

# Proposed reforms to the National Planning Policy Framework and other changes to the planning system

## Response by North East Lincolnshire Council

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### **Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?**

The Council understands and broadly supports the rationale for establishing a mandatory starting point for assessing housing need via a standard method but has significant concerns about the proposed revisions to the calculation (see answer to question 15). It must be made clear that this is only the starting point and that unchanged provisions in paragraphs 11 (a and b) and 67 of the Framework continue to give authorities scope to appropriately and reasonably derive the housing requirement taken forward in their plans.

### **Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?**

The Council recognises the benefits in having clear and consistent rules in place for establishing the Local Housing Need figure as a starting point for working out how many homes to plan for in its Local Plan. It also appreciates that achieving consensus across all Local Planning Authorities on the mechanics of the standard method is unlikely. In that context, it is therefore imperative that, 1) the method provides a reasonable (not perfect) basis to start from and, 2) that the reference in the consultation material to authorities being able to justify planning for a lower number where evidence of hard constraints exists is made clear in the revised NPPF.

In North East Lincolnshire there is a well-established pro-growth agenda, which is reflected in the current Local Plan. However, since its adoption in 2018 the market has not been able to deliver the volume of housing that the plan supports, which exceeds the amount generated by the current standard method. The proposed revised method significantly increases the adopted Plan housing figure, which itself was found sound on the basis that it balanced pragmatism with the growth ambitions of the Borough. As well as having very challenging market conditions, there are other issues that require careful consideration as growth is planned for in this part of the country – notably flood risk, water scarcity and impacts on internationally protected habitats.

As the Council moves forward with its Local Plan review, it welcomes further guidance being provided to inform the scope of the required evidence to support the process of making realistic and appropriate adjustments to the starting point figure. Without that clarity there could be serious consequences for plan preparation and examination, serving only to delay the process, which is precisely what the change is intended to prevent.

**Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?**

Yes. The same rules should apply to those authorities tasked with accommodating an (arbitrary) urban uplift, with assessment of any local issues and constraints capable of being applied to a common starting point. It is also appropriate for a wider range of urban areas to be capable of accepting additional growth where the strength of their housing markets and other constraints allow.

**Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?**

Increasing density above that experienced around a site should not automatically be seen as inappropriate; its suitability will always depend on the design quality of the scheme as a whole. The deletion of paragraph 130 is entirely appropriate and ensures authorities can pursue pragmatic approaches to design, free of the policy constraint that would effectively restrict development density on a relatively arbitrary basis. The emphasis should be on quality of development and there should be more support for this – especially in planning appeal decisions.

**Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?**

Yes, the Council welcomes the removal of the requirement for authority wide design codes and the recognition that a targeted approach will see emphasis where the challenges are more significant, and the benefits will be maximised.

**Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?**

Clarity on the relevant policies triggering the presumption is welcome, as are the references to location, design and affordable housing. However, further guidance should be provided to make clear the weight to be applied to these matters if the aim of ensuring schemes that rely on the presumption deliver quality development is to be realised.

**Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?**

No. The application of housing figures derived from the revised standard method will make demonstrating a 5-year land supply extremely challenging for many local planning authorities without an up to date Local Plan. Whilst the consultation acknowledges the immediate impacts that will be brought about by these reforms, there is an implied assumption that these will be short-lived.

For authorities such as North East Lincolnshire, even if it were capable of accommodating [in full] Government's proposed higher housing need figure in its Local Plan, it would not generate notable improvements in its housing completion performance. LPAs cannot influence the market take-up or build out rates of sites, yet the 5 year supply assessment will penalise those LPAs that do not deliver the mandated numbers of dwellings ahead of adoption of a

new/reviewed Local Plan. Unless there are wider measures introduced to considerably uplift delivery, local authorities will be faced with extended periods of operating under the presumption in favour of sustainable development, which is contrary to the aims and objectives of the plan-led system.

In North East Lincolnshire, this scenario would likely lead to release of edge of settlement greenfield sites that are relatively easier to develop than the Borough's brownfield sites. The ramifications of such will further constrain the Council's extensive efforts to facilitate much needed town centre regeneration and move forward with its vision for positive urban transformation.

The relief given to authorities through the changes made to the NPPF in December 2023 helped to incentivise plan making and provided some stability around the period of plan submission and examination. The Council supports retaining those provisions. It is also recommended that where an LPA has an up to date plan the requirement to undertake a 5 year supply assessment should be removed for a time-limited period after adoption, or direct measures introduced at scale to support delivery and accelerate build rates.

**Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?**

No, the proposed changes to the standard method will make achieving a 5-year land supply extremely challenging, as set out in the response to question 7. There is no logic to discounting any previous oversupply within land supply assessments, particularly when all demolitions must be accounted for.

Having to account for losses associated with programmes of demolition suppresses an authority's appetite to consider options for demolition and rebuild initiatives. Whilst measures to upgrade and bring back into use existing stock might in some cases be the best solution, the risk of extensive losses impacting on land supply calculations and housing delivery performance is a considerable deterrent to alternative options being explored. Where authorities have, however, successfully brought empty homes back into use there should be mechanisms in place for these properties to contribute to housing performance (subject to appropriate tests and time limits and etc). Reoccupation of long term empty homes can make considerable and valuable differences to communities and this should be recognised in all relevant tests.

**Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?**

Yes, it is accepted that there may be circumstances that may affect delivery on a particular site which may delay completions, therefore a small buffer is appropriate.

**Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?**

A 5% figure is appropriate given that strict criterion already governs the inclusion of sites in an authority's five year supply. Therefore, it is reasonable for the assumption to be that the delivery expectations outlined in an assessment are only to be impacted by exceptional events.

**Question 11: Do you agree with the removal of policy on Annual Position Statements?**

Yes

**Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?**

Yes. However, further guidance should be published to ensure that the expectations established by new paragraph 27 and additional wording at paragraph 28 are fully understood. This will assist LPAs as they prepare their plans ahead of the mechanisms for strategic planning being put in place.

**Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?**

Any simplification of the tests or reduction in the evidence required to meet the tests of soundness would be supported.

**Question 14: Do you have any other suggestions relating to the proposals in this chapter?**

No.

**Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?**

The changes in dwelling stock are a sensible indicator of net housing growth. However, the application of a national figure of 0.8% of existing stock for each local authority area is not agreed and is inappropriate if there is no ability under paragraph 11b to make reasonable adjustments in order to generate a local housing requirement.

North East Lincolnshire has had an aspirational and pro-growth local plan in place since 2018 and has seen net housing delivery increase since then. However, local housing stock growth has never seen levels close to 0.8% for any time period. This is against the context of a local plan that makes provision for residential land that far exceeds the housing requirement and a consistently healthy five-year supply position.

Drawing on work undertaken as part of the Council's Local Plan review provides additional context to this. The Housing and Economic Development Needs Assessment (2023) is clear that even in the most optimistic of the modelled economic scenarios (which the Council has been broadly working to as it recognises the benefits of this growth), it generates a housing need figure of 512 homes/annum. The revisions to the standard method put the Council's starting point figure to 706 (from 203 under the current method). It is not clear in the evidence we have gathered where the need for these additional homes is generated.

Pursuing changes that force Council's to adopt the outputs of the standard method calculation without an ability to adjust clearly risks artificially inflating requirements to a scale that is vastly out of kilter with local economic projections. This is entirely at odds with the principles of evidenced-based planning and raises serious questions of soundness.

Local stock change figures are available that reflect local market conditions. As an alternative approach, it is therefore suggested that the calculation is based on the average local stock increase over a three-year period of highest delivery, within a rolling 10 year period.

**Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?**

Yes

**Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?**

Affordability is the best indicator of a failing market where property price is escalating due to demand pressures or supply constraints. It is therefore right that the weighting has been adjusted.

**Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?**

No comment

**Question 19: Do you have any additional comments on the proposed method for assessing housing needs?**

There are several examples where the revised method produces figures for local authorities that are below the average annual net additions. This effectively shows that if the standard method figures were to be applied without adjustment in these areas it could constrain supply. The ability to adjust for local market conditions is therefore critically important.

**Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?**

The Council is very supportive of brownfield regeneration and fully acknowledges the range of benefits it provides, including valuable additional housing. However, a blanket permission in principle has to be subject to proper safeguards. Brownfield land can often be in close proximity to neighbouring uses that are not compatible with residential and should not be developed for housing. They can be subject to extensive and serious contamination and remediation is not always possible/deliverable for such a sensitive reuse such as housing. Moreover, they can be located in areas of flood risk where mitigation cannot be delivered even if it is deemed that the sequential and first part of the exception test is passed. It would need to be clear that a permission in principle does not override these crucial planning considerations.

**Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 38: How and at what level should Government set benchmark land values?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 46: Do you have any other suggestions relating to the proposals in this chapter?**

No Comment. North East Lincolnshire does not have designated Green Belt.

**Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?**

Yes

**Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?**

Yes

**Question 49: Do you agree with removing the minimum 25% First Homes requirement?**

Yes

**Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?**

It is appropriate to consider the mix of affordable homes based on local needs; there is no requirement for any prescriptive requirements to be identified. Providing an option to deliver a proportion of First Homes based on local needs is appropriate. However, First Homes are a relatively cumbersome tool with process and monitoring requirements imposed on LPAs along with set requirements on purchasers which they may not fully appreciate. Long term enforcement of the product in terms of its affordable housing offer is likely to be difficult and due to the future ability for an owner to demonstrate that it can no longer be sustained in the future the benefit is likely to be seriously eroded over time.



**Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?**

Yes

**Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?**

Ensuring local plans provide a mix of sites, with some that are suitable for exclusive affordable housing would be appropriate, but the affordable housing providers need to be adequately funded to bring forward development on these sites. In North East Lincolnshire direct development by affordable housing providers has dropped to very low levels, which has compounded the level of affordable need and impacted overall completion performance.

There needs to be a wider approach to support the housing providers. To increase delivery rates and meet Housing Need a combined approach is needed. Support for the purchase of Additional Affordable Housing enabled by Homes England grant funding combined with adequate support to resolve the viability challenges of delivering smaller brownfield sites in our town centres is needed. These interventions would bring about huge benefits to our communities and improve affordability/sustainability for lower income households.

**Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?**

If there are appropriate safeguards in policy which advocates a mix of tenures and types, the limitation on size is considered unnecessary.

**Question 54: What measures should we consider to better support and increase rural affordable housing?**

Rural affordable housing should be based on assessments on local housing needs. When supported by funding this must be reflected in the design response and be appropriate to the local context.

**Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?**

Yes.

**Question 56: Do you agree with these changes?**

Yes

**Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?**

Amending the definition may allow greater flexibility to funding organisations that are meeting affordable housing needs but are not Registered Providers (RP).

In most areas there is a revenue benefit to RPs from Affordable Rent properties over Social Rent properties, so Affordable Rent is normally the landlord's preferred option. A definite distinction

between the two tenures would better support the aim to deliver more Social Rent properties through the NPPF.

**Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?**

The contribution small sites make to meeting housing requirement will vary across the country as will the pattern of minor residential approvals which contribute to supply. There needs to be clear guidance as to how windfall contributions from small sites can contribute to the small sites allocation requirement.

**Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?**

Yes

**Question 60: Do you agree with proposed changes to policy for upwards extensions?**

Yes.

**Question 61: Do you have any other suggestions relating to the proposals in this chapter?**

No.

**Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?**

Yes

**Question 63: Are there other sectors you think need particular support via these changes? What are they and why?**

The energy sector should be included as it will play a key role in national energy security and transition to low carbon. The food sector should also be identified forming specific clusters requiring clean environments and good accessibility. The need for chemical and manufacturing developments, often requiring hazardous substance consent, to be located in estuary areas and close to major ports should be specifically referenced and supported. Such development has been a major driver for economic growth in the UK in the past and new industrial development of this nature is emerging on the global markets and the UK needs to take full advantage of its geography and infrastructure.

**Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?**

Yes. But NSIP is not always the quickest route to consent. North East Lincolnshire is a pragmatic and forward thinking LPA which supports and works hard to deliver industrial development working with consultees and partners. It is not always the process which is the restriction but sometimes the available resource and the response of statutory consultees. There needs to be

a review of how statutory consultees engage in the planning system. A holistic approach to changes in the planning system is needed.

**Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?**

No Comment

**Question 66: Do you have any other suggestions relating to the proposals in this chapter?**

See above.

**Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?**

Yes

**Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?**

Yes

**Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?**

Yes, but the updated guidance needs to be clear how these revised considerations will apply. Highway impact is often a main concern of communities and there needs to be a clearly defined position on this.

**Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?**

The Council recommends and supports the following:

- An even greater focus on good pedestrian and cycle routes to enhance the Active Travel agenda.
- Publication of more guidance and prescription on open space provision in new development, building on Natural England's Green Infrastructure Framework. Biodiversity Net Gain (BNG) is an important element but so is the quality and useability of the open space provided on residential schemes. With the push for BNG there is a risk that short grass open space amenity areas which are used informally (often by children) will be squeezed out and reduced in developments.
- Explicit reference in the NPPF to health inequalities, along with a requirement for Health Impact Assessments on larger developments to promote early and evidenced consideration of matters that contribute to achieving healthy communities.
- Policy restrictions on unhealthy food outlets, such as Hot Food Takeaways (HFT), should be supported clearly through the NPPF as part of a whole systems approach to healthy weight. HFT should not be supported within 400m of a school and LPAs should be supported to introduce restrictions in areas of over proliferation and high child obesity

though local policy. This would help to address the inconsistency that sometimes occurs between Plan examination and decision making stages.

**Question 71: Do you have any other suggestions relating to the proposals in this chapter?**

The planning system is not the root cause of housing crises – there are multiple factors at play e.g. high interest rates, inflation, wage stagnation and economic inequality, are examples. An over emphasis on housing targets risk poorer quality development coming forward. Instead, the focus must be on investment in good quality, affordable housing if the health challenges associated with the housing crisis are to be addressed. Mandating certain standards in the NPPF is key to preventing poor quality developments that impact on the health and wellbeing of those that use them.

**Question 72: Do you agree that large onshore wind projects should be reintegrated into the s NSIP regime?**

Yes

**Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?**

Yes

**Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?**

Yes

**Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?**

Yes

**Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?**

Yes

**Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?**

N/A

**Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?**

The Council agrees with the government that the planning system has a powerful role to play in accelerating the mitigation of, and adaptation to the effects of climate change. However, there is no silver bullet to addressing the scale and urgency of this challenge, and measures that are

introduced need to be thoroughly considered on a whole-system basis so that issues are dealt with holistically and effectively.

**Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?**

Much more information and guidance would need to be provided to bring forward a system of carbon accounting in plan making.

**Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?**

Existing policy is applied consistently in North East Lincolnshire through a relatively bespoke approach developed in collaboration with the Environment Agency. However, recent decisions (notably “Mead” and “Substation Action”) have brought into question a number of principles that had previously been well established. The Council encourages the Government to address the uncertainty that now exists around the application of the sequential test in areas at risk of flooding from non-fluvial sources.

Please also see response to question 63 with regard to sequential testing for industrial development requiring Hazardous Substance Consent.

**Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?**

No.

**Question 82: Do you agree with removal of this text from the footnote?**

Yes, on the basis that the existing principles in the NPPF relating to best and most versatile agricultural land remain unchanged as proposed.

**Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?**

Ensure the food sector is adequately supported and recognised in local plan allocations, local nature recovery strategies and referenced in NPPF.

**Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?**

There is an immediate water supply issue affecting residential and commercial supplies and without immediate action to address funding and speed up the consenting and delivery of water resource infrastructure this will be a brake on economic development and severely constrain residential growth.

**Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?**

Commercial water supply should be a mandatory requirement of water company providers in the same way that the duty applies to domestic provision. This could be brought about through

changes to the regulatory framework. As mentioned in our response to question 84, there is an impending restriction on important industrial development without this matter being addressed at a national and regional level.

**Question 86: Do you have any other suggestions relating to the proposals in this chapter?**

No.

**Question 87: Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?**

Yes

**Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?**

N/A

**Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?**

Yes

**Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.**

See response in question 91.

**Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?**

Yes. However, where the works relate to development which is normally permitted development but has been taken away by an Article 4 or removal of permitted development rights the planning fee should be removed as previous or reduced. Say 50% of the normal fee. This is on the basis that a right has been removed from the property holder and can result in some very minor applications being submitted. A window change, small garden shed etc. In such circumstances the planning fee may well exceed the cost of the development which would be unjustified.

**Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.**

Variation applications are charged at the cost of a variation to a planning condition. These can still be quite complex. A more proportionate approach should be taken especially on major applications. For major applications the cost should be a proportion of the original along the lines of 25% of the original.

**Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.**

None

**Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?**

See response in question 95

**Question 95: What would be your preferred model for localisation of planning fees?**

**Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.**

**Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.**

**Neither**

**Don't Know**

Planning fees should remain nationally set. The heart of planning reform should be focussed on consistency, confidence, clarity and simplicity. There should be a level playing field across the country.

**Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?**

No

**If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?**

**Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?**

N/A

**Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?**

Yes

**Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.**

NSIP applications have a large resource implication on LPA's and this is not evenly distributed amongst Councils. North East Lincolnshire has and is dealing with a significant number. This could be covered by a formal requirement for a developer to enter into a PPA but again a nationally set and unambiguous fee would be the preference.

**Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?**

No comment

**Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.**

No comment

**Question 102: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?**

Yes, the changes proposed will require significant additional work to be undertaken. It is important that time is given to consider and react to these changes which will require further evidence being secured and further consultation undertaken. The suggested significant uplift and change in housing numbers in North East Lincolnshire will be a challenge and one which will require full consideration.

**Question 104: Do you agree with the proposed transitional arrangements?**

Yes

**Question 105: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 106: 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? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?**

It is encouraging that the demands and complexities of the proposed changes are acknowledged but given the implications the relatively short timeframe allowed for response to the consultation has proved challenging. Nevertheless, the additional time proposed to be given to prepare Local Plans for submission is welcome. This is crucial. There will, however, be resource implications and challenges on the planning service. Financial support can help but there is a scarcity of 'planners' in the sector and this needs to be addressed as a matter of some urgency. As does support across the wider planning process to make it simpler and more responsive so as to free up existing resource. All changes to the planning system must be considered holistically.