

# Response to the consultation on changes to the National Planning Policy Framework

Flitwick Town Council

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With contributions from the Planning Improvement Working Group

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Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?

Flitwick is an area where, despite significant levels of development that have resulted in the population of Central Bedfordshire [increasing by 15.7% between 2011 and 2021](#), housing affordability continues to be a significant issue. The Housing Affordability ratio in Central Bedfordshire was [10.8:1 in 2021](#), a figure that has increased despite this significant growth in housing.

There is little evidence to indicate that the current demonstration of 5-year housing land supply has had any discernible impact upon making homes more affordable, providing certainty on the deliverability of developments, and delivering much-needed community infrastructure. Nor is any evidence presented that this change will result in significant change. The National Planning Policy Framework needs to demonstrate that changes will have their intended impact, and the impact of this change is uncertain. Therefore, we cannot agree with this statement.

Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

See answer to question 1. No evidence is presented as to the impact of the buffer on making homes more affordable, providing certainty on the delivery of sites, and developing much needed community infrastructure. Nor is there any evidence that this change will result in any changes at all on all of these factors. Therefore, we cannot agree with this statement.

Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?

This should be a factor when considering not just the 5 year supply, but also in considering the development of land use proposals for supporting services such as hospitals, GP surgeries, and educational facilities. Where there is evidence of significant supply of homes being delivered in an area without corresponding investment or development of supporting services, future land use proposals should seek to support the development of those services.

What should any planning guidance dealing with oversupply and undersupply say?

See answer to the previous question.

Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

The consultation states that where a Neighbourhood Plan is in force, Paragraph 14 of the existing Framework says that the adverse impact of allowing development that conflicts with the Neighbourhood Plan is likely to outweigh the benefits, but only if the plan meets certain conditions as outlined. We would support this proposal to provide protection against out of date plans, ie up to 5 years old instead of the current 2 years as this would encourage planning authorities to ensure that Neighbourhood Plans are kept up to date and fully take into consideration local needs and views on housing development. Local communities and stakeholders need to be properly consulted on the contents and impactfulness of Neighbourhood Plans during the planning process and would provide a check on the presumption of sustainable development.

Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

We agree that clarity is a key requirement of the Framework.

What are your views on the implications these changes may have on plan-making and housing supply?

Whilst taking a more 'proportionate' approach to local plan examination will in some cases assist local authorities by speeding up plan-making and housing supply, our view is of one of caution against overriding genuine local community concerns by an increased pace of approving developments, particularly in environmentally sensitive areas and decisions to remove tracts of greenbelt and farm land within the plan-making process. However, any proposed changes, as outlined, that will inhibit permissions for unwanted speculative development by the wider community in an area is to be welcomed.

Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?

The approach to assessing local planning need is one that is unclear and opaque. Whilst there is a clear intention to make the current national method an advisory basis upon which to commence work on Local Plans, the proposals run the risk of adding further confusion and uncertainty on how housing need is calculated. Regardless of the outcome of this consultation, the process and methodology for calculating housing need should be clear, transparent, and logical.

The Town Council has no strong opinions on specific factors that should be part of the guidance. But it is recommended that non-demographic factors, such as plans for jobs growth, investment in services, and investment in significant infrastructure projects should be assessed when considering alternative approaches to housing need.

Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

The Town Council supports this position in principle. Giving planners the clarity that Green Belt boundaries need not be reviewed as part of Plan making is a welcome clarification, and past over-supply being taken into account makes sense.

With regards to densities being 'significantly out of character,' the Town Council is concerned that this may result in a variety of development that may be necessary for the future viability of places (for example higher density developments to support town centres) from being discouraged. Existing land use patterns may not be the optimal mix for a successful place, and sound design principles need to design developments [for the intended development objectives of an area](#), as opposed to simply what is there currently.

Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?

We agree that only in the most exceptional circumstances (taking into account the framework principles) should housing densities override the existing character of the existing area. The aim should always be to recognise a places' distinctive character and new development should deliver attractive environments and design in keeping with the area. Evidence to override this should include specific local social housing need based on current hard data; the capacity of the area's existing infrastructure to support the development and local, surrounding environmental conditions and impact.

Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

As part of the development of the Local Plan, there still needs to be a requirement to demonstrate to communities affected by Local Plan proposals that planned sites are required and are proportionate to the development need within the community. As this reads, the NPPF indicates that so long as statutory minimums are obtained, for example Environmental

Statements and evidence is provided for examination, that this is sufficient. However, there should be a requirement to demonstrate development need to communities in an accessible and understandable way. This should be a requirement and should be considered as part of the examination of the Local Plan..

Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?

The Town Council has no strong views on this matter.

Do you agree that we should make a change to the Framework on the application of the urban uplift?

We agree that greater use of brownfield land in urban areas via changes in the Framework will support the reduction of urban sprawl and inappropriate over-spill development into rural locations

What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

Greater powers could be given to local authorities to more speedily purchase suitable long term unused brownfield sites where the uplift applies.

How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

We are of the view that any "alignment policy", as part of a future revised Frameworks should be very carefully considered particularly between rural settlements and the negative effects of coalescence 'creep' and unplanned new urbanisation by default. Good cooperation between authorities is vitally important in providing a balanced regional plan (particularly between neighbouring urban and rural areas) and achieving a balanced and sustainable housing supply that also meets transport and wider infrastructure needs.

Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?

The Town Council agrees with this proposal. Such a proposal should have significant weight in the determination of future planning applications in instances where emerging Local Plans are in development, and provide certainty to communities.

Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

The Town Council has no comment on this matter.

Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

The Town Council is supportive of this measure.

Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

The Town Council has no strong view in favour or against this figure. It requests, however, that consideration be given to the application of this test at the Neighbourhood Plan level. This will represent the commitment that local communities have given to supporting development in their area, and not simply provide a highly generalised figure across a Local Planning Authority area to locations which have been more successful in delivering development sites than others.

Do you have views on a robust method for counting deliverable homes permitted for these purposes?

We propose a simple method, whereby the number of deliverable homes is counted as the number of units for which there is an active planning permission granted, and where a site is allocated in a Local Plan the indicative allocation of homes contained within the Local Plan is also counted.

What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results? (James)

The Town Council has no strong views on this matter,

Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?

Whilst we agree that the government should revise national planning to attach more weight to Social Rent in planning policies and decision making we also believe that this could be achieved by providing incentives to developers and housing associations to take a more innovative and creative approach to increasing Social Rent and affordable accommodation rather than just applying an arbitrary percentage requirement. This could include a statutory mechanism to include data on long term empty properties in a planning authorities area that could be converted rather than building new properties via a coordinated approach with planners and housing associations and other stakeholders. Greater emphasis should be placed on creative, lower cost **homeowner** designed development to reduce pressure on lower end housing construction specifically allocated for social rent.

Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

We agree that the supply of specialist older people's housing is particularly important given an aging population demographic and that changes to the Framework is therefore appropriate. Checks and balances however need to be built into to guidance to avoid oversupply by developers of this speciality in given areas to the detriment of standard housing developments.

Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

The delivery of small windfall sites has had a significant impact upon housing delivery within Flitwick, as well as elsewhere within Central Bedfordshire. Whilst such sites can speed up housing delivery, there are a number of significant challenges associated with such sites. They can often be of a small scale which, while not having a significant impact on their own, cumulatively have a significant impact on local services.

We consider that the National Planning Policy Framework should instruct Local Planning Authorities to have an updated policy in relation to small sites and windfall sites within their Local Plan. Such policies should clearly state how the collective impacts of such development will be mitigated through Local Plan policy. Furthermore, it should be stated within the National

Planning Policy Framework that this should be the overriding policy consideration when considering such sites.

How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

The use of small sites, where obtainable, for housing need development and particularly for high levels of affordable housing should definitely be strengthened within policy. Planning authorities should be specifically encouraged to give preference to smaller sites which will often meet with greater community acceptance and could have far less impact on available infrastructure and impact on the local environment. Making a small site 'register, when preparing local plans, a statutory requirement would significantly strengthen policy, and, ultimately, delivery

Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes? (Nick)

Yes.

Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?

As the owner of potential development sites within Flitwick, the primary issue facing community organisations is not that of land use policy, but that of access to finance to develop sites. It is the view of the Town Council that community organisations should be treated no more favourably when it comes to development sites than any other developer, as the impacts of such sites could be as significant as if they were developed privately. Therefore, government policy should focus on increasingly the availability of financing for community-led developments.

Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

See response below.

Is there anything else national planning policy could do to support community-led developments?

We support the proposition that community-led housing groups should be encouraged and that the Framework statements should be strengthened to reflect this and that the definition of 'affordable housing for rent' should be made clearer to widen the scope for these groups to



develop appropriate sites and become Registered Providers. We agree that community-led are often far better placed to understand community needs and aspirations. This is particularly true in rural settings. However any changes to make the development of exception site by these groups should **not** in principle override protection of the Green Belt. Greater support could be provided in national policy by proactive closer working and cooperation with local authorities and building in such support in authorities' local plans; employment of a dedicated Community Housing Officer to work with community groups; offering capital loans and grants and technical support.

Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?

Yes, we agree that a developer's past behaviour should **always** be taken into account in decision making. Irresponsible construction including behaviour **post** construction (often ignored) can have a dramatic affect on the local community and create a negative impact on the wider and future housing development process in an area. We support greater developer accountability to include increased pre build communication to provide effective community involvement at all stages of the planning process

Of the two options above, what would be the most effective mechanism?  
Are there any alternative mechanisms?

The Town Council has no preferred option from those presented. The Town Council is more interested in the National Planning Policy Framework providing an evidence base and/or test for assessing how developer behaviour is factored into decisions. The Town Council recommends that such criteria may include the following:

- Approach to consultation and engagement, and specifically the utilisation of more engaging means in order to get community feedback to inform development proposals. Where, for example, developers who take a co-design approach are considered more favourably;
- Adherence to, and compliance with, planning conditions and obligations associated with developments, including any enforcement action taken against the developer by the current and other local planning authorities;
- Evidence of community engagement as part of the development of the Local Plan, in addition to the Local Planning Authority's statutory duties;
- The role that Local Planning Authority's may have played in dissuading them from engaging with local communities.

Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?

The Town Council agrees with the proposals to provide more transparency on the rate of build-out. However, we would recommend a number of additional matters be considered in order to accelerate the delivery of sites, and to provide transparency to local communities:

- The National Planning Policy Framework place a duty on Local Planning Authorities to provide data on housing delivery, compliance with planning conditions, and the spend of obligations associated with development sites in a clear, transparent, and timely manner. Current practice varies significantly across the country, and is poor for accountability;
- The provision of penalties associated with the failure to deliver sites as intended. Such penalties should be ring-fenced for the use in community projects and improving the local area. This could be scaled in accordance with the failure to complete. For example, being 10% under target results in a penalty of £150 per dwelling not constructed, being 20% under target results in a penalty of £300 per dwelling etc. (these figures have been used for illustrative purposes only).
- Reflecting the fact that there can be unforeseen circumstances that prevent the delivery of sites, that a mechanism be devised so that the developer and the Local Planning Authority agree that the site will not be delivered and therefore is not subject to the above actions. Statutory stakeholders and neighbours to the site should also then be formally notified.

Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

We agree that the role of beauty and placemaking in strategic policies and that well-designed and beautiful development should be further encouraged. However the definition of 'beautiful' is open to interpretation by developers and by individual communities and national building design standards are obviously important to deliver this aspiration within any changes made to strategic policies. Modern ergonomic, environmental and green energy policies will need to be interwoven with such changes with minimal compromise as this may present certain design challenges, e.g. solar paneling.

Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?

Yes, agreed.

Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

Yes, agreed.

Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?

The Town Council is of the view that this is a detailed design consideration that should not be prescribed in the National Planning Policy Framework. This matter should be dealt with as part of local design guides.

How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?

The current test to provide a biodiversity net gain of 10% as part of new developments is already significantly improving the quality of plans for new developments in terms of enhancing biodiversity on site. This policy should be proactively supported in the National Planning Policy Framework.

There should also be a specific requirement to integrate Sustainable Urban Drainage Systems (SUDs) in all aspects of all developments. Not only will this reduce the rate of runoff and reduce the likelihood of flooding, but also provide a natural habitat for a variety of species. There should also be an expectation that such drainage be maintained in a suitable condition for a period of at least 10 years, to enable habitats to become established.

We would also recommend that, as part of the National Planning Policy Framework, a number of development-type activities be restricted as part of new developments, and where feasible in existing areas. This includes the following:

- The use of any artificial grass, including for sports pitches;

- The conversion of front gardens into car parking spaces;
- The removal of any trees, except for in cases where there is a significant safety concern, within the development site.

Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?

We absolutely agree that the food production value of farm land should be adequately weighted in the planning process and such weighting significantly increased if we are not to sleepwalk into a situation of a high level loss of valuable food producing agricultural land that is increasing being used for speculative housing development in rural areas.

What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

With the impacts of a changing climate on our communities becoming more and more prevalent, the Town Council considers it essential that Local Plans and developments all be required to have a Carbon Impact Assessment, and associated action plan that is enforceable by condition or obligation. Tools such as the [Whole Life Carbon Assessment by the Royal Institution of Chartered Surveyors](#) provide a good basis on which to develop such an impact assessment. The Town Council has no particular preference for specific methodologies, however we would advise that any such method consider the following:

- The assessment of the whole life of the Local Plan and the associated development that it enables;
- The carbon impact of the construction of sites;
- The carbon impact of the operation of sites over the lifetime of the plan, including building occupation, transport, maintenance, waste generated, and use of the site over at least a 30 year time horizon;
- The carbon impact of the demolition of the site.

Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?

The Town Council has no additional comments to make.

Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

The delivery of renewable energy is critical to achieving climate goals and improving energy security. The Town Council considers that, subject to material considerations, that the National Planning Policy Framework should proactively favour the development and deliver of renewable energy facilities and infrastructure.

Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

The delivery of renewable energy is critical to achieving climate goals and improving energy security. The Town Council considers that, subject to material considerations, that the National Planning Policy Framework should proactively favour the development and deliver of renewable energy facilities and infrastructure.

Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?

The delivery of renewable energy is critical to achieving climate goals and improving energy security. The Town Council considers that, subject to material considerations, that the National Planning Policy Framework should proactively favour the development and deliver of renewable energy facilities and infrastructure.

Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

The Town Council agrees that significant weight should be given to improving the energy efficiency of buildings as part of development proposals that adapt existing building. When applying this rule to buildings with historic or conservation value, those matters should be considered when determining the application. However, the need to improve the energy efficiency of such buildings should be proactively considered when determining the application.

Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?

We agree with this timescale, subject to local communities being given adequate opportunities to engage with the Local Plan process. .

Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?

The Town Council has no strong views on the transitional arrangements.

Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?

The Town Council has no strong views on the transitional arrangements. However, support should be provided to local communities wishing to update their neighbourhood plans to comply with this timescale.

Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?

The Town Council has no strong views on the transitional arrangements.

Do you agree with the suggested scope and principles for guiding National Development Management Policies?

The Town Council is concerned that the National Development Management Policies will lead to greater duplication in Local Plan policies. Local Plan policies will, as a result of this, simply reiterate the National Development Management Policies (as is currently the case with the National Planning Policy Framework), or a local interpretation of these policies. The consequence, as many years of the National Planning Policy Framework and Regional Plans has indicated, will make the planning system more complicated and less accessible.

The principle of these policies should, therefore, focus on nationally-significant developments for which the impact is national in scale.

What other principles, if any, do you believe should inform the scope of National Development Management Policies?

Should the Government wish to proceed with its intended vision, all National Development Management Policies should abide by the following additional principles:

- Achieving net zero carbon emissions;
- Place the needs of local communities at the heart of decision making, based upon evidence of extensive community engagement.

Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

The Town Council has no comment.

Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

Should the government seek to deliver this policy, we would recommend that the following issues be considered as matters for National Development Management Policies:

- Carbon reduction through developments and local plan making;
- The protection and enhancement of green spaces;
- Managing the impacts of infill development.

What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?

The Town Council would wish to see land use policies relating the supporting the economic regeneration of small towns. More specifically:

- Policies to support regeneration of brownfield sites in small town centres in a manner that provides services within those town centres;
- Providing planning protections for key services, such as healthcare and education, so that such sites are less vulnerable to development that is not directly related to that service;
- Actively encouraging, through good urban design and placemaking, developments that encourage higher quality places that are more local in scale, such as small parks and play areas, as well as improving the quality of local streets.

How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

See the response to the previous question.

Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

The Town Council considers that future development should be 'brownfield-first' in its delivery. What is necessary for the successful delivery of such sites is to ensure that the development

delivered reflects the needs of the local community. For instance, the delivery of additional retail development on brownfield sites in locations where there is already an over-provision of retail space is likely to be counter-productive in making sustainable communities.

Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?

The government should absolutely bring forward such proposals and is societally an increasing important measure to be implemented within the Framework. We would additionally consider that such work should be led by a stakeholder group consisting of representatives from such marginalised groups.

Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

The Town Council has no specific comments to make on this.

We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

The Town Council has no specific comments to make in relation to this question.