**Response from the National Landscapes Association to the consultation from Ministry of Housing, Communities and Local Government: Proposed reforms to the National Planning Policy Framework and other changes to the planning system**

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The National Landscapes Association (NLA) is a registered charity that supports the mission to conserve and enhance natural beauty in National Landscapes and other protected areas. One of our key aims is to support and develop a network of ambitious National Landscape teams and partnerships that have a strong collective voice and a positive impact on the places for which they care. This consultation response has been developed by the National Landscapes Association in collaboration with the Planning and Placemaking specialist panel of representatives from across the National Landscapes network.

**National Landscapes Association acknowledges the Government’s aspiration to build 1.5 million homes over the next five years. Our response to the September 2024 consultation on the National Planning Policy Framework (NPPF) is intended to help ensure that this is done in a way that delivers the right homes in the right places.** National Landscapes are areas whose natural beauty is so outstanding that it is in the nation’s interest to safeguard them. They are also living and working environments that need to help mitigate and adapt to the impacts of climate change. As such, we recognise that some degree of development may be appropriate in these areas in order to sustain vibrant and thriving local communities and to achieve net zero. This development should be delivered in a way that is compatible with and, ideally, positively contributes to the statutory purpose of conserving and enhancing the natural beauty of these areas.

We support the Government’s statement that ‘*existing protections for land covered by existing designations will be maintained*’. [[1]](#footnote-1) However, the proposed reforms would set an expectation for a quantum of housing development, in local authority areas that overlap with National Landscapes, that is likely to result in significant harm to the natural beauty of our National Landscapes. As such, the reforms would conflict with the statutory purpose of conserving and enhancing this natural beauty. The reforms would also conflict with the statutory duty to seek to further this purpose (the ‘seek to further’ duty).[[2]](#footnote-2) Therefore, we consider that the proposed reforms would not be legally compliant in this regard.

We believe that the Government’s aspiration to build 1.5 million homes over the next five years can be delivered in a way that would be less harmful to the natural beauty of our National Landscapes than would be the case with the proposed reforms.

In particular, we recommend that:

* the standard method for calculating housing need should: (i) maintain an urban uplift (with amendments to the current urban uplift calculation); and (ii) reduce the extent to which ‘affordability’ is factored in (at least compared to the proposed reforms);
* the NPPF should make more explicit reference, including in paragraphs 35(a) and 61, to the fact that there may be circumstances where the protection afforded to areas or assets of particular importance, including National Landscapes, may mean that objectively assessed needs cannot be met in full.

The reduction in the extent to which affordability is factored into the standard method could be balanced by maintaining an urban uplift, thereby still achieving the target of 1.5 million homes over five years (an average of 300,000 homes per annum).

The National Landscapes Association supports the national aspirations to achieve ‘net zero’. However, we are concerned about the proposed wording at the start of paragraph 164, which states that ‘*local planning authorities should support planning applications for all forms of renewable and low energy development*’. This wording could give the impression that all proposals for renewable and low carbon energy should be permitted. This should not be the case, particularly in National Landscapes and their settings, where such proposals, particularly large-scale schemes, could potentially conflict with the statutory purpose of conserving and enhancing natural beauty and with the ‘seek to further’ duty.

We recommend that the proposed wording at the start of paragraph 164 should be caveated to make it clear that the impacts of such proposals still need to be addressed as part of the decision-making process, including in the overall planning balance.

As indicated above, we support the fact that the Government is maintaining (i.e. not weakening) the protection afforded to land covered by existing designations. However, with regards to National Landscapes, we consider that it would be appropriate to strengthen this protection, rather than just maintaining it. For example, we recommend that paragraphs 182 and 183 of the NPPF should be strengthened to better reflect the ‘seek to further’ duty. We acknowledge that the Government isn’t seeking views on this issue through the current consultation. However, we would like to engage with the Government to discuss how this issue might be addressed in any future NPPF consultations.

**QUESTION 1. Do you agree that we should reverse the December 2023 changes made to paragraph 61?**

No.

Recommendation

The National Landscapes Association (NLA) recommends that the December 2023 change to paragraph 61 of the National Planning Policy Framework (NPPF), which acknowledged that ‘*the outcome of the standard method is an advisory starting point for establishing a housing requirement for the area*’, should be retained.

At the very least, the following wording should be retained: ‘*the outcome of the standard method is a starting point for establishing a housing requirement for the area*’ (i.e. only the word ‘advisory’ would be removed).

Ideally, the paragraph 61 wording should acknowledge that there may be circumstances in which the protection afforded to areas or assets of particular importance, including National Landscapes, may mean that it is not possible to meet objectively assessed needs in full. This should include explicit cross-referencing with the exceptions identified in paragraph 11 d(i) and footnote 7 of the NPPF.

Our suggested wording for the current paragraph 61 (paragraph 62 in the consultation draft) is as follows (N.B. Additional suggested wording underlined):

* *To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.* *The outcome of the standard method is an advisory starting point for establishing a housing requirement for the area*. *There may be circumstances where these objectively assessed needs cannot be met in full, as specified in paragraph 11b(i) and footnote 7 of the NPPF. However,* *local planning authorities will need to demonstrate that they have taken all reasonably practicable steps to meet the standard method figure before a lower housing requirement will be considered.*

These exceptions should also be reflected in the current paragraph 35 (paragraph 36 in the consultation draft), in relation to local plans being positively prepared. Our suggested wording, in this regard, is as follows (N.B. Additional suggested wording underlined):

* Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:

1. *Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs (unless the exceptions that are specified in paragraph 11b apply); and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.*

Justification

National Landscapes face significant development pressures as a result of local planning authorities (LPAs) treating the standard method housing need figure as a target when identifying the housing requirement for their local authority area in their local plans. This quantum of housing can result in significant harm being caused to the natural beauty of our National Landscapes.

The proposed reversal of the December 2023 changes to paragraph 61 of the National Planning Policy Framework (NPPF) would exacerbate the extent to which LPAs treat the standard method figure as a target (and the extent to which they disregard the exemptions provided in paragraph 11b(i)). The resulting development pressure on National Landscapes would exacerbate the harm caused to the natural beauty of our National Landscapes. As such, it would conflict with the statutory duty on relevant authorities (including ministers, government departments and local authorities) to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes.

Additional context

Paragraph 11b(i) of the National Planning Policy Framework (NPPF), in both the December 2023 version and the consultation version, recognises that there may be circumstances in which it may not be possible to meet objectively assessed needs in full. This includes where the application of policies in the NPPF that protect areas of assets of particular importance ‘*provides a strong reason for restricting the overall scale, type or distribution of development in the plan area*’. Footnote 7 of the NPPF specifies that the policies referred to include those relating to Areas of Outstanding Natural Beauty (AONBs), which are now referred to as National Landscapes in England and Wales.

This is reflected in the Government’s planning practice guidance on the natural environment which states that the NPPF’s policies for protecting National Landscapes ‘*may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas*’.[[3]](#footnote-3)

Despite this, most local planning authorities that overlap with National Landscapes, have treated the standard method figure as a minimum target when setting the housing requirement in their local plans. This has resulted in a quantum of housing development in National Landscapes and their settings that is harmful to the natural beauty of National Landscapes.

The December 2023 changes to paragraph 61 helped to address this issue by clarifying that ‘*the outcome of the standard method is an advisory starting point for establishing a housing requirement for the area*’. This statement, in effect, recognised that there may be circumstances in which a lower housing requirement figure might be justified. For example, the then Secretary of State, Michael Gove, stated, in December 2023, that:

* *It has always been the case that this number* [i.e. the standard method for calculating housing need] *was supposed to be advisory … the new NPPF* [i.e. the December 2023 version] *now, more clearly, upholds the spirit of the original … Local authorities have the comfort of knowing that they need not … sacrifice protected landscapes to meet housing numbers.[[4]](#footnote-4)*

As such, there was explicit recognition that treating the standard method figure as a target could result in harm to protected landscapes.

The consultation document itself states that (N.B. Underlining added for emphasis):

* *Local planning authorities will be expected to make all efforts to allocate land in line with their housing need as per the standard method.* *Authorities would be able to justify a lower housing requirement than the figure the method sets on the basis of local constraints on land and delivery, such as existing National Park, protected habitats and flood risk areas, but would (as now) have to evidence and justify their approach through local plan consultation and examination. All local planning authorities will need to demonstrate they have taken all possible steps, including optimising density, sharing need with neighbouring authorities, and reviewing Green Belt boundaries, before a lower housing requirement will be considered.[[5]](#footnote-5)*

However, the underlined text is not reflected in paragraph 61.

Given that national planning policy affords National Landscapes the same level of protection as National Parks then, presumably, the justification for a lower housing requirement figure would apply to National Landscapes as well as to National Parks.

This statement shows that the Government recognises that there is a distinction between ‘housing need’ and ‘housing requirement’ and that there may be circumstances in which the housing requirement figure should be less than the standard method figure.

The distinction between making the standard method mandatory whilst still allowing for a lower housing requirement figure is captured well in a blog by Lichfields, which states:[[6]](#footnote-6)

* *The NPPF proposals suggest the proposed SM would be:*
  + ***mandatory****in that it should be the basis for establishing need in Local Plans, with no provisions – exceptional or otherwise – for using a different method;*
  + ***not binding****in that it is not the same as the housing requirement (or target) in the local plan, which is to be set on the basis of the presumption in favour of sustainable development (NPPF para 11 a) and b)). Local Plans may be justified in providing for less housing than needed in their area if there are areas or assets of particular importance that restrict development or if the adverse impacts of meeting need would significantly and demonstrably outweigh the benefits.*

Even before the December 2023 version of the NPPF, the previous Government stated, in 2021, that:[[7]](#footnote-7)

* *More broadly, we heard suggestions … that in some places the numbers produced by the standard method pose a risk to protected landscapes ... We should be clear that meeting housing need is never a reason to cause unacceptable harm to such places.*
* *Within the current planning system, the standard method does not present a ‘target’ in plan-making, but instead provides a starting point for determining the level of need for the area, and it is only after considerations of this, alongside what constraints areas face … and the land that is actually available for development, that the decision on how many homes should be planned for is made. It does not override other planning policies, including the protections set out in Paragraph 11b of the NPPF… It is for local authorities to determine precisely how many homes to plan for and where those homes most appropriately located. In doing this they should take into account their local circumstances and constraints.*

Given that these principles applied in relation to iterations of the NPPF that pre-dated the December 2023 version, they would, presumably, still apply even if proposed changes to paragraph 61 are implemented.

The current Secretary of State, Angela Rayner, has said that ‘*existing protections for land covered by environmental designations, for example National Parks and Sites of Special Scientific Interest, will be maintained*’.[[8]](#footnote-8) Whilst this may be true in the context of relevant policies in the NPPF, setting a standard method figure that would result in more harmful development within National Landscapes and their settings would undermine this protection.

Based on the points outlined above, even if the Government does reverse the December 2023 changes to paragraph 61, there would still be circumstances where an LPA could justify a housing requirement figure that is lower than the standard method figure. However, if this is not made more explicit within the NPPF then there is a serious risk that LPAs will continue to set housing requirement targets that result in significant harm to the natural beauty of our National Landscapes.

Arguably, an even more significant factor in LPAs treating the standard method figure as a target is paragraph 35a of the NPPF (paragraph 36a in the consultation draft). This currently states:

* *Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:*

1. *Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.*

For the reasons outlined above, in relation to paragraph 61 (paragraph 62 in the consultation draft), this should make explicit reference to the exceptions that are provided for in paragraph 11b. Also in this regard, the wording 'as much as possible' in paragraph 60 is helpful in explaining this, and should be retained, potentially with a footnote to clarify this applies in the circumstances set out in footnote 7 to paragraph 11d(i).

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

No.

Recommendation

The National Landscapes Association (NLA) recommends that paragraph 62 should be retained, albeit with scope for the details of the urban uplift being changed in planning practice guidance.

Justification

The urban uplift policy helps to avoid excessive development in National Landscapes. This is because the urban uplift means that local authorities that overlap with National Landscapes have a lower housing need figure than they would if this urban uplift was not in place (with the exception of Reading, which overlaps with the Chilterns National Landscape).

For example, for Cotswold District, the previous Government’s ‘Changes to the Current Planning System’ consultation in 2021 identified a housing need figure of 1,209 dwellings per annum (dpa). When the 30% urban uplift was subsequently introduced, the standard method housing need figure for Cotswold District reduced to the current 504 dpa (i.e. the housing need figure reduced by more than half).

The urban uplift policy therefore helps to conserve and enhance the natural beauty of National Landscapes. It is also more compatible with the requirement to limit the scale and extent of development in National Landscapes.

Removing the urban uplift would also conflict with the emphasis, elsewhere in the consultation documents, on prioritising the redevelopment of brownfield land and on locating development in sustainable locations.

The consultation document states that the new Government supports the principle of directing housing growth to our larger urban areas.[[9]](#footnote-9) If this is the case, it would still be appropriate to require some degree of urban uplift in the larger urban areas, over and above the proposed growth rate of 0.8% of existing housing stock per annum. This uplift could potentially apply to a larger number of urban areas than is currently the case (e.g., the top 20 rather than the top 10). It could also potentially relate to the entirety of the urban area, not just to the local authority within that urban area that has the largest population.

Paragraph 62 itself doesn’t specify what the urban uplift requirements are (for example, the amount of uplift and the urban areas that it applies to), as this is addressed in national planning guidance. Therefore, the details of the urban uplift could be changed, in national planning guidance, without having to change paragraph 62.

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

No.

Recommendation

The National Landscapes Association (NLA) recommends that district-wide design codes should still be used. These district-wide design codes should explicitly address the local distinctiveness of the built environment in National Landscapes.

If the focus of design codes does move more towards supporting spatial visions, there should be spatial visions / design codes specifically for the sections of local authority areas that overlap with National Landscapes and which reflect the local distinctiveness of the built environment in these areas.

Given the relevance of this issue to National Landscapes (including the local distinctiveness of their built environments), we don’t think that it should just relate to areas that provide the greatest opportunities for change.

Justification

In many National Landscapes, the design of the built environment contributes to their natural beauty and local distinctiveness.

Relevant special qualities and other characteristic, distinctive features of the built environment in National Landscapes should be explicitly addressed in design codes that cover these areas.

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

Yes, with regards to clarification on policies for the supply of land.

No, with regards to the proposed amendment to paragraph 11d(ii)

Policies for the supply of land

The National Landscapes Association (NLA) supports the following proposed change to paragraph 11d:

* *where there are no relevant development plan policies, or the policies for the supply of land which are most important for determining the application are out-of-date.*

As outlined in the consultation document, the question of what policies are ‘most important’ has been the subject of extensive debate and litigation. The proposed change makes clear that the relevant policies are those for the supply of land. This reflects the way in which the policy has been applied in practice and helps to clarify what is currently vague wording.

Amendments to paragraph 11d(ii)

The NLA does not support the proposed addition of the following text to paragraph 11d(ii):

* *in particular those for the location and design of development (as set out in chapters 9 and 12) and for securing affordable homes.*

We consider that it is more appropriate to use the existing wording (i.e. ‘*when assessed against policies in the Framework taken as a whole*’), without the addition of the proposed text. This is because the purpose of the planning system is to contribute to the achievement of sustainable development, where economic, social and environmental objects are pursued in mutually supportive ways.[[10]](#footnote-10) Therefore, when considering the overall balance of beneficial and adverse effects, it is appropriate to take all relevant policies in NPPF into consideration, equally, without giving a particular emphasis to those aspects of the NPPF that relate to the location and design of development and for securing affordable homes.

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

Yes.

The National Landscapes Association (NLA) agrees that the NPPF should be amended to further support effective co-operation on cross boundary and strategic matters.

We welcome the proposed acknowledgement in paragraph 24 that effective strategic planning across local planning authority boundaries will play an increasing role in key spatial issues including climate resilience. We also welcome the proposed new paragraph 27 which requires strategic policy-making authorities to 'make sure their plan policies are consistent with those of other bodies where a strategic relationship exists on these matters'.

We particularly welcome requirements set out at 27(a) that a consistent approach is taken to the delivery of major infrastructure such as environmental improvement and resilience and at 27(c) that plans should ensure that any designation which cuts across the boundary of plan areas, is appropriately managed by all relevant authorities. This is considered relevant to National Landscape designations where many such areas cut across numerous local authority boundaries.

The proposed revision would support a greater level of consistency being applied which should result in more appropriate management of National Landscapes. It could also help ensure that the Development Plans across National Landscape boundaries align with the aims, objectives and principles set out in the relevant National Landscape Management Plan. National Landscape boards and partnerships are best placed to assist with this and we recommend they either be incorporated as a prescribed body in paragraph 24 or be added to the list of relevant bodies set out in paragraph 25.

For administratively complex National Landscapes (i.e. those that cut across multiple local authorities), consideration should be given to having local plans for the National Landscape. This would help to ensure that a consistent and coordinated approach is applied across the whole of the National Landscape area, with the purposes of designation at the heart of the plan-making process, rather than having up to 15 different local authorities who each take a different approach.

In addition, consideration should be given to making housing data available on a National Landscape basis. This would provide an accurate record of the number of dwellings – and the rate of development – within each National Landscape (including within each local authority area within each National Landscape). With these data, it would be possible to identify what the ‘standard method’ figure would be specifically for each National Landscape, which, in turn, could feed into the evidence base for how much housing should be provided.

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

Yes.

The National Landscapes Association (NLA) does not have a particular view on whether the tests of soundness should be amended specifically in relation to better assessing the soundness of strategic scale plans or proposals.

However, we do think that the tests of soundness, as set out in paragraph 35a of the current NPPF (paragraph 36a in the consultation draft), should be amended as follows:

* *Positively prepared - providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs (unless the exceptions that are specified in paragraph 11b come into play); and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.*

Please refer to our response to Question 1 for further details.

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

No.

Recommendation

The National Landscapes Association (NLA) recommends that the proposal to use 0.8% of housing stock as the baseline for the standard method should be reviewed to ensure that it doesn’t result in a quantum of development that would cause significant harm being caused to National Landscapes.

Justification

The National Landscapes Association acknowledges that using a proportion of the existing household stock provides a known, fixed quantity. However, this approach fails to account for many of the factors that determine growth, such as job supply, infrastructure, or connectivity. These factors are more likely to steer growth towards urban areas. As such, the proposed approach would result in an under-provision of housing in urban areas and an over-provision in rural areas, including in those local authority areas that overlap with National Landscapes.

We acknowledge that a local authority that overlaps with a National Landscape might seek to locate the majority of development outside of the National Landscape. However, the pressure to treat the standard method figure as a minimum target is still likely to result in excessive levels of development within the National Landscape (and / or its setting), particularly where the local authority overlaps with the National Landscape (and / or its setting) to a significant degree.

Overall, we consider that using 0.8% of housing stock as the baseline for the standard method could potentially result in a quantum of housing development that would harm the natural beauty of our National Landscapes. As such, the proposed standard method could potentially conflict with purpose of conserving and enhancing the natural beauty of National Landscapes and with the ‘seek to further’ duty.

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

No.

Recommendation

The National Landscape Association (NLA) recommends that the extent to which the ratio of house prices to workplace-based earnings is factored into the standard method should be reduced, at least in comparison to the consultation proposals.

Justification

Our concerns about the extent to which this ratio is factored into the standard method apply for both the current standard method and the proposed standard method.

The natural beauty of our National Landscapes means that they are desirable places to live. This contributes to housing in National Landscapes often being more expensive and less affordable than in areas outside: (i) National Landscapes; and (ii) local authority areas that overlap with National Landscapes.

This is demonstrated by data on the ratio of house prices to workplace-based earnings, published by the Office of National Statistics. For example, as shown in the table below, this data shows that 10 of the 11 district / borough councils and unitary authorities that overlap with the Cotswolds National Landscape have a higher ratio than the average for England as a whole (which is 8.26).[[11]](#footnote-11) This is particularly true for the local authority that has the biggest proportion of its area in the CNL - Cotswold District (77% of which lies within the CNL) - which has a ratio of 14.88. In other words, the ratio in Cotswold District is 80% higher than the England average.

Research undertaken by the CNL Board has identified that the housing need figure for Cotswold District is 62% higher than it would be if the average ratio for England was applied.

**Table. Ratio of median house price to median gross annual workplace-based earning, by local authority district, for district and borough councils and unitary authorities that overlap with the Cotswolds National Landscape**

A screenshot of a computer

Description automatically generated

Given the higher prices and lower affordability of housing in National Landscapes, compared to the national average, the use of this ratio in the standard method actually drives more housing towards local authority areas that overlap with National Landscapes compared to local authority areas that don’t. This conflicts with national planning policy, which: (i) requires the scale and extent of development in National Landscapes to be limited; and (ii) sets a presumption against granting planning permission for major development in National Landscapes.

We acknowledge that a local authority that overlaps with a National Landscape might seek to locate the majority of development outside of the National Landscape. However, the pressure to treat the standard method figure as a minimum target is still likely to result in excessive levels of development within the National Landscape (and / or its setting), particularly where the local authority overlaps with the National Landscape (and / or its setting) to a significant degree.

Overall, we consider that way in which this ratio is factored into the standard method is likely to result in a quantum of housing development that would cause significant harm to the natural beauty of our National Landscapes whilst doing very little to actually bring down house prices and to address the unaffordability of such areas (see also our response to Q17). As such, the proposed standard method would conflict with the purpose of conserving and enhancing the natural beauty of National Landscapes and with the ‘seek to further’ duty.

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

No.

Recommendation

The National Landscapes Association (NLA) recommends that the affordability weighting should be reduced, at least compared to the current proposals. This should include not increasing the ‘affordability multiplier’.

Justification

As outlined in response to Question 16, the NLA is concerned about the way in which affordability is factored into the standard method. This can have a huge impact on the housing need figure for individual local authorities. Overall, the proposed change to the affordability multiplier is the change that would result in the biggest increase in assessed housing need.

The consultation document proposes changing the ‘affordability multiplier’ from 0.25 to 0.6. This, in turn, changes the ‘adjustment factor’ for affordability from:

* Adjustment factor = ((Three year average affordability ratio)-4)/4)x0.25

To:

* Adjustment factor = ((Three year average affordability ratio)-4/4)x0.6

In the proposed method, the housing need figure would then be:

* Housing need = dwelling stock x 0.008[[12]](#footnote-12) x (1+Adjustment Factor)

Research undertaken by the Cotswolds National Landscape (CNL) Board has identified that the housing need figure for Cotswold District (77% of which lies within the CNL) would be 63% higher if the affordability multiplier was 0.6 rather than 0.25. As such, the proposed increase in the affordability multiplier would clearly increase the housing need figure in local authority areas that overlap with National Landscapes.

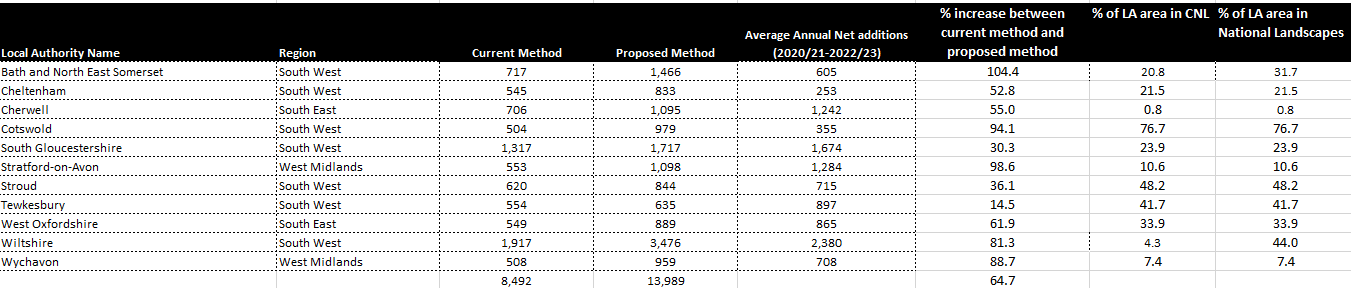
As with our response to Question 16, we acknowledge that a local authority that overlaps with a National Landscape might seek to locate the majority of development outside of the National Landscape. However, the pressure to treat the standard method figure as a minimum target is still likely to result in excessive levels of development within the National Landscape (and / or its setting), particularly where the local authority overlaps with the National Landscape (and / or its setting) to a significant degree. As such, the proposed standard method would conflict with the purpose of conserving and enhancing the natural beauty of National Landscapes and with the ‘seek to further’ duty.

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

Overall, the proposed standard method would result in a significant increase in assessed housing need, compared to the current standard method, for local authority areas that overlap with National Landscapes.

For example, for the 11 district and borough councils and unitary authorities that overlap with the Cotswolds National Landscape (CNL), the average increase in housing need, using the proposed standard method compared to the current standard method, would be 64%, as shown in the table below.

**Table: Housing need (current method and proposed method) and average annual net additions (2020/21-2022/23) for district and borough councils and unitary authorities that overlap with the Cotswolds National Landscape**



As outlined in our response to the previous questions, this is likely to result in a quantum of development that would cause significant harm to the natural beauty of our National Landscapes.

There are multiple nuanced factors that need to be addressed to improve the affordability of housing. For example:

* land banking (i.e. land being used as a financial asset to increase share prices rather than to deliver housing) and developers purposefully ‘drip-feeding’ new homes into the market to inflate house prices;
* revenue and profit of the 9 major UK housebuilders has increased faster than housing completions, with average profit per house doubling between 2005 and 2017[[13]](#footnote-13)
* wages have not kept pace with house prices;
* not enough social housing has been built;
* government initiatives have indirectly kept house prices artificially higher;
* low interest rates and the increased ability of people being able to get a mortgage have both fuelled an increase in house prices; and
* second home ownership and buy to let have removed housing from the market that could otherwise be made available to first homeowners, and the result of increased demand within a reduced pool of housing stock inflates house prices and worsens affordability.

Given these wide-ranging issue, factoring affordability into the standard method to produce a higher housing need figure would not actually make a meaningful difference to house prices (i.e. it wouldn’t make houses cheaper). However, it is likely to result in significant harm being caused to the natural beauty of National Landscapes.

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

Yes.

The proposed change would make proposals for using suitable brownfield land within settlements for homes and other identified needs acceptable in principle.

In principle, the National Landscapes Association (NLA) supports a brownfield-first approach. This approach helps to minimise the development of greenfield land. This is a particularly significant factor within National Landscapes, where the scale and extent of development should be limited.

However, clarification is needed on what constitutes 'suitable' brownfield land. For example, proposals that would affect open mosaic habitat on previously developed land should potentially be exempted from the presumption of being acceptable in principle because of the high biodiversity value of this habitat.

It is also important to note that the 'acceptable in principle' presumption relates to brownfield land within settlements. In National Landscapes, it might not be appropriate to apply the 'acceptable in principle' presumption for brownfield land outside of settlement boundaries as it may be more appropriate to restore such sites to their former natural beauty.

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

Yes.

The National Landscape Association agrees with this proposed definition specifically in the following context.

The draft NPPF defines grey belt as follows (N.B. Underlining added for emphasis):

* *Grey belt: For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the green belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes (as defined in para 140 of this Framework), but excluding those areas or assets of particular importance listed in footnote 7 of this Framework (other than land designated as Green Belt)*.[[14]](#footnote-14)

The NLA supports the exclusion of those areas or assets of particular importance listed in footnote 7 of the NPPF, which includes National Landscapes. This is because it would not be appropriate to prioritise land within a National Landscape for release for development, as this would conflict with:

* The statutory purpose of conserving and enhancing the natural beauty of National Landscapes.[[15]](#footnote-15)
* The statutory duty to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes.[[16]](#footnote-16)
* The national policy requirement to limit the scale and extent of development in National Landscapes.[[17]](#footnote-17)
* The national policy presumption against permitting major development in National Landscapes.[[18]](#footnote-18)

We consider that the definition could be improved by also including in the definition land outside the National Landscape boundary that affects its setting. Land outside the National Landscape boundary can have an important role in maintaining the natural beauty, quality, resilience and connectivity of the landscape inside the boundary, as recognised elsewhere in the NPPF and NPPG.

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

Yes.

The National Landscapes Association (NLA) agrees with these proposals to the extent that we support the assertion in Chapter 5, paragraph 17 of the consultation document, that ‘*land that is safeguarded by existing environmental designations, for example … National Landscapes …, will maintain its protections*’.[[19]](#footnote-19)

Please refer to our response to Question 23 for further comments in relation to this issue.

**Question 29:**

Yes.

National Landscape Association agrees that the release of land should not be supported where doing so would fundamentally undermine the function of the Green Belt across the area of the plan as a whole. Some Green Belt areas are important to maintain a functional buffer around the boundary of National Landscapes, which will support nature recovery and connectivity, along with other aspects of natural beauty such as dark skies and tranquillity.

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

Yes.

The National Landscapes Association does not have a position on the release of Green Belt land per se. However, we agree with the proposed approach (i.e. the proposed text in the new paragraph 152) to the extent that it limits release of green belt, via this route, to 'grey belt' (which, by definition, excludes National Landscapes).

Please refer to our response to Question 23 for further comments in relation to this issue.

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

Yes.

In the context of National Landscapes, the National Landscapes Association supports the proposed target of 50% affordable housing on land released from Green Belt for residential development, with an appropriate proportion to be Social Rent. [[20]](#footnote-20)

National Landscapes are not suitable areas for unrestricted housing so new housing in these areas should focus on meeting affordable housing requirements.[[21]](#footnote-21)

We recommend that the requirement for 'an appropriate proportion' to be Social Rent should be tightened up as this wording is too open to differing interpretations with regards to what constitutes ‘appropriate’. The phrase 'genuinely affordable', which is used in the consultation document, also needs to be tightened up (for example, it should specify the ratio of house prices to workplace-based earnings below which housing is considered to be 'genuinely affordable').

We also recommend that a reference to 'necessary improvements to water supply and sewerage infrastructure' should be added to the 'golden rules'. Without this addition, new developments will continue exacerbate the effects of over-burdened and under-invested water treatment plants, which then pollute downstream areas in National Landscapes.

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

Yes.

The National Landscapes Association agrees with setting this expectation, including:

* the requirement, in paragraph 64 of the draft NPPF, for planning policies to identify the minimum proportion of Social Rent homes required; and
* the requirement, in paragraph 66 of the draft NPPF, that planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across both affordable housing for rent and affordable home ownership tenures.

As outlined in response to Question 34, National Landscapes are not suitable areas for unrestricted housing so new housing in these areas should focus on meeting affordable housing requirements, including Social Rent.

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

Yes.

Thriving, diverse and resilient places need to have a mix of tenures and types.

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

National Landscapes Association welcomes the approach of promoting a mix of tenures and types that encourage thriving, diverse and resilient rural places. Creating a clear and certain legislative and policy environment that requires new developments or conversions to have the infrastructure and amenities required (for example, sufficient and sustainable water infrastructure that will not lead to further pollution of our waterways) will bring more certainty for developers and the house building industry, while helping to avoid negative impacts on the environment.

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

No.

The National Landscapes Association (NLA) is concerned about the proposal to remove the size limit of community-led exception sites, where an alternative limit is established through the development plan (as outlined in footnote 39 of the draft NPPF[[22]](#footnote-22)).

The December 2023 version of the NPPF, paragraph 73 (paragraph 74 in the consultation draft) specifies that community-led exception sites should be proportionate in size to the existing settlement. Footnote 37 of the December 2023 version of the NPPF provides a useful definition of what is meant by proportionate, stating that ‘*community-led development exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement*’.[[23]](#footnote-23)

If the 5% threshold is exceeded then the site would not be proportionate to the existing settlement. As a result, it would conflict with the requirement, in the current paragraph 73, for such sites to be proportionate.

This size threshold provides a valuable threshold for the scale of housing development that should be considered proportionate to the existing settlement. In doing so, it also provides a useful threshold when considering whether:

* the scale and extent of development proposals in National Landscapes is limited, as required by paragraph 182 of the NPPF;
* development proposals in National Landscapes constitute major development, with paragraph 183 of the NPPF setting a presumption against such development.

Removing the 5% threshold would make it harder to assess compliance with paragraphs 182 and 183 of the NPPF, as it would mean that the NPPF would lose its only definition of what constitutes ‘proportionate’.

Community-led development is primarily intended to meet the needs of the local community, in particular, affordable housing needs – and therefore should be given more weight in National Landscapes than commercial-scale schemes (see also response to Q73). It is unlikely that the affordable housing need in a settlement would exceed 5% of the size of the existing settlement (or 5% of the number of dwellings in the settlement). If a proposal for a community-led development exceeded this 5% threshold it is questionable whether it would primarily be meeting the needs of the local community, rather than meeting wider market housing demand.

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

No – with regards to the proposed wording at the start of paragraph 164.

Yes – with regards to the proposed changes in paragraph 161 (paragraph 162 in the consultation draft) regarding ‘suitable areas’.

No – with regards to the proposed changes in paragraph 160 (paragraph 161 in the consultation draft) relating to community-led initiatives.

We would rather like to see the NPPF giving priority to promoting commercial-scale rooftop solar energy generation (e.g. on warehouses and distribution centres), for ‘utility’ solar energy (i.e. generating capacity that feeds into the National Grid, rather than solely being consumed on-site) as having the potential to play a significant role in contributing to national net-zero targets,[[24]](#footnote-24) while minimising competing demands on land-use.

Paragraph 164

*Recommendation*

The National Landscapes Association (NLA) recommends that the following wording should be used (N.B. Underlining used to emphasise the proposed additional wording):

* *Local planning authorities should support planning applications for all forms of renewable and low carbon development, subject to compliance with the other policy requirements set out in this framework, including the application of policies that protect areas or assets of particular importance, as listed in footnote 7.*

*Justification*

The NLA does not support the proposed wording at the start of paragraph 164m, which states that ‘*Local planning authorities should support planning applications for all forms of renewable and low carbon development’*.

This is because this statement could easily be interpreted (and probably will be, by developers) as meaning that all proposals for renewable and low carbon energy should be supported / permitted. If the statement is applied in this way, this would be highly inappropriate in National Landscapes (and their settings) where large scale schemes, in particular, could cause significant harm to the natural beauty of these areas.

Such a policy would conflict with: (i) the statutory duty to seek to further the natural beauty of National Landscapes; (ii) the national policy requirement for the scale and extent of development in National Landscapes to be limited; and (iii) the presumption against permitted major development in National Landscapes.

Presumably this is not the Government’s intended interpretation of this statement given that the consultation document acknowledges that ‘*proposals will still be subject to the policy requirements set out in the framework alongside other environmental safeguards*’.[[25]](#footnote-25) However, in order for this to be the case in practice, this caveat needs to be explicitly stated in paragraph 164. In particular, explicit reference should be made to the assets / areas of particular importance that are listed in footnote 7 of the NPPF, including National Landscapes.

Paragraph 160 (paragraph 161 in the consultation draft)

Paragraph 160 of the NPPF currently states that ‘*plans should … consider identifying suitable areas for renewable and low carbon energy sources …*’.[[26]](#footnote-26) Paragraph 161 in the consultation draft proposes changing this wording to ‘*plans should … identify suitable areas for renewable and low carbon energy sources …*’. In other words, the identification of ‘suitable areas’ would become more mandatory.

In principle, the NLA supports the identification of suitable areas for wind and solar energy provided that this is underpinned by:

* 1. a landscape sensitivity assessment, with the areas of highest landscape sensitivity being excluded from the suitable areas; and
  2. consideration of relevant technical and environmental constraints.

As such, in principle, we support the proposal to make the identification of suitable areas more mandatory. However, we recommend that, for local authority areas that overlap with National Landscapes, it should be a requirement that the identification of suitable areas is underpinned by:

1. a landscape sensitivity assessment, with the areas of highest landscape sensitivity being excluded from the suitable areas (at least within the National Landscapes); and
2. consideration of relevant technical and environmental constraints.

This level of detail could be provided in an updated version of the planning practice guidance for renewable and low carbon energy.[[27]](#footnote-27)

Proposed removal of paragraph 161

*Recommendation*

The NLA recommends that the support for community-led initiatives, as currently stated in paragraph 161 of the NPPF should be retained (subject to other policy requirements, as outlined in our comments on paragraph 164)

*Justification*

Paragraph 161, in the December 2023 version of the NPPF, states that ‘*local planning authorities should support community-led initiatives for renewable and low carbon energy …*’.[[28]](#footnote-28) However, the consultation draft of the NPPF proposes deleting this paragraph and, instead, making reference, in paragraph 164, to the fact that ‘*even … community-led projects provide a valuable contribution to cutting greenhouse gas emissions*’.[[29]](#footnote-29)

The NLA does not agree with this proposed change as it, in effect, reduces the weight that is given to community-led schemes. In the context of National Landscapes, community-led schemes should be given greater weight that other (commercial-scale) schemes.[[30]](#footnote-30) This is because community-led schemes are more likely to be focussed on meeting the needs of local communities within the National Landscape.

Proposed removal of footnotes 57 and 58

Footnotes 57 and 58 (in the December 2023 version of the NPPF) specified requirements for wind energy development proposals, with these requirements, in effect, limiting the scope for onshore wind.

In principle, the NLA does not object to the removal of footnotes 57 and 58. This is because we consider that it is appropriate to put wind energy on an equal footing with other forms of renewable and low carbon energy. However, wind energy proposals (and proposals for other forms of renewable and low carbon energy) will still need to comply with other policy requirements in the NPPF, including the application of policies that protect areas of assets of particular importance, as listed in footnote 7 of the NPPF, including National Landscapes.

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

Yes.

The National Landscapes Association considers that there should be additional protections for such habitats.

It would be inappropriate and counterproductive to damage habitats that play a key role in carbon sequestration (particularly peat soils) in order to deliver renewable energy schemes, especially when the biodiversity value of these habitats is also factored in.

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

The National Landscapes Association considers that national planning policy can do more to address climate change mitigation and adaptation by protecting, from development, those areas that are able to contribute a disproportionately high level of carbon storage.

Conservatively, National Landscapes in England store 448,380 kt of carbon in the top 0 – 150 cm layer of soil (medium estimate), which corresponds to 17.5% of the total soil carbon stores of England, whilst covering 14.5% of the area of England. This number will be much higher if we then also include the peat at a depth greater than 150cm. (National Landscapes Carbon Audit & Metric, Cranfield University (2022)).

Also, encouraging better public transport provision within rural areas and between urban areas and areas of the countryside that have good recreational value, linked to development, would contribute to reductions in carbon emissions.

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

No.

We think that the footnote helps to reinforces the idea that a strategic approach should be taken to land use, and the reference to consideration of other policies in the Framework is helpful – not least, in increasing the internal consistency of the NPPF. Perhaps this text could instead be re-worded to clarify.

1. <https://questions-statements.parliament.uk/written-statements/detail/2024-07-30/hcws48> [↑](#footnote-ref-1)
2. Levelling-up and Regeneration Act 2023 s.245 https://www.legislation.gov.uk/ukpga/2023/55/section/245 [↑](#footnote-ref-2)
3. <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041. [↑](#footnote-ref-3)
4. <https://www.gov.uk/government/speeches/falling-back-in-love-with-the-future> [↑](#footnote-ref-4)
5. [https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system#chapter-3--planning-for-the-homes-we-need](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system" \l "chapter-3--planning-for-the-homes-we-need). Chapter 3 – Planning for the homes we need. Paragraph 6. [↑](#footnote-ref-5)
6. <https://lichfields.uk/blog/2024/july/30/a-new-standard-method-stocking-up> [↑](#footnote-ref-6)
7. <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system/outcome/government-response-to-the-local-housing-need-proposals-in-changes-to-the-current-planning-system#proposed-changes-to-the-standard-method-for-assessing-local-housing-need> [↑](#footnote-ref-7)
8. <https://questions-statements.parliament.uk/written-statements/detail/2024-07-30/hcws48>. Given that the statement makes reference to National Parks, we assume that existing protections will also be applied to National Landscapes, which are covered by the same policies in the NPPF. [↑](#footnote-ref-8)
9. <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system#chapter-3--planning-for-the-homes-we-need>. Chapter 3 – Planning for the homes we need. Paragraph 9. [↑](#footnote-ref-9)
10. As per paragraphs 7 and 8 of the current (December 2023) version of the NPPF. [↑](#footnote-ref-10)
11. <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>. The ratio of median house price to median gross annual workplace-based earnings in England, in 2023, was, on average, 8.26. For local authorities that overlap with the CNL, this ratio, in 2023, was as follows: Bath & North East Somerset – 11.13; Cherwell – 9.67; Cheltenham – 8.85; Cotswold – 14.88; South Gloucestershire – 8.2; Stratford-on-Avon – 11.15; Stroud – 9.4; Tewkesbury – 9.02; West Oxfordshire – 10.63; Wiltshire – 9.51; Wychavon – 10.04. [↑](#footnote-ref-11)
12. 0.8% [↑](#footnote-ref-12)
13. <https://link.springer.com/article/10.1007/s10901-021-09822-3#Sec7>; <https://www.sciencedirect.com/science/article/pii/S0197397522001874#bib5> [↑](#footnote-ref-13)
14. <https://assets.publishing.service.gov.uk/media/66acffddce1fd0da7b593274/NPPF_with_footnotes.pdf>. Glossary. [↑](#footnote-ref-14)
15. Section 82 of the Countryside and Rights of Way Act 2000 ([link](https://www.legislation.gov.uk/ukpga/2000/37/section/82)). [↑](#footnote-ref-15)
16. Section 85 of the Countryside and Rights of Way Act 2000 ([link](https://www.legislation.gov.uk/ukpga/2000/37/section/85)). [↑](#footnote-ref-16)
17. Paragraph 182 of the current (December 2023) version of the NPPF. [↑](#footnote-ref-17)
18. Paragraph 183 of the current (December 2023) version of the NPPF. [↑](#footnote-ref-18)
19. <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system#chapter-5--brownfield-grey-belt-and-the-green-belt>. Chapter 5, paragraph 17. [↑](#footnote-ref-19)
20. In the new paragraph 155a, in the consultation draft of the NPPF. [↑](#footnote-ref-20)
21. These principles are set out in the Defra publication ‘English National Parks and the Broads – UK Government Vision and Circular 2010’ ([link](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf) – paragraph 78). Given that national planning policy affords National Landscapes the same level of protection as National Parks, the same principles also apply in National Landscapes. [↑](#footnote-ref-21)
22. <https://assets.publishing.service.gov.uk/media/66acffddce1fd0da7b593274/NPPF_with_footnotes.pdf>. Footnote 39. [↑](#footnote-ref-22)
23. Ministry of Housing, Communities and Local Government (2023) *National Planning Policy Framework* ([link](https://assets.publishing.service.gov.uk/media/66acffddce1fd0da7b593274/NPPF_with_footnotes.pdf)). Footnote 37. [↑](#footnote-ref-23)
24. <https://www.cpre.org.uk/resources/shout-from-the-rooftops-delivering-a-common-sense-solar-revolution/> [↑](#footnote-ref-24)
25. <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system#chapter-9--supporting-green-energy-and-the-environment>. Chapter 9, paragraph 9. [↑](#footnote-ref-25)
26. Ministry of Housing, Communities and Local Government (2023) *National Planning Policy Framework* ([link](https://assets.publishing.service.gov.uk/media/66acffddce1fd0da7b593274/NPPF_with_footnotes.pdf)). Paragraph 160. [↑](#footnote-ref-26)
27. <https://www.gov.uk/guidance/renewable-and-low-carbon-energy> [↑](#footnote-ref-27)
28. Ministry of Housing, Communities and Local Government (2023) *National Planning Policy Framework* ([link](https://assets.publishing.service.gov.uk/media/66acffddce1fd0da7b593274/NPPF_with_footnotes.pdf)). Paragraph 161. [↑](#footnote-ref-28)
29. <https://assets.publishing.service.gov.uk/media/66acffddce1fd0da7b593274/NPPF_with_footnotes.pdf>. Paragraph 164. [↑](#footnote-ref-29)
30. Cotswolds National Landscape Board (2023) *Renewable Energy Position Statement* ([link](https://www.cotswolds-nl.org.uk/wp-content/uploads/2023/07/Renewable-Energy-June-2023.pdf)). In particular, please refer to Section 4.0. [↑](#footnote-ref-30)