage development can make. However as currently drafted, the proposed safeguards are not considered robust enough to prevent harmful impacts, particularly when the cumulative effects of these impacts are considered.

Residential gardens and curtilages often provide important informal green space, support biodiversity, contribute to urban cooling, and play a role in sustainable drainage. Incremental loss of these spaces can have cumulative adverse effects on local character, ecology, and environmental resilience and erode local environmental quality, whilst undermining wider objectives towards climate resilience and nature recovery.

The policy should therefore be strengthened to make clear that development within residential curtilages must not result in disproportionately harmful impacts on existing habitats, biodiversity, or areas of ecological value. Greater emphasis should also be placed on ensuring that any remaining undeveloped areas meaningfully contribute to environmental performance, for example through the integration of Sustainable Drainage Systems (SuDS), biodiversity enhancements, and high-quality, site-appropriate soft landscaping

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?

Partly agree

a. If not, please explain how guidance could be clearer?

Guidance should place greater emphasis on the creation of well-designed places where communities can live, work and thrive. There is currently no mention of social infrastructure, which is fundamental to the success and functionality of new developments, irrespective of density.

This oversight risks undermining the ability of local authorities to secure appropriate social infrastructure as integral social infrastructure when developing residential and mixed-use development proposals and supporting balanced and inclusive communities.

122) Do you agree with the minimum density requirements set out within policy L3?

Strongly disagree.

a. Please provide your reasons, particularly if you disagree.

The introduction of minimum density standards, as proposed in policy L3 is not deemed appropriate across all sites. This fails to address the practical realities of site-specific constraints – such as contamination, viability, and existing services and buildings – often identified during the design process. Such constraints could render a minimum density target obsolete, impractical and undeliverable.

Imposing blanket minimum density standards could have unintended consequences, potentially constraining otherwise suitable development or leading to suboptimal design outcomes to meet purely numerical targets. Prescribing minimum dwellings per hectare does not account for the

practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units or conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context. The Council strongly recommends that this approach is reconsidered.

A more appropriate alternative would be to allow local authorities to define density expectations – for example, “minor,” “intermediate,” or “major” density thresholds – tailored to individual site allocations and informed by their specific context and the potential cumulative impacts of increased densities within a locale. This approach would ensure that density remains responsive to local character and site-specific circumstances, while retaining appropriate discretion at Council-level. It would also provide greater flexibility for decision-makers and developers to fully assess a site’s constraints and opportunities through the pre-application and design process, helping to secure high-quality and, importantly, deliverable schemes.

b. Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence

The Council considers that the rigid minimum density requirements could disproportionately affect Gypsies and Travellers, as well as other groups with protected characteristics.

Gypsies and Travellers require specific site layouts and larger plots to accommodate caravans, vehicles, and communal or family facilities. High minimum density targets may conflict with these spatial needs, effectively excluding or limiting the ability to develop culturally appropriate housing. Prescriptive minimum density requirements could render suitable sites undevelopable or force inappropriate over-intensification compromising the safety, privacy, and wellbeing of residents.

Other groups with protected characteristics, such as families with young children, people with disabilities, and older residents, may also be adversely affected by development designed primarily to meet arbitrary density thresholds. Overdevelopment can reduce access to communal amenity space, play areas, soft landscaping, and green infrastructure, undermining inclusive, safe, and well-functioning neighbourhoods.

A one-size-fits-all minimum density standard does not allow local authorities to assess and accommodate these sensitivities. The Council recommends a flexible, context-specific approach – for example, defining “minor,” “intermediate,” and “major” density thresholds at the local level as noted in response to other questions – to ensure development is appropriate, deliverable, and inclusive.

123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of ‘net developable area’ within the NPPF suitable for this policy?

Strongly disagree.

a. Please provide your reasons, particularly if you disagree.

The Council does not consider using dwellings per hectare an appropriate metric for setting minimum density requirements in these locations and does not consider the proposed approach to be sufficiently robust or flexible to respond to site-specific circumstances.

As noted in response to question 122, a more appropriate approach would be for local authorities to define density expectations through locally determined categories such as “minor”,

“intermediate” and “major” development, tailored to the characteristics, constraints and context of individual site allocations. This would allow density to be assessed holistically, taking into account urban design, infrastructure capacity, character, and deliverability, rather than relying on a fixed numerical threshold.

Prescribing minimum dwellings per hectare does not account for the practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units or conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context.

The proposed dwellings per hectare figures appear arbitrary and do not adequately reflect the diversity of site conditions across different local authority areas. A uniform metric risks oversimplifying what is a complex design and viability exercise.

Furthermore, prescriptive minimum dwellings per hectare targets fail to account for the nuances of the development process. As schemes evolve through design development and site surveys, a range of constraints can emerge which can materially affect the achievable capacity of a site and may render a minimum density requirement obsolete, impractical, or undeliverable.

Similarly, while the definition of “net developable area” provides a technical basis for calculation, it does not resolve the fundamental issue that density should be design-led and contextually driven, rather than formulaic. A rigid application of dwellings per hectare, even when based on net developable area, risks encouraging overdevelopment or compromised design quality in order to meet numerical targets.

For these reasons, the Council considers that density policy should allow greater local discretion and flexibility, ensuring that development is optimised in a manner that responds positively to context, infrastructure capacity, and design quality, rather than being driven primarily by prescriptive quantitative metrics.

124) Do you agree with the proposed definition of a ‘well-connected’ station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we’re using for the number of Travel to Work Areas and service frequency appropriate for defining a ‘well-connected’ station?

Strongly disagree.

a. Please provide your reasons and preferred alternatives.

As stated previously, the Council considers the use of service frequency an overly simplistic definition of connectivity as it does not account for the range of destination served or the quality of the service in terms of affordability, reliability, resilience, safety etc. It also fails to look at connectivity in a holistic way within any given area, taking into account the quality of active travel connections, overall travel demand patterns or the level of local service provision.

The Council also objects to the use of minimum density standards appropriate in any location, including at these stations.

Prescribing minimum dwellings per hectare does not account for the practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units, or conversion of

family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context.

Instead, the Council considers that density and intensity of development around well-connected stations should remain flexible and contextually appropriate, informed by local plan allocations, design quality, and the site's physical and environmental constraints. This would allow growth to be optimised without undermining placemaking objectives which are essentially to creating places people want to dwell and spend time, rather than meeting arbitrary housebuilding targets.

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?

No – the Council does not consider the use of minimum density standards appropriate in any location. Prescribing minimum dwellings per hectare does not account for the practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units, or conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context.

a. If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?

The Council does not consider the use of minimum density standards appropriate in any location. Prescribing minimum dwellings per hectare does not account for the practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units, or conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context.

126) Should we define a specific range of residential densities for land around stations classified as ‘well-connected’?

No – the Council does not consider the use of residential densities appropriate in any location. Prescribing minimum dwellings per hectare does not account for the practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units, or conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context.

127) If so, what should that range be, and which locations should it apply to?

The Council does not consider the use of residential densities appropriate in any location. Prescribing minimum dwellings per hectare does not account for the practical constraints and site-specific considerations that often emerge during the development process and applying rigid density targets risks promoting an overdevelopment of smaller housing units, or conversion of family housing into HMOs and poor-quality design outcomes that are unresponsive to local character and context.

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?

Strongly disagree.

129) Please provide your reasons, particularly if you disagree.

The proposed wording of policy L4 is considered ineffective in encouraging high-quality, innovative design. In particular, the requirement for extensions and alterations to “blend” with the existing building is overly restrictive and risks promoting pastiche solutions rather than well-considered

architectural responses. It is not always appropriate for high-quality design to replicate or mimic the host dwelling. There exists a myriad of successful precedents where extensions adopt a contrasting approach while enhancing the overall character of the property.

The policy would be strengthened by advocating for proposals to “respond positively to” the existing building, rather than requiring them to blend. This approach would provide greater flexibility and better reflect established design principles, allowing schemes to be either complementary or contrasting, provided they are well-designed and contextually appropriate.

Greater emphasis should be placed on proposals taking cues from the host building and the wider context – including scale, proportion, materiality – to arrive at a solution that enhances the original dwelling and its surroundings.

Chapter 13: Protecting green belt land

Plan-making policies

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts?

Neither agree nor disagree.

131) Please provide your reasons, particularly if you disagree.

It is considered that in the consideration of new Green Belts would depend on both the scale, and location of new settlements and/or major urban extensions. New Green Belts should be required to ensure that they are compliant with other Green Belt policies within the NPPF, particularly that of draft policy GB2, parts A through D.

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing green belt land?

Neither agree nor disagree.

a. Please provide your reasons, particularly if you disagree.

Policy GB2 draws on paragraphs 143 and 145 of the current Framework and confirms that Green Belt assessments should form a routine part of plan-making where Green Belt exists, including identifying any land that constitutes ‘grey belt.’

Where issues will arise relating to Green Belts will be in consistency at the strategic and local level. A consistent approach needs to be taken in the assessments, so that there is no area of interpretation or misinterpretation, particularly as Annex E expects local assessments to be broadly consistent with strategic assessments.

Further guidance should be provided to direct local planning authorities specifically on the content and requirements of such assessments, to be undertaken by each relevant authority. A uniform pro-forma could be considered and appended within Annex E.

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward?

Partly disagree.

a. Please provide your reasons, particularly if you disagree.

The Council would comment that the draft wording of policy GB3 (1)(a) does not reference the word 'suitable' used within the question above. Policy GB3 (1)(a) states '...land around stations' with no accompanying footnote.

If the intention is to use 'suitable.' then 'suitable stations' need to be identified and provided with a definition within the NPPF Glossary. Otherwise, this matter is open for interpretation and will cause issues at development management stage.

The extent of 'land around stations' should also be identified e.g. by radius, which should be site dependent. This is because areas of land which surround/are around stations on the edge of Green Belt, or those stations that are wholly surrounded by Green Belt are far more sensitive to negative impacts upon the Green Belt purposes than others e.g. urban sprawl. If it is intended to mean well connected stations as referenced elsewhere in the NPPF then the Councils previous comments are referenced in this regard

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?

Neither agree nor disagree.

135) Please provide your reasons, particularly if you disagree.

Policy GB5 revises and expands on current Framework paragraphs 151 and 152, placing more positive expectations on Development Plans.

Reinstating the requirement to consider compensatory improvements when land is removed from the Green Belt under (1) (d) is welcomed.

National decision-making policies

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

Under proposed policy GB7, part 1 (b) (ii) the introduction of a definition for an 'original' building, which has been introduced under Footnote 49 is welcomed. This provides necessary clarity for both applicants and decision makers and thereby avoids doubt.

Under proposed policy GB7, part (1) (e) the application of the term 'substantial harm' when relating this to the openness of the Green Belt would be open to interpretation and discussion. Clarity should be provided regarding the term 'substantial harm' and the tests for the application of this in relation to Green Belt policy.

137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Partly disagree.

138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.

Under draft policy GB7(1h.i) the term 'reasonable walking distance' is open to interpretation and should be defined. The definition of high level of connectivity is disputed for the reasons set out in previous responses.

Under Part (1h.ii) the wording that a development would 'be physically well-related to a railway station or a settlement within which the station is located' again talks about the geographical e.g. distance and proximity. Being physically well related does not equate to being within walking distance. If the requirement is essentially one or the other (i or ii) then there is no impetus for developments to be within walking distance solely and thus issues may arise with geographical location of such developments in relation to stations, which is not the intention either under this policy, or that of others within the draft NPPF.

In the case of major development (referenced under Part (1h.v) it is assumed that this means development assessed as such under the Town and Country Planning (Development Management Procedure) (England) Order 2010. This should be clarified if this is not the intention.

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances?

Neither agree nor disagree.

a. Please provide your reasons, particularly if you disagree.

Draft policy GB9(3c) should clarify what is meant by the term 'development model'. This term is not referenced anywhere else within the draft NPPF, nor the Glossary.

140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

The definition of Previously Developed Land (within the Glossary) is quite strong. The issue with the definition, however, is that it allows for sites to be considered as PDL that were developed in the past but may have since been left to return to nature and become overgrown (as examples).

Therefore, a site that could now be considered as greenfield may be considered as PDL under the definition if it meets the requirements of the first sentence, which states:

"Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed)."

The definition of PDL should therefore be reconsidered and amended to reflect this.

141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out?

Agree.

142) Please explain your answer, including your view on the appropriate approach to setting a 'floor,' and the right level for this?

By setting an affordable housing 'floor,' this should help to assist developments coming forward with no, or very low levels of affordable housing. The 'floor' should not be negotiable, so that sites which are clearly unviable, do not keep coming forward with no affordable housing provision (e.g. no facility available within the process for negotiation via the submission of a viability assessment).

As a London borough, to reflect local circumstances, the Council would comment that this should be at a local level, rather than reflecting national circumstances. Guidance should be provided for how Council's would achieve this through the plan-making process.

143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land?

Neither agree nor disagree.

a. Please explain your answer.

The stated purpose of the test at plan-making stage is to send a clear signal to ensure that plan-makers (and viability practitioners working on their behalf) have a clear and strong justification should they wish to adopt a higher benchmark land value above the suggested 10 times Existing Use Value. The Council would consider that this appears reasonable and will then allow the process to reflect local circumstances, by being tested at plan-making stage.

144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

Nationally standardised Benchmark Land Values, as the Government believes, would not sufficiently account for variation in land values or types of land. The Council would not dispute this point and would add that even if standardised Benchmark Land Values were set regionally, there would still be vast discrepancies across regional areas e.g. within London across the London boroughs.

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

The Council considers that the proposed change would not undermine the general protections given to other Footnote 7 areas. Green Belts are land use related (e.g. the principle of development), whereas Footnote 7 areas are typically related to character-based (e.g. heritage, National Landscapes), development safety (e.g. flood risk) et al designations.

Footnote 7 areas continue to be protected under policies which cover them specifically, without conflating the application of land use principles (e.g. in the case of Green Belts whether development is acceptable in principle i.e. not inappropriate development) with other designations.

Chapter 14: Achieving well-designed places

Plan-making policies

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes?

agree

a. Please provide your reasons, particularly if you disagree.

As set out in the draft NPPF, policy DP1 aligns with how the Council is producing its development plan and supporting documents. The policy ensures there is scope for local specificity to be accounted for in all development and decision making, which is essential to creating well-designed spaces

147) Do you agree with the approach to design tools set out in policy DP2?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Local specificity is essential to ensuring the success of places and this approach permits local authorities flexibility in producing the design tools that best respond to their context and position in the plan making process. The Council is supportive of the inclusion of community engagement when developing these design tools.

Adequate monitoring and review processes require adequate, consistent funding being made available to local authorities to support roles undertaking this and should be considered in the ambition for policy DP2.

National decision-making policies

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The seven principles set out a holistic approach to placemaking, which the Council supports. The Design and placemaking planning practice guidance (DPPPG) reinforces how these principles are cross-cutting and cannot be considered in isolation when creating well-designed places.

Whilst the DPPPG goes into further detail about the importance of community participation in development proposals, there are missed opportunities to explicitly state this importance in policy DP3, particularly in b. Liveability, g. Public Space and h. Identity.

Similarly, whilst the DPPPG expands on the principles in DP3, the importance of responding to the landscape character of a place should be included in a. Context. The promotion of social interaction is encouraging; however, the policy should also make allowances for instances where privacy needs to be maintained and protected, as is often the case in suburban settings such as Bexley.

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4?

Partly agree

a. If not, what else would help secure better design and placemaking outcomes?

Design review is a powerful tool available to LPAs and the support for this within the draft NPPF is welcomed. The Council considers that policy DP4 should go further in mandating design review for projects of certain scales, thereby enabling LPAs to enforce design review and eliminating any ambiguity around certain types of development proposals engaging with the design review process.

The policy must incorporate appropriate flexibility to ensure that LPAs maintain the right to override any decision or conclusions arrived at by Design Review Panels, where local considerations apply.

Whilst the Council supports the use of design review, the government must empower LPAs to bring increased design and development expertise in-house as a means of increasing design quality from the outset of the pre-application process. This should be done through ongoing support for initiatives such as Public Practice and providing adequate funding to LPAs to recruit team members in this way. Furthermore, training and continuous professional development

should be readily accessible to LPAs to ensure that staff are well-placed to recognise and support exemplary design. The draft DPPP states that training should be provided to relevant staff and councillors, however this can only be realised with adequate funding and relevant opportunities being in place.

It is deemed an oversight that paragraph 137 in the current NPPF has been watered down in the draft NPPF, and the Council strongly urges that the wording in DP4 is strengthened to reflect it, particularly regarding local community involvement as proposals evolve.

Chapter 15: Promoting sustainable transport

Plan-making policies

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making?

Partly agree

a. Please provide your reasons, particularly if you disagree.

Agree in principle with the general approach set out in TR1a and TR1c. The Council is pleased that TR1a refers to early engagement with a wide number of bodies across the plan area, given that similar activities in 111(e) and FN46 are being covered by TR5 (that developers may miss or deem less important if not upfront in the main/first policy).

TR1b: The DfT Connectivity Tool is more appropriate for identifying connectivity by combining transport and land-use data to generate a connectivity score to show how well connected any location is to health services, education, shopping, leisure and workplaces, rather than just accessibility to public transport, and is therefore supported. Assessing the connectivity of developments is often an issue between the LA and developers, so it is good that the policy confirms that other evidence should also be considered to inform the assessment, but to ensure developers take this on board perhaps it should say 'local evidence' to encourage developers to discuss this with the LA (rather than listing some examples, such as Census outputs and local surveys).

TR1d: Identifying and protecting sites and routes that widen transport choice to facilitate sustainable development is supported but will require further research to update existing records, including networks for walking, wheeling/cycling, and public transport infrastructure. Unfortunately, there are limited resources to do this prior to any Local Plan or LIP review, so we would be reliant on developers. However, this could be requested as part of the scope of transport assessment at the pre-application stage. It may still be apposite to do a review of some of the key junctions in the LPTA with updated travel data if resource allows.

TR1e covers ancillary facilities or infrastructure that may be affected by a development or required to support its operation, which is welcome as this is another issue of debate with developers (and is part of the wider sustainability argument, albeit outside the developer's direct control) and it is better to reference this here upfront rather than relying on TR5 and TR7). Reference to 'significant amount of movement' is a better measure than 'significant development' as it relates directly to the impact itself. Local circumstances for each area are also relevant, as the quantum of development can vary greatly depending on location (a small scheme can have a greater impact on a sensitive part of the network than a larger development elsewhere). Setting

local triggers would require some resource, (as would identifying and protecting sites suggested for TR1d above), and even a formula/process to be followed would require further work.

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?

Partly agree

a. Please provide your reasons, particularly if you disagree.

TR2(3b-d) Accommodating future changes is necessary, and is covered by our Local Plan policies, but this requires future monitoring for the life of the development and possible actions after it is complete and is occupied that, in addition to future proofing possible spatial changes to layout, will require ongoing monitoring through the Travel Plan or Car Park Management Plans that developers try and avoid (see TR6.1b) - The NPPF should acknowledge this, as along with all future obligations, developers try to avoid this liability.

National decision-making policies

152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?

Partly agree

a. Please provide your reasons, particularly if you disagree.

TR3(1a) Agree with introducing the Significant Amount of Movement criteria, as this relates to the impact directly, but may need a definition to assist negotiations with developers as this will vary from location to location (see comment under TR1e above). Most of the other proposals are already undertaken as part of the assessment of applications. Use of the DfT tool alongside PTAL would appear appropriate although it is emerging tool and values are required for the borough which developers can assist with.

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Agree

a. Please provide your reasons, particularly if you disagree.

TR4 is strongly replicates existing NPPF policy but places a greater emphasis on facilities that will help prioritise sustainable transport. This is broadly in line with the Bexley Local Plan.

154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Agree

a. Please provide your reasons, particularly if you disagree.

Part (1a) The provision of roadside facilities to facilitate movement is welcomed, for fossil-fuelled vehicles in general as well as to provide electric charging for those on a non-local trip (including those who may not have charging at home or work). As far as retention of roadside facilities is concerned it would seem appropriate that any proposal that would remove them should provide a similar evidence-based reasoning to justify why they are no longer needed.

Part (1b) The proposed policy in the NPPF is supported, especially to accommodate technology-driven changes in travel.

Part (2) See comment on retention and evidenced-based justification for removal set out in TR5(1a) above.

155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree

a. Please provide your reasons, particularly if you disagree.

TR6(1.a) The reference to transport issues ‘proportionate to the nature and scale of the development’ doesn’t include a direct connection to the location itself, which might undermine the principle behind the proposed switch to the wording ‘Significant Amount of Movement’ that relates to impact at that point in TR3.1a above. The proposition of monitoring impacts raised here will require obligations for future surveys, modelling and analysis after the development has commenced and been occupied/begun operation, which is something most developers resist, but is part of the Monitor & Manage protocol set out in our Local Plan. The delivery of mitigation works justified through this future monitoring should also be covered here, by adding the words ‘and required mitigation to be delivered’ is inserted before ‘...can be assessed and monitored,’ so it is consistent with TR6.1b that includes delivery of sustainable transport measures over time.

TR6(1.b) There is a typo in last sentence....’managed.’ See also comments on TR2.3b above.

TR6(2) The current wording does not deal with the funding of ‘fallback’ options identified if initial measures do not deliver expected outcomes, which may result in any measures required to ensure that the development is operating in compliance with planning policies in the future will need to be paid for from the public purse rather than at the developer’s expense. Hence it is suggested that the words ‘...and implementing...’ after the word “identifying.’

TR6(3) The current wording does not cite adverse impacts other than those relating to actual movement, such as air quality/pollution or noise from queuing traffic and therefore might be misinterpreted by developers. It is suggested that this weakness could be mitigated by inserting the words ‘...or environmental considerations...’ after ‘highway safety.’

156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?

Agree

a. Please provide your reasons, particularly if you disagree.

No comment

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8?

Partly agree

a. Please provide your reasons, particularly if you disagree.

TR8(1.b. iv) Connections of PRow to all active travel routes should be improved where possible, including those linking with urban footpaths and cycleways as well as to public transport stops /

interchanges, as many PRow are in built-up areas as well as in rural locations. The coverage of this paragraph could be extended to include all public links in urban areas by adding the words ‘...pedestrian routes, cycle ways and...’ after the word ‘with.’

Chapter 16: Promoting healthy communities

Plan-making policies

158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards?

Partly agree

a. Please provide your reasons, particularly if you disagree.

As part of the Councils commitment to identify wider opportunities to promote good health, prevent ill-health and support social interaction (HC1 part 1. e), the Bexley Local Plan also includes a policy requirement for Health Impact Assessments (HIAs) to be undertaken for relevant development schemes. This would be a good opportunity to make HIAs a national policy requirement. The borough would therefore wish to see the amended NPPF include a more specific policy requirement for HIAs to be undertaken for relevant development schemes.

159) Do you agree that Local Green Space should be ‘close’ to the community it serves?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

Policy HC2 is a straightforward redraft of existing NPPF policy which includes one minor change relating to the proximity of the local green space to the community it serves. This addition is welcomed.

Decision-making policies

160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

The Council is already supportive of development proposals for the provision of new social and community infrastructure or for the enhancement or expansion of existing infrastructure. Bexley Local Plan aims to secure provision for all types of universally available community infrastructure that offers public benefit. Provision for both early years and post 16 (further education) are already taken into account within the Council’s Commissioning Plan for Education Provision as well as the Local Plan.

161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term ‘fast food outlets,’ and the types of uses to which it applies?

Bexley Local Plan uses the term hot-food takeaways rather than fast food takeaways. However, including both terms within the policy wording is likely to help with any ambiguity over which type of establishment is encompassed by this policy.

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?

Strongly disagree

a. Please provide your reasons, particularly if you disagree.

Policy HC6(1) replicates existing NPPF policy. However, Policy HC6(2) places some severe limits on the Councils ability to protect social and community infrastructure of all types and may open up areas of ambiguity regarding establishing whether a facility is truly the last of its type in an area. The Council currently protects all existing social and community infrastructure under Local Plan Policy DP15, which doesn't necessarily prevent the loss of a facility or service, but ensures that they are either retained in some form, improved, re-provided or is truly redundant if it is to be lost. The Council does not consider that evidencing the loss of a community facility/service is an overly burdensome process and for this reason HC6(2) should be removed.

163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?

Strongly disagree

a. Please provide your reasons, particularly if you disagree.

Most of Policy HC7 repeats existing NPPF policy. However, the impacts of re-wording "quantity and quality" to read "quantity and/or quality" could have far reaching unintended negative consequences. This would particularly be the case as there would be no minimum size or quality limit if the applicant were to focus on one or the other. The negative consequences would not only be felt by the proposed residents, but also the existing population. The proposed amendment to the wording would also undermine open space and play standards.

164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

The Council agrees with the reasoning behind the wording within Policy HC8.

Chapter 17: Pollution, public protection and security

Plan-making policy

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

No comment

Decision-making policies

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

No comment

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The Council notes that Policy P3(2e) requires development proposals to assess and mitigate impacts on water quality.

The Environment Agency routinely monitors the ecological and chemical status of water bodies. In Bexley, rivers are currently assessed as having a 'moderate' ecological status and a 'fail' chemical status. In this context, it is important that planning decisions maximise opportunities not only to avoid harm, but also to contribute to improvements in water quality where development provides that opportunity.

The Council considers that Policy P3 should be understood as establishing a national minimum requirement. Locally adopted policies, such as those in the Bexley Local Plan, appropriately go further by seeking the protection and enhancement of water quality in line with local evidence and catchment objectives. The Council would therefore welcome clarification that national policy does not preclude local planning authorities from requiring water quality enhancements through plan-led policy, where justified.

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

The more explicit approach to the agent of change principle is supported.

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

No comment

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

No comment

Chapter 18: Managing flood risk and coastal change

Plan-making policies

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?

Partly agree

a. Please provide your reasons, particularly if you disagree.

London Borough of Bexley supports the explicit inclusion of estuaries and tidal rivers within Policy F3. This alignment provides a stronger national hook for the Council's existing commitment to the Thames Estuary 2100 (TE2100) Plan. However, the policy should distinguish between eroding coasts and defended estuarine frontages. For boroughs like Bexley, 'managing change' should prioritise the Riverside Strategy Approach (RSA) that facilitates managed growth and future defence raising, rather than the designation of restrictive Coastal Change Management Areas (CCMAs). The policy should confirm that where a strategic plan (like TE2100) provides a 100-year defence raising pathway, this takes precedence over standard coastal erosion designations.

National decision-making policies

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

No comment

173) Do you agree with the proposed approach to the exception test set out in policy F6?

Partly agree

a. Please provide your reasons, particularly if you disagree

The Council considers that the wording could be strengthened. Point 2, b - states that the exception test is not required for developments where the exception test was carried out during the plan-making stage unless there has been a "significant increase" in the risk of flooding, or the development has changed, increasing the vulnerability. The "significant increase" has not been defined and would be open to interpretation. The wording could be changed for "any increase", or the term "significant" should be defined.

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The Council supports the use of the National Standards as a consistent baseline for SuDS design. However, it is important that they operate as minimum requirements and do not constrain local planning authorities from applying proportionate, evidence-based local plan policies where higher standards are justified by local circumstances.

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

No comment

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change?

Strongly agree

a. Please provide your reasons, particularly if you disagree.

No comment

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

No comment

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications?

Strongly agree

- a. **Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to.**

No comment

Chapter 19: Conserving and enhancing the natural environment

Plan-making policies

- 179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?**

Partly agree

- a. **Please provide your reasons, particularly if you disagree.**

Restricting the setting of local standards for biodiversity net gain to specific site allocations risks constraining councils that wish to show greater local ambition or respond to higher levels of need for nature recovery, biodiversity enhancement or environmental protection within their areas, where this is fully justified and deliverable outside of allocated sites.

- 180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?**

No comment

National decision-making policies

- 181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?**

Partly disagree

- a. **Please provide your reasons, particularly if you disagree.**

London Borough of Bexley supports the objective of Policy N2 to ensure development contributes positively to the natural environment. However, the policy should be strengthened to ensure that the enhancement of natural characteristics is both permanent and prioritizes the mitigation hierarchy, along with an amendment to terminology of footnote 69 to ensure legal and technical consistency:

Prioritising Avoidance: While Part 1(f) of Policy N2 requires development to "minimise impacts on biodiversity", the policy should first explicitly require proposals to avoid impacts as the primary step of the mitigation hierarchy.

Requirement for Integrated features: To provide clearer expectations, Part 1(f) of Policy N2 should specify that biodiversity features must be integrated into the built structure of developments. Integrated features, such as bat bricks and bird bricks, secure ecological enhancements for the lifetime of the building and are significantly more durable than external wooden boxes, which often degrade over time. This requirement is consistent with the approach in Bexley Local Plan Policy, which advocates for permanent features within the fabric of new developments, supporting urban wildlife and nature recovery.

Technical Consistency: Footnote 69 should be amended to replace the term 'biodiversity enhancements' with 'habitats'. This is necessary for consistency with the Environment Act 2021 and the statutory Biodiversity Net Gain (BNG) framework. BNG calculations relate specifically to

habitat types and condition; the term 'biodiversity enhancements' is broader and includes features (such as log piles, hibernacula, bird bricks, insect hotels and hedgehog holes) that are not accounted for in the formal BNG metric. Maintaining the current wording creates a risk of professional confusion by conflating broad ecological improvements with the specific, measurable habitat units required for BNG compliance.

182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?

Neither agree nor disagree

a. Please provide your reasons, including how policy can be improved to ensure compliance.

Protected landscapes refer to National Parks, the Norfolk and Suffolk Broads and National Landscapes in England. The closest protected landscape to Bexley is the Kent Downs National Landscape, a designated area of outstanding natural beauty (AONB), which lies outside of the borough. Policy N4 therefore has limited relevance to development proposals in Bexley.

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system?

Partly disagree

a. Please provide your reasons, particularly if you disagree.

The draft NPPF does not go far enough to support the conservation of habitats of local importance. Within Bexley, Sites of Importance for Nature Conservation (SINCs) are core wildlife-rich habitats that represent a major asset essential to nature's recovery and the public's connection to nature. As these sites have no statutory protection, planning policy is their only safeguard.

The Council specifically disagrees with the use of the qualifier 'significant' in Policy N6. In a fragmented urban landscape, even minor adverse impacts on a SINC can result in the loss of site integrity. The Council advocates for the 'no harm' principle set out in London Plan and Bexley Local Plan Policy. This requires that development should only be supported if harm is strictly unavoidable, and only where no reasonable, less damaging alternative solutions or sites are available. This higher threshold is imperative to prevent the further degradation and fragmentation of land critical for wildlife in the capital.

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

No comment

Chapter 20: Conserving and enhancing the historic environment

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act?

Strongly agree.

a. Please provide your reasons.

The Council welcomes the proposals to extend the special regard duties (stipulated in the Planning (Listed Buildings and Conservation Areas) Act 1990) to cover World Heritage Sites, Registered Parks and Gardens, Protected Wrecks and Scheduled Monuments (in addition to Listed Buildings and Conservation Areas which are already subject to protected under the Act).

The Council considers that extending the special regard duties for Registered Parks and Gardens and Scheduled Monuments (in particular) will provide for further protection at a local level, with considerations of impacts upon these assets as required by the Act (either direct, or from development within their setting) to be taken at formal submission stage (when assessing planning applications).

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

The assessment would be part of the wider assessment which is currently already made for development affecting listed buildings or conservations areas (required by the Act). LPAs currently assess the regard duties for development relating to these stipulated designated heritage assets listed within the Act, and it is considered that it therefore makes sense to extend these regard duties further to cover the other designated heritage assets identified.

Plan-making policies

187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

HC1(1d) is too prescriptive. Local lists should not be solely comprised of non-designated heritage assets that are considered important to the local community. This requirement is valid, and should be included, but local lists should not discount assets which are important in terms of their character, appearance, and/or history for reasons other than community importance.

National decision-making policies

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

The Council considers that it should be made clear whether it is the intention of policy HE5 to place the onus on the applicant to fulfil all criteria (1-5) as part of planning submissions. This would appear to be the case (as suggested within the accompanying Proposed Reforms and Other Changes to the planning system document), but it is considered that this needs emphasising.

Formally introducing the concepts of both 'positive effect' and 'no effect' in terms of assessing the potential effects of development proposals on heritage assets and their setting is welcomed (under parts 2, a and b). It is considered that this would make it clearer for decision makers to use this assessment.

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties?

Partly agree.

a. Please provide your reasons, particularly if you disagree.

It is considered that this may work in practice, provided that extending the special regard duties occurs (as responded to in question 185 above).

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10?

Agree.

a. Please provide your reasons, particularly if you disagree.

Policies HE8-HE10 revises paragraphs 219 and 220 of the current Framework. Separating the assessment of World Heritage Sites from conservation area policy is appropriate.

191) Do you have any other comments on the revisions to the heritage chapter?

Policy HE11(2) conflicts in stating that:

“Development proposals to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), should retain the feature in situ wherever possible (and, where appropriate, be supported by an explanation of their historic and social context).”

Where a statue is to be removed, it cannot be retained in situ. Part 2 needs to be two parts. Part one covering altering a historic statue, plaque, memorial or monument; and part two covering the removal of any of these. The specific requirements would then follow for each part.

Further questions

Transitional arrangements

192) Do you agree with the transitional arrangements approach to decision-making?

Partly agree

a. Please provide your reasons, particularly if you disagree.

The term ‘transitional arrangements’ occurs only twice in the text of the draft NPPF, and this is in paragraph 8 of Annex A: Implementation. This Annex includes several statements that would benefit from additional clarity, including that ‘implementation’ includes ‘transitional arrangements.’

Paragraph 1 should state “The **national decision-making** policies in this Framework are material considerations which must be taken into account in decision-making...” as there are also plan-making policies in the NPPF that presumably are not taken into account in decision-making.

The second line of Paragraph 3 should include the word ‘**published**’ in front of “Housing Delivery Test.”

Paragraph 8 references the current December 2024 Framework, stating that “unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply).” However, if this is the case then they should be lifted and included into the new Framework.

193) Clarity is needed as to what is meant by ‘planning freedoms’ in paragraph 9. Do you have any further thoughts on the policies outlined in this consultation?

Yes. Annex B: Glossary often includes vague wording for the definitions of the terms. More specificity is needed to avoid confusion and should relate to definitions set out in legislation where this occurs to avoid inconsistency. Terms For example, ‘community facilities’ and ‘public service infrastructure’ are defined but ‘social infrastructure,’ which is set out as a requirement of policy PM1(2)(f) are not.

Annex C: Information requirements does not cover all requirements from all policies and as such is incomplete. Either remove this annex or ensure that it is comprehensive. It will only cause confusion as it stands.

Written Ministerial Statements and other documents

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?

Neither agree nor disagree

a. Please provide your reasons, particularly if you disagree.

No comment

Annex A - Data Centres and onsite energy generation

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?

Neither agree nor disagree

a. Please give reasons.

This question is premature as there has not been enough time to test the effectiveness of the provisions within the Planning and Infrastructure Act that has only recently received assent.

However, the Framework should recognise the increasing pressure and drain on natural resources such as water, which is required to facilitate the effective operation/running of such facilities as well as the potential impacts on the natural environment. Regardless of what type of planning application route these proposals go through there should be a stipulation that the realisation of AI benefits as set out within Annex A should be carefully balanced against the energy and water requirements to facilitate the operation of significant infrastructure projects. The Framework should therefore include a national decision-making policy requirement for any cumulative negative impacts arising from either NSIP or energy generation projects be identified and considered in view of other policy requirements.

196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial? Yes/No

No comment

a. If so, what do you believe would be the appropriate threshold? Please provide your reasons.

No comment

197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.

No comment

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres? Yes/No

No comment

a. Please provide your reasons.

No comment

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

No comment

Annex B - Viability: Standardised inputs in viability assessment

200) Would you support the use of growth testing for strategic, multi-phase schemes? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please explain your answer.

No comment

201) Would you support the optional use of growth testing for regeneration schemes? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please explain your answer.

No comment

202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market for sale housing.

No comment

203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

No comment

a. Please explain your answer. The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.

No comment

204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

No comment

a. Please explain your answer.

No comment

205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

No comment

206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please explain your answer.

No comment

207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?

No comment

a. Please explain your answer.

No comment

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. In what circumstances might a premium, or the usual premium, not be required?

No comment

b. What impact (if any) would you foresee if this change were made?

No comment

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please explain your answer.

No comment

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used? Decision maker discretion / Another metric / Neither

No comment

a. If another metric, please set out your preferred approach and rationale.

No comment

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

No comment

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context. Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please explain your answer.

No comment

Annex C - Reforming Site Thresholds

Implementation of new medium category in the Framework

213) Do you agree that a 2.5 hectare threshold is appropriate? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please provide your reasons, particularly if you disagree.

No comment

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please provide your reasons, particularly if you disagree.

No comment

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development? Yes/No.

No comment

216) If so, please explain your answer and provide views on potential mitigations.

No comment

Implementation of new medium category in regulations

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?

No comment

a. Please provide your reasons.

No comment

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

No comment

a. Please provide your reasons.

No comment

219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

No comment

220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.

No comment

221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

No comment

Uplifting the Permission in Principle threshold

222) Do you agree with the proposal to extend the Permission in Principle application route to medium development? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No comment

a. Please provide your reasons, particularly if you disagree.

No comment

223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?

No comment

Public Sector Equality Duty (Q's 224 – 225)

224) Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic?

No comment

a. If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.

No comment

225) Is there anything that could be done to mitigate any impact identified?

No comment