

Consultation response form

This is the response form for the consultation on the draft revised National Planning Policy Framework. If you are responding by email or in writing, please reply using this questionnaire pro-forma, which should be read alongside the consultation document. The comment boxes will expand as you type. Required fields are indicated with an asterisk (*)

Your details

| | |
|------------------------|---|
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Are the views expressed on this consultation your own personal views or an official response from an organisation you represent?*

Organisational response

If you are responding on behalf of an organisation, please select the option which best describes your organisation. *

Trade association, interest group, voluntary or charitable organisation

If you selected other, please state the type of organisation

A volunteer run network of neighbourhood planners and neighbourhood forums across London. This response has been prepared by the four convenors of Neighbourhood Planners.London (Tony Burton, Henry Peterson, Angela Koch and Ben Stephenson) based on experience of the network.

Please provide the name of the organisation (if applicable)

Neighbourhood Planners.London

Chapter 1: Introduction

Question 1

Do you have any comments on the text of Chapter 1?

No comments

Chapter 2: Achieving sustainable development

Question 2

Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?

No

Please enter your comments here

While similar wording exists in the current NPPF, we think that a sentence at paragraph 13 could be improved. This currently reads 'Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies'.

We believe a neighbourhood plan can also shape development through measures that are within, as well as 'outside', the strategic policies of a local plan? This may, for example, be through site allocations and designations. A suggested re-wording is 'Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and may also shape and direct development through neighbourhood-specific policies which either 'generally conform' with strategic policies or which enhance, refine, or add to non-strategic policies within a local plan or spatial development strategy.'

Question 3

Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?

Yes

Please enter your comments here

This helpfully reduces the length of a revised NPPF

Question 4

Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

We are aware of concerns over the wording of footnote 9 when read in conjunction with paragraph 14. We support the view that a neighbourhood plan which meets its housing target should not be penalised, or have its duration curtailed, as a result of the failure of the local planning authority to maintain an adequate overall performance on housing delivery. This will require further clarification.

Chapter 3: Plan-making

Question 5

Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

Not sure

Please enter your comments here

We very much welcome the thrust of paragraphs 17, 18 and 19 which encourage authorities to focus their energies on the strategic elements of a local plan, and to leave space for detailed policy-making in neighbourhood plans.

Our network's experience and analysis of existing local plans across London is that Boroughs are reluctant to pursue such an approach, and continue to prepare local plans that include a significant (and sometimes unhelpful) level of detail. There are examples of 'place' chapters or sections in local plans with neighbourhood-specific policies and site allocations (such as the siting of pedestrian routes and cycleways) where the knowledge of 'plan-makers' is far less than that of local residents.

We strongly support the wording of paragraphs 20 and 21 which define what makes a policy 'strategic', and the guidance to LPAs that 'Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other local policies'.

Achieving such an outcome will require significant culture change within London Boroughs (and OPDC and LLDC) planning departments. Our research and experience is that existing NPPF guidance requiring local plans to identify which policies are 'strategic' has been almost completely ignored across London's LPAs. This has created problems for neighbourhood forums, and for independent examiners when examining draft neighbourhood plans.

Our membership continues to feel strongly that too much spatial planning, particularly in London, reflects planning 'for citizens' rather than 'with citizens'. A three tier planning framework, with a Mayoral London Plan (itself of increased detail

in its latest draft version) does not help.

For a detailed analysis of the extent to which local plans across London have to date recognised the neighbourhood planning process, see our publication 'London's local plans: are they supporting neighbourhood planning?' at

http://docs.wixstatic.com/ugd/95f6a3_6d2d4b5b624c44fd963fedcea470d28d.pdf

We welcome the new wording in paragraphs 30 and 31, including the statement that 'local policies can be used by authorities and communities...'

On the criteria for 'soundness' we note the increased emphasis on the assessment of housing need. Methodologies for 'objectively assessed housing need' will always prove contentious, especially at a neighbourhood level, and require more flexibility. Independent examiners of neighbourhood plans should have some discretion to assess locally derived evidence and the weight of local community views.

Question 6

Do you have any other comments on the text of chapter 3?

Paragraph 37 would benefit from an additional sentence to make clear that draft neighbourhood plans are not subject to the test of soundness, in addition to that of 'general conformity'. Misperceptions on this issue remain quite common.

Chapter 4: Decision-making

Question 7

The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?

No

Please enter your comments here

We support the wording in paragraphs 40-42, encouraging pre-application discussion involving all parties. Practices vary across London, and we believe that those LPAs which are most pro-active in e.g. convening 'development management forums' for major sites (with the involvement of local neighbourhood forums and residents associations) gain from benefits all round in terms of reduced abortive work and costs.

We support much increased transparency on financial viability assessments, while recognising that some developers and their consultants will continue to manage and present complex data to best commercial advantage. Neighbourhood forums are beginning to gain the expertise to throw light on the most egregious excesses and need the highest levels of transparency in the way information is presented.

We believe that the claimed 'problems' of releasing FVAs to the public to be over exaggerated. In a London context, land values are so extreme that it is perverse for the public not to have a right to information which shows who is accruing value (and how much) from the development and use of land. Such value is largely the product of planning decisions, within a planning system that must be as transparent as possible if it is to command public trust.

Question 8

Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?

Yes

Please enter your comments here:

It would be helpful for guidance to be provided that ensures applicants explain and justify why they consider a FVA necessary, and what purpose it is intended to serve. A high proportion of FVAs appear to be prepared to minimise planning obligations, including the quantum of affordable housing,

Question 9

What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?

Please enter your comments below

This would increase public confidence and trust that the planning system was structured in such a way as to capture increased land values over time for public benefit, as the norm.

Question 10

Do you have any comments on the text of Chapter 4?

Paragraph 51 refers to neighbourhood plans in the context of decisions on prematurity. It would be helpful if the wording in the earlier paragraph 49 made clear that the term 'emerging plans' includes neighbourhood plans.

Chapter 5: Delivering a wide choice of high quality homes

Question 11

What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

Please enter your comments here

We believe that neighbourhood planning offers an important way forward in the identification of small and medium sized sites. Involvement of local residents at the initial stage of plan-making increases the likelihood of support for use of preferred sites, as against others within a neighbourhood, and helps to create more certainty on prospects for development. There is evidence in London of neighbourhood plans identifying sites not considered by Boroughs and also bringing them forward more quickly.

Question 12

Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?

No

Please enter your comments here

In a London context there are problems in applying blanket percentage targets. In areas of central and inner London there are very real constraints on identifying new housing sites, and in developing these at densities acceptable to the public.

Question 13

Do you agree with the new policy on exception sites for entry-level homes?

Yes

Please enter your comments here

In a London context, neighbourhood plans have been used to vary local plan policies so as to, for example, allow for low cost housing use in areas designated by LPAs as employment zones. Local people are better placed to judge locations at which mixed use is a viable and acceptable form of development, even if it requires some variation of traditional 'zoning' policies adopted and applied inflexibly by LPAs

Question 14

Do you have any other comments on the text of Chapter 5?

No

Chapter 6: Building a strong, competitive economy

Question 15

Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?

Yes

Please enter your comments here

We support paragraph 83 and the guidance that LPAs 'be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances'. Neighbourhood plans are well positioned as a means of providing such flexibility at the very local level of the individual street or small employment area, and to respond swiftly to changing working patterns such as home working and co-working.

Question 16

Do you have any other comments on the text of chapter 6?

No

Chapter 7: Ensuring the vitality of town centres

Question 17

Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?

Yes

Please enter your comments here

Neighbourhood plans are an important vehicle for encouraging and permitting 'diversification and changes of use where town centres are in decline' (para 86g). This applies to local shopping parades as much as town centres.

We recommend strengthening the role of neighbourhood plans in drawing up district, local and neighbourhood centre boundaries and allowing them to develop a greater influence on limiting permitted development rights in these areas.

Question 18

Do you have any other comments on the text of Chapter 7?

No

Chapter 8: Promoting healthy and safe communities

Question 19

Do you have any comments on the new policies in Chapter 8 that have not already been consulted on?

No

Question 20

Do you have any other comments on the text of Chapter 8?

The deep rooted local knowledge of parish councils and neighbourhood forums is particularly relevant to achieving the objectives of this chapter and could be specifically referenced. Decisions on the siting and size of health and educational facilities, and community buildings, are matters on which the public expect planners to get the answer right. Failure to do so adds to public alienation from the planning system.

In a London context, many planning officers cannot afford to live anywhere near the localities for which they are responsible. London LPAs should acknowledge this lack of connection and be much more open to the benefits of resident and community involvement in neighbourhood planning and local plan preparation.

Chapter 9: Promoting sustainable transport

Question 21

Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?

Yes

Please enter your comments here

Experience within our network is that too much of London's development in recent years has been 'developer led' rather than 'plan led'. In relation to paragraph 111 of the draft NPPF, transport consultants are routinely commissioned to provide models and assurances that impacts of a specific development on the road network will be minor or marginal, whereas in reality resultant traffic congestion becomes unacceptable.

Cumulative impacts are often inadequately assessed. Models become out of date and take insufficient account of changing behaviour (such as use of Uber and delivery of goods ordered online).

Too little weight is given in planning decisions to representations on traffic patterns based on daily observation by local people.

Question 22

Do you agree with the policy change that recognises the importance of general aviation facilities?

Not sure

Please enter your comments here

No specific comments

Question 23

Do you have any other comments on the text of Chapter 9?

Existing and new NPPF guidance on transport reflects an 'ideal world' scenario which is limited in its impact on major development in London with strong commercial drivers. Achieving modal shift away from cars is challenging and in our experience planning can only play a partial role.

Chapter 10: Supporting high quality communications

Question 24

Do you have any comments on the text of Chapter 10?

No

Chapter 11: Making effective use of land

Question 25

Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?

Yes

Please enter your comments here

We support the principle of making multiple use of underused brownfield land and of achieving more innovative solutions to the airspace above existing buildings – while recognising in a London context that conservation and heritage policies (and public opinion) will constrain such an approach in many parts of the city and there are important views which should be respected.

Question 26

Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing needs?

Not sure

Please enter your comments here

Top down minimum standards may have a role but where neighbourhood plans address these issues we believe a more bottom up approach is necessary. Local

people are best placed to decide where high densities, or minimum density standards are acceptable and can be accommodated through good quality design.

Question 27

Do you have any other comments on the text of Chapter 11?

In the context of paragraphs 120 and 121, it would be helpful to clarify whether neighbourhood plans can de-designate employment zones (or other land use designations), or vary their boundaries, on the basis of evidence that such designations are leading to vacant or underused sites and premises. Encouragement for use of CPO powers, to achieve residential and social/community uses on land or in premises lying vacant could also be more positively expressed than in the current footnote 36.

Chapter 12 : Achieving well-designed places

Question 28

Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?

In our view, achieving well designed places needs to be closely related to pre-application engagement and firmly added as a requirement in 'Statement of Consultation' processes, local requirement lists, and day-to-day practice of 'co-designing' good places. In the absence of up to date local plans, the pace and scale of development in London requires proper pre-application engagement with local communities and this needs to be at the heart of achieving well designed places. More clarity on requirements will also support international investors in the practice of co-design, accessing local knowledge which is widely considered fundamental for achieving well designed and functioning places.

Question 29

Do you have any other comments on the text of Chapter 12?

Explicit support for the Mayor of London's 'Good Practice Guide for Estate Regeneration' Principles (Chapter 2), based on Government guidelines, should be considered. These principles should be promoted as being relevant to all major projects. We also support the use of neighbourhood plan referendums as one mechanism for securing community consent for change.

Chapter 13: Protecting the Green Belt

Question 30

Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are 'not inappropriate' in the Green Belt?

Not sure

Please enter your comments here

We recognise the potential of using appropriate brownfield sites in the Green Belt given the challenges of accommodating change within London. Any such development should be plan-led and the role of neighbourhood planning particularly recognised as a means of securing community consent.

Question 31

Do you have any other comments on the text of Chapter 13?

Neighbourhood Development Orders have more of a role to play in providing well designed development with the full support of the local community in Green Belt locations

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Question 32

Do you have any comments on the text of Chapter 14?

Paragraph 151 states 'Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local or strategic plans that are being taken forward through neighbourhood planning'. We support this statement, but it requires examiners of local plans to take a flexible view on inclusion within a neighbourhood plan of policies and proposals which may not relate strictly to 'the development and use of land'.

Question 33

Does paragraph 149b need any further amendment to reflect the ambitions in the Clean Growth Strategy to reduce emissions from building?

Please select an item from this drop down menu

No comment

Chapter 15: Conserving and enhancing the natural environment

Question 34

Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25 Year Environment Plan and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?

Please select an item from this drop down menu

Please enter your comments here

No comment

Question 35

Do you have any other comments on the text of Chapter 15?

No comment

Chapter 16: Conserving and enhancing the historic environment

Question 36

Do you have any comments on the text of Chapter 16?

Neighbourhood plans have an important role to play in identifying heritage assets, including by identifying buildings and structures of local significance. This can complement local lists or fill a gap where they have not been produced by LPAs. Neighbourhood plans can also add significant local detail to the conservation policies in local plans and help them remain up to date and compatible with changing ways in which people wish to use their own homes. We believe explicit mention of neighbourhood plans should be made in Chapter 16 to recognise its role.

Chapter 17: Facilitating the sustainable use of minerals

Question 37

Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text in this chapter?

No comment

Question 38

Do you think that planning policy in minerals would be better contained in a separate document?

Please select an item from this drop down menu

Please enter your comments here

No comment

Question 39

Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?

Please select an item from this drop down menu

Please enter your comments here

No comment

Transitional arrangements and consequential changes

Question 40

Do you agree with the proposed transitional arrangements?

Please select an item from this drop down menu

Please enter your comments here

We do not believe that policies and housing site allocations in neighbourhood plans should be compromised or set aside as a result of the introduction of Housing Delivery tests (paragraph 212)

Question 41

Do you think that any changes should be made to the Planning Policy for Traveller Sites as a result of the proposed changes to the Framework set out in the consultation document? If so, what changes should be made?

Please select an item from this drop down menu

Please enter your comments here

No comment

Question 42

Do you think that any changes should be made to the Planning Policy for Waste as a result of the proposed changes to the Framework set out in the consultation document? If so, what changes should be made?

Please select an item from this drop down menu

Please enter your comments here

No comment

Glossary

Question 43

Do you have any comments on the glossary?

No comment