



House of Commons  
Communities and Local  
Government Committee

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# Operation of the National Planning Policy Framework

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**Fourth Report of Session 2014–15**

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons  
to be printed 9 December 2014*

## The Communities and Local Government Committee

The Communities and Local Government Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Communities and Local Government.

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# Contents

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| <b>Report</b>                               | <i>Page</i> |
|---|-------------|
| <b>Summary</b>                              | <b>3</b>    |
| <b>1 Introduction</b>                       | <b>5</b>    |
| The overall impact of the NPPF              | 6           |
| Overall impact: conclusion                  | 8           |
| <b>2 Delivering sustainable development</b> | <b>9</b>    |
| The definition of sustainable development   | 9           |
| Infrastructure                              | 11          |
| Community infrastructure levy               | 12          |
| Renewable energy                            | 13          |
| Biodiversity and the natural environment    | 15          |
| Ancient woodland                            | 16          |
| <b>3 Local plans</b>                        | <b>18</b>   |
| Getting plans adopted                       | 18          |
| Resources                                   | 19          |
| Length of local plans                       | 19          |
| Approach of PINS                            | 20          |
| Making local plans a statutory requirement  | 22          |
| Developers and local plans                  | 23          |
| Revision of local plans                     | 24          |
| Meeting the duty to co-operate              | 25          |
| Neighbourhood plans                         | 27          |
| Local plans: conclusion                     | 30          |
| <b>4 Land supply</b>                        | <b>31</b>   |
| Five year supply of housing land            | 31          |
| Deliverability of sites                     | 32          |
| Assessment of housing need                  | 35          |
| Brownfield land                             | 36          |
| Green belt                                  | 37          |
| Green belts and neighbourhood plans         | 39          |
| <b>5 Town centres</b>                       | <b>41</b>   |
| Town centre protection                      | 41          |
| ‘Disaggregation’                            | 42          |
| Need and impact                             | 42          |
| The future of town centres                  | 43          |
| Permitted development rights                | 45          |
| <b>6 Monitoring the NPPF</b>                | <b>46</b>   |
| <b>7 Conclusion</b>                         | <b>48</b>   |

|   |           |
|---|-----------|
| <b>Conclusions and recommendations</b>                                  | <b>49</b> |
| <b>Formal Minutes</b>   | <b>55</b> |
| <b>Witnesses</b>  | <b>56</b> |
| <b>Published written evidence</b>                                       | <b>58</b> |
| <b>List of Reports from the Committee during the current Parliament</b> | <b>65</b> |

## Summary

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The National Planning Policy Framework (NPPF) has now been in operation for two and a half years. The simplification it has brought to the planning system is welcome and was acknowledged by many witnesses, but it needs more time to bed in, and the Government needs to collect more data, before a full assessment can be made of its strengths and weaknesses. Nevertheless, the evidence to this inquiry has highlighted a number of emerging concerns: that the NPPF is not preventing unsustainable development in some places; that inappropriate housing is being imposed upon some communities as a result of speculative planning applications; and that town centres are being given insufficient protection against the threat of out of town development.

These concerns point to the need to strengthen, rather than withdraw, the NPPF. We have suggested a number of changes that should be made both to the NPPF itself and to the way it is applied.

- First, we must take steps to ensure that the planning system delivers the sustainable development promised in the NPPF. We should ensure that the same weight is given to the environmental and social as to the economic dimension; that permission is only given to development if accompanied by the infrastructure necessary to support it; and that the planning system places due emphasis on the natural environment.
- Second, all councils must move much more quickly to get an adopted plan in place: this will give communities increased protection against the threat of undesirable development. We call for a statutory requirement for councils to get local plans adopted within three years of legislation being enacted.
- Third, we must address the complex issue of land supply. Provisions in the NPPF relating to the viability of housing land are leading to inappropriate development: these loopholes must be closed. There also needs to be clearer guidance about how housing need should be assessed. In addition, local authorities should be encouraged to review their green belts as part of the local planning process.
- Finally, changes should be made to ensure the NPPF gives greater protection to town centres. The internet has changed the way we shop; town centre planning policy must therefore evolve too. We call for an end to permitted development that allows shops and buildings used for financial and professional services to become homes without planning permission, a policy which is undermining the local planning process.

The NPPF makes clear that importance of a plan-led system that delivers sustainable development. We trust that the Government will make the changes we propose to ensure that this principle is met and the NPPF becomes a document in which everyone can have greater confidence.



# 1 Introduction

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1. The National Planning Policy Framework (NPPF) was published on 27 March 2012.<sup>1</sup> The then Minister for Planning and Decentralisation, Rt Hon Greg Clark MP, heralded it as a simpler and more accessible approach to planning policy which reduced “over 1,000 pages of often impenetrable jargon to around 50 pages of clearly written guidance”.<sup>2</sup> The publication of the NPPF reflected a commitment made in the 2010 Coalition Agreement to “publish and present to Parliament a simple and consolidated national planning framework covering all forms of development and setting out national economic, environmental and social priorities”.<sup>3</sup>

2. As a Committee, we were closely involved in the development of the NPPF. In the autumn of 2011, at the request of Mr Clark, we conducted an inquiry into the draft NPPF. We published our report on 21 December 2011.<sup>4</sup> We were encouraged that the Government paid close attention to our findings, accepting 30 of our 35 recommendations and making consequent changes to the final framework. In his statement launching the NPPF, Mr Clark thanked us and the Environmental Audit Committee, which had considered the sustainable development aspects of the draft NPPF,<sup>5</sup> for the “seriousness and thoughtfulness” we had brought to the task.<sup>6</sup>

3. Since then, we have continued to take a keen interest in planning issues.<sup>7</sup> We wanted to ensure that the planning system struck the right balance between delivering a sustainable future and not placing an unnecessary block upon development. We therefore commissioned research earlier this year from the Cambridge Centre for Housing and Planning Research into the nature of planning constraints.<sup>8</sup> After reviewing this research, and two years on from the launch of the NPPF, we considered it timely to establish how effectively the NPPF was operating in practice, and whether any changes needed to be made. We launched our inquiry on 4 April 2014 with intentionally high-level terms of reference, seeking evidence about the impact of the NPPF on planning for housing, town centres and energy infrastructure, three fields we selected as good tests to see how well the

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1 Department for Communities and Local Government (DCLG), [National Planning Policy Framework](#) (NPPF), March 2012

2 HC Deb, 27 March 2012, [col 1337](#)

3 HM Government, [The Coalition: our programme for government](#), May 2010, p 11

4 Communities and Local Government (CLG) Committee, Eighth Report of Session 2010–12, [The National Planning Policy Framework](#), HC 1526

5 Environmental Audit Committee, [Sustainable Development in the National Planning Policy Framework](#), Oral and written evidence, HC (2010–12) 1480-i

6 HC Deb, 27 March 2012, [col 1338](#)

7 See, for example, CLG Committee, [Planning Housing and Growth](#), Oral and written evidence, HC (2012–13) 626-i, Seventh Report of Session 2012–13, [The Committee’s response to the Government’s consultation on permitted development rights for homeowners](#), HC 830, [Review of Planning Practice Guidance](#), Oral and written evidence, HC (2012–13) 940-i, and [Planning Issues](#), Oral and written evidence, HC (2013–14) 309-i

8 Cambridge Centre for Housing and Planning Research, [The Nature of Planning Constraints](#), March 2014

framework was operating, as well as being areas which had generated particular controversy.<sup>9</sup> We received over 300 pieces of written evidence, from a range of groups, organisations and individuals, and held 11 oral evidence sessions between June and October. In April, in preparation for the inquiry, we visited the Planning Inspectorate in Bristol where we met senior management, staff and a focus group of planning inspectors. In June, to explore some of the themes in more detail, we visited Gloucestershire, where Cheltenham, Gloucester and Tewkesbury Councils have been developing a joint core strategy. We are very grateful to all those we met on our two visits, and to those who organised them. In addition, given the large number of submissions we received from residents and communities concerned about the adverse impact of the NPPF, we invited representatives from parish and town councils, local groups and residents who had submitted evidence and some people who had petitioned Parliament on planning matters to an informal discussion forum at Westminster: a note of this session has been published as evidence.<sup>10</sup> We are also very grateful for the assistance of our specialist adviser, Kelvin MacDonald MCIH FRTPI FRSA.<sup>11</sup>

## The overall impact of the NPPF

4. The evidence we received about the overall impact of the NPPF can be split into two distinct groups. Many of the national organisations submitting evidence considered that it was too early to assess fully the impact or to make major changes. We were told that the NPPF had brought a welcome simplification and consolidation of planning policy<sup>12</sup> but that it needed time to “bed in” and that the planning system would benefit from a period of

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9 CLG Committee, *“Inquiry launched after research questions ineffective Government planning targets”*, 4 April 2014

10 Note of discussion forum ([NPP 347](#))

11 Kelvin MacDonald declared the following interests: Member of the Enabling Panel for the Design Council—CABE. Member of the Board of Trustees of Shelter. Chief Policy Adviser to the Royal Town Planning Institute (RTPI); Mr MacDonald was the Chief Policy Adviser to the Royal Town Planning Institute (RTPI) from 2007 until 2011 but has not undertaken any policy work for the RTPI since that date. Examining Inspector, Major Applications and Plans Division, the Planning Inspectorate. This position is not full time and Mr MacDonald is only contracted on a fee basis for individual nationally significant infrastructure project applications. By virtue of this appointment, Mr MacDonald cannot advise the Committee on, nor express opinions on: a) the merits of Government policy on nationally significant infrastructure projects (NSIPs); b) the merits of policy contained within any National Policy Statement (NPS); c) the merits or efficacy of the system set up to deal with nationally significant infrastructure projects (NSIPs) under the 2008 Planning Act, as subsequently amended; d) the merits of any nationally significant infrastructure project (NSIP) that may come before Planning Inspectorate currently or in the future; and e) any aspect of the work of the Planning Inspectorate on which Mr MacDonald may have gained information solely by virtue of being employed by that body. Member of the Department for Communities Planning Sounding Board. Mr MacDonald undertakes to withdraw from any discussions on, and not to contribute in any other way to, Planning Sounding Board agenda items on any issue that is covered, or may potentially be covered, by the Inquiry into the operation of the NPPF. Senior Visiting Fellow at the Department of Land Economy, Cambridge University. Previously an adviser in the initial stages of the ‘The nature of planning constraints’ projects commissioned by the Communities and Local Government Committee from the Cambridge Centre for Housing and Planning Research. Mr MacDonald’s involvement has been limited to commenting on the draft proposal and attending a meeting on the interview sample to be chosen. Mr MacDonald will not be involved in this project beyond those two stages.

<sup>12</sup> [NPP 173](#) [Local Government Association], para 2.1, [NPP 157](#) [National Housing Federation], para 2.1



stability.<sup>13</sup> Representatives of the house builder and property industries were adamant that there should be no “tinkering”.<sup>14</sup>

5. This view stood in contrast to the large amount of evidence we received from local residents, amenity groups and parish councils describing the detrimental impact the NPPF had had upon their local areas. The scale and strength of these concerns were brought home to us at the discussion forum.<sup>15</sup> Indeed, we considered very carefully whether the NPPF should be completely rewritten or substantially revised.<sup>16</sup> The areas where criticism was strongest were: that the NPPF was not delivering sustainable development; that it was failing to prevent undesirable and inappropriate housing development; and that it was giving insufficient protection to town centres against the threat of out-of-town development.

6. The concept of sustainable development is at the heart of the NPPF, which included as its “golden thread” a new concept of a presumption in favour of sustainable development, which includes provision that development proposals in accordance with the local plan should be approved. We have been told, however, that, far from delivering development that is sustainable, the NPPF is, in fact, leading to unsustainable development. People variously said that sustainable development was ill-defined in the NPPF, that decision-makers were giving greater weight to economic over environmental or social considerations, and that sustainable development was not being delivered in respect of infrastructure, renewable energy and the natural environment. We consider all these issues in Chapter 2. In our view, however, they are not so serious as to require the tearing up of the NPPF but they deliver a strong case for making it operate as it was originally intended to do. The NPPF is clear that development should be sustainable; withdrawing the NPPF would serve only to take the principle of sustainable development out of the planning system.<sup>17</sup> Rather, what we need to do is ensure sustainable development is being delivered in practice. In the following chapters, we will consider how to untie some of the tangles in the NPPF’s golden thread to ensure it leads to the delivery of development that is demonstrably sustainable.

7. A particular concern about unsustainable development was that planning permission was being given to substantial housing development on the edge of towns and villages, as a result of ‘speculative’ applications by developers. These applications used the provisions in the NPPF to target sites that had not been allocated for development or were unlikely to be allocated. It appeared that these developers were taking advantage of the absence of the local plan and five year supply of housing land to seek planning permission, often on

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13 See, for example, Confederation of British Industry ([NPP 166](#)) para 12, Country Land and Business Association ([NPP 242](#)) para 4.

14 Q187 [Andrew Whitaker and Liz Peace]

15 Note of discussion forum ([NPP 347](#))

16 See, for example, Q119 [Dr Hugh Ellis].

17 [NPPF](#), para 14

appeal, in areas that local communities did not consider suitable for development.<sup>18</sup> Four Marks Parish Council from Hampshire, for instance, said that the parish was “basically ‘under siege’” because of an “‘open season’ attitude for developers”.<sup>19</sup> While these are serious concerns, the withdrawal or suspension of the NPPF would not be the answer. The key is for all local authorities to get their local plans adopted as quickly as possible. As at the end of October, 41% of authorities do not have an adopted local plan.<sup>20</sup> We consider how this might be addressed in Chapter 3. Alongside this, in Chapter 4, we look at whether the NPPF requirement for councils to maintain a five year supply of housing land could be strengthened to prevent abuse and give greater protection to communities.

8. Some witnesses also expressed disquiet that the NPPF provisions on town centres were not providing sufficient protection against the threat of out-of-town development. Evidence also suggested that planning policy needed to be updated to take account of changing retail trends and a shift away from traditional uses of town centres. Again, however, this points to the need to strengthen, rather than withdraw, the NPPF. We consider these issues in more detail in Chapter 5.

### ***Overall impact: conclusion***

**9. It is still early days for the NPPF. Given it represented a major consolidation of planning policy, it will doubtless take several years to ‘bed in’ fully. We have considered the concerns raised with us about its operation. Many are significant and need to be tackled, but they point to the need for adjustment, rather than a complete overhaul of the NPPF. It would be ill-advised at such an early stage to consider tearing up the document and starting again.**

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18 For examples of the concerns raised about the impact on communities, see, for example, Watchfield Parish Council ([NPP 38](#)); Community Voice on Planning ([NPP 68](#) and [324](#)); CPRE Gloucestershire ([NPP 95](#)); C Jealous ([NPP 121](#)), West Heath Action Group ([NPP 135](#)); Residents of Wilmslow ([NPP 136](#)).

19 Four Marks Parish Council ([NPP 218](#))

20 The Planning Inspectorate, [Local Plans \(strategic issues/'core strategies'\) progress](#), 31 October 2014

## 2 Delivering sustainable development

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10. We have seen that the presumption in favour of sustainable development is intended to be the “golden thread” running through the NPPF.<sup>21</sup> In this chapter, we will look at the NPPF’s approach to sustainable development, considering first its definition and then witnesses’ concerns about the way it is operating in practice. We will then turn to look at how the concept of sustainable development has operated in respect of infrastructure, renewable energy and the natural environment.

### The definition of sustainable development

11. During our previous inquiry into the NPPF, we looked carefully, with helpful input from the Environmental Audit Committee,<sup>22</sup> at the definition of sustainable development. We set out in a recommendation the elements that we considered a definition of sustainable development should contain.<sup>23</sup> The Government accepted our recommendation,<sup>24</sup> and included in the NPPF a definition that included both the United Nations (“Brundtland”)<sup>25</sup> definition of sustainable development, and the five “guiding principles”<sup>26</sup> from the 2005 UK Sustainable Development Strategy.<sup>27</sup> The NPPF also points to the environmental, economic and social dimensions of sustainable development and states that “economic, social and environmental gains should be sought jointly and simultaneously through the planning system”.<sup>28</sup>

12. Some evidence suggested that there was a problem with the definition of sustainable development in the NPPF. The Town and Country Planning Association, for instance, told us that the NPPF contained “certainly no recognisable definition of sustainable development”.<sup>29</sup> As we have seen, however, the NPPF clearly combines the widely-recognised Brundtland definition with the UK Government’s guiding principles, and makes a strong statement of what constitutes sustainable development. In our view, nobody has come up with an improved definition.

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21 See [NPPF](#), para 6

22 Environmental Audit Committee, [Sustainable Development in the National Planning Policy Framework](#), Oral and written evidence, HC (2010–12) 1480-i

23 CLG Committee, Eighth Report of Session 2010–12, [The National Planning Policy Framework](#), HC 1526, para 66

24 DCLG, *Government response to the Communities and Local Government Select Committee Report: National Planning Policy Framework*, [Cm 8322](#), March 2012, para 21

25 United Nations General Assembly, [Resolution 42/187: Report of the World Commission on Environment and Development](#), 11 December 1987. It took the definition from [Our Common Future: Report of the World Commission on Environment and Development](#), October 1987, Chapter 2. This report became known as the “Brundtland Report” after the Chair of the Commission, Gro Harlem Brundtland.

26 HM Government, *Securing the Future: delivering UK sustainable development strategy*, [Cm 6467](#), March 2005, p 16

27 [NPPF](#), p 2, box

28 [NPPF](#), paras 7 and 8

29 [NPP 164](#), para 3.7 See also, for example, [NPP 23](#) [Hilary Roberts Arnold] and [NPP 347](#) [Note of discussion forum].

### *The NPPF definition of sustainable development<sup>30</sup>*

International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five ‘guiding principles’ of sustainable development: living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

13. There is, however, one area of ambiguity that we consider should be addressed. After defining sustainable development, the NPPF then states that the policies in paragraphs 18 to 219 “taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”.<sup>31</sup> Neil Blackshaw, Principal at Easton Planning, described this as “a curiously circular argument” and said that it might not be “entirely helpful given the crucial importance of the concept in the NPPF”.<sup>32</sup> We agree: the definition should stand on its own as a beacon informing the rest of the NPPF, not the other way round. It is vital that those making planning decisions are absolutely clear about what constitutes sustainable development: telling them to look at the framework as a whole to understand what the Government means by sustainable development can only be a distraction from the carefully-written definition set out at the start. ***We recommend that the Government remove from the NPPF the statement that the policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development means in practice. The definition on page 2 of the NPPF needs to stand on its own.***

### *Sustainable development in application*

14. In our view, concerns about sustainable development stem more from problems of application than of definition. A recurring concern in our evidence was that greater emphasis was being given to the economic dimension of sustainable development than to the environmental and social ones.<sup>33</sup> Kingswood Parish Council, from Gloucestershire, told us that in its area “little weight [was] being given to the value of the [Area of Outstanding Natural Beauty] or the environmental value of the countryside”.<sup>34</sup> Similarly,

30 [NPPF](#), page 2

31 [NPPF](#), para 6

32 Neil Blackshaw ([NPP 78](#)), para 5

33 See, for example, Theatres Trust ([NPP 100](#)) para 7; Wychavon and Malvern Hills District Council ([NPP 145](#)) para 5.2; Kingswood Parish Council ([NPP 198](#)), Suffolk Association of Local Councils ([NPP 219](#)) para 2.2.

34 Kingswood Parish Council ([NPP 198](#))

the Theatres Trust told us that it had experience of excessive weight being applied to the economic component of sustainable development, which was leading to “development that has an adverse effect on our heritage, town centres and cultural well-being”.<sup>35</sup> The Acting Chief Planning Inspector at the Planning Inspectorate (PINS), Ben Linscott, however, told us that he was confident that his inspectors did not “unreasonably elevate one [dimension] over either of the others”.<sup>36</sup>

15. It is important that the definition of sustainable development in the NPPF is applied equitably and consistently, and that approval is given only to development that meets this definition. While the NPPF makes clear that the economic, environmental and social dimensions of sustainable development should be given equal weight, we were concerned to hear so many people tell us that this was not happening in practice. If these witnesses are right, confidence in the NPPF will be undermined. Planning inspectors and local authorities must account for the decisions they make and must be able to explain how all three dimensions of sustainable development have been given equal consideration. ***We recommend that the Government take appropriate steps to impress publicly upon both the Planning Inspectorate and local authorities the importance of giving equal weight to each of the three dimensions of sustainable development, as required by the NPPF. Both the Planning Inspectorate and local authorities, when they make their decisions on planning applications, should set out clearly how all three factors have been considered as part of the decision-making process.***

## Infrastructure

16. The NPPF states that part of the planning system’s role in ensuring development is sustainable includes “identifying and co-ordinating development requirements, including the provision of infrastructure”.<sup>37</sup> In our view, development can only be sustainable if it is accompanied by the infrastructure necessary to support it. Many of the parish councils, community groups and local residents submitting evidence told us that permissions were being given to housing development without adequate consideration being given to its impact on local infrastructure such as schools, health care, transport and sewerage.<sup>38</sup> East Leake Parish Council in Hampshire, for example, stated that the size of its village was increasing by 25% but that “infrastructure [was] not being developed apace”.<sup>39</sup> It is important that infrastructure provision takes place at the same time as housing development, or the development will be unsustainable. ***We recommend that the Government issue guidance reminding local authorities and the Planning Inspectorate of the importance of timely infrastructure provision to delivering sustainable development.***

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35 The Theatres Trust ([NPP 100](#)), para 11

36 Q729

37 [NPPF](#), para 7

38 Note of discussion forum ([NPP 347](#)). See also, for example, Dr RE Colyer ([NPP 16](#)); Kirklevington and Castleavington Parish Council ([NPP 33](#)); Doug Webb ([NPP 35](#)); Whitchurch Village Action Group ([NPP 44](#)) and Wantage and Grove Campaign Group ([NPP 71](#)).

39 East Leake Parish Council ([NPP 27](#))

***In setting out the reasons for approving development, decision-makers should fully explain the consideration they have given to its impact on infrastructure and explain how and where they expect the infrastructure to be provided, and to what timetable.***

### **Community infrastructure levy**

17. The Community Infrastructure Levy (CIL) was brought into force in 2010. Councils can charge CIL on new development in their areas and use the proceeds to fund infrastructure.<sup>40</sup> They set out the levy rates in a charging schedule.<sup>41</sup> The NPPF states that CIL “should support and incentivise new development, particularly by placing control over a meaningful proportion of the funds raised with the neighbourhoods where development takes place”.<sup>42</sup> Under regulations made in 2013, parish and town councils receiving new development are allocated a proportion (15% or, if a neighbourhood plan is in place, 25%) of the CIL collected in their area.<sup>43</sup>

18. The introduction of CIL was intended to replace the system whereby local authorities used planning obligations (often referred to as section 106 agreements) to secure a contribution to local infrastructure from developers, although section 106 agreements are still necessary for the provision of affordable housing. DCLG has described CIL as a “fairer, faster and more transparent” approach.<sup>44</sup> From April 2015, the Government intends to limit to five the number of planning obligations that can be pooled to fund a single piece of infrastructure.<sup>45</sup> The property company, Savills, has said that this measure will “severely curtail [local authorities’] ability to utilise section 106 as a mechanism for funding strategic, or non-site specific, infrastructure post-April 2015”.<sup>46</sup>

19. So far, the number of councils choosing to use CIL has been limited. Research by Savills forecasted that 68% of councils would not have CIL in place by April 2015.<sup>47</sup> This slow adoption rate has led some parish and town councils and community groups to express concern that they are not receiving infrastructure funding because CIL is not being charged.<sup>48</sup> In comments to the press, Cllr Ken Cleary, Chair of the Larger Local Councils Committee at the National Association of Local Councils, said that, as a result, councils were missing out on “crucial investment in infrastructure needs identified by the

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40 DCLG, ‘[Community Infrastructure Levy](#)’, updated 23 May 2014

41 DCLG, National Planning Practice Guidance, ‘[The Community Infrastructure Levy](#)’, updated 12 June 2014

42 [NPPF](#), para 175

43 The Community Infrastructure Levy (Amendment) Regulations 2013 ([SI 2013/982](#)). See also DCLG, ‘[Community Infrastructure Levy](#)’, updated 23 May 2014.

44 DCLG, ‘[Community Infrastructure Levy](#)’, updated 23 May 2014. [Section 106](#) is contained in the Town and Country Planning Act 1990.

45 DCLG, National Planning Practice Guidance, ‘[The Community Infrastructure Levy](#)’, updated 12 June 2014. This restriction already applies where CIL has been introduced.

46 Savills, [Spotlight: CIL: The Countdown to April 2015](#), July 2014, page 2

47 Savills, [Spotlight: CIL: The Countdown to April 2015](#), July 2014, page 1

48 Note of discussion forum ([NPP 347](#)). On local councils’ concerns about CIL, see also Suffolk Association of Local Councils ([NPP 219](#)) para 1.3.



community, such as improvements to parks and play areas, community facilities, road or traffic schemes and other local projects”.<sup>49</sup> We are concerned that parish and town councils might not receive infrastructure funding when the principal authority has decided not to charge CIL. This problem is likely to be particularly acute in neighbourhood planning areas. It would be unfair if a parish council or neighbourhood forum found it had no way of funding the infrastructure allocated in its neighbourhood plan. **Local authorities should be particularly mindful of the need to support infrastructure requirements identified in adopted neighbourhood plans. We strongly encourage parish and town councils and neighbourhood forums that have an adopted neighbourhood plan to request from their local planning authorities a share of infrastructure proceeds from section 106 agreements, where the Community Infrastructure Levy is not in place. We encourage local planning authorities to give full consideration to such requests.**

20. We gathered that councils might be reluctant to adopt CIL because they do not consider it to be as effective a means of funding infrastructure as planning obligations.<sup>50</sup> Phil Crabtree from Leeds City Council said that section 106 agreements were “simple and understood”.<sup>51</sup> The council was now, however, in the process of implementing CIL because it would no longer be able to have more than five planning applications contributing to a collective pot.<sup>52</sup> In our view, the slow adoption of CIL by local authorities speaks for itself: it is clear that some councils consider section 106 agreements a more effective means of securing infrastructure contributions from developers. We consider that, if councils wish to continue using section 106 they should be able to do so, without the Government placing unnecessary restrictions upon them. The Government has committed to conducting a review of CIL in 2015.<sup>53</sup> In our view, it would be preferable to maintain the status quo until this review has had a full opportunity to consider the operation of CIL and its interaction with section 106 agreements. *We recommend that the Government revoke its decision to limit to five the number of planning obligations that can contribute to a single piece of infrastructure until the proposed 2015 review of the Community Infrastructure Levy has taken place. In the meantime, local authorities should have a free choice between the use of the Community Infrastructure Levy and section 106 agreements for the funding of infrastructure.*

## Renewable energy

21. The NPPF sets out a number of “core planning principles” to underpin plan-making and decision-taking. One of these includes the statement that planning should “support the transition to a low carbon future in a changing climate [...] and encourage the use of

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49 Local Government Executive, ‘[NALC: Community Infrastructure Levy not working](#)’, 6 May 2014

50 See, for example Milton Keynes Council ([NPP 180](#)), para 3.1.

51 Q545

52 *As above*

53 Q816 [Brandon Lewis]

renewable resources (for example, by the development of renewable energy)".<sup>54</sup> The NPPF includes a number of provisions on renewable energy, including that local authorities should "recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources".<sup>55</sup> Generally, our evidence considered these provisions to be sound.<sup>56</sup>

22. While there were few concerns about what the NPPF said about planning for renewable energy, there was unease, especially amongst the renewable energy industry, about what was happening in practice. RenewableUK, an industry body, told us that planning for onshore wind energy was "becoming an increasingly politicised issue rather than being decided on a given project's individual merits, on a case by case basis".<sup>57</sup> The Confederation of British Industry told us that such intervention was "having a serious impact on investor confidence in the renewable energy sector and indicates a lack of trust by government in the planning profession to interpret policy and guidance appropriately".<sup>58</sup> There was particular concern about the number of appeals relating to onshore wind energy that the Secretary of State had chosen to recover for decision by himself rather than a planning inspector. According to data provided to us in October 2014 by RenewableUK, the Secretary of State had recovered 45 renewable energy projects since June 2013, and decisions had been made in 18 cases: two projects had been approved and 16 (89%) had been refused. In six cases, projects had been refused contrary to planning inspectors' recommendations.<sup>59</sup>

23. We saw evidence that the Secretary of State was more likely to refuse renewable energy applications than those for other types of development. A *Planning* magazine analysis of 2013 recovery and call-in decisions found that 81.25% of housing schemes were allowed by the Secretary of State, compared with only 28.6% of renewables schemes.<sup>60</sup> Nevertheless, we did not find convincing evidence that his decisions had been made contrary to the NPPF. When asked about Secretary of State's decisions on recovered appeals, Simon Ridley, Chief Executive of PINS, told us that planning decisions were "a matter of judgment on the evidence as to the weight given to various considerations in policy or more broadly than that" and that it was unsurprising that the Secretary of State and a planning inspector might come to a different view.<sup>61</sup> Kris Hopkins MP, the Minister with planning responsibility for renewable energy, said that when making decisions on behalf of the Secretary of State, he spent "time deliberating and considering each of those applications, and there is not a political decision there; there is one based upon the

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54 [NPPF](#), para 17

55 [NPPF](#), para 97

56 See, for example, Confederation of British Industry ([NPP 166](#)), para 21; RenewableUK ([NPP 205](#)); Royal Institution of Chartered Surveyors ([NPP 262](#))

57 RenewableUK ([NPP 205](#)), para 3.5

58 Confederation of British Industry ([NPP 166](#)), para 21

59 RenewableUK ([NPP 205](#)), Appendix 1

60 "[Secretary of state under the spotlight](#)", *Planning* magazine, 17 January 2014

61 Q712



evidence that was presented to me”.<sup>62</sup> It seemed to us significant that the industry was not seeking to challenge the Secretary of State’s decisions in the courts.<sup>63</sup>

24. Notwithstanding the merit of the decision taken, however, it did seem to us that the process could be speeded up. The Government has been very clear that it wishes to see planning decisions taken more quickly. In 2012, the Secretary of State expressed concern that some councils were “failing to make planning decisions in a timely way” and said that planning delays created “uncertainty, both for local residents and local firms”. He appears not always to be living up to his own exhortations.<sup>64</sup> RenewableUK stated that the average time between recovery and a decision being made was seven months, and the slowest case had taken 14 months to be decided by the Secretary of State.<sup>65</sup> Mr Hopkins told us that he understood that those seeking a return on their investment would like to see a swifter process, but he stressed the important role the democratic process played.<sup>66</sup>

**25. The Secretary of State has the power to recover planning appeals relating to wind energy projects, and to determine them in accordance with Government policy. We found no evidence to suggest that he was doing otherwise. We do, however, consider that he could make decisions faster, in line with his own expressed views about the importance of reducing planning delays. Investors will be deterred if wind energy projects continue to spend upwards of two years in the planning system. We recommend that the Government take appropriate steps to speed up the process of taking decisions on recovered planning appeals. If necessary, it should allocate more resources to the team supporting the Secretary of State on planning decisions.**

## Biodiversity and the natural environment

26. The NPPF includes a section focused on conserving and enhancing the natural environment, which sets out how the planning system should “contribute to and enhance the natural and local environment”.<sup>67</sup> This was another area on which questions were raised that the policy in the NPPF was not being met in practice. Simon Marsh, Head of Planning Policy at the RSPB, told us that the policies within the NPPF were “actually very positive towards the environment”.<sup>68</sup> He expressed concern, however, that the policies were not necessarily being applied by all local authorities in their local plans. The RSPB had conducted an analysis of a small sample of local plans and had found that overall they did “not set out coherent, strategic and spatial visions for biodiversity”.<sup>69</sup> Mr Marsh considered that a number of councils were “missing that opportunity to set out a more positive vision

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62 Q841

63 Q450 [Gemma Grimes]

64 HC Deb, 6 September 2012, [col 401](#)

65 RenewableUK ([NPP 292](#))

66 Q842

67 [NPPF](#), paras 109ff

68 Q198

69 Royal Society for the Protection of Birds ([NPP 212](#)), Executive Summary

of what they might be doing for the environment in their area”. The RSPB suggested that a lack of ecological expertise within local authorities might be part of the problem.<sup>70</sup> **The NPPF provisions on the natural environment have an important role to play in ensuring sustainable development is delivered. Local authorities are missing an opportunity if they do not set out a clear vision for the biodiversity of their area. Moreover, if they do not set out clear policies in respect of the environmental aspects of sustainable development, it may be harder to resist the economic aspects taking a more dominant role. We strongly encourage all local authorities to make the natural environment an important theme in their local plans. To do so, smaller authorities may need to tap into ecological skills available elsewhere, be it in other local authorities or the Planning Advisory Service.**

### **Ancient woodland**

27. There was one aspect of the natural environment on which it was suggested the wording of the NPPF could be strengthened. The Woodland Trust said that the NPPF was giving insufficient protection to ancient woodland. It told us that it had “282 on-going objections to planning applications that would result in the direct loss or damage of ancient woodland”.<sup>71</sup> The NPPF currently states that permission should be refused for “development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland [...], unless the need for, and benefits of, the development in that location clearly outweigh the loss”.<sup>72</sup> The Woodland Trust suggested that this paragraph be amended to state that ancient woodland be lost only in cases where the loss could be proved to be in the “overriding public interest”.<sup>73</sup> In oral evidence, however, Richard Barnes, representing the Trust, considered that the term “wholly exceptional” could be used and would mirror what the NPPF says about designated heritage assets within the built environment.<sup>74</sup> Simon Marsh shared the view that ancient woodland was irreplaceable and needed protecting through the planning system. He argued that designating more ancient woodlands as sites of specific scientific interest would make a useful contribution.<sup>75</sup> We agree that ancient woodland should be protected by the planning system. Woodland that is over 400 years old cannot be replaced and should be awarded the same level of protection as our built heritage. ***We recommend that the Government amend paragraph 118 of the NPPF to state that any loss of ancient woodland should be “wholly exceptional”. We further recommend that the Government initiate work with Natural England and the Woodland Trust to establish whether more ancient woodland could be***

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70 Royal Society for the Protection of Birds ([NPP 212](#)), para 36

71 Woodland Trust ([NPP 222](#)), para 3

72 [NPPF](#), para 118

73 Woodland Trust ([NPP 222](#)), para 7

74 Q201. Paragraph 132 of the NPPF states: “Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”.

75 Q201

*designated as sites of special scientific interest and to consider what the barriers to designation might be.*

## 3 Local plans

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### Getting plans adopted

28. The NPPF envisages a plan-led system and states that “each local planning authority should produce a Local Plan for its area”.<sup>76</sup> Having a plan in place gives the local authority much more power to determine where development takes place in its area, and affords communities much greater protection against the threat of speculative development. The NPPF is clear that local plans should be the starting point for decision-making,<sup>77</sup> and they have a central role in the presumption in favour of sustainable development. It is therefore very concerning that more than two fifths of local planning authorities (LPAs) do not have an adopted plan.<sup>78</sup> Even more worryingly, only 21% of LPAs have adopted their local plans since the introduction of the NPPF.<sup>79</sup> Moreover, out of the twenty largest local authorities in England, only eight have adopted plans, with just four of these having been adopted post the NPPF.<sup>80</sup> We found it frustrating that the Ministers, Rt Hon Greg Clark MP and Brandon Lewis MP, kept focusing not on the proportion of plans that had been adopted but on the number that had been published:<sup>81</sup> publication comes very early in the plan production process, and yet over a fifth of local authorities have not even reached this initial stage or have had their plan sent back to the drawing board by an inspector.<sup>82</sup> This problem clearly pre-dates the NPPF. Local plans were introduced as part of the Planning and Compulsory Purchase Act 2004.<sup>83</sup> We are surprised that, ten years on, some councils have not even begun to produce their plans. **For a plan-led system to work, plans need to be in place. The NPPF cannot be truly successful until every local authority has an adopted, up-to-date local plan. Unfortunately, progress in getting local plans adopted remains far too slow.**

29. Witnesses offered various reasons for the failure to get plans in place: inadequate financial and human resources, the approach taken by the Planning Inspectorate (PINS) to examining local plans, a lack of political will, and difficulties meeting the duty to co-operate. We shall consider how these barriers might be overcome and, at the end of the chapter, will look at how local plans might be better integrated with neighbourhood plans. A further obstacle to getting plans in place was the NPPF provisions on viability and

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76 [NPPF](#), para 153

77 [NPPF](#), para 12

78 The Planning Inspectorate, [Local Plans \(strategic issues/'core strategies'\) progress](#), 31 October 2014

79 *As above*

80 *As above*

81 Qq760, 762. Greg Clark, now the Minister of State for Universities, Science and Cities, was giving evidence as the Minister who had been responsible for the introduction of the NPPF. Brandon Lewis, Minister of State for Communities and Local Government, now has responsibility for housing and planning matters.

82 The Planning Inspectorate, [Local Plans \(strategic issues/'core strategies'\) progress](#), 31 October 2014

83 Planning and Compulsory Purchase Act 2004, [Part 2](#)

maintaining a five year supply of housing land; we consider these matters in the next chapter.

### **Resources**

30. Concerns were raised with us about the resources available for planning work. The Royal Town Planning Institute (RTPI) told us that between 2011/12 and 2012/13 expenditure on planning services fell by 13.2%, which it claimed was a “rate of fall of expenditure greater than any other local authority service”.<sup>84</sup> We heard that, while some local authorities treated planning as a key frontline service, others saw it as an easy place to make spending reductions.<sup>85</sup> And the problem is not only money. We heard that the absence of skilled and experienced planners was leading to delays in getting plans adopted.<sup>86</sup> The RTPI cited “the downgrading of the status of planning as a profession”, which it suggested was related to the “increased focus on development control within planning departments”,<sup>87</sup> such that councils devoted more effort to responding day-to-day to individual planning applications than they did to long-term strategy by producing local plans. At the discussion forum, participants expressed concern that good planning officers were often “poached” by developers, leaving councils understaffed and short of the necessary skills. We were also told that officers did not have the time and resources to respond to local residents. If planning departments were better staffed, they might be better able to engage local people in a meaningful way.<sup>88</sup>

**31. We understand the financial pressures councils are under, but we would contend that planning is a fundamental responsibility of councils and therefore they should treat planning as a front line service and not see it as an easy target for spending reductions. In particular, it is vital to the future sustainability of our villages, towns and cities, that councils ensure resources are channelled not only into development control but also into proactive plan making. We further encourage all councils to put in place strategies and policies to promote the development of planning skills and to retain experienced staff.**

### **Length of local plans**

32. The NPPF specifically refers to the importance of “succinct” local plans.<sup>89</sup> When we visited PINS, we were shown several stacked boxes of papers. We were surprised to be told that they constituted the evidence for a single local plan for a medium-sized district council. Clearly, local plans are complex documents and need to be supported by a robust evidence base. It nevertheless led us to consider whether the process of producing a plan

84 Royal Town Planning Institute ([NPP 215](#))

85 Q59 [David Henry]

86 RES ([NPP 178](#)), para 9

87 Royal Town Planning Institute ([NPP 215](#))

88 Note on discussion forum ([NPP 347](#))

89 [NPPF](#), para 17

could be streamlined and accelerated if councils made them more strategic and did not seek to include unnecessary amounts of detail. Ben Linscott, the Acting Chief Planning Inspector, told us that it was not for PINS to say that plans were too detailed or too long, but he acknowledged that inspectors “may well think that sometimes”.<sup>90</sup> One of the aims of the NPPF was to make the planning system less complex and more accessible. We have seen a streamlining of national policy, but there do not seem to have been similar efforts made to reduce the complexity at the local level. Local authorities should be following the Government in seeking to make the planning system more accessible. ***We recommend that the Government amend the NPPF to make clear to local authorities that they should be looking to reduce the complexity and increase the accessibility of their local plans. This should be accompanied by guidance about the key elements plans should contain. We also consider it incumbent upon planning inspectors to advise local authorities at an early stage against producing excessively lengthy plans.***

### **Approach of PINS**

33. We heard that the approach taken by PINS to the examination of local plans was in some cases holding up progress. The District Councils Network (DCN) likened plan production to a game of ‘snakes and ladders’: a council could go through the laborious process of producing a plan only for the inspector on examination to find it unsound, uncompliant or to have an inadequate evidence base, thereby sending the council back to square one.<sup>91</sup> The DCN called for the introduction of a process of “rolling” plan examination, to “provide clarity earlier in the process on matters such as duty to cooperate, joint housing work and distribution and the nature (and detail) of the evidence base required to support a Plan”.<sup>92</sup> At our discussion forum, one participant described how, although the inspector was happy with the bulk of a local plan, it could not be adopted because there were outstanding issues relating to a small number of settlements. The continued absence of a plan left the whole district vulnerable to speculative development. She suggested that, were the partial adoption of a local plan allowed, many communities would be provided with much-needed protection.<sup>93</sup>

34. We found PINS to be cautious about any suggestions that they modify their approach. Ben Linscott said that there was an assumption when a plan was presented to the Secretary of State that it was “soundly made, complete and [met] all of the requirements, in particular of the NPPF”. He warned that dealing with a plan by sections was “far from ideal” as a plan would not attract statutory weight until it was “a complete and adopted plan”.<sup>94</sup>

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90 Q736

91 District Councils Network ([NPP 132](#)), para 20

92 District Councils Network ([NPP 132](#)), para 36

93 Note on discussion forum ([NPP 347](#))

94 Qq739-40

35. We also asked PINS about the extent to which it was prepared to engage with local authorities during the planning process about in particular the methodology for assessing housing numbers, a common stumbling block. Simon Ridley, Chief Executive, told us that PINS had made over 150 visits to assist local authorities in the plan making process and that if it had early concerns about housing numbers, it could share them with the local authorities. He said, however, that PINS could not “before we get to hearings, determine whether the calculation and the number is sound, because there is a range of other evidence that has to be heard in that hearing from other parties”.<sup>95</sup> In the view of the very strong concerns raised by communities about housing numbers,<sup>96</sup> we were surprised to hear that, since taking up post in July, Mr Ridley had not met with any community groups as part of his induction into the job.<sup>97</sup>

36. We were interested in the approach a planning inspector had taken in Dacorum, Hertfordshire. Here, a housing shortfall of 15% over the full plan period was identified. However, rather than find the plan unsound, the inspector made a modification requiring the council to undertake an early review of the plan to identify the full housing need, and with this modification, found the plan sound. We were impressed by the inspector’s initiative. We asked PINS why the Dacorum approach could not be taken elsewhere. It replied that, in Dacorum, the review applied only to the latter period of the plan and was intended as a safeguard to stop the plan becoming ineffective. This meant that, although an early review of plan might be useful “where significant factors in the medium to long term are likely to impact on a plan’s longevity”, it could not be assumed that “such review would be sufficient to make any other plan sound, and [...] capable of adoption”.<sup>98</sup>

37. In our view, the local plan examination process could be streamlined to assist councils in getting their plans in place. It is frustrating and wasteful that councils can have worked on a plan for several years, and have got the bulk it in order, only for it to be found unsound on the basis of a small number of elements. ***We recommend that the Government consult on options to allow for the partial adoption of local plans, if necessary through a change in statute. In the meantime, the Planning Inspectorate should do what it can within the existing framework to ensure local authorities do not find themselves in the frustrating position of having their plans found unsound—especially if earlier advice from planning inspectors could have stopped this happening. In particular, inspectors should give councils as much advice and support as possible during the early stages of plan production. Moreover, while the action taken by the inspector in the case of the Dacorum local plan was determined by local circumstances, nevertheless inspectors should be encouraged to learn from this example and consider the potential for innovative and flexible approaches that will enable councils to get their plans adopted, even if the need for an early review is identified.***

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95 Qq745-49

96 See para 69

97 Qq718ff

98 The Planning Inspectorate ([NPP 349](#))



38. It would also be helpful for PINS to share more widely details of why plans have been found unsound, from which councils looking to get their plans adopted can learn. In 2009, PINS published a document setting out lessons learned from examining development plan documents.<sup>99</sup> We consider that a new document setting out the key lessons learned from plans examined since the launch of the NPPF could prove invaluable for local authorities. It would help them to avoid coming unstuck in the way other councils have. ***We recommend that the Planning Inspectorate produce a document setting out lessons learned from the examination of local plans since the launch of the NPPF.***

### ***Making local plans a statutory requirement***

39. During our visit to the PINS, it was suggested that in some cases an absence of political will was preventing councils from pressing on with their plans. One way of overcoming this lack of will might be to introduce legislation requiring local authorities to get their plans in place by a certain date. There were mixed views about this idea from the evidence we took. Some supported a statutory requirement, as a means of putting pressure on local authorities to get their plans adopted.<sup>100</sup> Others argued that doing so would not be consistent with localism: Cllr Tony Newman, representing the Local Government Association, told us that, the Government had “made much of an agenda of localism” and that he would “rather, as a local councillor, sometimes see those tensions between local communities and developers or the council or whoever”.<sup>101</sup> In addition, some witnesses suggested that in practice such a measure would make little difference.<sup>102</sup> We consider that, with appropriate penalties for non-compliance, a statutory requirement might well help to focus the minds of local authority leaders. In the 2013 National Infrastructure Plan, the Government said that it would consult on “measures to improve plan making, including introducing a statutory requirement to put a Local Plan in place”.<sup>103</sup> When he gave evidence to us, however, Mr Lewis, appeared lukewarm about the prospect of a statutory requirement, stating that it would generate the “risk of authorities literally trying to tick boxes, rather than going through a proper holistic approach to their housing-supply numbers and housing needs in the local plan”.<sup>104</sup> In November, Mr Lewis told *Inside Housing* magazine that councils could “conceivably decide that they don’t want a local plan and they will rely on the NPPF” and that, if they did so, there would be “no role for the government”.<sup>105</sup>

40. With a statutory requirement, as long as councils are given enough time to get their plan in place, there should be no reason for them not to take the “holistic” approach the

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99 The Planning Inspectorate, [Local Development Frameworks: Examining Development Documents: Learning from Experience](#), September 2009

100 See, for example, Q480 [Freddie Gick]; Linden Homes ([NPP 200](#)), para 22

101 Qq14-15

102 See, for example, Q18 [Richard Blyth].

103 HM Treasury, [National Infrastructure Plan 2013](#), December 2013, para 7.42

104 Q762

105 “[Housing minister says councils can forget local plans](#)”, *Inside Housing*, 14 November 2014



Minister favours. We consider that three years would be adequate, especially if, as we urge, councils look to make plans more focused and strategic. Under our proposed approach, there would be no moratorium: the presumption in favour of sustainable development would still apply, and we hope the continuing need to protect their communities from speculative development would spur councils to move quickly. ***We recommend that, before the end of the parliament, the Government start consultation on proposals to place a statutory requirement on councils to have an adopted local plan in place within three years of the legislation coming into force. At the same time, the Government should consult on possible penalties for local authorities that fail to comply with the requirement. One option would be to restrict at the end of the three year period the payment of the New Homes Bonus to housing built on sites allocated in an adopted local plan. Once a statutory requirement is in place, the Government should ensure that the Planning Inspectorate has sufficient resources so delays do not occur while councils wait to have their plans examined.***

## Developers and local plans

41. We heard that the attitude of some developers might be hindering some councils' attempts to get local plans in place. In some parts of the country, developers appeared to be targeting sites—especially greenfield sites—outside of the emerging local plan, thereby forcing councils to reassess their allocations. Vale of White Horse District Council told us that its emerging local plan was being “undermined by the continuous granting of planning applications”.<sup>106</sup> The emergence of similar scenarios across the country led some witnesses to call for greater emphasis to be placed on the behaviour of developers. Ian Achurch from the Association of Directors of Environment, Economy, Planning and Transport, said that there was “very little reference in [the NPPF] to what the expectations are [...] of developers” and that there should be “a bit more onus [...] in terms of developers ensuring that their sites are viable and can be implemented”.<sup>107</sup> The Home Builders Federation told us that the house building industry took its responsibilities “very seriously” and that the NPPF already set out “many responsibilities for the development industry in providing high quality, sustainable development”.<sup>108</sup>

42. We agree that the majority of developers behave responsibly and work closely with local government and local communities. We would not want to see their reputation tarnished by a small number of developers deliberately undermining local plans through speculative applications for development which communities and local authorities do not want. Previously, there was a “Planning Users Concordat” agreed between local government and the business and voluntary sectors. This set out “the roles, priorities and responsibilities of all three parties and [highlighted] the essential contribution of the

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106 Vale of White Horse District Council ([NPP 87](#)), para 5. See also Local Government Association ([NPP 173](#)), para 3.1.3 and Mr Kevin Froggatt ([NPP 124](#)), para 4.

107 Q580 [Ian Achurch and Phil Crabtree]

108 Home Builders Federation ([NPP 350](#))

voluntary and business sectors to planning decisions based on their unique and varied skills”.<sup>109</sup> We consider that this document could be refreshed in light of the NPPF. **We call on local government (including parish and town councils), the development and property industries and the voluntary sector to work together to produce a new ‘planning users’ concordat’ setting out the respective responsibilities of each group.** It would also be helpful if the NPPF drew attention to the responsibilities of developers, to help ensure that a minority do not tarnish the reputation of the industry as a whole. *We recommend that the Government amend the NPPF to include a section setting out the expected responsibilities of developers.*

### Revision of local plans

43. Getting the plan in place should only be the first step. In our view, the local plan should be an up-to-date document, subject to regular review by the local authority. Paragraph 153 of the NPPF states that local plans “can be reviewed in whole or in part to respond flexibly to changing circumstances”.<sup>110</sup> PINS told us that since the publication of the NPPF, 13 local authorities had brought to examination<sup>111</sup> reviews or replacements of their development plan documents in whole or in part.<sup>112</sup> This seems to us a very low figure. Local authorities should be looking to carry out regularly swift, focused reviews of their local plans not only to ensure that they are compliant with the NPPF but also that they are taking into account changing local circumstances. PINS has issued guidance to help local authorities whose plans were published before March 2012 carry out a fast track review to ensure they are compliant with the NPPF. This document aims to help councils update a small number of policies in their local plans within around six months. It states, however, that while these reviews may deal with “car parking standards or provision of open space and recreation, [they] are unlikely to be able to cover issues which are fundamental to a plan such as housing or employment strategies”.<sup>113</sup> We consider that an opportunity is being missed. There should be a means for local authorities to conduct a fast track review of all parts of their local plan, including key elements such as housing and employment strategy. *We recommend that the Government strengthen the NPPF to make clear that, as a matter of good practice, local authorities should review their local plans regularly to ensure they are up-to-date. We further call on the Government and the Planning Inspectorate to develop an expedited process to ensure local authorities can carry out a light touch review of all aspects of their plans.*

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109 Local Government Association, [Planning Users Concordat](#), 2000. See also later [draft revision](#), 2005.

110 [NPPF](#), para 153

111 The examination by a planning inspector is the last stage in the process of producing a plan. See The Planning Inspectorate, ‘[Local Plans](#)’, accessed 1 December 2014.

112 The Planning Inspectorate ([NPP 280](#))

113 The Planning Inspectorate, [Guidance for Fast Track Reviews of Specific Policy Issues for a Local Plan](#), undated

## Meeting the duty to co-operate

44. Following the abolition of regional spatial strategies, the Localism Act 2011 placed a duty on local authorities and other public bodies to co-operate on planning matters.<sup>114</sup> The NPPF reiterates that local planning authorities “should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans”.<sup>115</sup> The National Planning Practice Guidance makes clear that the duty to co-operate is not a duty to agree but states that “local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination”.<sup>116</sup> It is clear from our evidence that this aspiration is not always being delivered in practice. The developer, Croudace Homes, told us that its experience of the duty to co-operate had been “one of frustration” and said that in one case the duty had been used to “to push ‘unwanted’ housing from one authority to its neighbour, who in turn has sought to push it beyond its own boundary in another direction”.<sup>117</sup> A number of local authorities wrote to tell us that they were finding co-operation hard to achieve in practice.<sup>118</sup> In evidence provided by PINS listing strategic plans withdrawn since the NPPF and setting out the reasons for withdrawal, eight of the seventeen had been withdrawn at least in part because the inspector had found that the duty to co-operate had not been met or that the council had failed to engage with its neighbours.<sup>119</sup>

45. Some evidence suggested that councils should either be incentivised to co-operate or sanctioned for not doing so.<sup>120</sup> Richard Blyth, Head of Policy and Practice at the RTPI, said that the Government could look favourably on areas that had co-operated when it came to grants for infrastructure, schools and hospitals. He said that at the moment there was little encouragement to co-operate “other than if you do not do it, you will not have a plan”.<sup>121</sup> Under our suggestion that the New Homes Bonus be paid only on sites allocated in a local plan, there would be an incentive for local authorities to co-operate in order to get their plans in place more quickly. Similar incentives might also be possible. ***We recommend that, as part of the consultation on local plans proposed above, the Government consult on options for incentivising local authorities to meet the duty to co-operate and where they fail to co-operate what penalties they may incur. It should consider whether there are***

114 Localism Act 2011, [section 110](#)

115 [NPPF](#), para 179

116 DCLG, National Planning Practice Guidance, ‘[Duty to cooperate](#)’. Following a review by Lord Taylor of Goss Moor (DCLG, [External Review of Government Planning Guidance: Report submitted by Lord Matthew Taylor of Goss Moor](#), December 2012, para 18), the Government revised and updated its planning practice guidance to make it more accessible. Since its launch in March 2014, the guidance has been available online via the [National Planning Practice Guidance](#) website where it sits alongside the NPPF.

117 Croudace Homes Group ([NPP 169](#)), paras 1.8 and 1.9

118 See, for example, Brighton and Hove City Council ([NPP 225](#)), para 2.5; Luton Borough Council ([NPP 268](#))

119 The Planning Inspectorate ([NPP 282](#))

120 See, for example, Luton Borough Council ([NPP 268](#))

121 Q5

***particular grants that could be linked to co-operation, whilst recognising that there might be difficulties identifying who in fact was responsible for the failure to co-operate.***

46. One of the reasons co-operation can be difficult is that local authorities are all producing their plans to different timescales.<sup>122</sup> One way of partially overcoming this obstacle is for local authorities to work together on a joint core strategy (JCS). During our visit to Gloucestershire, we saw Cheltenham, Gloucester and Tewkesbury Councils working together on the production of a JCS. The process had not been without its challenges, and had required political courage, especially from Tewkesbury Borough Council, which had taken on some of Cheltenham and Gloucester's unmet housing need.<sup>123</sup> In addition, significant concerns were raised with us about the content of the strategy. Local campaign groups considered the assessment of future need for housing to be inflated, and therefore that the strategy would lead to unacceptable levels of development.<sup>124</sup> Nevertheless, even those groups with concerns about the strategy itself considered that it was better for the councils to work together than for each to produce its own strategy, given the geography of the area.<sup>125</sup> PINS sent us details of a further 25 authorities that were working together on JCSs, other plans, or strategic housing market assessments. While joint working is very welcome, it should be noted that councils with a JCS will still need to co-operate with neighbours outside the JCS area and, in two tier areas, with their county council. The Leader of Cheltenham Council, Cllr Steve Jordan, told us that the process had been made more difficult because the neighbouring district of Stroud was not part of the JCS.<sup>126</sup> We also formed the impression that Gloucestershire County Council could have provided more support.<sup>127</sup>

47. As well as providing a more joined-up approach, producing a joint core strategy could reduce costs if local authorities pool resources and planning expertise. It should be for local authorities themselves to choose whether they wish to produce a joint plan, but the Government could, through the use of incentives, encourage them to do so. There may be lessons from the City Deals programme for the promotion of JCSs. The Government could agree with local authorities that, if they group together for plan-making, they will have access to particular powers or funding streams. The New Homes Bonus, for example, could be paid at a higher rate where authorities have produced a joint plan. ***We recommend that the Government examine measures to encourage local authorities to group together to produce joint core strategies. With the Planning Inspectorate, the Government should consider drawing councils' attention to examples of good practice.***

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122 See, for example, Q68 [Cllr Gillian Brown], Q124 [Hugh Ellis]

123 Q231 [Cllr Robert Vines]

124 See, for example, Cheltenham Alliance ([NPP 111](#))

125 Q270 [Lisa Belfield and Ian Bickerton]

126 Q249

127 See, for example, Qq234 and 249 [Cllr Steve Jordan].

48. It was also suggested that where local authorities have come together to form combined authorities, they offered a “major opportunity” to address the issue of co-operation.<sup>128</sup> The developer, Peel Group, proposed the production of “‘bottom up’ city-region plans similar to the London Plan, formulated jointly by groups of local authorities and LEPs (perhaps administered through city-region ‘combined authorities’)”.<sup>129</sup> We asked Mr Lewis whether combined authorities should be given a responsibility to make the duty to co-operate work in their areas. He said that, whilst it was logical for combined authorities to “have an agreement for themselves”, it was not the Government’s job “to put it on them”.<sup>130</sup> We disagree: in exchange for granting combined authority status, the Government has a right to expect that the authorities in an area will collaborate on important issues. ***We recommend that the Government place a duty on combined authorities to co-ordinate the production of a joint core strategy for the area they cover.***

49. That so many authorities have failed to meet the duty to co-operate might also suggest that further guidance is needed about what constitutes effective co-operation. Lord Taylor’s *External Review of Government Planning Guidance* stated that there was a need to “create appropriate guidance to underpin the Duty to Cooperate, which is central to implementation of the National Planning Policy Framework”.<sup>131</sup> The subsequently-published National Planning Practice Guidance appears to us rather vague, however. On the question of what actions constitute co-operation, it states that “actions will depend on local needs which will differ, so there is no definitive list of actions that constitute effective cooperation under the duty”.<sup>132</sup> We do not consider this to be a helpful statement. There is a need for greater clarity if authorities are to understand how to meet the duty to co-operate. ***We recommend that the Government, by March 2015, issue clearer guidance on what constitutes co-operation.***

## Neighbourhood plans

50. The Localism Act 2011 introduced neighbourhood planning, giving parish and town councils or new neighbourhood forums the right to develop a plan for their area.<sup>133</sup> Neighbourhood development plans are intended to enable local people to get the right type of development for their community, whilst at the same time meeting the needs of the wider area.<sup>134</sup> The NPPF states that local plans should, “as far as possible, reflect a collective

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128 Campaign to Protect Rural England ([NPP 127](#)), para 15. Combined authorities are a type of authority which may be set up, by the Secretary of State, at the request of local authorities in a specified area in order to undertake joint functions under the aegis of a public body with its own legal personality. See *Combined authorities*, Standard note [SN/PC/06649](#), House of Commons Library, April 2014.

129 Peel Group ([NPP 189](#)), para 18

130 Q770

131 DCLG, *External Review of Government Planning Guidance: Report submitted by Lord Matthew Taylor of Goss Moor*, December 2012, para 18

132 DCLG, National Planning Practice Guidance, ‘[Duty to cooperate](#)’

133 Localism Act 2011, [chapter 3](#) and [schedule 9](#). See also DCLG, ‘[Neighbourhood Planning](#)’, updated May 2014

134 DCLG, ‘[Neighbourhood Planning](#)’, updated May 2014

vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made”.<sup>135</sup> When challenged about representations made at our discussion forum that communities had lost the ability to influence planning decisions, the Ministers were keen to emphasise the levels of interest in neighbourhood planning, noting that it was being pursued in 1,200 areas across the country.<sup>136</sup> So far, 37 neighbourhood plans have passed a referendum.<sup>137</sup> **We are supportive of neighbourhood plans, and commend those communities who have got, or are working to get, a neighbourhood plan adopted.**

51. We were concerned, however, that take-up of neighbourhood planning appeared to be more prevalent in affluent areas than deprived ones. Research by Turley Associates looking at plans published up to 2014 found that “areas of below average affluence are less likely to enter into the neighbourhood planning process”.<sup>138</sup> We note that the Government has recently allocated £23 million of funding to encourage communities to get involved in neighbourhood planning.<sup>139</sup> It would be opportune to target some of this money at more deprived communities. *It is important that neighbourhood planning does not become the preserve of the middle class. We recommend that the Government take steps to promote and support neighbourhood planning in all areas, particularly those with significant levels of deprivation. It should ensure that some of the £23 million funding for neighbourhood planning is targeted at encouraging take-up and building capacity in more deprived communities.*

52. We heard contradictory concerns about the weight being given to neighbourhood plans in planning decisions. Civic and community groups were concerned that not enough weight was being given to neighbourhood plans when applications were considered, particularly when no local plan was in place.<sup>140</sup> This appeared to have given rise to an unfortunate view that neighbourhood plans were merely a “sop” or a “fig leaf”.<sup>141</sup> **Nothing could do more to undermine confidence in neighbourhood planning than for a view to pervade that neighbourhood plans are being ignored in planning decisions.**

53. Conversely, developers complained to us that too much weight was being accorded to neighbourhood plans: the house builder, Linden Homes, referred to an appeal decision where the Secretary of State had accorded weight to the fact that a site had been rejected in a neighbourhood plan. It described this as “an unexpected and unwelcome consequence of the NPPF”.<sup>142</sup> **Instead of objecting to policies in neighbourhood plans, house builders**

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135 [NPPF](#), para 155

136 Qq 811-13 [Greg Clark and Brandon Lewis]

137 DCLG, [Notes on #neighbourhoodplanning](#), edition 12, December 2014, page 1

138 Turley, [Neighbourhood Planning: Plan and Deliver?](#), March 2014, page 13

139 [“£23 million to get more neighbourhood plans across England”](#), DCLG press release, 31 October 2014

140 See, for example, Civic Voice ([NPP 196](#)); Oxfordshire Campaign to Protect Rural England ([NPP 09](#)), para 1.3

141 Doug Webb ([NPP 35](#)); Note of discussion forum ([NPP 347](#))

142 Linden Homes ([NPP 200](#)), paras 21 - 22



**and developers should be working with communities to ensure that development meets local needs.**

54. We also heard about potential conflicts between neighbourhood plans and local plans, particularly if the neighbourhood plan was in place before the local plan. At our discussion forum, we heard that this could give rise to confusion: there was a risk of the local plan undermining work that had already taken place on a neighbourhood plan.<sup>143</sup> Evidence from Dr Rebecca Driver, a volunteer working on a neighbourhood plan, stated that under legislation “if a Neighbourhood Plan were made before the Local Plan, the Neighbourhood Plan Policies would be overridden by the general policies within the Local Plan once that was introduced”. This, she said, could be avoided by stating in local plans that policies in any neighbourhood plans would take priority for planning applications. Dr Driver also said that where local authorities allocated sites according to a Strategic Housing Land Availability Assessment (SHLAA), “they are explicitly dictating where development should take place, in conflict with the aims of Neighbourhood Plans”.<sup>144</sup>

55. The NPPF states that neighbourhood plans “must be in general conformity with the strategic policies of the Local Plan”. It adds that neighbourhood plans “should not promote less development than set out in the Local Plan or undermine its strategic policies”.<sup>145</sup> When the neighbourhood plan is produced before the local plan, the NPPF states that local plans should “reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made”.<sup>146</sup> It does not appear to be clear about what would happen should the local plan wish to promote more development than has been allocated in an existing neighbourhood plan. The tests of soundness for local plans were published in 2009, before the introduction of neighbourhood plans, and therefore contain no reference to the extent to which local plans and neighbourhood plans should conform.<sup>147</sup>

56. In our view, policy on the interaction between neighbourhood plans and local plans is far from clear. We consider alignment between a local plan and the neighbourhood plans of the area it covers to be vital. We are concerned that, when neighbourhood plans are produced before the local plan, they could set out allocations that do not meet the needs the local plan subsequently identifies for the wider area. In such cases, the NPPF statement that local plans should reflect priorities contained in any neighbourhood plans could leave the local authority hamstrung. ***We recommend that the Government consult on how the***

143 Note of discussion forum ([NPP 347](#))

144 Dr Rebecca Driver ([NPP 230](#)). The possibility of neighbourhood plans being overridden seems to be a reference to section 38(5) of the [Planning and Compulsory Purchase Act 2004](#). This states: “If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be)”.

145 [NPPF](#), para 184

146 [NPPF](#), para 155

147 The Planning Inspectorate, [Local Development Frameworks: Examining Development Plan Documents: Soundness Guidance](#), August 2009

*relationship between neighbourhood plans and local plans could be clarified. The consultation should include the option that neighbourhood plans should not be adopted until an adopted local plan is in place.*

### **Local plans: conclusion**

57. We emphasise that it is vital to the success of the NPPF that all local planning authorities have in place an adopted, up-to-date local plan. Councils that fail to produce a plan surrender their ability to influence the future development of their local areas. Moreover, they leave their communities exposed to the kind of speculative development about which we have heard so many concerns. The Government should take the steps we propose to encourage swift and effective plan making. We emphasise, however, that the onus to get plans in place should be squarely on local authorities themselves. Councils without a plan are letting their communities down.



## 4 Land supply

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58. The allocation of sufficient and appropriate sites for development is a crucial element of the plan-led system. In this chapter we will examine the NPPF provisions on land supply. We will look first at the requirement for a five year supply of housing land, which has emerged as a problematic issue. We will then consider the NPPF's policy on previously-developed (brownfield) land, before examining whether the NPPF is according the right level of protection to the green belt.

### Five year supply of housing land

59. The presumption in favour of sustainable development in the NPPF states that when the development plan is “absent, silent or relevant policies are out of date” planning permission should be granted unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits [...] or specific policies in this Framework indicate development should be restricted”.<sup>148</sup> Paragraph 49 of the NPPF states that “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.<sup>149</sup> Therefore, if the local authority does not identify and update annually a five year supply of housing land, with an additional buffer of 5%– or where there has been a record of persistent under-delivery of housing 20%<sup>150</sup>–planning decisions have to be made in accordance with the presumption in favour of sustainable development in the NPPF.

60. The absence of local plans, combined with no five year housing land supply, was a major source of communities' disquiet with the NPPF. A large number of those raising concerns with us about the impact of speculative development came from areas where a full five year supply had not been identified. Kirklevington and Castleavington Parish Council in the Borough of Stockton-on-Tees told us that as a result of this policy, developers had been allowed to “ignore brownfield sites and other areas in the Borough and instead to put in successful planning applications for excessive numbers of houses in the Yarm and Kirklevington area”.<sup>151</sup> Birmingham City Council warned that a “mechanistic interpretation” of the policy “can result in perverse outcomes that could lead to the release of development land in inappropriate locations”.<sup>152</sup> The Royal Town Planning Institute (RTPI) told us that the five year supply policy had created “a single-minded focus on one short-term criterion” that risked “placing the country in difficulty over the long-term horizon”.<sup>153</sup>

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148 [NPPF](#), para 14

149 [NPPF](#), para 49

150 [NPPF](#), para 47

151 Kirklevington and Castleavington Parish Council ([NPP 33](#))

152 Birmingham City Council ([NPP 190](#))

153 Royal Town Planning Institute ([NPP 215](#))

61. Greg Clark, the Minister responsible for introducing the NPPF, pointed out that planning was about the future and “five years is not a terribly onerous timeframe to be considering for the future”.<sup>154</sup> We accept this and fully share the view that local authorities should be identifying land in their local plans to meet their needs for five years and beyond. We have concerns, however, that the requirement, as it is phrased in the NPPF, may be leading to unexpected and negative consequences.

### *Deliverability of sites*

62. A particular issue appears to be the qualification set out in a footnote to paragraph 47 of the NPPF. It states that to be considered deliverable and thus to be counted towards the five year supply “sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable”. It adds that sites with planning permission should be considered deliverable until permission expires “unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans”.<sup>155</sup> This statement has given rise to two particular concerns.

### *Build out periods*

63. First, some sites could not be counted because they would take longer than five years to build out. The RTPI referred to a proposed new town in East Devon, which the council had driven forward because it considered it preferable to the alternative, “a proliferation of small scale village extensions”. The RTPI noted, however, that any housing built on the site after five years could not be counted towards the five year supply, “despite the fact that the settlement will take longer than that to be completed”.<sup>156</sup> This situation gives us cause for concern. If councils have clearly identified substantial amounts of housing in their plans, it is unfair that their communities should be left exposed to speculative development just because these sites will take longer than five years to deliver.

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154 Q794

155 [NPPF](#), para 47, note 11

156 Royal Town Planning Institute ([NPP 215](#))

## Viability

64. The second concern was that sites with planning permission should not be considered deliverable if “they will not be viable” within five years.<sup>157</sup> We heard that some developers had challenged the inclusion of sites within an authority’s five year supply on these grounds. Leeds City Council told us that “volume house builders [...] persist in challenging the brownfield element of the [five] year supply, thus putting pressure on greenfield and safeguarded sites”. It added that were developers to challenge successfully the five year supply through the planning appeals process, “the Council’s housing supply policies will be immediately rendered out of date”. It blamed this on paragraphs 47 and 49 of the NPPF.<sup>158</sup> From a very different part of the country, Kim Bedford, representing the Gloucestershire Association of Parish and Town Councils, said that within the Forest of Dean, developers were arguing that a site included within the district’s five year supply was not suitable and were therefore claiming that the plan was unsound.<sup>159</sup> Birmingham City Council called for guidance to make clear that the “assessed contribution should be that that could be achieved in reasonably optimistic market conditions not simply those at the time the assessment is made”. It said that within urban areas “the viability of sites is adversely affected in less favourable economic circumstances but this should not be an excuse for the fortuitous release of alternative easier to develop sites”.<sup>160</sup> Indeed, we risk a situation where greenfield sites are brought into the five year supply but, by the end of the five years, brownfield sites have become viable too. In such case a case, developers would look first to the greenfield sites because they are cheaper and easier to build upon.

65. We wrote to the Home Builders Federation asking whether its members’ challenges to viability were taking into account how house prices might change over five years. It replied that its challenges were based on “current prices and costs rather than attempting to gamble on future price changes”. It added that this was consistent with the recently-produced National Planning Practice Guidance and that it avoided “any speculation on prices and costs which, as we are painfully aware from the recent recession, can go in both directions”.<sup>161</sup>

66. Viability also gave rise to concerns beyond the question of the five year supply. Islington Council stated that “that the plan-led system is being undermined by [developers’] use of viability arguments to avoid meeting policy requirements such as the provision of affordable housing and providing infrastructure contributions”.<sup>162</sup> It said that many of the viability reports submitted to the council had been found to be unreliable and that developers were able to “avoid proper analysis of their viability evidence in the name

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157 [NPPF](#), para 47, note 11

158 Leeds City Council ([NPP 306](#))

159 Qq272 and 283

160 Birmingham City Council ([NPP 190](#)), para 16

161 Home Builders Federation ([NPP 350](#))

162 London Borough of Islington ([NPP 346](#)), para 8

of commercial confidentiality”.<sup>163</sup> It called, amongst other things, for guidance on how assumptions in viability appraisals should be presented and evidenced and a “presumption in favour of greater transparency” in the viability assessment process.<sup>164</sup> This call for more guidance echoes Lord Taylor’s review of planning practice guidance, which said that “immediate attention” should be given to “appropriate guidance regarding Viability, to ensure planning authorities and developers have a good mutual understanding of what this test requires”.<sup>165</sup> The National Planning Practice Guidance currently states that there is “is no standard answer to questions of viability, nor is there a single approach for assessing viability”.<sup>166</sup> The Minister, Brandon Lewis, told us that viability was “not creating too many problems, in the sense that it is for the local authorities to make the case that that land can be viable and why”.<sup>167</sup>

67. We accept that the future direction of the housing market is difficult to predict. Nevertheless, we consider that, if there is a credible estimation that sites will be viable within five years’ time, they should be included within the five year supply. More generally, we are concerned that the question of viability is becoming a battleground between developers and local authorities. There is a perception amongst councils that developers are using the NPPF viability provisions as a stick with which to beat them, and a means of reducing their infrastructure and affordable housing contributions and getting more greenfield sites added to the land supply. In doing so, they potentially undermine the process of adopting local plans and create the delays we considered in the previous chapter. We consider that the keys to resolving these tensions are better guidance, greater consistency, and more transparency. ***We recommend that the Government issue guidance making clear that assessments of site viability should consider not only current prices and costs but projections of prices and costs over the next five years. The guidance should state that assessments should be transparent, that is ‘open-book’, so that the developers’ finances in relation to the specific site are open to scrutiny, and consider developers’ own projections for future viability. In addition, the Government should work with local authorities and the house building industry to agree the wording of new guidance setting out a standard approach to determining viability.***

### *Deliverability of sites: conclusion*

68. A number of participants at our discussion forum suggested that all sites with planning permission should be included within the five year supply.<sup>168</sup> Taking this approach would stop speculative developers challenging the validity of the five year supply on the grounds of viability or because sites with permission would take longer than five years to build out.

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163 London Borough of Islington ([NPP 227](#)), para 10

164 London Borough of Islington ([NPP 227](#)), para 22

165 DCLG, [External Review of Government Planning Guidance: Report submitted by Lord Matthew Taylor of Goss Moor](#), December 2012, para 18

166 DCLG, National Planning Practice Guidance, ‘[Viability](#)’, updated 6 March 2014

167 Q798

168 Note of discussion forum ([NPP 347](#))

It would therefore give communities additional protection. In our view, the footnote to paragraph 47 has had a disproportionate impact. By restricting when sites with planning permission might be counted, and thereby removing from some authorities the protection of a five year supply, it has opened the door to unplanned and unwanted development in communities across the country. This development is undermining confidence in the NPPF itself. It is important that the Government looks again at the wording of this footnote. ***We recommend that the Government amend the NPPF to make clear that all sites with planning permission should be counted towards the five year supply of housing land.***

### **Assessment of housing need**

69. The NPPF states that local authorities should “ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.<sup>169</sup> On housing need, it says that councils should use a strategic housing market assessment (SHMA), which “should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period”.<sup>170</sup> We encountered much disquiet, especially from local residents and community groups, about the figures emerging from the SHMA process, which many considered to be inflated or otherwise inaccurate.<sup>171</sup> Richard Broadbent, an individual who attended our discussion forum, stated in written evidence that too much weight was given to the outcomes of SHMAs.<sup>172</sup> He pointed us to a decision made by a planning inspector on an application in Blaby. The inspector had noted that two SHMAs covering the same area had recently been produced: one by the applicant and one by the Leicestershire local authorities. Both had been conducted by independent consultants and claimed to have followed the National Planning Practice Guidance. They had, however, come to radically different conclusions: the applicant’s SHMA had forecast figures for Blaby twice as high as had the local authorities’ SHMA. The inspector described this outcome as “surprising, and a matter of considerable concern”, and said that he could place “little or no reliance on either SHMA”.<sup>173</sup> Mr Broadbent suggested that this case showed that “SHMAs should be treated with great caution”.<sup>174</sup>

70. We are concerned about the widespread unease surrounding the results of SHMAs. Communities need to have confidence that the figures on which their local plans are based are accurate. There can be little reassurance about the SHMAs when two assessments of the same area, apparently based on the same guidance, produce very different results. Indeed, it is unhelpful that developers and local authorities should each be commissioning their

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169 [NPPF](#), para 158

170 [NPPF](#), para 159

171 See, for example, Oxfordshire CPRE ([NPP 09](#)); Bourton Parish Council ([NPP 20](#)); Littleworth Parish Meeting ([NPP 43](#)); Hinton Waldrist Parish Council ([NPP 79](#)); Guildford Greenbelt Group ([NPP 93](#))

172 Richard Broadbent ([NPP 318](#)), para 3

173 The Planning Inspectorate, [Statement of Reasons, Application Reference: S62A/2014/0001](#), 22 July 2014

174 Richard Broadbent ([NPP 318](#)), para 3

own SHMAs in the first place. Lord Taylor, in his review of planning practice guidance, recommended “updating the Strategic Housing Market Assessment [...] guidance, to underpin the delivery of the National Planning Policy Framework in plan making and ensure it is used effectively”.<sup>175</sup> The SHMA section of the Planning Practice Guidance website<sup>176</sup> is, however, too vague. Moreover, the Government used to have more detailed guidance on SHMAs.<sup>177</sup> ***We recommend that the Government work with local government and the house building industry to revise its guidance on strategic housing market assessments and produce an agreed methodology. Inspectors should then be required to test SHMAs against this methodology.***

## Brownfield land

71. In our 2011 report on the draft NPPF, we expressed concern at the Government’s proposal to remove the “brownfield first” policy that existed in the previous planning policy statement.<sup>178</sup> We considered that this removal, along with the removal of a target for the proportion of homes to be built on brownfield land, would lead to less emphasis being placed on the use of previously developed land.<sup>179</sup> In response, the Government amended the NPPF to clarify that “policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value”.<sup>180</sup> In evidence to this latest inquiry, Greg Clark said that the Government had listened to concerns raised and had in the final NPPF “reinforced the importance of brownfield”.<sup>181</sup>

72. It is hard to assess how effective the brownfield policy in the NPPF has been, because the Government has not published national data on building on previously-used land since 2011.<sup>182</sup> We look further at this issue in Chapter 7. We nevertheless heard that, in spite of the encouragement in the NPPF, it was often proving difficult to bring brownfield land forward for development, in particular because of the costs involved. David Henry from the Royal Institution of Chartered Surveyors told us that, while “the priority ought to be brownfield first [...] the difficulty is that sometimes those sites are the most complex, longer term and expensive to develop”.<sup>183</sup> Richard Blyth from the Royal Town Planning Institute said that there had been a reduction earlier in the parliament in funding for brownfield remediation and bringing forward brownfield sites, and that this had “pulled

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175 DCLG, [External Review of Government Planning Guidance: Report submitted by Lord Matthew Taylor of Goss Moor](#), December 2012, para 18

176 DCLG, National Planning Practice Guidance, ‘[Housing and Economic Development Needs Assessment](#)’, March 2014

177 DCLG, [Strategic Housing Market Assessments: practice guidance version 2](#), August 2007

178 CLG Committee, Eighth Report of Session 2010–12, [The National Planning Policy Framework](#), HC 1526, para 143

179 *As above*

180 [NPPF](#), para 111. See also DCLG, *Government response to the Communities and Local Government Select Committee Report: National Planning Policy Framework*, [Cm 8322](#), March 2012, para 52.

181 Q772

182 DCLG, [Land Use Change Statistics in England: 2011](#), December 2013

183 Q19



the rug from some of the original plans that had quite a brownfield emphasis”<sup>184</sup>. Liz Peace, Chief Executive of the British Property Federation (BPF), said that the obstacle to building on brownfield was primarily a financial issue and called for “some sort of national brownfield remediation fund”.<sup>185</sup>

73. The Government has recently given fresh stimulus to promoting development on brownfield land. In his June 2014 Mansion House speech, the Chancellor of the Exchequer, Rt Hon George Osborne MP, announced that councils would be “required to put local development orders on over 90% of brownfield sites that are suitable for housing”.<sup>186</sup> DCLG subsequently said that councils would be able to use local development orders to “set out the amount and type of housing that can be built on sites and assist developers working up suitable schemes to get work started on site quicker”.<sup>187</sup> It also announced that councils that consulted on local development orders would be eligible to bid for a share of a £5 million fund aimed at getting house building underway.<sup>188</sup>

74. We share the Government’s objective to see more homes built on brownfield land, but we are unconvinced that, on its own, the Chancellor’s local development orders policy will be enough. The biggest barrier to more building on brownfield sites is the availability of resources to remediate land. The £5 million the Government is allocating will encourage the preparation of local development orders but, as successful bidders would receive £50,000 per bid towards the costs incurred in delivering the local development order, it will not address the costs inherent in the remediation needed on many brownfield sites. ***We recommend that the Department for Communities and Local Government establish a fund to enable the remediation of brownfield sites. It should set out a prospectus for how this fund will operate.***

## Green belt

75. The NPPF states that the “fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open”.<sup>189</sup> It makes clear that new green belts should only be established “in exceptional circumstances” and likewise that, “once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation and review of the Local Plan”.<sup>190</sup> Data from DCLG would appear to suggest that, across England as a whole, there has been little change in the size of the green belt in recent years. In 2006, it stood at 1.63 million hectares; in 2013/14 at 1.64 million hectares.

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184 *As above*

185 Q175

186 HM Treasury, “[Mansion House 2014: Speech by the Chancellor of the Exchequer](#)”, 12 June 2014

187 DCLG press release, “[Government initiatives to help build more new homes on brownfield land](#)”, 13 June 2014

188 DCLG press release, “[£5 million fund will unlock 100 brownfield sites for new homes](#)”, 7 August 2014

189 [NPPF](#), para 79

190 [NPPF](#), paras 82 and 83

The only notable change in size since 1997 came in 2005 when some green belt land was designated part of the New Forest National Park and thereby afforded greater protection.<sup>191</sup>

76. Despite this apparent stability across England as a whole, our witnesses still expressed concerns that land was being lost in particular areas. Neil Sinden from the Campaign to Protect Rural England told us that “when you take into account additions to the green belt, as well as deletions to the green belt, you are seeing a changing location of green belt, which is hidden by those [England-wide] figures”.<sup>192</sup> On the test that the green belt should only be altered in “exceptional circumstances”, he said that “these exceptional circumstances are no longer exceptional”.<sup>193</sup> Shortwood Green Belt Campaign said that, contrary to the NPPF, green belts surrounding strategic urban areas were “deemed to be merely local authority land banks, reserved for development, managed by the Local Planning Authority and available for release to speculators whenever appropriate”.<sup>194</sup>

77. Other witnesses saw the need for some flexibility. Mike Kiely from the Planning Officers Society reminded us that green belt was “not green belt because it is nice attractive landscape” but that it served as a “strategic tool to stop sprawl”. He said that if councils had to amend their green belts, this should be done as part of the strategic planning process, not at the detailed planning application level.<sup>195</sup> Dame Helen Ghosh, Director-General of the National Trust, said that “communities would be very concerned about big incursions into the green belt” but that “small adjustments made as a part of the local plan are okay”.<sup>196</sup> Liz Peace said that BPF members favoured “a more serious and sensible examination of whether we have got the right green belt and whether [...] we could not sensibly use some of it for meeting some of this housing need”.<sup>197</sup>

78. In October 2014, the Government issued new planning practice guidance which underlined its “commitment to protect the green belt from development”.<sup>198</sup> The Minister, Mr Lewis, told us that the guidance confirmed “exactly, word for word, what is in the NPPF [and was] not new in the sense of new policy or anything of the sort”.<sup>199</sup> For the most part, the guidance does reiterate the wording of the NPPF. It adds, however, that local authorities should “take account of any constraints such as Green Belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need”.<sup>200</sup> This sentence goes beyond the wording of the NPPF, arguably increasing

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191 DCLG, *Local Authority Green Belt: England 2013/14*, March 2014, [Annex 2](#)

192 Q600

193 Q612

194 Shortwood Greenbelt Campaign ([NPP 312](#))

195 Q81

196 Q184

197 Q185

198 DCLG press release, “[Councils must protect our precious green belt land](#)”, updated 6 October 2014. See also DCLG, [National Planning Practice Guidance](#).

199 Q792

200 DCLG, National Planning Practice Guidance, ‘[Housing and economic land availability assessment](#)’, revised 6 October 2014



protection to the green belt. Following the publication of this guidance, *The Planner* magazine reported that Ian Tant, a senior partner at the planning consultancy, Barton Willmore, had said that it “was a ‘licence’ for districts to fail to meet the housing need and not worry about it”.<sup>201</sup>

79. In our opinion, the green belt has for many years played an important part in preventing sprawl and ensuring settlements retain their distinct identity. The NPPF is right to say that it should only be altered in exceptional circumstances. Certainly, councils should not look to alter the green belt when making individual planning decisions. This does not, however, mean that the green belt should stick forever to its existing boundaries. Councils should amend their green belts if local circumstances demand it. In local plans, councils set out a strategic vision for their area. It seems to us sensible that, as part of this process, they examine their green belts and consider whether they are fit for purpose and whether adjustments to the size and boundaries should be made. **We encourage all councils, as part of the local planning process, to review the size and boundaries of their green belts. They should then make any necessary adjustments in their local plan. The rigorous requirements of public consultation, examination by an inspector and adoption by the council will ensure that any changes have been subject to thorough consideration.**

### **Green belts and neighbourhood plans**

80. Central Bedfordshire Council told us that green belt policy in the NPPF was “stifling the ability of Neighbourhood Plans to bring forward development (particularly housing) in places where it is needed and wanted” as communities within the green belt land were unable to allocate sites for housing through their neighbourhood plans.<sup>202</sup> It pointed to paragraph 89 of the NPPF which states that development in the green belt should generally be considered inappropriate and does not include a specific exception for development allocated in a neighbourhood plan.<sup>203</sup> As a result, some neighbourhood plans in Central Bedfordshire could only proceed to pre-submission stage; if they went further they would conflict with the green belt policy in the local plan. The council was seeking to address this through a policy in its emerging development strategy but there was a risk that the process could be delayed by up to three years while it conducted a comprehensive green belt review. The council suggested that paragraph 89 could be amended to “enable allocations for community-supported housing schemes and potentially commercial schemes to be considered as exceptions to inappropriate development in Green Belt when brought forward in Neighbourhood Plans”.<sup>204</sup> We consider that, if communities wish to make small changes to the green belt through their neighbourhood plans with which the local planning authority agrees, they should be able to do so. When they have taken the proactive step of

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201 “[DCLG guidance reinforces green belt protection](#)”, *The Planner*, 6 October 2014

202 Central Bedfordshire Council ([NPP 85](#)), para 1

203 [NPPF](#), para 89

204 Central Bedfordshire Council ([NPP 85](#)), para 13

producing a neighbourhood plan, which includes sensible, pro-growth changes, they should not be held up while they wait for the local plan to emerge. As Central Bedfordshire Council states, the parish councils involved could be forgiven for thinking that producing the neighbourhood plan was not “worth the time and effort”.<sup>205</sup> Moreover, the NPPF already states that some community led development overrules national green belt policy: it says that development brought forward under a community right to build order does not constitute inappropriate development in the green belt.<sup>206</sup> ***We recommend that the Government amend paragraph 89 of the NPPF to make clear that development on sites allocated in an adopted neighbourhood plan, and which has the approval of the local planning authority, does not constitute inappropriate development for the purposes of the green belt. In addition, where neighbourhood plans, ahead of the local plan, make proposals to change the green belt, local authorities should have a duty to consider them as part of the local plan production process.***

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205 Central Bedfordshire Council ([NPP 85](#)), para 11

206 [NPPE](#), para 90

## 5 Town centres

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82. Planning policy has an important role to play in making sure town centres meet the needs of local people. The NPPF sets out measures aimed at “ensuring the vitality of town centres”.<sup>207</sup> These include two key tests aimed at protecting town centres from the threat of out-of-town development: a sequential test, and an impact assessment test. Under the sequential test, local authorities should require applications for main town centre uses to be located first in town centres, then on the edge of centres, and, only if suitable sites are not available in these locations, out of centre.<sup>208</sup> Under the impact assessment test, local authorities should require an impact assessment if a proposed development is over a locally-set floor space threshold.<sup>209</sup> The NPPF is clear that if an application for out-of-town development fails to satisfy either of these tests, it should be refused.<sup>210</sup> In this chapter, we will look at how these test are operating, before looking at wider issues relating to town centre planning policy.

### Town centre protection

83. In spite of the inclusion of the sequential and impact assessment tests, we heard several times that the NPPF was giving insufficient protection to town centres. A number of references were made to research carried out by the Association of Convenience Stores into retail planning decisions under the NPPF. One of the headline findings of this research was that, of a sample of 50 major retail planning decisions taken after March 2012,<sup>211</sup> 76% of gross retail floor space given permission was located outside of town centres.<sup>212</sup> The Town and Country Planning Association told us that the findings of this research appeared “to show a very significant failure of the NPPF to direct growth towards town centres”.<sup>213</sup>

84. The Government dismissed the ACS’s findings as “unrepresentative”.<sup>214</sup> Mr Lewis told us that the ACS had taken “a particularly small sample” and that he was not sure that its findings were “entirely reflective of what is going on right across town centres”. He was, however, unable to offer his own breakdown of figures as the Government did not collate this information from local authorities.<sup>215</sup> We are, therefore, in the curious position of the Government not accepting the most widely-cited figures on the operation of the sequential test, but at the same time being unable to point to any data of its own to suggest that they are incorrect. It is important that we know whether the sequential test is working so we can

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207 [NPPF](#), paras 23-27

208 [NPPF](#), para 24

209 [NPPF](#), para 26

210 [NPPF](#), para 27

211 Association of Convenience Stores, [Retail Planning Decisions under the NPPF](#), November 2013, Appendix A

212 Association of Convenience Stores, [Retail Planning Decisions under the NPPF](#), November 2013, p 3

213 Town and Country Planning Association ([NPP 164](#)), para 4.1

214 “[High Streets ‘are being failed by planning law’](#)”, The Independent, 8 December 2013

215 Qq819-20

assess whether any changes need to be made. *We recommend that the Government take steps to gather data about the operation of the sequential test and the extent to which planning policies, both local and national, are giving sufficient protection to town centres. We invite the Government to set out the data it has gathered in its response to our report.*

### **'Disaggregation'**

85. A specific concern about the sequential test as set out in the NPPF was that it had removed the previous policy on “disaggregation”. Planning Policy Statement 4, which was superseded by the NPPF, stated that local authorities should ensure that developers had demonstrated flexibility over “the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites”.<sup>216</sup> There is no such provision in the NPPF. Ian Anderson, representing the British Council of Shopping Centres, drew our attention to this omission.<sup>217</sup> We heard that, without this provision, developers could argue that their proposed development was too big for any available town centre site and thereby get around the sequential test.<sup>218</sup> Leeds City Council said that, as a result, it had become “become far too easy to pass the sequential test, particularly for larger schemes”.<sup>219</sup> Greg Clark said that the other NPPF provisions on town centres gave “plenty of grounds for an authority to refuse a planning application for an out-of-town development if it thinks it would have an adverse effect on the town centre”.<sup>220</sup> We do not agree: our evidence was clear that the removal of disaggregation had created a ‘loophole’ in the sequential test, which was having a detrimental effect on councils’ efforts to protect their town centres. It appears this is an area where clarity has given way to brevity. *We recommend that the Government restore to the NPPF the policy on disaggregation, so that local authorities are required to ask developers for evidence of flexibility as to whether a proposed retail development can be broken down into specific parts on separate sites.*

### **Need and impact**

86. We also received some evidence about perceived inadequacies of the impact assessment test. Birmingham City Council told us that under this test alone, retailers could “argue that their format is unique [and] therefore does not have an impact on other centres”. It called for a reinstatement of a “needs test”.<sup>221</sup> Under Planning Policy Statement 6 (PPS 6), the need for a relevant development on an edge-of-town or out-of-town site had to be assessed if the application was not in accordance with the local plan.<sup>222</sup> When in 2009 PPS 6 was

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216 DCLG, [Planning Policy Statement 4: Planning for Sustainable Economic Growth](#), 2009, page 21

217 Q384

218 Q395 [James Lowman]

219 Leeds City Council ([NPP 149](#)), para 3.3

220 Q831

221 Birmingham City Council ([NPP 190](#)), para 4

222 DCLG, [Planning Policy Statement 6: Planning for Town Centres](#), 2005, para 3.9

superseded by PPS 4, the needs test was not included. We considered whether there was a case for reintroducing the needs test, but found persuasive the view expressed by the economist Dame Kate Barker, who told us that when she had looked at the needs test in her 2006 review of land use planning she had considered it to be “fundamentally anti-competitive”.<sup>223</sup> We also agree with those who emphasised the importance of assessing need at the plan-making stage;<sup>224</sup> it is when making plans, rather than when considering applications, that need should be assessed. **We do not propose the inclusion in the NPPF of a needs test for development control purposes. Nevertheless, it is important that local authorities thoroughly assess and set out the need for retail development as part of the local planning process.**

### The future of town centres

87. Beyond the tests designed to bolster ‘town centre first’, there were wider concerns about whether the NPPF was taking the right approach to retail planning. Our evidence showed how shopping habits were changing. There has been a significant growth in online retailing, which is expected to continue into the 2020s.<sup>225</sup> We were also told about a “gravitational pull” of shoppers towards a smaller number of major retail centres, whilst local high streets became increasingly dependent on a “convenience-driven offer”, focused on not only retail but a range of local services.<sup>226</sup> It was not clear to us whether planning policy—either nationally through the NPPF or locally in local plans—was geared up to address these changing trends. We were told, for instance, that the NPPF failed to take account of the growth of multi-channel shopping,<sup>227</sup> where shoppers used a variety of channels, including online stores and mobile phone applications, as well as traditional shops, to research and purchase goods.

88. In Wales, steps are being taken to bring planning policy in line with new retail habits. In April 2014, the Welsh Government published research it had commissioned into town centres and retail dynamics. This research aimed “to consider the appropriateness of current national planning policy in achieving the Welsh Government’s aspirations for town centres”.<sup>228</sup> Following this, the Minister for Natural Resources in Wales, Carl Sergeant AM, announced that he had instructed officials to refresh planning policies on retail and town centres “to ensure they are up-to-date and take into account the needs and requirements of 21st century town and retailing centres which are changing their character as shopping trends evolve”.<sup>229</sup> The Welsh Government’s proactive approach is to be commended. English planning policy should similarly be updated to reflect changing retail

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223 Q160

224 Q417 [James Lowman and Stephen Wright]

225 British Council of Shopping Centres ([NPP 228](#)), para 3.1.12

226 [NPP 171](#) [John Lewis Partnership]

227 [NPP 215](#) [Royal Town Planning Institute]

228 Welsh Government, [Town Centres and Retail Dynamics: Towards a Revised Planning Policy for Wales](#), April 2014

229 Welsh Government, [Written Statement – Planning for Town Centres](#), 14 October 2014

patterns. *We recommend that the Government commission research into changing retail dynamics as they relate to planning policy. It should aim to commission this research by the end of the parliament, and to publish it by the end of 2015. We further recommend that the next Government, by the end of 2015, launch a consultation on how the NPPF should be amended to bring it up to date with modern retail habits.*

89. Local authorities too need to face up to changes. Ian Anderson told us that councils often found it difficult “to accept that their town centres need to go to something else and that they are no longer places you would necessarily buy comparison goods: jeans, clothing and footwear”.<sup>230</sup> One consequence of this was that they were preserving primary retail areas that were too large and needed to shrink.<sup>231</sup> Stephen Wright, from the John Lewis Partnership, a large retailer, acknowledged this issue and said that it emphasised “the benefits of a plan-led system and a council taking a strategic overview approach to what is right in the specific parts of its catchment”.<sup>232</sup> **It is important that councils, in their local plans, recognise the changing nature of retail in England. In particular, they should take care not to preserve primary retail areas that are too large for modern needs.**

90. One thing hampering local authorities may be the NPPF’s statement that local plans should meet needs for retail, leisure, office and other main town centre uses “in full and [...] not compromised by limited site availability”.<sup>233</sup> Some evidence pointed to unintended consequences. The British Council of Shopping Centres stated that it would lead to sites being “brought forward in out-of-centre locations to meet all the identified capacity over the development plan period, even though the majority of this forecast capacity is occurring towards the end of the development plan period”<sup>234</sup>. The John Lewis Partnership argued that it was not feasible to expect councils to “predict changing retail needs over a 15 year horizon”.<sup>235</sup> We agree. The world of retail is changing fast, and councils risk making themselves hostages to fortune if they allocate sites for the full local plan period. Moreover, there is a risk they will be forced to allocate out-of-town sites which give rise to development that in hindsight proves not to have been needed, and in the process diverts more business from ailing town centres. *We recommend that the Government remove from the NPPF the statement that needs for retail, leisure, office and other main town centre uses should be met in full in the local plan. It would be more sensible to say that councils should allocate sites to meet needs over the first five years, with regular reviews to keep the supply of sites up-to-date thereafter, taking into account the expectation of considerable changes in retail habits. Such an approach would help councils to keep their planning policies up to date with the rapidly changing dynamics of the retail sector and town centre environments.*

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230 Q391

231 As above

232 Q392

233 [NPPF](#), para 23

234 British Council of Shopping Centres ([NPP 228](#)), para 3.2.4

235 John Lewis Partnership ([NPP 171](#)).

## Permitted development rights

91. The Government’s policy on permitted development rights may also be inadvertently undermining councils’ ability to plan successfully for the future of their town centres. Since 6 April 2014, planning permission is no longer required for change of use from a small shop (class A1) or a financial and professional services building (class A2) to a dwelling house (class C3).<sup>236</sup> The then Minister for Planning, Nick Boles MP, stated that he wanted “under-used shops to be brought back into productive use to help breathe new life into areas that are declining due to changing shopping habits”.<sup>237</sup> Others questioned whether the Government’s approach was appropriate. Civic Voice said that “without these changes being appropriately planned, we may well see areas of our towns changing without the local community being able to input into the direction of that change”.<sup>238</sup> The John Lewis Partnership similarly considered that permitted development undermined councils’ ability to plan strategically for their high streets. It warned that the “piecemeal” introduction of residential uses into town centres would “further dilute the appeal and attraction of those centres to local residents seeking shops and services”.<sup>239</sup>

92. The Government’s decision to allow change of use from classes A1 and A2 to C3 was based on sound intentions. In many town centres the retail area is too large, and it may be appropriate to reduce its size by converting shops and banks into homes, especially where housing need is high. We consider, however, that such changes should be driven by the local planning process, so that local authorities can designate appropriate ‘zones’ for retail and housing uses. Enabling change of use without planning permission risks undermining the local plan and could lead to the ‘pepper potting’ of shops and housing, making the town centre an unattractive place to visit or, indeed, live. This in turn could deter larger retailers from investing in town centres, leading them instead to locate their developments out-of-town. ***We recommend that the Government revoke the permitted development rights allowing change from classes A1 and A2 to C3.***

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236 Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 ([SI 2014/564](#))

237 HC Deb, 6 March 2014, [col 49WS](#)

238 Civic Voice ([NPP 196](#)), para 36. Civic Voice was particularly concerned about previously-introduced permitted development rights allowing change of use from B1(a) (offices) to C3 (dwelling houses).

239 John Lewis Partnership ([NPP 171](#))



## 6 Monitoring the NPPF

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93. We have been hindered in our efforts to assess how well the NPPF is operating by the absence of reliable, up-to-date data. We were struck by two particular examples. First, we have described how the Minister was unable to provide us with any data about the amount of retail development taking place out of town.<sup>240</sup> This led Ian Anderson from the British Council of Shopping Centres to express concern that there were not “the data to determine quite the success or otherwise of the NPPF”.<sup>241</sup> He noted that DCLG did collect data on town centre and out-of-town development “pretty much up to 2009”, but that there had not been any update since then.<sup>242</sup> Second, we heard that the latest available data about the proportion of homes built on brownfield sites come from 2011.<sup>243</sup> Neil Sinden from the Campaign to Protect Rural England told us that DCLG was now “far less active in getting returns from local authorities about how much brownfield land they have within their areas”.<sup>244</sup> This is particularly concerning given the Government recently made a major policy announcement about brownfield land.<sup>245</sup>

94. The Minister, Brandon Lewis, explained DCLG’s policy on the collection of data. He said that he was “very conscious about us not getting into a situation where [...] we were collecting an awful lot of data from local government, much of which was not particularly useful for anybody and was not being used for anything productive”.<sup>246</sup> In a letter to the Committee, however, he said that the Government would be consulting on how to make sure data collected by local authorities in their Strategic Housing Land Availability Assessments was made available “in a clear, easily accessible and uniform way”.<sup>247</sup> In a subsequent letter, Mr Lewis confirmed that the consultation would cover “how to ensure there is clear and transparent information about the availability of brownfield land going forward”.<sup>248</sup> **We welcome the Government’s decision to consult on making land availability data more accessible. Data about the future availability of land are not, however, enough on their own. We also need to understand where development in recent years has taken place. In particular, the absence of recent data about town centre and out-of-town development and the proportion of homes built on brownfield land is making it difficult to assess how successful the Government’s policies have been and how they may need to change. This creates a risk that the Government will be making future policy decisions ‘in the dark’.**

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240 See para 84.

241 Q365

242 Q366

243 See para 72.

244 Q615

245 See para 73.

246 Q836

247 Department for Communities and Local Government ([NPP 342](#))

248 Department for Communities and Local Government ([NPP 351](#))

95. The Government's proposed consultation offers an opportunity to look more widely at how the NPPF might be monitored. We received a memorandum, jointly written by a number of individuals and organisations with an interest in planning, urging us to recommend "the creation of a framework to evaluate the operation and impact of the NPPF in terms of outcomes over a longer term".<sup>249</sup> It added that "it would be instructive to analyse what data and information is currently available, and where there are important gaps in data and evidence".<sup>250</sup> We agree that it would be helpful to have clear data with which to assess the operation of the NPPF. We have seen clearly during this inquiry the strength of feeling the NPPF generates; it is important that the outcomes of the NPPF are judged on the basis of evidence, not perceptions. We do, however, share the Minister's concern about placing undue burdens on local authorities to submit data to the Government and do not want to create an overly-bureaucratic framework. What would be helpful would be to have a small set of data monitoring a small number of key outcomes—including, amongst other things, the success of the town centre first and brownfield first policies, and the volume and location of new house building. ***We recommend that the Government expand its consultation on land availability data to cover a set of data that can be used to monitor the overall effectiveness of the NPPF. It should set out what it sees as the principal aims of the NPPF, and for each of these aims propose a small data set to be collected from local authorities and collated nationally. Once a clear set of data has been agreed upon, it should be updated annually.***

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249 [NPP 195](#). The signatories to the letter were Adrian Penfold, Chair, British Property Federation Planning Committee, Andrew Whittaker, Planning Director, Home Builders' Federation, Cllr Mike Jones, Chair, Environment and Housing Board, Local Government Association, Prof Paul Cheshire, London School of Economics, Mike Kiely, President, Planning Officers' Society, Ann-Marie Connolly, Public Health England, Faraz Baber, Royal Institution of Chartered Surveyors, Simon Marsh, Head of Planning Policy, Royal Society for the Protection of Birds, Trudi Elliott, Chief Executive, Royal Town Planning Institute and Dr Hugh Ellis, Head of Policy, Town and Country Planning Association.

250 [NPP 195](#)

## 7 Conclusion

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96. Our report has identified a number of issues with the operation of the NPPF: that it is not preventing unsustainable development; that it is leading to communities being subject to inappropriate and unwanted housing development; and that it is giving insufficient protection to England's town centres. These issues do not, however, point to the need to tear up or withdraw the NPPF; rather, they suggest a need to reinforce its provisions and ensure it does the job it was intended to do. We have suggested a number of changes that should be made, both to the NPPF itself and to the way it is applied. We trust that, collectively, they will reinforce the importance of sustainable development, increase the protection given to communities across the country, and build on the success of the NPPF to ensure it is a document in which everyone with an interest in the planning system can have confidence.

## Conclusions and recommendations

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*The usual arrangement of listing conclusions and recommendation in the order they occur in the report has not been followed. Instead, in order to assist those reading and using the report, the conclusions and recommendations are grouped into categories starting with recommended revisions to the NPPF. A few straddle more than one category and these conclusions and recommendations have been placed in the first applicable category.*

### Revisions to the NPPF

1. We recommend that the Government remove from the NPPF the statement that the policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development means in practice. The definition on page 2 of the NPPF needs to stand on its own. (Paragraph 13)
2. We recommend that the Government amend paragraph 118 of the NPPF to state that any loss of ancient woodland should be "wholly exceptional". We further recommend that the Government initiate work with Natural England and the Woodland Trust to establish whether more ancient woodland could be designated as sites of special scientific interest and to consider what the barriers to designation might be. (Paragraph 27)
3. We recommend that the Government amend the NPPF to make clear to local authorities that they should be looking to reduce the complexity and increase the accessibility of their local plans. This should be accompanied by guidance about the key elements plans should contain. We also consider it incumbent upon planning inspectors to advise local authorities at an early stage against producing excessively lengthy plans. (Paragraph 32)
4. We recommend that the Government amend the NPPF to include a section setting out the expected responsibilities of developers. (Paragraph 42)
5. We recommend that the Government strengthen the NPPF to make clear that, as a matter of good practice, local authorities should review their local plans regularly to ensure they are up-to-date. We further call on the Government and the Planning Inspectorate to develop an expedited process to ensure local authorities can carry out a light touch review of all aspects of their plans. (Paragraph 43)
6. We recommend that the Government amend the NPPF to make clear that all sites with planning permission should be counted towards the five year supply of housing land. (Paragraph 68)
7. We recommend that the Government amend paragraph 89 of the NPPF to make clear that development on sites allocated in an adopted neighbourhood plan, and which has the approval of the local planning authority, does not constitute inappropriate development for the purposes of the green belt. In addition, where neighbourhood plans, ahead of the local plan, make proposals to change the green belt, local authorities should have a duty to consider them as part of the local plan production process. (Paragraph 80)

8. We recommend that the Government restore to the NPPF the policy on disaggregation, so that local authorities are required to ask developers for evidence of flexibility as to whether a proposed retail development can be broken down into specific parts on separate sites. (Paragraph 85)
9. We recommend that the Government remove from the NPPF the statement that needs for retail, leisure, office and other main town centre uses should be met in full in the local plan. It would be more sensible to say that councils should allocate sites to meet needs over the first five years, with regular reviews to keep the supply of sites up-to-date thereafter, taking into account the expectation of considerable changes in retail habits. Such an approach would help councils to keep their planning policies up to date with the rapidly changing dynamics of the retail sector and town centre environments. (Paragraph 90)

### Additional practice guidance

10. We recommend that the Government take appropriate steps to impress publicly upon both the Planning Inspectorate and local authorities the importance of giving equal weight to each of the three dimensions of sustainable development, as required by the NPPF. Both the Planning Inspectorate and local authorities, when they make their decisions on planning applications, should set out clearly how all three factors have been considered as part of the decision-making process. (Paragraph 15)
11. We recommend that the Government issue guidance reminding local authorities and the Planning Inspectorate of the importance of timely infrastructure provision to delivering sustainable development. In setting out the reasons for approving development, decision-makers should fully explain the consideration they have given to its impact on infrastructure and explain how and where they expect the infrastructure to be provided, and to what timetable. (Paragraph 16)
12. We recommend that the Planning Inspectorate produce a document setting out lessons learned from the examination of local plans since the launch of the NPPF. (Paragraph 38)
13. We recommend that the Government, by March 2015, issue clearer guidance on what constitutes co-operation. (Paragraph 49)
14. We recommend that the Government issue guidance making clear that assessments of site viability should consider not only current prices and costs but projections of prices and costs over the next five years. The guidance should state that assessments should be transparent, that is 'open-book', so that the developers' finances in relation to the specific site are open to scrutiny, and consider developers' own projections for future viability. In addition, the Government should work with local authorities and the house building industry to agree the wording of new guidance setting out a standard approach to determining viability. (Paragraph 67)
15. We recommend that the Government work with local government and the house building industry to revise its guidance on strategic housing market assessments and produce an agreed methodology. Inspectors should then be required to test SHMAs against this methodology. (Paragraph 70)

## Consultation and gathering of further information

16. We recommend that the Government consult on options to allow for the partial adoption of local plans, if necessary through a change in statute. In the meantime, the Planning Inspectorate should do what it can within the existing framework to ensure local authorities do not find themselves in the frustrating position of having their plans found unsound—especially if earlier advice from planning inspectors could have stopped this happening. In particular, inspectors should give councils as much advice and support as possible during the early stages of plan production. Moreover, while the action taken by the inspector in the case of the Dacorum local plan was determined by local circumstances, nevertheless inspectors should be encouraged to learn from this example and consider the potential for innovative and flexible approaches that will enable councils to get their plans adopted, even if the need for an early review is identified. (Paragraph 37)
17. We recommend that, before the end of the parliament, the Government start consultation on proposals to place a statutory requirement on councils to have an adopted local plan in place within three years of the legislation coming into force. At the same time, the Government should consult on possible penalties for local authorities that fail to comply with the requirement. One option would be to restrict at the end of the three year period the payment of the New Homes Bonus to housing built on sites allocated in an adopted local plan. Once a statutory requirement is in place, the Government should ensure that the Planning Inspectorate has sufficient resources so delays do not occur while councils wait to have their plans examined. (Paragraph 40)
18. We recommend that, as part of the consultation on local plans proposed above, the Government consult on options for incentivising local authorities to meet the duty to co-operate and where they fail to co-operate what penalties they may incur. It should consider whether there are particular grants that could be linked to co-operation, whilst recognising that there might be difficulties identifying who in fact was responsible for the failure to co-operate. (Paragraph 45)
19. We recommend that the Government examine measures to encourage local authorities to group together to produce joint core strategies. With the Planning Inspectorate, the Government should consider drawing councils' attention to examples of good practice. (Paragraph 47)
20. We recommend that the Government consult on how the relationship between neighbourhood plans and local plans could be clarified. The consultation should include the option that neighbourhood plans should not be adopted until an adopted local plan is in place. (Paragraph 56)
21. We recommend that the Government take steps to gather data about the operation of the sequential test and the extent to which planning policies, both local and national, are giving sufficient protection to town centres. We invite the Government to set out the data it has gathered in its response to our report. (Paragraph 84)

22. We recommend that the Government commission research into changing retail dynamics as they relate to planning policy. It should aim to commission this research by the end of the parliament, and to publish it by the end of 2015. We further recommend that the next Government, by the end of 2015, launch a consultation on how the NPPF should be amended to bring it up to date with modern retail habits. (Paragraph 88)
23. We recommend that the Government expand its consultation on land availability data to cover a set of data that can be used to monitor the overall effectiveness of the NPPF. It should set out what it sees as the principal aims of the NPPF, and for each of these aims propose a small data set to be collected from local authorities and collated nationally. Once a clear set of data has been agreed upon, it should be updated annually. (Paragraph 95)

### Wider recommendations to the Government and the Planning Inspectorate

24. We recommend that the Government revoke its decision to limit to five the number of planning obligations that can contribute to a single piece of infrastructure until the proposed 2015 review of the Community Infrastructure Levy has taken place. In the meantime, local authorities should have a free choice between the use of the Community Infrastructure Levy and section 106 agreements for the funding of infrastructure. (Paragraph 20)
25. The Secretary of State has the power to recover planning appeals relating to wind energy projects, and to determine them in accordance with Government policy. We found no evidence to suggest that he was doing otherwise. We do, however, consider that he could make decisions faster, in line with his own expressed views about the importance of reducing planning delays. Investors will be deterred if wind energy projects continue to spend upwards of two years in the planning system. We recommend that the Government take appropriate steps to speed up the process of taking decisions on recovered planning appeals. If necessary, it should allocate more resources to the team supporting the Secretary of State on planning decisions. (Paragraph 25)
26. We recommend that the Government place a duty on combined authorities to co-ordinate the production of a joint core strategy for the area they cover. (Paragraph 48)
27. It is important that neighbourhood planning does not become the preserve of the middle class. We recommend that the Government take steps to promote and support neighbourhood planning in all areas, particularly those with significant levels of deprivation. It should ensure that some of the £23 million funding for neighbourhood planning is targeted at encouraging take-up and building capacity in more deprived communities. (Paragraph 51)
28. We recommend that the Department for Communities and Local Government establish a fund to enable the remediation of brownfield sites. It should set out a prospectus for how this fund will operate. (Paragraph 74)



29. We recommend that the Government revoke the permitted development rights allowing change from classes A1 and A2 to C3. (Paragraph 92)

### Matters for local government

30. Local authorities should be particularly mindful of the need to support infrastructure requirements identified in adopted neighbourhood plans. We strongly encourage parish and town councils and neighbourhood forums that have an adopted neighbourhood plan to request from their local planning authorities a share of infrastructure proceeds from section 106 agreements, where the Community Infrastructure Levy is not in place. We encourage local planning authorities to give full consideration to such requests. (Paragraph 19)
31. The NPPF provisions on the natural environment have an important role to play in ensuring sustainable development is delivered. Local authorities are missing an opportunity if they do not set out a clear vision for the biodiversity of their area. Moreover, if they do not set out clear policies in respect of the environmental aspects of sustainable development, it may be harder to resist the economic aspects taking a more dominant role. We strongly encourage all local authorities to make the natural environment an important theme in their local plans. To do so, smaller authorities may need to tap into ecological skills available elsewhere, be it in other local authorities or the Planning Advisory Service. (Paragraph 26)
32. For a plan-led system to work, plans need to be in place. The NPPF cannot be truly successful until every local authority has an adopted, up-to-date local plan. Unfortunately, progress in getting local plans adopted remains far too slow. (Paragraph 28)
33. We understand the financial pressures councils are under, but we would contend that planning is a fundamental responsibility of councils and therefore they should treat planning as a front line service and not see it as an easy target for spending reductions. In particular, it is vital to the future sustainability of our villages, towns and cities, that councils ensure resources are channelled not only into development control but also into proactive plan making. We further encourage all councils to put in place strategies and policies to promote the development of planning skills and to retain experienced staff. (Paragraph 31)
34. We call on local government (including parish and town councils), the development and property industries and the voluntary sector to work together to produce a new 'planning users' concordat' setting out the respective responsibilities of each group. (Paragraph 42)
35. We emphasise that it is vital to the success of the NPPF that all local planning authorities have in place an adopted, up-to-date local plan. Councils that fail to produce a plan surrender their ability to influence the future development of their local areas. Moreover, they leave their communities exposed to the kind of speculative development about which we have heard so many concerns. The Government should take the steps we propose to encourage swift and effective plan making. We emphasise, however, that the onus to get plans in place should be

squarely on local authorities themselves. Councils without a plan are letting their communities down.  
(Paragraph 57)

36. We encourage all councils, as part of the local planning process, to review the size and boundaries of their green belts. They should then make any necessary adjustments in their local plan. The rigorous requirements of public consultation, examination by an inspector and adoption by the council will ensure that any changes have been subject to thorough consideration. (Paragraph 79)
37. We do not propose the inclusion in the NPPF of a needs test for development control purposes. Nevertheless, it is important that local authorities thoroughly assess and set out the need for retail development as part of the local planning process.  
(Paragraph 86)
38. It is important that councils, in their local plans, recognise the changing nature of retail in England. In particular, they should take care not to preserve primary retail areas that are too large for modern needs. (Paragraph 89)

### General conclusions

39. It is still early days for the NPPF. Given it represented a major consolidation of planning policy, it will doubtless take several years to 'bed in' fully. We have considered the concerns raised with us about its operation. Many are significant and need to be tackled, but they point to the need for adjustment, rather than a complete overhaul of the NPPF. It would be ill-advised at such an early stage to consider tearing up the document and starting again. (Paragraph 9)
40. We are supportive of neighbourhood plans, and commend those communities who have got, or are working to get, a neighbourhood plan adopted. (Paragraph 50)
41. Nothing could do more to undermine confidence in neighbourhood planning than for a view to pervade that neighbourhood plans are being ignored in planning decisions. (Paragraph 52)
42. Instead of objecting to policies in neighbourhood plans, house builders and developers should be working with communities to ensure that development meets local needs. (Paragraph 53)
43. We welcome the Government's decision to consult on making land availability data more accessible. Data about the future availability of land are not, however, enough on their own. We also need to understand where development in recent years has taken place. In particular, the absence of recent data about town centre and out-of-town development and the proportion of homes built on brownfield land is making it difficult to assess how successful the Government's policies have been and how they may need to change. This creates a risk that the Government will be making future policy decisions 'in the dark'. (Paragraph 94)

# Formal Minutes

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**Tuesday 9 December 2014**

Members present:

Mr Clive Betts, in the Chair

Simon Danczuk  
Mrs Mary Glendon  
David Heyes  
Mark Pawsey

John Pugh  
Alec Shelbrooke  
John Stevenson

Draft Report (*Operation of the National Planning Policy Framework*) proposed by the Chair, brought up and read.

*Ordered*, That the Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 96 read and agreed to.

Summary agreed to.

*Resolved*, That the Report be the Fourth Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence was ordered to be reported to the House for printing with the Report (ordered to be reported for publishing on 12 May, 4, 9, 16, 23, 30 June, 14, 21 July, 8 September, 15, 21 October, 11 November and 2 December 2014).

[Adjourned until 2.45pm on Tuesday 16 December

## Witnesses

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The following witnesses gave evidence. Transcripts can be viewed on the [Committee's inquiry page](#)

### Monday 9 June 2014

**Richard Blyth**, Head of Policy and Practice, Royal Town Planning Institute, **David Henry**, Chair, UK Planning Policy Panel, Royal Institution of Chartered Surveyors, and **Councillor Tony Newman**, Local Government Association.

[Q 1-66](#)

**Councillor Gillian Brown**, Planning Lead, District Councils' Network, **Councillor Ken Browne**, Chairman, National Association of Local Councils, and **Mike Kiely**, Chair of the Board, Planning Officers Society.

[Q 67-112](#)

### Monday 16 June 2014

**Dame Kate Barker DBE**, Author of 2004 Review of Housing Supply and 2006 Review of Land Use Planning, **Dr Hugh Ellis**, Head of Policy, Town and Country Planning Association, and **Sir Terry Farrell CBE**, Architect and Leader of 2014 Review of Architecture and the Built Environment.

[Q 113-161](#)

**Dame Helen Ghosh DCB**, Director-General, National Trust, **Liz Peace CBE**, Chief Executive, British Property Federation, and **Andrew Whitaker**, Planning Director, Home Builders Federation.

[Q 162-195](#)

### Monday 23 June 2014

**Richard Barnes**, Senior Conservation Manager, Woodland Trust, and **Simon Marsh MBE**, Head of Planning Policy, RSPB.

[Q 196-227](#)

### Monday 7 July 2014

**Councillor Gerald Dee**, Gloucester City Council, **Councillor Steve Jordan**, Leader, Cheltenham Borough Council, and **Councillor Robert Vines**, Leader, Tewkesbury Borough Council.

[Q 228-264](#)

**Lisa Belfield**, CPRE Gloucestershire, **Ian Bickerton**, Cheltenham Alliance, and **Kim Bedford**, Chief Officer, Gloucestershire Association of Parish and Town Councils.

[Q 265-297](#)

### Wednesday 9 July 2014

**Chris Carr**, Chair, Federation of Master Builders, **Rachel Fisher**, Head of Policy, National Housing Federation, and **David Gladman**, Partner, Gladman Developments.

[Q 298-356](#)

### Monday 14 July 2014

**James Lowman**, Chief Executive, Association of Convenience Stores, **Ian Anderson**, Chairman of the Planning Committee, British Council of Shopping Centres, and **Stephen Wright**, Principal Planning Lawyer, John Lewis Partnership.

[Q 357-417](#)

**Jane Smith**, Planning Adviser, Energy UK, **David Cox**, Head of Development in England, RES, and **Gemma Grimes**, Director of Onshore Renewables, RenewableUK.

[Q 418-470](#)

### Monday 21 July 2014

**Freddie Gick**, Chair, Civic Voice, **Ruth Reed**, Chair, Planning Expert Advisory Group, RIBA, and **David Waterhouse**, Head of Strategy, Design Council.

[Q 471-535](#)

**Ian Achurch**, Board Secretary, Planning, Regeneration and Housing Board, Association of Directors of Environment, Economy, Planning and Transport (ADEPT), **Phil Crabtree**, Chief Planning Officer, Leeds City Council, and **Stephen Joseph**, Chief Executive, Campaign for Better Transport.

[Q 536-580](#)

### Monday 8 September 2014

**Neil Sinden**, Director of Policy and Campaigns, Campaign to Protect Rural England, and **Nicola Walker**, Director of Business Environment, Confederation of British Industry.

[Q 581-664](#)

### Wednesday 10 September 2014

**Councillor Matthew Barber**, Leader, Vale of White Horse District Council, **Councillor James Murray**, Executive Member for Housing and Development, London Borough of Islington, and **Councillor Hazel Simmons**, Leader, Luton Borough Council.

[Q 665-705](#)

### Wednesday 15 October 2014

**Simon Ridley**, Chief Executive, Planning Inspectorate, and **Ben Linscott**, Acting Chief Planning Inspector, Planning Inspectorate.

[Q 706-759](#)

**Rt Hon Greg Clark MP**, Minister of State for Universities, Science and Cities, and previously Minister of State for Planning and Decentralisation 2010-12, and **Brandon Lewis MP**, Minister of State for Housing and Planning.

[Q 760-838](#)

### Tuesday 21 October 2014

**Kris Hopkins MP**, Parliamentary Under-Secretary of State for Communities and Local Government.

[Q 839-845](#)

## Published written evidence

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The following written evidence was received and can be viewed on the Committee's [inquiry web page](#). NPP numbers are generated by the evidence processing system and so may not be complete.

- 1 A Bailey ([NPP0231](#))
- 2 ACS (The Association of Convenience Stores) ([NPP0176](#))
- 3 Affinity Sutton Group ([NPP0217](#))
- 4 Airport Operators Association ([NPP0065](#))
- 5 Alan Wing ([NPP0234](#))
- 6 Alderton Parish Council ([NPP0199](#))
- 7 Allyson Spicer ([NPP0271](#))
- 8 Allyson Spicer ([NPP0305](#))
- 9 Ann Reed ([NPP0220](#))
- 10 Ann Smith ([NPP0031](#))
- 11 Ashbury Parish Council ([NPP0099](#))
- 12 Association of Directors Of Environment, Economy, Planning And Transport ([NPP0192](#))
- 13 Association of Town & City Management ([NPP0216](#))
- 14 BANDAG ([NPP0003](#))
- 15 Barrie Jolliffe ([NPP0170](#))
- 16 Barugh Residents Against New Development (Brand) ([NPP0054](#))
- 17 BCSC ([NPP0228](#))
- 18 Birmingham City Council ([NPP0190](#))
- 19 Blythburgh with Bulcamp & Hinton Parish Council ([NPP0140](#))
- 20 Bourton Parish Council ([NPP0020](#))
- 21 Brighton & Hove City Council ([NPP0225](#))
- 22 British Independent Retailers Association ([NPP0105](#))
- 23 British Property Federation ([NPP0141](#))
- 24 Bryn V Howells ([NPP0010](#))
- 25 Buntingford Civic Society ([NPP0272](#))
- 26 C Jealous ([NPP0121](#))
- 27 Cambridge Past Present and Future ([NPP0115](#))
- 28 Cambridge Past Present and Future ([NPP0316](#))
- 29 Campaign for Better Transport ([NPP0276](#))
- 30 Carol Wellwood ([NPP0252](#))
- 31 CBI ([NPP0166](#))
- 32 Central Bedfordshire Council ([NPP0015](#))
- 33 Central Bedfordshire Council ([NPP0085](#))
- 34 Chartered Institution of Highways And Transportation ([NPP0209](#))
- 35 Chelmsford City Council ([NPP0143](#))
- 36 Cheltenham Alliance ([NPP0111](#))
- 37 Cheryl Stickler ([NPP0045](#))
- 38 Civic Voice ([NPP0196](#))

- 39 CLA ([NPP0242](#))
- 40 Clerk of Hinton Waldrist Parish Council ([NPP0079](#))
- 41 Cllr Flo Clucas ([NPP0287](#))
- 42 Cllr Roger Whyborn ([NPP0297](#))
- 43 Colin Reginald Williams ([NPP0012](#))
- 44 Community Voice on Planning (Covop) ([NPP0068](#))
- 45 Community Voice on Planning (Covop) ([NPP0324](#))
- 46 Congleton Town Council ([NPP0063](#))
- 47 Cotswolds Conservation Board ([NPP0151](#))
- 48 CPRE ([NPP0127](#))
- 49 CPRE Cornwall ([NPP0089](#))
- 50 CPRE Gloucestershire ([NPP0095](#))
- 51 CPRE Lancashire ([NPP0161](#))
- 52 CPRE Lancashire ([NPP0290](#))
- 53 Croudace Homes Group ([NPP0169](#))
- 54 D J Renney ([NPP0042](#))
- 55 Daniel Scharf ([NPP0014](#))
- 56 Daniel Scharf ([NPP0308](#))
- 57 David Birtwhistle ([NPP0098](#))
- 58 David Daniel ([NPP0082](#))
- 59 David Friend ([NPP0269](#))
- 60 David Walsh ([NPP0057](#))
- 61 Defend North Devon ([NPP0117](#))
- 62 Department for Communities and Local Government ([NPP0233](#))
- 63 Department for Communities and Local Government ([NPP0342](#))
- 64 Department for Communities and Local Government ([NPP0351](#))
- 65 Derek White ([NPP0029](#))
- 66 Design Council ([NPP0208](#))
- 67 Diane Odell ([NPP0314](#))
- 68 District Councils' Network ([NPP0132](#))
- 69 DLP Planning Consultants ([NPP0201](#))
- 70 Dogmersfield Parish Council ([NPP0118](#))
- 71 Doug Webb ([NPP0035](#))
- 72 Doug Webb ([NPP0300](#))
- 73 Dr Ian Bickley ([NPP0284](#))
- 74 Dr Peter Cuthbert ([NPP0069](#))
- 75 Dr R E Colyer ([NPP0016](#))
- 76 Dr Rebecca Driver ([NPP0230](#))
- 77 East Devon Alliance ([NPP0091](#))
- 78 East Hampshire District Council ([NPP0204](#))
- 79 East Leake Parish Council ([NPP0027](#))
- 80 Eden District Council ([NPP0202](#))
- 81 Egerton Gilman ([NPP0327](#))
- 82 Elaine Tickell ([NPP0193](#))
- 83 Elaine Tickell ([NPP0341](#))



- 84 Elizabeth A Boon ([NPP0008](#))
- 85 Energy UK ([NPP0203](#))
- 86 English Heritage ([NPP0197](#))
- 87 Environmental Services Association ([NPP0155](#))
- 88 Essex County Council ([NPP0156](#))
- 89 Fairford Town Council ([NPP0250](#))
- 90 Federation of Master Builders ([NPP0277](#))
- 91 Four Marks Parish Council ([NPP0218](#))
- 92 Francis G Sketch ([NPP0137](#))
- 93 Frank Egerton Gilman ([NPP0097](#))
- 94 Friends of the Earth England, Wales and Northern Ireland ([NPP0207](#))
- 95 Future Horsham ([NPP0147](#))
- 96 Future Horsham ([NPP0332](#))
- 97 Get Involved Exminster ([NPP0113](#))
- 98 Giles Bergne ([NPP0251](#))
- 99 Gladman Developments ([NPP0223](#))
- 100 Gladman Developments ([NPP0288](#))
- 101 Gloucestershire Association of Parish And Town Councils ([NPP0167](#))
- 102 Gnosall Parish Council ([NPP0041](#))
- 103 Greater London Authority ([NPP0246](#))
- 104 GT Energy ([NPP0224](#))
- 105 Guildford Greenbelt Group ([NPP0093](#))
- 106 Guildford Greenbelt Group ([NPP0328](#))
- 107 Helen Kummer ([NPP0153](#))
- 108 Helen Tickle ([NPP0048](#))
- 109 High Weald AONB Unit ([NPP0088](#))
- 110 Hilary Robarts Arnold ([NPP0023](#))
- 111 Historic Houses Association ([NPP0102](#))
- 112 Home Builders Federation ([NPP0350](#))
- 113 Homes And Communities Agency ([NPP0307](#))
- 114 House of Commons: discussion forum ([NPP0347](#))
- 115 Ian Preddy ([NPP0122](#))
- 116 Ian Preddy ([NPP0321](#))
- 117 Institute for Archaeologists (IFA) ([NPP0158](#))
- 118 Institute of Historic Building Conservation ([NPP0278](#))
- 119 J D I Baker ([NPP0116](#))
- 120 Jacqueline Annette Thompson ([NPP0206](#))
- 121 Jacqueline Annette Thompson ([NPP0339](#))
- 122 James Walton ([NPP0040](#))
- 123 Jeffrey Elder ([NPP0028](#))
- 124 Joanna Greenway ([NPP0129](#))
- 125 Joanna Greenway ([NPP0333](#))
- 126 John Hubble ([NPP0064](#))
- 127 John Labrum ([NPP0061](#))
- 128 John Lewis Partnership ([NPP0171](#))

- 129 John Stubbington ([NPP0154](#))
- 130 John Stubbington ([NPP0301](#))
- 131 Joint Committee of the National Amenity Societies ([NPP0104](#))
- 132 Joseph Rowntree Foundation ([NPP0165](#))
- 133 Keep Kingswood a Village ([NPP0249](#))
- 134 Keep Kingswood a Village ([NPP0309](#))
- 135 Kevin Froggatt ([NPP0124](#))
- 136 Kilmersdon Parish Council ([NPP0084](#))
- 137 Kingswood Parish Council ([NPP0198](#))
- 138 Kirklevington & Castle Leavington Parish Council ([NPP0033](#))
- 139 Kirklevington & Castle Leavington Parish Council ([NPP0311](#))
- 140 Leeds City Council ([NPP0257](#))
- 141 Leeds City Council ([NPP0306](#))
- 142 Leeds City Council, City Development ([NPP0149](#))
- 143 Leonard Stanley Parish Council ([NPP0185](#))
- 144 Lesley Clements ([NPP0073](#))
- 145 LGA ([NPP0173](#))
- 146 Linden Homes ([NPP0200](#))
- 147 Linden Homes ([NPP0265](#))
- 148 Littleworth Parish Meeting ([NPP0043](#))
- 149 Local Government Association ([NPP0286](#))
- 150 Local Government Technical Advisers' Group ([NPP0259](#))
- 151 London Borough of Islington ([NPP0227](#))
- 152 London Borough of Islington ([NPP0346](#))
- 153 London Forum of Amenity and Civic Societies ([NPP0263](#))
- 154 Luton Borough Council ([NPP0268](#))
- 155 M. C. Gillie ([NPP0032](#))
- 156 Marilyn Brown ([NPP0047](#))
- 157 Mark Williams ([NPP0266](#))
- 158 Martin Fox ([NPP0096](#))
- 159 Martin Round ([NPP0090](#))
- 160 Martine Froggatt ([NPP0181](#))
- 161 Michael Rose Grad Dipl (Aa) ([NPP0019](#))
- 162 Milton Keynes Council ([NPP0180](#))
- 163 Misterton Parish Council ([NPP0022](#))
- 164 Monks Orchard Residents' Association ([NPP0296](#))
- 165 Mount Hindrance Action Group ([NPP0240](#))
- 166 Mr and Mrs G Baugh ([NPP0320](#))
- 167 Mr Richard Scott-Watson ([NPP0005](#))
- 168 Mr Robert Spall ([NPP0148](#))
- 169 Mr S Morea ([NPP0072](#))
- 170 Mrs A Johnson ([NPP0013](#))
- 171 Mrs D Nason ([NPP0053](#))
- 172 Mrs Diana Nason ([NPP0325](#))
- 173 Mrs Jane Blackburn ([NPP0074](#))

- 174 Mrs S R Samuelson ([NPP0260](#))
- 175 Mrs Sally Rowley-Williams ([NPP0126](#))
- 176 NALC ([NPP0175](#))
- 177 National Association for AONBs ([NPP0109](#))
- 178 National Housing Federation ([NPP0157](#))
- 179 National Housing Federation ([NPP0298](#))
- 180 National Retail Planning Forum ([NPP0214](#))
- 181 National Trust ([NPP0177](#))
- 182 Neil Blackshaw ([NPP0078](#))
- 183 Newbury Town Council ([NPP0046](#))
- 184 Newport Pagnell Town Council ([NPP0256](#))
- 185 Newport Pagnell Town Council ([NPP0304](#))
- 186 Northumberland & Newcastle Society ([NPP0163](#))
- 187 Olde Hanwell Residents Association ([NPP0241](#))
- 188 Otter Valley Association ([NPP0059](#))
- 189 Otter Valley Association ([NPP0326](#))
- 190 Oxfordshire Branch Campaign to Protect Rural England ([NPP0009](#))
- 191 Painswick Parish Council ([NPP0245](#))
- 192 Patrick Cullen ([NPP0076](#))
- 193 Patrick T. Moseley ([NPP0007](#))
- 194 Paul Edwards ([NPP0162](#))
- 195 Peter Burton ([NPP0011](#))
- 196 Peter Hutchison ([NPP0238](#))
- 197 Peter Martin ([NPP0299](#))
- 198 Petrina Giles ([NPP0086](#))
- 199 Phillip R Knight ([NPP0037](#))
- 200 Place Art and UDL ([NPP0273](#))
- 201 Places for People ([NPP0092](#))
- 202 Planning Officers Society ([NPP0112](#))
- 203 Preserve Bow Brickhill ([NPP0030](#))
- 204 Professor Alan Hallsworth ([NPP0056](#))
- 205 Professor Michael T Hutchings ([NPP0070](#))
- 206 Protect Congleton - Civic Society ([NPP0026](#))
- 207 Protect Congleton - Civic Society ([NPP0291](#))
- 208 Protect Congleton - Civic Society ([NPP0319](#))
- 209 Queniborough Parish Council ([NPP0348](#))
- 210 R D Nixon ([NPP0120](#))
- 211 Raglan Housing Association ([NPP0188](#))
- 212 Renewable Energy Association / Solar Trade Association ([NPP0191](#))
- 213 RenewableUK ([NPP0205](#))
- 214 Renewableuk ([NPP0292](#))
- 215 RES ([NPP0178](#))
- 216 RES UK & Ireland Ltd ([NPP0293](#))
- 217 Residential Landlords Association ([NPP0139](#))
- 218 Residents of Wilmslow ([NPP0136](#))

- 219 Richard Broadbent ([NPP0138](#))
- 220 Richard Broadbent ([NPP0302](#))
- 221 Richard Broadbent ([NPP0318](#))
- 222 Richard Hathway ([NPP0313](#))
- 223 RICS ([NPP0262](#))
- 224 Robert Boulter ([NPP0106](#))
- 225 Robert Porter ([NPP0103](#))
- 226 Robin Draper ([NPP0077](#))
- 227 Robin Fuller ([NPP0017](#))
- 228 Roger John Arthur ([NPP0235](#))
- 229 Roland Mckinney ([NPP0134](#))
- 230 Royal Institute of British Architects ([NPP0229](#))
- 231 Royal Town Planning Institute ([NPP0215](#))
- 232 RSPB ([NPP0212](#))
- 233 RSPB ([NPP0285](#))
- 234 Russell Prince-Wright ([NPP0049](#))
- 235 Ruth Langhorn ([NPP0213](#))
- 236 Ruth Langhorn ([NPP0330](#))
- 237 Sam Corcoran ([NPP0182](#))
- 238 Sandbach Heath Neighbourhood Forum ([NPP0146](#))
- 239 Sandbach Town Council ([NPP0034](#))
- 240 Save Brockworth Green Belt ([NPP0108](#))
- 241 Save Our Greenbelt Dinnington & Anston Action Group ([NPP0075](#))
- 242 Save Shudrick Valley Group ([NPP0254](#))
- 243 Save The Countryside ([NPP0083](#))
- 244 Save Whalley Village Action Group ([NPP0062](#))
- 245 Save Whalley Village Action Group ([NPP0310](#))
- 246 Secured By Design ([NPP0123](#))
- 247 Sheffield City Council ([NPP0244](#))
- 248 Shortwood Green Belt Campaign ([NPP0067](#))
- 249 Shortwood Green Belt Campaign ([NPP0312](#))
- 250 Shrivenham Parish Council ([NPP0051](#))
- 251 Shurdington Parish Council ([NPP0261](#))
- 252 Sir Terry Farrell ([NPP0255](#))
- 253 Somerford Parish Residents Action Group ([NPP0194](#))
- 254 South Bedfordshire Friends of The Earth ([NPP0334](#))
- 255 South Bedfordshire Friends of The Earth ([NPP0337](#))
- 256 South Oxfordshire District Council ([NPP0186](#))
- 257 Sport England ([NPP0253](#))
- 258 Staffordshire County Council ([NPP0267](#))
- 259 Steps ([NPP0066](#))
- 260 Suffolk Association of Local Councils ([NPP0219](#))
- 261 Susan Fitzmaurice ([NPP0036](#))
- 262 Terence Knight ([NPP0110](#))
- 263 Thames Valley Housing ([NPP0133](#))

- 264 The Archaeology Forum ([NPP0168](#))
- 265 The Battlefields Trust ([NPP0275](#))
- 266 The Heritage Alliance ([NPP0184](#))
- 267 The Home Builders Federation ([NPP0187](#))
- 268 The Loose Anti Opencast Network ([NPP0248](#))
- 269 The Mineral Products Association ([NPP0211](#))
- 270 The Peel Group ([NPP0189](#))
- 271 The Planning Inspectorate ([NPP0279](#))
- 272 The Planning Inspectorate ([NPP0280](#))
- 273 The Planning Inspectorate ([NPP0281](#))
- 274 The Planning Inspectorate ([NPP0282](#))
- 275 The Planning Inspectorate ([NPP0283](#))
- 276 The Planning Inspectorate ([NPP0349](#))
- 277 The Thaxted Society ([NPP0295](#))
- 278 The Theatres Trust ([NPP0100](#))
- 279 The Wildlife Trusts ([NPP0247](#))
- 280 Totnes and District Society ([NPP0060](#))
- 281 Town and Country Planning Association (TCPA) ([NPP0164](#))
- 282 Turley Associates ([NPP0183](#))
- 283 Twynning Parish Council ([NPP0114](#))
- 284 United Kingdom Without Incineration Network (UKWIN) ([NPP0179](#))
- 285 Vale of White Horse District Council ([NPP0087](#))
- 286 Valerie H Kennedy ([NPP0131](#))
- 287 Valerie H Kennedy ([NPP0340](#))
- 288 Various Organisations ([NPP0195](#))
- 289 Wantage and Grove Campaign Group ([NPP0071](#))
- 290 Wantage and Grove Campaign Group ([NPP0331](#))
- 291 Watchfield Parish Council ([NPP0038](#))
- 292 Watchfield Parish Council ([NPP0336](#))
- 293 Weareresidents.org ([NPP0101](#))
- 294 Weareresidents.org ([NPP0317](#))
- 295 Welwyn Garden City Society ([NPP0232](#))
- 296 West Heath Action Group ([NPP0135](#))
- 297 West Heath Action Group ([NPP0329](#))
- 298 Whitchurch Village Action Group ([NPP0044](#))
- 299 Whitchurch Village Action Group ([NPP0322](#))
- 300 Wildlife and Countryside Link ([NPP0152](#))
- 301 Will Chapman ([NPP0258](#))
- 302 Wingham Parish Council ([NPP0050](#))
- 303 Woodland Trust ([NPP0222](#))
- 304 Worcester City Council ([NPP0172](#))
- 305 Wychavon District Council and Malvern Hills District Council ([NPP0145](#))
- 306 Zack Beaufort ([NPP0264](#))

# List of Reports from the Committee during the current Parliament

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All publications from the Committee are available on the Committee's website at [www.parliament.uk/clg](http://www.parliament.uk/clg).

The reference number of the Government's response to each Report is in brackets after the HC printing number.

## Session 2014–15

|                       |   |        |
|-----------------------|---|--------|
| First Report          | Devolution in England: the case for local government  | HC 503 |
| Second Report         | Local government Chief Officers' remuneration   | HC 191 |
| Third Report          | Child sexual exploitation in Rotherham: some issues for local government  | HC 648 |
| First Special Report  | Further review of the work of the Local Government Ombudsman: Responses to the Committee's Fifth Report of Session 2013–14    | HC 192 |
| Second Special Report | Local Government Procurement: Response of the Local Government Association to the Committee's Sixth Report of Session 2013–14 | HC 193 |

## Session 2013–14

|                      |  |                  |
|----------------------|--|------------------|
| First Report         | The Private Rented Sector  | HC 50 (CM 8730)  |
| Second Report        | The work of the Regulation Committee of the Homes and Communities Agency   | HC 310 (HC 836)  |
| Third Report         | Community Budgets  | HC 163 (CM 8794) |
| Fourth Report        | Post-legislative scrutiny of the Greater London Authority Act 2007 and the London Assembly   | HC 213 (CM 8761) |
| Fifth Report         | Further review of the work of the Local Government Ombudsman   | HC 866           |
| Sixth Report         | Local Government Procurement   | HC712 (CM 8888)  |
| Seventh Report       | Building Regulations certification of domestic electrical work   | HC 906 (CM 8853) |
| First Special Report | Committee's response to the Government's consultation on permitted development rights for homeowners: Government response to the Committee's Seventh Report of Session 2012–13 | HC 173           |

## Session 2012–13

|               |   |                          |
|---------------|---|--------------------------|
| First Report  | Park Homes  | HC 177-I (CM 8424)       |
| Second Report | European Regional Development Fund                            | HC 81 (CM 8389)          |
| Third Report  | The work of the Local Government Ombudsman                    | HC 431 (HC 615 & HC 650) |
| Fourth Report | Pre-appointment hearing for the Chair of the Audit Commission | HC 553                   |

|                |  |                            |
|----------------|--|----------------------------|
| Fifth Report   | Mutual and co-operative approaches to delivering local services  | HC 112 (CM 8547 & HC 1091) |
| Sixth Report   | Councillors on the frontline   | HC 432 (CM 8582)           |
| Seventh Report | The Committee's response to the Government's consultation on permitted development rights for homeowners | HC 830                     |
| Eighth Report  | The role of local authorities in health issues   | HC 694 (CM 8638)           |
| Ninth Report   | Implementation of welfare reform by local authorities  | HC 833 (CM 8635)           |

### Session 2010–12

|                       |  |                   |
|-----------------------|--|-------------------|
| First Report          | Proposed Code of recommended Practice on Local Authority Publicity   | HC 666 (HC 834)   |
| Second Report         | Abolition of Regional Spatial Strategies: a planning vacuum?   | HC 517 (CM 8103)  |
| Third Report          | Localism   | HC 547 (CM 8183)  |
| Fourth Report         | Audit and inspection of local authorities  | HC 763 (CM 8209)  |
| Fifth Report          | Localisation issues in welfare reform  | HC 1406 (CM 8272) |
| Sixth Report          | Regeneration   | HC 1014 (CM 8264) |
| Seventh Report        | Pre-appointment hearing for the Government's preferred nominee for Chair of the Homes and Communities Agency Regulation Committee          | HC 1612           |
| Eighth Report         | The National Planning Policy Framework   | HC 1526 (CM 8322) |
| Ninth Report          | Taking forward Community Budgets   | HC 1750           |
| Tenth Report          | Building regulations applying to electrical and gas installation and repairs in dwellings  | HC 1851 (CM 8369) |
| Eleventh Report       | Financing of new housing supply  | HC 1652 (CM 8401) |
| First Special Report  | Beyond Decent Homes: Government response to the Committee's Fourth Report of Session 2009–10   | HC 746            |
| Second Special Report | Proposed Code of Recommended Practice on Local Authority Publicity: Government response to the Committee's First Report of Session 2010-11 | HC 834            |
| Third Special Report  | FiReControl: Government response to the Committee's Fifth Report of Session 2009–10  | HC 835            |
| Fourth Special Report | Preventing violent extremism: Government response to the Committee's Sixth Report of Session 2009–10                                       | HC 1951           |