

National Planning Policy Framework

Consultation questions

We are seeking your views on the following questions on the Government's proposal for a new National Planning Policy Framework.¹

Email responses to: planningframework@communities.gsi.gov.uk

Written responses to:

Alan C Scott

National Planning Policy Framework

Department for Communities and Local Government

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(a) About you

(i) Your details

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(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response

Personal views

¹ (see: <http://www.communities.gov.uk/publications/planningandbuilding/draftframeworkconsultation>)

(iii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group.

- Yes
- No

Name of group:

GreenLINK
GreenLINK is a forum that brings together, at a national level, organisations active in the parks and green space sector.
Organisations from the widest range of green spaces are present at GreenLINK– from parks and gardens to city farms, country parks, woodlands and wildlife sites to play areas, allotments to urban plazas –whether provided and managed by statutory agencies, non-governmental organisations, local authorities or by community led and managed groups such as community gardens or “Friends Of” groups.

(iv) Please tick the *one* box which best describes you or your organisation:

- Private developer or house builder
- Housing association or RSL
- Land owner
- Voluntary sector or charitable organisation
- Business, consultant, professional advisor
- National representative body
- Professional body
- Parish council
- Local government (i.e. district, borough, county, unitary,etc.)
- Other public body (please state)

- Other (please state)

(v) Would you be happy for us to contact you again in relation to this consultation?

- Yes
- No

DCLG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Department is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data - name and e-mail address - you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the comments box.

(b) Consultation questions

Delivering Sustainable Development

The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.

1(a) – Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input checked="" type="checkbox"/> |

1(b) Do you have comments? (please begin with relevant paragraph number)

Para 9

The supposition that ‘the purpose of planning is to contribute to the achievement of sustainable development’ is not in itself wrong. However the mind-set that appears to permeate the draft Policy Framework is such that there is an implication that as long as an application represents ‘sustainable development’ it should rarely, if ever, be refused regardless of quality and appropriateness.

The purpose of the planning system should actually be to ensure the right kind of development in the right location, that it meets a genuine need, fulfils the principles of sustainability (in as wide a sense as is practically possible) and works for all of the local community, whatever their age.

Planning permission should only be granted in circumstances where the development would not be to the detriment of the local landscape and environment or the historic and cultural character and fabric of the area, which should include places where children and teenagers play. Wherever possible, development should seek to enhance the character and fabric of the area.

The definition of ‘sustainable development’ provided, is weak and inadequate and provides no real basis for objective and consistent appraisal.

Even ‘waste ground’ in both urban and rural locations can be regarded by children and teenagers (who are 20% or more of the UK population) as a valuable resource for children’s play and therefore such places have value to the community. This should be recognised.

Some GreenLINK members suggest that the same status should be awarded to established natural outdoor play spaces, regardless of their commercial value for development, as that already afforded to biodiversity, open spaces, parks and recreation grounds. This land could perhaps be known as *Informal Play and Leisure*.

Para 10

The second and third bullet point should contain specific reference to the role of Green Infrastructure (GI) in supporting either a 'good quality built environment' or to 'mitigate and adapt to climate change'. Without well planned local GI elements producing proportionate levels of ecosystem services linking to and enhancing GI in the wider surrounding environment, a development can't really be described as 'sustainable'. We would also highlight that when considering GI and its functions, children and teenagers' play and freedom to use the outdoors should be sufficiently recognised as a legitimate use of networks of green places.

The Framework does not currently provide a definition of GI, something which requires rectification. Natural England has a suitable definition and use of this would be widely supported.

Para 11

The statement that there is 'no necessary contradiction between increased levels of development and protecting and enhancing the environment' has rarely been reflected in historic reality. In many cases it has only been through a strong and often prescriptive planning framework that 'development has been planned and undertaken responsibly. How many major developments of the past, which have achieved this aspiration, have done so without substantial modification and reform brought about through a strong planning system? Under the proposed new framework it seems likely that many of these would have sailed through at the first attempt and been far less successful as a result.

Para 13

The statement 'without growth, a sustainable future cannot be achieved' is entirely representative of a single political ideology. There are many other ideologies that do not intrinsically link growth with sustainability. The statement 'Planning must operate to encourage growth and not act as an impediment' simply dumbs down the far more expansive role of good planning systems. Planning must operate to assess whether a proposal is appropriate (on many different levels) and sustainable (in the widest possible sense) and it must have the power and tools at its disposal to act as an impediment where proposals are inappropriate and unsustainable.

Para 14

It is our belief that local planning authorities have always sought to 'plan positively for new development, and approve all individual proposals wherever possible' but that their ability to achieve this has been helped rather than hampered by the range of Planning Policy Statements and guides that this proposed framework seeks to cancel. It is these that have helped to determine and clarify which proposals are 'possible' and which are not and it is these that have helped to ensure a consistency of outcomes across different planning authorities.

Indeed, GreenLINK members are able to identify areas where the Guidance and Statements needed further enhancement. For instance, the omission of any mention in past Guidance and Statements regarding protection of the many natural green places where children and teenagers can and do play may have in some circumstances had, by omission, a detrimental effect on protection of these informal sites as places for children's play and where they might have regular contact with nature.

Para 17

It is important to ensure that within the Neighbourhood panels power is balanced towards communities rather than local business interests. It is also important to ensure that a truly representative cross section of the local community is actively involved in the process. This should include the needs and wants of local children and teenagers. Adult anxieties and concerns about teenagers in particular can undermine the interests of the younger generation. In practice this exacerbates the difficulties within local communities.

It is also important to ensure that these community representatives are adequately supported, have access to advice and guidance and to comparative examples from elsewhere which can broaden their perspectives and expand their aspirations and expectations.

Para 18

Within the context of the Neighbourhood Planning process the phrase 'National incentives and relevant local charges will help ensure local communities benefit directly from the increase in development that this framework seeks to achieve' could sound dangerously like bribing communities to accept more development than they actually need or want. The level of development should be appropriate to the environmental and social circumstances; should there be an aspiration to increase development? This is again not necessarily in-line with the position that development will be sustainable.

Para 19. First bullet point.

The term 'positive long-term vision for an area' appears at the mo-

ment to be mostly concerned with growth and increased development. In many cases a positive long term vision for an area may be more about protection of heritage and culture and improved green infrastructure as well as appropriate and well executed development of the right type in the right place.

Para 19. Second bullet point.

If the Framework provided a decent and far more comprehensive definition of the term 'key sustainable development principles', then perhaps the default answer to development proposals should be "yes". However until this in place the default answer should be "no" with the onus placed on the developer to demonstrate that their proposed development really is substantively sustainable. Sustainable development goes beyond loft insulation and energy saving light bulbs.

Para 19. Third bullet point.

This sounds dangerously close to 'if there's money to be made the default answer should be 'yes'.

Para 19. Fifth bullet point.

The statement 'where practical and consistent with other objectives, allocations of land for development should prefer land of lesser environmental value' should read 'wherever possible, allocations of land for developments should always prefer land of lesser environmental value' and this should be a presumption within the framework.

Within this context there should also be proper regard of the possibility that such places are currently being used by children and teenagers as a valuable play space, and therefore cannot automatically be assumed as being suitable for development. Just because a place may have 'lesser environmental value' from a planning perspective does not in itself lead to the conclusion that it is not of value to local children and teenagers.

Para 19. Sixth bullet point.

The statement 'some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)' underplays the fact that nearly all green space to lesser or greater degrees contributes to all of these things.

Para 19. Seventh bullet point.

This highlights the inadequate interpretation of sustainable development. Truly sustainable development must be largely if not wholly designed around the use of renewable resources. Otherwise we are merely talking about development that is perhaps a bit more sustainable that it used to be.

Para 19. Ninth bullet point.

Because of the direct link between green infrastructure and health and wellbeing benefits and the link between health inequalities and green space inequalities, there should be more specific reference to green spaces here and throughout the framework.

An additional bullet point could be added stating “planning policies and decisions should protect and improve access to good quality open spaces and opportunities for sport, play, recreation and leisure, including food production”

**The consultation question set does not provide an opportunity to specifically address the section ‘Sustainable Communities’.
Our comments are therefore provided in this section below.**

Para 125. Third bullet point should specifically refer to ‘quality green space’ as well as ‘quality public space’.

Para 126. As this addresses delivery of ‘community facilities and local services’ there should again be a very specific mention of parks and green spaces and consideration of children and teenager’s play and informal use of the outdoors as valid activities.

Para 129. We agree with the statement discouraging building on ‘existing open space, sports and recreational buildings and land, including playing fields’ but would again insist on the inclusion of the term parks and green spaces. There is also a need within this statement to actively recognise ‘undesigned land’, e.g. waste land, as possibly being already utilised as valid ‘Children and Teenagers Play Space’ and therefore of great community value.

Furthermore, in relation to the caveats on this statement which would allow development (first bullet point ‘an assessment has taken place which has clearly shown the open space, buildings or land to be surplus to requirements’ (and the second bullet point ‘the need for and benefits of the development clearly outweigh the loss’) – with the abandonment of PPG 17 and the companion guide ‘Assessing Needs and Opportunities’ there is now no longer a consistent approach to either working out whether or not open spaces are surplus, or to quantify the ‘loss’.

This inability to calculate the demand or the impact of the loss renders the initial statement meaningless – “it is surplus because we say it is surplus” and “there is no real loss or impact because we say there is no loss or impact”.

There will now be massive inconsistencies from area to area depending on the methodology applied and this in turn will depend on the

result that the particular planning authority is trying to achieve which in turn will be governed by the aspirations of the leading political group within the area.

A great deal of work was put into PPG17 to ensure that there was a consistent, challengeable and defensible approach to addressing these issues. To date there has been no satisfactory argument put forward that justifies the abandonment of this particular Planning policy Guidance.

The statement “including alternative uses such as allotments or play” should be added to the end of the first bullet point and, the statement “and a suitable replacement is provided within the locality” should be added to the end of the second bullet point.

Para 131. The new Local Green Space Designation. There is a huge contradiction between the overall statement “the Local Green Space designation will not be appropriate for most green areas or open space” and the bullet points which follow and explain the conditions for use of the new designation.

We suggest that within most urban communities the resident population would consider most of the green space in their area to meet the designation’s requirements. The only possible exception to this is the third bullet point which seems to suggest that large areas – ‘extensive tract of land’ – appear to be excluded, although no rationale for this is provided.

Why wouldn’t a large tract of land meet all of the other requirements?

Do we really have a new green space designation that is only for small tracts of land?

What is large and what is small?

There also needs to be much greater clarity about the idea that ‘The designation should only be used where the green area concerned is local in character’. This potentially excludes all of our designed landscapes, dependent upon local interpretation of the term. This means that use of the designation will always be dogged by debate about whether or not the new designation can be applied to parks, gardens, memorial gardens, even allotments, in fact anything that is not naturalistic.

What does the term ‘local in character’ mean? Is it that only flora and fauna native or indigenous to the specific area can be present? That all materials used in its construction have to be found within 5,

or 10 or 15 miles? That the topography of the site is largely unaltered from its natural form or is a faithful reproduction of the dominant surrounding topography?

We would argue that the presence of a designed landscape, established probably at least a hundred years ago, may both reflect the predominant natural character of the surrounding natural environment and, helped shape and define the character of the local built environment.

We would also argue that in an urban environment the term 'local character' will be considered by many in the local community to be determined by the built environment of the area; the houses, schools and other buildings, the monuments and sculptures, the road layouts, the predominant font used for road signs and other signs, the livery of the local bus service and most especially, the local parks and green spaces.

Some of the features that contextualise the 'local character' in an urban sense, will be historic, some more recent. That which determines local character, or at least the local population's perceptions of local character, will be unique to each community.

Again we would highlight that use as a space for children and teenager's play' should be considered alongside all other designations. There is currently widespread concern regarding the reform of the Town and Village Green designation process.

Many are hoping that the new Local Green Space designation will provide an alternative to the T&VG approach as a means by which important spaces can be better protected.

Alternatively, others fear that this hope is unfounded, suspecting that the details of the new Local Green Space designation will only be revealed after changes have been made to the T&VG designation process and that the new designation will at that stage be revealed as an entirely unsuitable replacement.

Plan-making

The Framework has clarified the tests of soundness, and introduces a useful additional test to ensure local plans are positively prepared to meet objectively assessed need and infrastructure requirements.

2(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

2(b) Do you have comments? (please begin with relevant paragraph number)

We agree that an objective assessment of need and infrastructure requirement should be included but unsure as to the 'usefulness' of the approach provided by this framework.

Para 21

Will there be any additional consultation requirement associated with reviews of Local Plans which arise as a result of needing to 'respond flexibly to changing circumstances'? It would be poor practice to involve communities in the development of a plan and then not include them in subsequent revisions.

The tenor of the terminology which describes when additional or supplementary development plan documents should be used seems designed to intentionally discourage their use except where reference to these documents will aid development. In many cases, reference to such additional documentation may help to illustrate to all parties concerned legitimate reservations about the suitability and viability of a development proposal.

Nothing should be done to discourage such appropriate use of wider reference material and the information and data contained therein. Surely this is weighting the planning system in favour of the developer to the point of absurdity.

Para 23

There should be a clear and unambiguous reference to green infrastructure somewhere in this section, both in terms of ecosystem services and the ability to mitigate and adapt to climate change and in terms of community recreational opportunities. There should be a green space strategy linked to a cross boundary wider green infrastructure strategy. The latter of these used to be called Regional Spatial Strategies prior to them being unwisely abolished. We would also wish to see a strategic approach to the conservation and improvement of cultural and heritage assets.

Para 24

There should be an additional bullet point stating "identify land which it is genuinely important to retain as recreational open space

because of its value to the local community's health and well-being"

Para 25

This is particularly hard to achieve within less advantaged areas.

A comparable approach is taken in New Zealand where experience shows that it takes a significant investment in community development to create the capacity within disadvantaged communities to respond to this involvement opportunity. This investment is highly worthwhile but where will it come from within a typical English local authority in 2011? Most of the resources that might have previously been available have probably already been reduced or lost completely.

What method of test will be used to ensure that the process of developing a Local Plan has successfully engaged with and reflects a truly representative cross section of views?

It is often the most vulnerable within society that are least able to respond to opportunities such as these and perhaps least likely to benefit from inadequately controlled development within their area.

Para 27

This needs better definition about what type of evidence is needed to meet the criteria of 'adequate' and 'up to date' and 'relevant'. Again this appears to be being left to local interpretation just like far too many other things within the Framework.

Para 28

This identifies the need for a Strategic Housing Market Assessment but there is no such need in relation to green space strategies or indeed green space provision within new developments. Simply ensuring that we're meeting housing demand does not represent 'sustainable development' or growth; this approach does not help to ensure that today's new development matures into tomorrow's functional, cohesive and healthy community.

Para 29

Economic markets probably don't really operate on a simplistic county level. Understanding business needs within economic markets perhaps requires data / intelligence and relationships that function at a local, county, regional and national level.

Para 31

Advice on assessment of infrastructure requirements should include consideration of green infrastructure and ecosystem services. It should also consider recreational and cultural infrastructure both as built facilities and that which needs to be provided through the pro-

vision of quality open space.

Para 34

In order to ensure a consistent and effective approach across different planning authorities, advice and guidance is needed to adequately describe the requirements of a sustainability appraisal and appropriate methodologies for meaningfully undertaking such an appraisal.

Para 35

The optional requirement for the making of Local Plans to incorporate a sustainability appraisal and an environmental assessment should not negate the potential need for further appraisals and assessments relating directly to specific development proposals. It is only when a definitive proposal is on the table that a true assessment of its environmental impact and credibility as a sustainable proposal can be properly assessed.

Para 38

There is now a well-established link between health and wellbeing and access to quality green spaces.

Furthermore, there is an established direct link between inequalities in relation to health and wellbeing between advantaged and disadvantaged communities and their relative access to quality green space. Poorer communities die younger and suffer from poor health from an earlier age and there are less accessible green spaces which tend to be smaller and of lower quality when compared to richer communities.

This relationship is well described within the Marmot Review and subsequent Health White Paper. It is exasperating to see one Government department's work towards improved health and wellbeing through better local environmental quality, thwarted by a Planning Policy Framework that singularly fails to adequately acknowledge the need to address green space access and quality.

Improving access to quality green spaces has the potential to reduce health costs by billions of pounds each year, as well as improving peoples' lives, creating more attractive and desirable places to live and saving further billions through ecosystem services and yet, within this Planning Policy Framework it is barely recognised as having any relevance to sustainable development.

It is likely, that in response to this, Government will say that it has made provision for this through the recommendation that local planning authorities should work with public health leads and health organisations; therefore provided the local health and wellbeing

board identifies green space issues as relevant to improving health and wellbeing the issue will make it through to the plan making process.

Unfortunately there is however no mandatory requirement for health and wellbeing boards to communicate with green space providers, as this is left entirely to local discretion. Therefore, there will again be substantial inconsistencies of approach between one health and wellbeing board and any other and between one planning authority and any other.

Para 39

Planning authorities should not reduce their expectations and requirements simply to make a planned development more viable. Some planned developments will be more viable than others because of their type and location in relation to the surrounding infrastructure and social and environmental conditions. Where a planned development places excessive burdens on surrounding infrastructure and necessitates compensatory actions to address social and environmental impacts, it is the developer that must cover the resulting costs.

It should not be the job of planning authorities to assist private individuals and companies to profit through unsustainable and inappropriate development proposals. The level of planning obligations should relate to the needs arising as a direct result of the development plus an equitable share of the costs associated with sustaining a viable local infrastructure.

If this means that the developer can no longer make their expected profit margin then they should consider modifying their proposal to reduce the resulting impact and infrastructure burdens. Alternatively the development should be undertaken by an organisation with lower profit expectations such as a Registered Social Landlord or a social enterprise or cooperative self-build initiative. There should not be a presumption that all development opportunities should fall to private commercial 'for profit' companies to undertake.

Para 40

As 39 above, the Community Infrastructure Levy charge should be based on addressing needs arising as a direct result of the development plus an equitable share of the costs associated with sustaining a viable local infrastructure. We welcome the involvement of local communities in quantifying impact and determining local needs and in developing local strategies for using Community Infrastructure Levy charges to create the maximum local benefit. Community Infrastructure Levy charges should not however be used as a form of bribe to encourage communities to accept otherwise unacceptable

and inappropriate development.

Para 42

The process of assessing impact should not be restricted to 'available' evidence. Where an effective assessment requires the collection of additional evidence which is not currently available and is essential to the decision making process, provision should be made to encourage / enable the required evidence to be collected.

Para 44

We agree that public bodies should have a duty to cooperate on planning issues that cross administrative boundaries. However, the strategic priorities provided do not include green infrastructure. The successful management of green infrastructure takes place on a landscape scale and does not recognise administrative boundaries.

As development may have a substantial impact on the health and viability of green infrastructure and associated ecosystem services, it is imperative that it is included and specifically identified as a strategic priority that public bodies must cooperate on across administrative boundaries.

Paras 50, 51 and 52

It is likely that there will frequently be conflicts and discrepancies between neighbourhood plans and local plans. The provisions provided here for successfully resolving these conflicts whilst supporting the implementation of a local plan that can effectively address area wide strategic priorities seem to be inadequate.

The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively.

2(c) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

2(d) Do you have comments? (please begin with relevant paragraph number)

In the past and operating at a regional level, local authorities have been resourced and supported to develop Regional Spatial strategies designed to protect and enhance green infrastructure and the ecosystem services they provide. The dissolution of regional governance structures together with reduced public spending has made it increasingly difficult to maintain this vitally important work.

The Natural Environment White Paper has identified the need for public bodies to continue to work across administrative boundaries in order that green infrastructure continues to be strategically managed at a landscape scale.

There is a need for stronger and more explicit links between the Planning policy Framework and the Natural Environment White Paper in relation to cross administrative boundary working, the effective management and enhancement of green infrastructure and planning development.

Decision taking

In the policies on development management, the level of detail is appropriate.

3(a) Do you agree

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

3(b) Do you have comments? (please begin with relevant paragraph number)

Para 53

The statement that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent, is hard to support.

Notwithstanding previously stated concerns about the inadequate definition of sustainable development, the primary purpose of development management should be to ensure the best possible development options take place in the most appropriate locations.

It should also always relate to the bigger strategic picture for the wider area rather than just assessing each individual proposal in iso-

lation.

A more robust definition of sustainable development would help enormously.

However, even with this in place it would still be wrong to adopt a policy that seems to suggest that development management should simply help to push through the first 'sustainable' proposal presented; it may be a sustainable proposal but is it the best possible proposal for this site? How might this proposal be reasonably improved? Are other better proposals likely to emerge in the near future? How will accepting this proposal for this location affect the options to deliver strategic priorities elsewhere?

Para 54

The suggestion that development management should also look for solutions rather than problems so that applications can be approved wherever it is practical to do so is also poorly stated. It is upon developers that the obligation to address problems and find solutions should fall; they should be knowledgeable, responsible and professional and should earn their return on investment by developing proposals that are from the outset relatively clear of problematic areas.

There are no shortcuts to sustainable development proposals, Government cannot create a system whereby developers are enabled to submit poorly considered proposals and then demand that the planning authority works out the solutions on its behalf.

The emphasis of this principle should instead be on planning authorities using their skills, local knowledge and experience to assist in the process of refining and improving proposals and resolving any remaining difficulties.

Para 56 and 57

The emphasis on early engagement and pre-application discussions is welcomed as is the suggestion that applicants should be encouraged to engage with the local community before submitting their applications.

Para 59

The suggested requirement for planning authorities to publish a list of their information requirements for applicants should not be used to hamstring planning authorities. The published list should be provided as guidance only with planning authorities free to request additional information where they feel it is material to the application in question.

Para 60

We do not support the idea that planning authorities should enter into planning performance agreements with developers. Rather than improving the quality of decision making, such a mechanism would only serve to put pressure on planning authorities to agree to proposals quickly in order to meet targets rather than to make an objective assessment and ensure problems and issues are adequately resolved.

Para 67, 68, 69 and 70

Under the section 'Planning Conditions and Obligations' we object to the notion that otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through planning conditions. Our objections are made despite knowing that this reflects the current position (Circular 05/2005 and Circular 11/95).

Within the context of this new Framework however, with its lack of supplementary guidance and excessive commitment to 'presumption in favour' this just seems to suggest that developers with unsound proposals may be able to buy permission. Unacceptable impacts are just that; unacceptable. If there is to be a presumption in favour of sustainable development then there also needs to be a presumption against unsuitable, unsustainable and inappropriate development, including those proposals which carry unacceptable impacts.

We also reject the suggestion that planning obligations should always be directly related to the development on the basis that infrastructure needs often extend beyond the development site. It is not necessary to provide a school, hospital or even a park on every development site but all significant development proposals will bring with them an additional burden upon these types of infrastructure components.

Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government.

4(a) Do you agree

- Strongly agree
- Agree
- Neither agree or Disagree

Disagree

Strongly Disagree

4(b) What should any separate guidance cover and who is best placed to provide it?

Question 4a begs the question 'what was wrong with much of the existing guidance which Government plans to abandon'? Why can it not be applied to this Planning Policy Framework or an improved version of this Planning Policy Framework?

In the case of green infrastructure and community access to high quality green space, many within the sector we represent wished for guidance which was less light touch.

The value of green infrastructure in relation to health and wellbeing and maintaining a sustainable environment is irrefutable; it simply isn't possible to create sustainable urban settlements with cohesive and functional communities without first addressing the green infrastructure; it is a fundamental requirement of sustainable development, so why are there any compunctions about insisting that developers adequately address this requirement within every significant development proposal?

Planning Policy Guidance 17 addressing open space, sport and recreation opportunities, should not be abolished, it should instead be strengthened and fully embedded within the new Framework. Green spaces and green infrastructure should not be viewed as liabilities; they are assets that provide a substantial economic return on investment.

Establishing this as a core principle within the planning process is fundamental to sustainable development and responding to the challenges presented by climate change.

Greenspace managers want to know what is expected of them now under NPPF in the way they need to integrate strategic green space planning with the new planning system. The draft NPPF says that a robust approach based on needs assessment and standards is still at the core of what is needed, and there is a definite need for guidance which as a minimum describes in broad terms how this needs to be approached.

One particular need is to help people understand how open space strategies and GI fit together, there remains confusion around this.

There is also a call for specific guidance relating to children and teenager's play and informal use of the outdoors. Children and teen-

agers need access to a variety of character filled natural places for play, whether they be streams and copses, meadows, scrub, sports pitch margins, beaches, open hillsides or waste ground. All such places are assets to the local community. PPG 17 doesn't fully address this issue and is an example of where it could be further enhanced.

We feel that our own sector, rather than Government, is best placed to provide separate guidance on parks and green spaces and green infrastructure.

No doubt other sectors feel the same way about their particular areas of specialism. However, the work should be supported, facilitated, ratified and enforced by Government or its agents.

Business and economic development

The 'planning for business policies' will encourage economic activity and give business the certainty and confidence to invest.

5(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

5(b) Do you have comments? (please begin with relevant paragraph number)

It is hard to disagree with the above statement; indeed the entire Planning Policy Framework appears biased towards on encouraging economic activity and supporting business – regardless of the cost to communities, the cultural and historic fabric or the environment.

Para 72, third bullet point

Why is the objective to 'raise the quality of life and the environment in rural areas by promoting thriving, inclusive and locally distinctive rural economies' not equally applicable to urban communities?

Urban communities also need improvements to their quality of life and environments and may also want to see thriving, inclusive and locally distinctive economies promoted through planning policies.

However, with the stripping out of so much established guidance and reference points from the Framework, the high levels of reliance upon local interpretation, the likely disparity in approaches to developing Local plans and subsequent quality of outcomes, it is hard to predict quite how this Framework will function in terms of business certainty and confidence.

5(c) What market signals could be most useful in plan making and decisions, and how could such information be best used to inform decisions?

The town centre policies will enable communities to encourage retail, business and leisure development in the right locations and protect the vitality and viability of town centres.

6(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

6(b) Do you have comments? (please begin with relevant paragraph number)

Para 76

The policies will encourage retail, business and leisure development but not necessarily in the right locations. The measures outlined here offer very little to prevent the continued erosion of local distinctiveness, where one high street becomes a clone of any other, or to prevent the decimation of high streets through the ceaseless expansion of 'edge of centre' supermarket chains and retail parks.

The current wording reads as if wherever a retailer requiring a larger premises can't be accommodated within a town centre the planning authority should seek to identify a suitable 'edge of centre' location. The planning authority should instead be required to consider the local need for such a retailer and the likely impact on the existing high street and established retailers.

There is no benefit in helping to establish a new retail park consisting

of global chains or supermarket if it results in the closure of half of the town centre shops. Paragraph 76 should be directly related to paragraph 80.

Transport

The policy on planning for transport takes the right approach.

7(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

7(b) Do you have comments? (please begin with relevant paragraph number)

In general this section of the Framework is too non-committal on the issue of sustainable transport. The framework presumes in favour of any sustainable development proposal but unfortunately the section on transport merely serves to demonstrate the inadequacies of Government's perceptions about what does or does not represent sustainable development.

Para 82

Here there is a statement that the 'transport system needs to be balanced in favour of sustainable transport modes', but then immediately adds the caveat that this may be too difficult to achieve in some areas. Surely, if sustainable transport systems cannot be successfully established as the primary transport option within a development proposal then it is not truly viable as a sustainable development.

Para 85

A policy which contains strategies for increased roadside facilities for motorists and the growth of airports will always struggle to achieve any credibility in relation to the sustainable growth agenda.

Para 86

If the existing transport infrastructure cannot cope with the addi-

tional burden created by the development and the developer cannot absorb the additional burden through investment in sustainable transport options the proposal is not a sustainable development proposal and there should be a presumption against the application. Significant new developments should always be used to add to the viability of sustainable transport options i.e. can 2,000 new homes help to resurrect a failing bus service or provide the justification for investment in a tram or light rail option, or additional cycle lanes. Furthermore, it is the development itself that should financially contribute to the enhancements needed to the transport infrastructure although this Framework seems to have a tendency to shift the emphasis away from the developer and on to the planning authority in relation to responsibility to fund necessary infrastructure improvement.

Para 87

Again, the Framework's apparent commitment to enhancing air travel capacity contradicts any claimed commitment to the principles of sustainable development.

Para 88

The initial stated principle is supportable however it is again undermined by reference to other aspects of the policies in the Framework, in essence providing developers with an excuse to not address sustainable transport issues if they are too expensive or too difficult or in any other way might get in the way of the development.

Para 89, 90 and 91

These aspects of the policy are supported.

Para 91 and 92

In general these two paragraphs are supported. However, elsewhere the suggestion appears to be that it would be unreasonable of a planning authority to expect the developer to provide key facilities such as schools, local shops, health care facilities and leisure facilities.

No doubt where such facilities can be provided on a commercial basis with a reasonable expectation of a return on the investment the developers will be willing to cover the cost and retain ownership or commercially sell on. Where they are a cost that will never be recouped (an allotment, a playground or other playable spaces, nursery or school) the developer will claim that the planning authority is being unreasonable and is reducing the viability of the proposal.

Of course the problem is that at present there is exceptionally limited capacity within local government to meet the costs of any investment needs. There is a likelihood in many cases of insufficient

investment from the developer, insufficient capacity to make up the investment shortfall within the local authority, leading to the creation of houses rather than communities and a surrounding infrastructure that is burdened beyond its capacity. This does not represent sustainable development and there should be a presumption against approval.

Communications infrastructure

Policy on communications infrastructure is adequate to allow effective communications development and technological advances.

8(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

8(b) Do you have comments? (please begin with relevant paragraph number)

Para 99

This statement supporting open and unfettered competition is probably again contrary to the principles of sustainable development. It described an open market with no strategic control where anyone that wants to provide communication systems can, with multiple providers failing to link up services, share infrastructure or minimise the use of resources.

Minerals

The policies on minerals planning adopt the right approach.

9(a) Do you agree?

- | | |
|----------------|--------------------------|
| Strongly Agree | <input type="checkbox"/> |
|----------------|--------------------------|

- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

9(b) Do you have comments? (please begin with relevant paragraph number)

Housing

The policies on housing will enable communities to deliver a wide choice of high quality homes, in the right location, to meet local demand.

10(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

10(b) Do you have comments? (please begin with relevant paragraph number)

Para 107

There is a lack of definition of the term 'quality' and 'sustainable'. Greater emphasis should be given to the regeneration and renewal of areas of poor housing as a 'first option' in meeting housing needs.

Para 109

With the proposed demise of PPG17, there are concerns that there is insufficient protection available to existing public open space including open places, formal or informal, where children and teenagers can and do play. This could lead to the erosion of green infrastructure arising from the need to identify potential locations for growth.

Again there is a need for greater emphasis on the option of bringing back into use empty housing and other properties. There should be a presumption that this should always be the first option considered.

Para 110

The existence of out of date policies and the failure to demonstrate

an up to date five year supply of deliverable housing sites should not add to the presumption in favour of consent. Each application should still be assessed on its merits and its credentials as sustainable development.

Para 113

Is there scope in this paragraph to include within the 'special circumstances' homes that are built utilising sustainable materials and sustainable building techniques and designed to make the minimum environmental impact?

Also, when the creation of such a home would be conditional upon bringing surrounding environments, currently unmanaged and neglected, into better condition. There are many who would choose to live self-sufficient lifestyles based on subsistence permaculture principles combining environmental conservation with sustainable living if they could obtain permission to build a low impact home on the land.

Planning for schools

The policy on planning for schools takes the right approach.

11(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

11(b) Do you have comments? (please begin with relevant paragraph number)

The section on schools within the Planning for Prosperity chapter appears to have been omitted! We cannot therefore state whether or not we agree or disagree with the proposals. However, in the case of any medium to large scale development there will be implications for the Local Education Authority in terms of capacity to provide additional school places for children within new developments.

Therefore the Community Infrastructure Levy obligations placed upon developers should include contribution towards increasing the capacity of the schools within whose designated areas the new development lays. This should not however be at the expense of the school grounds i.e. schools should not have to sacrifice their grounds in order to build additional classroom space.

The Learning in the Natural Environment (LINE) programme highlights the many benefits provided by good educational use of school grounds both in terms of educational attainment and the health, wellbeing, self-esteem and confidence of pupils. In circumstances where increasing classroom capacity involves loss of grounds but there is a surplus of grounds, the Community Infrastructure Levy should be used to both cover the cost of the construction works and also compensating for the loss of grounds through the improvement of the remaining grounds.

In other circumstances there will be a legitimate case for the construction of an entirely new school or schools to accommodate the additional children arising from the new development. Again the cost of this should be met or substantially met through the developers. In these circumstances the design of the new school should seek to ensure that sufficient high quality green space is provided within or very near the school. Building schools where there is no capacity to

provide pupils with regular access to natural environments contradict Government's own policies. It does not represent sustainable development and there should therefore be a presumption against approval.

Design

The policy on planning and design is appropriate and useful.

12(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

12(b) Do you have comments? (please begin with relevant paragraph number)

Para 116

Again our concern is that the interpretation of 'quality' will take place at a local level, with much less guidance than currently exists and therefore there will be substantial variation in relation to quality required and quality provided from one area to the next.

Decisions on what constitutes 'quality' should also, in particular circumstances, include the degree to which children and teenager's play and informal use of the outdoors are accommodated, and this within the terms set out in the Design for Playⁱ guidance. This also applies to the other design comments made later regarding local character and style of buildings and open spaces.

In this paragraph, at last there is a mention of the need to 'incorporate green and other public space as part of developments'. Unfortunately as it stands and without any further substantiation of this statement through guidance such as PPG17, the statement is completely meaningless.

There is nothing to prevent developers taking the old approach, of simply turfing over the tiny corners and pockets of land left over which are too small to fit a housing unit on and then declaring, that they have met the obligation to provide green space. In most cases these tiny pockets were of little or no value and more often than not

a liability to the estate rather than an asset.

The CABI Space publication 'Start with the Park' clearly outlines a better approach and demonstrates that there are benefits to the developer, as well as the incoming community, in designing housing around a greener and more environmentally sustainable model. It is commended to you.

Additionally, in some cases it will make no sense to try and cater for the new community's green space needs through on-site provision. Often, investing in and improving the quality of and access to nearby existing public green space, will represent a much better strategic approach.

Para 117

This paragraph appears to contradict itself in recognising that the use of design codes can help to deliver high quality outcomes but then discouraging 'detail'. Getting the overall scale, density, massing, height, landscape, layout and access of a new development right is one thing but this work will be undermined if the new units are simply ugly and completely out of character with the surrounding landscape.

It is the choice of materials, the finishes, style of windows and doors, roof pitches and decorative 'detailing' that ensures that a development enhances rather than detracts from existing character. There is otherwise very little in this section of the Framework that would discourage or prevent the endless building of anonymous, faceless, characterless, red brick boxes that were, to our nation's disgrace, so commonly 'thrown up' here there and everywhere throughout the 70s, 80s and 90s.

Para 118

In some circumstances, such as conservation areas, it is entirely appropriate to impose a specific architectural style and, as per paragraph 117 comments, to be quite prescriptive about the details.

However we also support the principle that planning should not stifle innovation, originality or initiative. This is an example of where the attempt to overly simplify the Planning Policy Framework doesn't work because it fails to recognise the complexity of decision making that is sometimes needed to ensure a development works as effectively as possible within its unique setting.

Para 119

We support this statement but suggest that it will in some cases contradict the statements made in paragraph 117 and 118.

Para 121

Whilst we generally support this statement, there is now a complete lack of common understanding or guidance on what is or is not 'obviously poor design'. This is again going to now be determined by a singularly local interpretation. In any case, provided the development meets Government's very loose definition of 'sustainable', there is now a presumption in favour of approval which appears to overrule any concerns about appearance and poor design.

Para 123

Is there a danger that if planning authorities are only allowed to intervene in the case of individual advertisements that impact on a building or surrounding it will open the gate to a plethora of fairly anonymous lower impact signs? Individually, each sign and its location may not be a problem but, on mass they will represent a visual blight.

Green Belt

The policy on planning and the Green Belt gives a strong clear message on Green Belt protection.

13(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

13(b) Do you have comments? (please begin with relevant paragraph number)

Climate change, flooding and coastal change

The policy relating to climate change takes the right approach.

14(a) Do you agree?

- Strongly Agree

- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

14(b) Do you have comments? (please begin with relevant paragraph number)

General comment not specific to a particular paragraph

Considering this section is intended to address climate change it is surprising that it does not provide any guidance on or reference to the role of green infrastructure except in the case of managing the risk of flooding. Green infrastructure and the tree canopy provided within it are certainly important in relation to flood risk mitigation and the management of storm water run-off.

However, the draft Framework completely fails to relate to issues such as urban heat island effects, shelter belts, air quality, biomass production, biodiversity and pollination and other elements of ecosystem services that are critical to a successful national strategy for mitigating and adapting to climate change. It also fails to discuss carbon sequestration and in relation to this promote opportunities for woodland creation.

The Natural Environment White Paper shows that there is an understanding of these issues within Government, why then is this not adequately recognised and supported within the Planning Policy Framework? It is absolutely imperative that the Planning Policy Framework is wholly supportive of the Natural Environment White Paper; without an effective joining up of the two policies the objectives of the Natural Environment White Paper become entirely unachievable. Nothing should take precedence over action to halt the current decline in the UKs ecosystems. The Planning Policy Framework cannot ever purport to represent a framework for supporting and promoting sustainable development unless it first addresses environmental needs and places these squarely above all other consideration.

Para 148

This paragraph should include references to other positive measures that can help to make a development more truly sustainable such as the use of sustainable urban drainage systems (SUDS), the percentage of tree canopy cover, sustainable transport systems, green roofs, habitat creation, as well as the use of local renewable materials.

Para 151

In too many cases throughout the Framework perfectly sensible planning considerations are completely undermined by a 'get out

clause'. In this case there is good advice about not allowing incompatible new buildings to unduly impact on designated heritage assets.

This is then immediately followed with a very predictable statement about this consideration being 'outweighed by the proposal's wider social, economic and environmental benefits'. Based on the tenure of most of the framework, many will take this to mean that if the proposed development is substantial enough and of a high enough economic value we shouldn't bother to worry about the impact on the heritage asset.

Para 153

Whilst we are generally inclined to support developments that increase the production of renewable energy, the term 'approve the application if its impacts are (or can be made) acceptable' is again far too dependent on local interpretation and there will be significant variation from area to area ensuring great uncertainty for both the applicant and the affected community.

The policy on renewable energy will support the delivery of renewable and low carbon energy.

14(c) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

14(d) Do you have comments? (please begin with relevant paragraph number)

Paras 152 and 153

Whilst in general we support the principles espoused within these two paragraphs, we do not believe that they are sufficient to provide the necessary impetus to create the stepped change required to move new development increasingly towards renewable and low carbon energy.

Where a Planning authority is pro renewable energy, the framework is loose enough to allow the authority to interpret its provisions so that they strongly support a drive towards renewables. However, the opposite scenario is also true.

The draft Framework is again far too reliant on local / individual interpretation rather than providing a strong unequivocal policy position supported by clearly understood minimum standards and best practice guidelines. Issues of national importance such as this, which lie at the heart of future viability, sustainability and prosperity, should not be left to chance and local interpretation.

All new development can and should be designed to maximise the potential for renewable energy production through careful alignment of site layout and photovoltaic panels, careful positioning of wind turbines (where appropriate), community scale biomass boilers, ground source heat pumps and other methods. There are opportunities to promote the use of wood fuel linked to increased woodland cover and to the need to address rising fuel costs and fuel security.

Energy and resource consumption can also continue to be driven down through innovative but established design approaches for example rain water harvesting. A much stronger and clearer commitment to these fundamental principles of sustainable design and development needs to be provided by the Framework. Given its repeated assertion of presumption in favour of sustainable development' it needs to provide the vanguard for these basic building blocks which are core to sustainable development.

The draft Framework sets out clear and workable proposals for plan-making and development management for renewable and low carbon energy, including the test for developments proposed outside of opportunity areas identified by local authorities.

14(e) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

14(f) Do you have comments? (please begin with relevant paragraph number)

Paras 152 and 153

The Framework provides no clarity as to the criteria used in identifying opportunity areas and therefore cannot provide clarity with regard to developments proposed outside these areas.

Was this question meant to address paras 156 and 157 relating to managing the risk of flooding?

The policy on flooding and coastal change provides the right level of protection.

14(g) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

14(h) Do you have comments? (please begin with relevant paragraph number)

General comment not specific to a particular paragraph

In the wording of the question 14g it is unclear as to what the policy is seeking to protect it is therefore difficult to answer this question in anything other than the negative. Does this address protecting the natural environment, in this case the flood plain or coastal area, or protecting properties and people?

Para 154

History suggests that there has been only limited success in managing increased vulnerability to flood risk in vulnerable areas through suitable adaptation measures. Should there be a presumption against development in vulnerable areas? If not, then a clearer

statement about the imperative to include truly effective adaptation measures is required and substantial guidance needs to be available to ensure best practice approaches are always integral to such development.

The reference to green Infrastructure being a component of such approaches is not currently strong enough; retention and enhancement of green infrastructure within such areas has to be a vital part of adaptation strategies for such developments.

Para 162

In relation to time limited development within coastal change areas there is a fine line between developments consisting largely of 'short term' development utilising 'temporary' structures which can be moved and re-sited and which have used only limited renewable resources in their construction (e.g. wooden chalet constructions, caravans etc.) and low cost, low quality structures that are 'permanently' sited but only built to last for a relatively short time (e.g. 30 year life span commercial properties where the value is in the freehold rather than the structure itself) before needing demolition.

Whilst the temporary, re-locatable structure can represent acceptable and sustainable development, it is hard to see how the latter described structures can ever be described as sustainable development.

Natural and local Environment

Policy relating to the natural and local environment provides the appropriate framework to protect and enhance the environment.

15(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input checked="" type="checkbox"/> |

15(b) Do you have comments? (please begin with relevant paragraph number)

General comment not specific to a particular paragraph: A major criticism of the Framework is the lack of a clear definition of the term 'sustainable development'. To some degree this criticism could be allayed if the 'Natural Environment' section was strengthened and included within a sustainable development definition and provided as a precursor to the main body of text. The Planning Policy Framework must first address environmental needs and places these squarely above all other considerations.

Again within this section, reasonably well intentioned principles are consistently undermined by 'exceptions' many of which relate to economic rather than environmental factors, growth strategies or the less clear terms of 'public interest' and 'where practical'.

Para 167

Whilst in general there is much to support in this paragraph, it is blighted by the aforementioned 'exceptions' to the rule. The statement 'planning permission should be refused for major developments in designated areas (these include the most valuable of designated areas including National Parks, AONBs SSSIs etc) except in exceptional circumstances where it can be demonstrated they are in the public interest' requires much more explanation and clarification before it can ever be acceptable; one planning authorities exceptional circumstance is not the same as another's.

The paragraph goes on to provide some brief details of the kinds of things that might be included within the consideration of what might represent and exceptional circumstance. Within this are impact on the local economy and the cost of developing somewhere else.

Neither of these areas of consideration, particularly the latter of the two, are in any way relevant considerations in relation to the contin-

ued protection of designated areas such as National Parks, the Broads, AONBs or other designations such as SSSIs.

Para 168

This paragraph needs to reference the new Nature Improvement Areas, Green Infrastructure Partnerships and Local Nature Partnerships arising from the Natural Environment White Paper. It also needs to refer to recent work by Defra and Natural England around valuing ecosystem services and assessments of the condition and trend in condition of UK habitats. Many of the most valuable and valued habitats and ecosystems are in declining condition; fragile, vulnerable and continuing to decline. There is an urgent need for a Planning Policy Framework which actively seeks to set up the circumstances whereby planning decisions are driven firstly by a need to reverse the current condition trends.

Para 169

First bullet point

In relation to biodiversity it is our belief that there cannot be 'adequate compensation' for 'significant harm resulting from a development'. We also believe that significant harm can always be avoided in so much as the development should not in these cases take place; it is by definition unsustainable and we believe that if there is to be a presumption in favour of sustainable development then there must also be a presumption against unsustainable development.

Third bullet point

If biodiversity is not incorporated in and around developments then it cannot represent sustainable development and therefore there should be a presumption against it.

Fourth bullet point

In relation to the 'loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodlands' there can be no 'benefits' which...'clearly outweigh the loss'.

This should be included within the definition of unsustainable development and there should be an absolute presumption against approval; no exceptions and no excuses. It is statements such as these that completely undermine any confidence in the Framework's 'presumption in favour' approach.

It is largely due to the inclusion of the statements contained within paragraph 169 that we strongly disagree with this section of the Framework even though there is much to support within this section. Para 173. The Natural Environment White Paper (NEWP) published in June, states in paragraph 4.31 that:

- *‘ For many people, a sense of tranquillity contributes to their enjoyment of the natural environment. We are committed to delivering the Noise Policy Statement for England that promotes good health and quality of life. As part of this we will work with local authorities to establish mechanisms for formally identifying and protecting urban Quiet Areas, so that people living in cities can benefit from access to areas of relative quiet for relaxation and contemplation.’*

This is a specific commitment to put in place a process, whereby local authorities can formally identify urban Quiet Areas (uQAs), thus assisting with implementation of the third aim of NPSE.

This should be specifically referenced within the Planning Policy Framework.

Historic Environment

This policy provides the right level of protection for heritage assets.

16(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

16(b) Do you have comments? (please begin with relevant paragraph number)

Para 177

Whilst we generally support the second bullet point, in the context of this Framework and despite the statement to the contrary provided in paragraph 191, many will feel that the ability to capture evidence from the historic environment will be used to justify the loss of a heritage asset rather than an attempt to ensure that something at least is salvaged despite the loss.

Para 179

There is (has been?) guidance available to direct the process of designation of conservation areas and hopefully, there are still some skilled and knowledgeable staff left within planning departments who know how to apply the guidance. The inclusion of paragraph 179 can only serve to add to any misconception that the designation of conservation areas has in some way been misused. A better ap-

proach for the new Planning Policy Framework would be to ensure that existing/past guidance is retained and where necessary enhanced and the promote the retention and further development of the skills base that exists within planning authorities.

Para 180

There is a need to add to this paragraph a statement regarding the use of an independent and suitably qualified third party to undertake this assessment. Is it good enough for this to be based on the opinion of the applicant? What provisions are in place to ensure that these assessments are accurately and honestly undertaken?

Para 182

Where there is evidence of deliberate neglect or damage to a heritage asset as an attempted means by which to pressure planning authorities to approve its loss, some form of redress should be available to ensure that the asset is restored at the expense of the guilty applicant.

Para 183 and 184

While in general paragraph 183 is supportable and in reasonably represents the current situation, the caveats placed upon the principles espoused in paragraph 183, as described in paragraph 184, are wholly and entirely unacceptable.

Many who work to protect heritage assets would have hoped that the new Framework would do more to recognise the importance of some assets currently designated at the grade 11 level. In the parks and green space sector many Grade 11 parks are immensely valuable to the communities they serve and whilst some of these may not justify total immunity from change and even minor erosion / harm, it is still our belief that they should in general be wholly exempt from 'substantial harm or loss'.

Impact assessment

The Framework is also accompanied by an impact assessment. There are more detailed questions on the assessment that you may wish to answer to help us collect further evidence to inform our final assessment. If you do not wish to answer the detailed questions, you may provide general comments on the assessment in response to the following question:

17a. Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?

Planning for Travellers

18 Do you have views on the consistency of the draft Framework with the draft planning policy for traveller sites, or any other comments about the Government's plans to incorporate planning policy on traveller sites into the final National Planning Policy Framework?

Specific questions on the impact assessment

QA1: We welcome views on this Impact Assessment and the assumptions/estimates contained within it about the impact of the National Planning Policy Framework on economic, environmental and social outcomes. More detailed questions follow throughout the document.

QA2: Are there any broad categories of costs or benefits that have not been included here and which may arise from the consolidation brought about by the National Planning Policy Framework?

QA3: Are the assumptions and estimates regarding wage rates and time spent familiarising with the National Planning Policy Framework reasonable? Can you provide evidence of the number of agents affected?

QA4: Can you provide further evidence to inform our assumptions regarding wage rates and likely time savings from consolidated national policy?

QA5: What behavioural impact do you expect on the number of applications and appeals?

QA6: What do you think the impact will be on the above costs to applicants?

QA7: Do you have views on any other risks or wider benefits of the proposal to consolidate national policy?

QB1.1: What impact do you think the presumption will have on:

- (i) the number of planning applications;
- (ii) the approval rate; and
- (iii) the speed of decision-making?

QB1.2: What impact, if any, do you think the presumption will have on:
(i) the overall costs of plan production incurred by local planning authorities?
(ii) engagement by business?
(iii) the number and type of neighbourhood plans produced?

QB1.3: What impact do you think the presumption in favour of sustainable development will have on the balance between economic, environmental and social outcomes?

QB1.4: What impact, if any, do you think the presumption will have on the number of planning appeals?

QB2.1: Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?

QB2.2: Is 10 years the right time horizon for assessing impacts?

Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?

QB2.3: How much resource would it cost to develop an evidence base and adopt a local parking standards policy?

QB2.4: As a local council, at what level will you set your local parking standards, compared with the current national standards?

Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?

QB2.5: Do you think the impact assessment presents a fair representation of the costs and benefits of the policy changes on minerals?

QB3.1: What impact do you think removing the national target for brownfield development will have on the housing land supply in your area? Are you minded to change your approach?

QB3.2: Will the requirement to identify 20% additional land for housing be achievable? And what additional resources will be incurred to identify it? Will this requirement help the delivery of homes?

QB3.3: Will you change your local affordable housing threshold in the light of the changes proposed? How?

QB3.4: Will you change your approach to the delivery of affordable housing in rural areas in light of the proposed changes?

QB3.5: How much resource would it cost local councils to develop an evidence base and adopt a community facilities policy?

QB3.6: How much resource would it cost developers to develop an evidence base to justify loss of the building or development previously used by community facilities?

QB3.7: Do you think the impact assessment presents a fair representation of the costs and benefits of the Green Belt policies set out in the Framework?

QB4.1: What are the resource implications of the new approach to green infrastructure?

QB4.2: What impact will the Local Green Space designation policy have, and is the policy's intention sufficiently clearly defined?

QB4.3: Are there resource implications from the clarification that wildlife sites should be given the same protection as European sites?

QB4.4: How will your approach to decentralised energy change as a result of this policy change?

QB4.5 Will your approach to renewable energy change as a result of this policy?

QB4.6: Will your approach to monitoring the impact of planning and development on the historic environment change as a result of the removal of this policy?

ⁱ Design for Play - A Shackell, N Butler, P Doyle, D Ball, 2008