

MHCLG

Consultation on the proposed reforms to the NPPF and other changes to the planning system (December 2025)

Responder details

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CONSULTATION QUESTIONS	POS RESPONSE
<p>Consultation Introduction</p> <p>1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?</p>	<p>POS supports the introduction of statutory National Development Management Policies, but only if they operate as a national baseline rather than a mechanism that automatically overrides Local Plans. The approach set out in LURA would impose a rigid hierarchy in which NDMPs prevail in all circumstances, even where robust evidence and an Inspector's findings justify a different local approach. This is neither proportionate nor effective.</p> <p>To ensure NDMPs strengthen the system rather than weaken plan-making, POS proposes a simple principle:</p> <p>NDMPs should not be repeated in Local Plans unless the evidence demonstrates that a different or more nuanced policy is necessary.</p> <p>This creates a clear national baseline while preserving the ability to respond to local circumstances where justified.</p> <p>Legislative amendments are required to remove the blanket presumption in favour of NDMPs and instead ensure that the most up-to-date, evidence-based policy prevails—whether national or local.</p> <p>Required legislative changes</p> <p>To achieve this, the LURA provisions would need to be amended. The current amended provisions are as follows:</p> <p>Existing Planning & Compulsory Purchase Act 2004 s38</p> <ul style="list-style-type: none">• (5) If to any extent a policy contained in a development plan for an area conflict with another policy in the development plan, the conflict must be resolved in favour of the policy contained in the last document to become part of the development plan.

- **(6)** Decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

LURA amendments

- s38(6) is amended so it applies only to Wales.
- For England, s38(5) is supplemented by new subsections (5C):
 - **(5C)** If to any extent the development plan conflicts with a NDMP, the conflict must be resolved in favour of the NPMD

POS proposes the following amendment to s38(5C)

amendments shown underlined

(5C) If to any extent the development plan conflicts with a NDMP, the conflict must be resolved in favour of the NDMP policy contained in the most up-to-date document, the relevant dates being the adoption of the development plan and the publication of the NPPF.

This amendment ensures that the most current and evidence-based policy prevails, rather than applying a blanket presumption in favour of NDMPs. POS has retained the NDMP acronym for clarity, noting that legislation will ultimately need to refer to *national decision-making policies*.

Transitional arrangements

POS also recommends a **time-limited transitional provision** for recently adopted Local Plans that set different local standards—particularly in relation to carbon reduction and the transition to net zero, rather than the proposals to give all local plan policies little weight if the conflict with NDMPs when the NPPF is published. This would:

- apply only to Local Plans adopted within the last **three years**
- operate for a maximum of **two years**, bridging the gap until updated Building Regulations and Future Homes Standards take effect
- ensure all policies are reviewed within the statutory **five-year review cycle**

This approach protects legitimate, recently examined local ambition while maintaining a clear pathway to national consistency.

2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies?

POS Response: Partly agree.

POS strongly supports the introduction of National Development Management Policies (NDMPs), as this approach should make decision-making more straightforward and consistent. However, we are less convinced that the same structure should be applied to National Plan-Making Policies (NPMPs). Plan-making is fundamentally different from decision-making, and for this

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

reason a policy-based structure may not be the most appropriate mechanism for setting out plan-making requirements.

We recommend that paragraphs 6 and 7 more clearly articulate this distinction. NDMPs should be written for use in determining planning applications, whereas NPMPs should focus on the procedures to be followed and the outcomes to be delivered through plan-making. To reinforce this difference, it may be worth renaming "Plan-making policies" as "Plan-making requirements" and removing the NDMP-style numbering. For example, "GB1: Establishing new Green Belts" could instead become "1. Establishing new Green Belts".

Document format

POS supports the overall format of the draft, particularly the use of policy numbers rather than paragraph numbering. However, the objectives box at the start of each chapter should be expanded to reflect the sustainability, climate-change considerations relevant to each topic. These issues should run as a golden thread throughout the Framework. At present these fundamental principles are overly concentrated within two chapters. Footnotes should also be incorporated into the main body of the text wherever possible.

There is also a lack of clarity around the repeated use of the phrase "development plan ... at the appropriate level". It is unclear what is expected at SDS level versus Local Plan level, with the Transport chapter being the only section that explicitly refers to Local Plans. This ambiguity risks confusion for evidence gathering, plan-making and the testing process through examination. We recommend that all references to the development plan specify the tier at which the requirement applies unless there is a genuine choice at which level the policy issue is managed. However, in the interests of standing up the new SDS system quickly and keeping the new frameworks 'strategic' the required policy framework for SDS should be focused and proportionate.

The draft also omits the concept of "strategic policies", which currently play an important role in identifying policies that cannot be varied in Local Plans. Something equivalent is needed to clarify whether Neighbourhood Development Plans may vary Local Plan policies or proposals. Retaining the concept of strategic policies may therefore still be necessary, although this should avoid any confusion with the strategic policies that will be set out in SDS

POS also endorses and cross-refers to the comments submitted by TfL regarding the prevention of violence against women and girls (VAWG), particularly in relation to policies HC1, TR3, TR4 and DP3. The definition of "safe" within the NPPF should be expanded to recognise both protection from harm and the perception and experience of safety, especially for women and girls. The Framework should include a clear statement that development proposals must be planned, designed and operated to support the prevention of VAWG and to create environments where women and girls can move freely, confidently and safely.

<p>3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response Partly agree.</p> <p>POS welcomes the consolidation of national policy and procedural requirements—currently dispersed across the PPG—into the NPPF. When the first NPPF was published in 2012, POS noted that elements of the former PPGs/PPSs that were genuinely useful had been lost, and the subsequent PPG reintroduced some of this material. However, the current split between NPPF and PPG still contains inconsistencies, with policy sometimes appearing in the PPG and guidance sometimes appearing in the NPPF.</p> <p>In this context, POS would urge MHCLG to go further and ensure that the documents are further reviewed with a view to achieving the following outcomes</p> <ul style="list-style-type: none"> • NPPF (main body): national policy only • NPPF (annexes): national procedural requirements only • PPG: best-practice guidance only <p>For National Parks, it is important that cross-references to relevant Government Circulars—such as the Defra Circular on National Parks and the Broads Authority—are retained within the annexes to ensure continuity and clarity.</p>
<p>4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response: Strongly agree</p> <p>Whilst POS agrees with this, the PPTS was written in the context of a development plan without a strategic tier. In incorporating this into the NPPF, it should be clear what will be required to be addressed through the new SDS system.</p>
<p>Chapter 1: Introduction</p>	
<p>5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree</i></p> <p>a) Please provide your reasons, particularly if you disagree</p>	<p>POS Response: Partly agree</p> <p>The proposal to just use substantial where positive weighting is intended is welcomed from the point of view of simplification and clarity in the communication of national policy priorities.</p> <p>However, it must be recognised that a weighting hierarchy is used in decision making, particularly by Planning Inspectors. In our experience this can become a quasi-mathematical exercise, which we consider to be wrong. POS would urge MHCLG to look at producing guidance in this area (in the PPG) and we would be happy to discuss this with government once the current phase of policy and legislative work has eased.</p>

<p>Chapter 2: Plan-making policies</p> <p>6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response: Partly agree</p> <p>Overall Position</p> <p>POS supports the introduction of SDSs and the strategic intent of PM1. However, targeted amendments—particularly around national outcomes, statutory duties, minerals, timeframe, scope, and delivery—are essential to ensure SDSs function as the strategic backbone of the reformed planning system.</p> <p>POS strongly supports the overarching purpose of Spatial Development Strategies (SDSs) as set out in PM1. The opening paragraph provides a clear and compelling foundation, stating that SDSs “<i>should set a positive vision for future growth and change at a sub-regional scale and provide a clear spatial framework for investment and growth, including for new housing. Their content should be genuinely strategic in nature and allow for more detailed issues to be considered and addressed through other parts of the development plan.</i>” POS strongly endorses this objective.</p> <p>However, several aspects of PM1 require refinement to ensure SDSs are effective, deliverable, and aligned with statutory duties and national priorities. Given that there is a need to implement the new SDS system as soon as possible, it should be clear what is required for the first generation of SDS and where there is flexibility for partial updates at some point in the future.</p> <p>1. National Outcomes, statutory duties and strategic scope</p> <p>POS supports the core content of SDSs but recommends strengthening PM1 to ensure SDSs genuinely operate at a strategic level and are ‘vision-led, outcome-focused’ frameworks.</p> <p>A National Outcomes Framework, supported by national datasets and an annual reporting system back to Government, would significantly strengthen the SDS framework. These outcomes should reflect national priorities set out in the NPPF, including the National Industrial Strategy, with appropriate cross reference to the Government’s Local Outcomes Framework being implemented to support its Devolution programme - Local Outcomes Framework - GOV.UK. They would ensure SDSs collectively deliver national priorities, provide a consistent monitoring framework, and focus the examination process on outcomes rather than process.</p> <p>PM1 should also explicitly reference SDS responsibilities for addressing health inequalities and climate change, ensuring consistency with the Planning and Infrastructure Act. There should also</p>
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be clear outcomes set out nationally around how SDS are to address climate change and health inequalities.

PM1 must also guard against SDSs becoming overloaded with local detail. Only matters listed in the policy should be included unless compelling evidence justifies otherwise. The repeated references to “the most appropriate level” risk encouraging the inclusion of non-strategic matters; this wording should be restricted to genuinely strategic topics such as spatial strategy and distribution of growth across the SDS area; economic strategy which reflects the national Industrial Strategy and local growth plans; , national and strategic infrastructure (transport, water, energy, economic infrastructure such as freight and logistics, data centres), natural environment, especially in relation to Local Nature Recovery Strategies and the forthcoming Environment Delivery Plans.

2. Timeframe for SDSs (PM1(2a))

POS supports a long-term horizon but recommends extending the SDS timeframe to **a minimum of 25 years** to ensure a clear distinction between SDSs and local plans. SDSs must guide transformational change—new communities, strategic infrastructure, and building long-term economic, health and climate resilience—and require a longer timeframe than local plans, which should plan for at least 10 years.

3. Nature recovery, environmental delivery and Green Belt clarity (PM1(2e))

PM1 (2e) should explicitly require SDSs to take account of **Local Nature Recovery Strategies** and **Environmental Delivery Plans**, both of which operate at strategic scale. SDSs should also identify the general extent of the Green Belt and areas of change, ensuring clarity and resisting pressure to include localised matters.

4. Minerals and strategic infrastructure – strengthening PM1(2f)

PM1 (2f) requires SDSs to set out the type, extent and broad location of strategic infrastructure, including “*where considered appropriate, the provision of minerals.*” POS considers this wording too ambiguous. Minerals planning has always been a strategic matter, particularly for aggregates, which are essential to delivering the growth identified in SDSs.

Given the national priority to ensure adequate provision of critical and growth minerals, PM1 (2f) must set clear criteria for when minerals must be included. This is especially important because national aggregate guidelines have not been updated since 2009 and new unitary authorities may lack sufficient production data. SDSs could play a vital role in providing **aggregate guideline figures** to ensure supply is planned coherently.

PM1 (2f) should also be more explicit about the SDS role in identifying and allocating funding for enabling infrastructure. Without clarity at SDS level, SPAs and LPAs cannot develop coherent CIL or s106 strategies. Whilst this may not be appropriate level of detail for the NPPF, the PPG should provide a template for the SDS Delivery Framework to ensure this is taken into account appropriately.

5. Delivery and monitoring

PM1 (2h) and (2i) should be strengthened to require:

- a formal **SDS Delivery Framework**, prepared alongside the SDS which can then be used as core evidence to provide confidence at examination that the strategy is robust.
- a consistent national monitoring framework with annual reporting, supported by **measurable** outcomes (in line with a National Outcomes Framework).
- clear national triggers for early or partial review of the SDS

Monitoring is often under-resourced, yet SDSs are intended to deliver national missions. A National Outcomes Framework and indicators are therefore essential.

6. Language and drafting improvements

Several parts of PM1 would benefit from clearer, firmer drafting, including:

- replacing “*a strategy for a sustainable pattern of growth*” with “*a sustainable growth strategy*”
- replacing “*broad locations with the potential for new homes and jobs*” with “*broad locations to meet the need for new homes and jobs*” There should also be a definition included in the NPPF around what ‘broad locations’ means in the context of SDS. Whilst these will not include site allocations on an OS map base, there will have to be a some level of specificity to guide local plans. The use of digital technology and mapping should help with this.
- ensuring utilities and social infrastructure policies are included only where genuinely strategic

7. National Parks

National Parks must be fully engaged in SDS preparation to ensure that the SDS fully reflects their unique housing markets and statutory purposes, as well as the opportunities to support long term sustainable economic growth.

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?

POS Response: Partly agree

POS recognises the importance of ensuring that SDSs remain up to date. However, we do **not** support a blanket requirement for alterations to be made *at least every five years*. This approach risks undermining the purpose of SDSs, which is to provide a stable, long-term spatial framework for growth and investment.

SDSs must offer **policy stability** to build investor confidence, particularly for institutional investors whose involvement is essential to delivering the scale of housing and infrastructure required. They also need time to deliver the transformation envisaged, especially where reliant on strategic growth allocations and major infrastructure.

Policy PM1 (2i) already proposes that SDSs should be **replaced every 10 years**, which POS supports. A 10-year replacement cycle provides the right balance between long-term certainty and responsiveness. What is needed alongside this is a **robust monitoring framework**, which reflects a National Outcomes Framework and includes annual reporting to Government, which would provide early warning where a partial or full review is required.

The requirement in PM1 (3) for alterations "at least every 5 years" risks creating unnecessary churn, diverting resources away from delivery, and weakening the stability SDSs are designed to provide. If a strong monitoring framework is in place, mandatory 5-year alterations are not necessary. Local plan housing delivery tests and five-year land supply requirements should inform monitoring, but should not automatically trigger SDS alterations.

A further issue is the **definition of "significant change."** Without clarity, the requirement becomes open to interpretation and challenge. POS therefore supports an approach where alterations are only required where monitoring demonstrates a material change that affects the overall deliverability of the strategy.

More fundamentally, the Standard Method (SM) does not identify actual housing need based on demographic analysis; it is a proxy based on existing housing stock. When SPAs or LPAs undertake a SHMAA, the SM figure is often exposed as either too high or too low. SDSs provide an opportunity to return to **properly assessing housing need at the strategic geography**, where SHMAA-type analysis works far more effectively. Such a new methodology should be national set and should take into account national priorities, including areas which are an economic growth priority, where there are growth opportunities arising from national infrastructure investment and where climate change will impact on long term spatial change (e.g. managed coastal retreat). It should also be very clear how the Government's national New Towns Programme will be taken into account in any SDS nationally set targets.

	<p>If concern remains that a 10-year cycle for assessing housing need is too long, this should be addressed through routine updating of the evidence base, not through mandatory alterations to the SDS. SPAs could maintain up-to-date demographic and housing evidence through a Strategic Monitoring Report. SDSs should also include policies for responding to changes in population or household forecasts over time. POS recommends that data sets are provided by ONS to ensure a consistent baseline and approach for all areas.</p> <p>In summary:</p> <ul style="list-style-type: none"> • SDSs need stability to deliver long-term transformation. • A 10-year replacement cycle, supported by strong annual monitoring, is the right approach. • Mandatory alterations every 5 years are unnecessary and counterproductive. • Housing need should be assessed properly at the SPA level, through a demographic-based Standard Method which reflects national spatial and infrastructure investment priorities, rather than a housing stock proxy-based Standard Method. • Evidence should be kept up to date routinely, with alterations triggered only where monitoring demonstrates a significant change. <p>POS therefore partly agrees with the principle of keeping SDSs up to date but does not support mandatory 5-year alterations.</p>
<p>8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response: Strongly agree</p>
<p>9) Do you agree with the role, purpose and content of local plans set out in policy PM2?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Response: Strongly agree (with important caveats)</p>

a) Please provide your reasons, particularly if you disagree.

POS strongly agrees with the role, purpose and content of local plans as set out in PM2, but several refinements are required to ensure local plans are effective, deliverable and aligned with the wider strategic planning framework.

Local plans must contain a **clear, place-specific vision**, supported by a coherent explanation of how that vision will be delivered. This vision should form a 'golden thread' running throughout the plan, supported by measurable outcomes that can be monitored and reviewed to assess whether the plan is achieving its objectives. A **key diagram** is essential to illustrate the spatial strategy and any strategic place-based interventions. Crucially, the vision must align with the council's overarching corporate priorities, ensuring the local plan is embedded within the wider strategic direction of the authority.

However, there is significant scope for **greater clarity and simplification**. POS continues to advocate for a **two-stage approach** to local plan preparation:

1. **Stage 1 – Strategic policies**, examined in full (although terminology must be considered in relation to the strategic policies set out in SDS) ;
2. **Stage 2 – Non-strategic/DM policies**, examined only where objections remain.

This approach—set out in [POS Manifesto Background Paper 9](#)—would streamline plan-making, reduce examination burdens, and accelerate adoption.

Footnote 7, which outlines the key components of site allocations, is helpful. However, it must be emphasised that site capacities should remain **indicative** unless detailed design work (e.g. masterplans) has been undertaken. Flexibility is essential to allow detailed design and development management processes to refine capacity at later stages.

PM2(1) states that local plans should “support the delivery of the spatial strategy.” POS considers this wording too weak. Local plans must be required to **deliver** the adopted SDS strategy unless exceptional circumstances can be demonstrated.

PM2(1a) requires “at least 10 measurable outcomes.” POS supports measurable outcomes where appropriate, but some aspects of a vision may not be readily quantifiable. The policy should allow for a balanced approach.

A significant omission in PM2 is the lack of reference to **community engagement**. While evidence, site identification and cooperation are addressed, the draft policy provides no guidance on what LPAs are expected to consult on at each of the three mandatory stages. This must be rectified to ensure transparency and consistency.

	<p>Finally, the draft NPPF does not explain how the equivalent of the current Regulation 19 stage will operate. This is a critical gap. LPAs need clarity on how representations will be submitted, which will be considered at examination, and how parties will indicate their wish to be heard.</p> <p>See POS Manifesto 9 Microsoft Word - POS MBP9 Spatial Planning.docx.</p>
<p>10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?</p> <p>Yes/No</p> <p>a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why.</p>	<p>POS Response: No (10 years is sufficient)</p> <p>Within the context of SDSs covering at least 20 years—and being replaced every 10 years—it is not necessary for local plans to cover a minimum of 15 years. POS recommends a minimum 10-year plan period, with flexibility for LPAs to extend this where appropriate. This will help speed up plan-making and ensure proposals remain deliverable.</p> <p>As noted under PM1 (2a), the current drafting creates insufficient distinction between SDSs and local plans. Either the SDS timeframe should be extended to 25 years, or the local plan timeframe reduced to 10 years, to ensure a clear hierarchy between the two tiers of the development plan.</p> <p>PM3 – Minerals and Waste Plans</p> <p>POS supports the intent of PM3 but highlights several important considerations:</p> <ul style="list-style-type: none"> • Minerals and waste planning is inherently strategic (see comments under PM1 (2f)). • PM3 requires plans to “set out specific proposals to facilitate a sufficient supply of minerals” and support a circular economy. Given the Government’s emphasis on circularity—including the Circular Economy Taskforce—there should be a National Policy for Decision setting out requirements to support a circular economy. • For minerals plans, a plan period of less than 15 years may be inappropriate, particularly where allocated sites are quarry extensions requiring progressive restoration. A 10-year plan period may render some allocations undeliverable within the plan period.
	<p>PM4 – Supplementary Plans</p> <p>PM4 allows supplementary plans (SPs) to be prepared by “relevant plan-making authorities,” but footnote 10 includes only the Greater London Authority and omits other Strategic Planning Authorities (SPAs). This is inconsistent and should be corrected. SPAs must be added to footnote 10 and to the Chapter 2 introduction at bullet (e).</p>

	<p>SPs will be essential for taking forward strategic sites, many of which cross local authority boundaries or sit within LPAs at different stages of plan preparation. Allowing SPAs to prepare SPs—ideally jointly with relevant LPAs—would significantly improve delivery and provide additional evidence at local plan examination in terms of the deliverability test. Even where a strategic site sits entirely within one LPA, the ability for the SPA to prepare an SP may be crucial if the local plan is not being reviewed.</p> <p>SPs will be particularly valuable for Mayoral SPAs, which will benefit from new powers under the English Devolution and Community Empowerment Bill, including Mayoral Development Orders.</p>
	<p>PM5 – Neighbourhood Plans</p> <p>POS has no major concerns with PM5. The preferred minimum plan period is 10 years, but the length should be proportionate to the complexity of the strategy being delivered.</p>
<p>11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response: Partly disagree</p> <p>Overall position</p> <p>POS supports the principle of avoiding duplication but cannot support PM6(1c) as drafted. Flexibility is essential to maintain a genuinely plan-led system and ensure local plans can respond to local needs, particularly on climate, health and minerals/waste matters.</p> <p>Key Points</p> <ul style="list-style-type: none"> • A “one-size-fits-all” approach is inappropriate in many areas. • Local variation should be permitted where evidence demonstrates necessity, with Inspectors acting as gatekeepers. • NDMPs must not undermine vision-led local plans. • Local policies addressing issues such as health, climate change, sustainability and viability must be allowed where national policy is insufficient. • Waste planning is disadvantaged because NDMPs for waste are not yet available. <p>Detailed response</p> <p>POS supports the principle of avoiding unnecessary duplication of National Development Management Policies (NDMPs). However, we partly disagree with the approach set out in</p>

PM6(1c) because it is too rigid and risks undermining the ability of local plans to respond to local circumstances.

While NDMPs can provide clarity and consistency, a “one-size-fits-all” approach is not appropriate across the whole of England. Local authorities face very different challenges and opportunities, and it is inherently contradictory to require local plans to be vision-led if they are prevented from developing locally specific policies where justified.

POS therefore considers that:

- NDMPs should be the **starting point**, not the end point, for local policy.
- Local variation should be permitted **where robust evidence demonstrates it is necessary**.
- The Inspector at examination should act as the gatekeeper, ensuring that any local policy variation is justified as being necessary, non duplicative, and does not conflict with national policy.
- Where a Local Decision Making Policy is found sound at examination, it must have **primacy in decision making** over NDMPs; otherwise the plan led system becomes a nullity.
- There are also important cross cutting issues—such as **health, climate change, sustainability, zero carbon objectives, flood risk and coastal change**—that are not addressed holistically across the NPPF or NDMPs. PM6(1c) would prevent LPAs from developing locally specific policies on these critical matters, even where local evidence shows they are needed and are viable. POS supports the concerns raised by the Health and Wellbeing Planning Network and recommends that each NPPF chapter includes decision making policies enabling development to contribute positively to climate and health outcomes.

Minerals and Waste implications

PM6 applies to all development plans, but the National Planning Policy for Waste (NPPW) is **not being updated alongside the NPPF**. NDMPs for waste are therefore not available to Waste Planning Authorities (WPAs), leaving them unable to take NDMPs into account in plan-making. This risks undermining the ability of WPAs to produce sound waste local plans within the new timetable.

Local augmentation of NDMPs

In some cases, NDMPs set out procedural expectations rather than development management criteria. LPAs may need to augment these with local policy to assist applicants and decision-makers. PM6 should explicitly allow this where justified and where it does not duplicate or conflict with national policy.

<p>12) Do you agree with the approach to initiating plan-making in PM7?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response: Partly agree</p> <p>POS supports the intention behind PM7 to improve project management and bring greater discipline to the plan-making process. The advantages of improved project management of the local plan making process are self-evident. However, several refinements are needed to ensure the policy is realistic and deliverable.</p> <p>LPAs often do not have the resources to undertake the process effectively and this is often why there are delays. The reference to 'realistic' timings for key milestones is helpful but it is important to recognise that LPAs can be impacted by factors entirely outside their control. (Initially it is anticipated that Local Government reorganisation and English Devolution have significant scope to impact upon the delivery programme for early cohorts). It is therefore imperative that project initiation documents set out an agreed resourcing plan and provide a clear risk assessment as well as a timetable for local plan making. This should factor in all the necessary resources and potential risks to achieve the 30-month timetable. This should be updated regularly, and any potential issues highlighted to the Government and to Planning Inspectorate so that there is full transparency.</p> <p>Therefore, POS propose that that clause 1 a) be amended as follows: "Setting realistic timings for key milestones <u>including an agreed resourcing plan and risk assessment</u> and reflecting these in the local plan or minerals and waste plan timetable, which thereafter must be updated at prescribed points."</p> <p>Finally, POS do not think the use of the phrase 'project initiation document' (in clause 1 d) is particularly helpful having its origins in a particular branch of project management more akin to designing complex infrastructure projects. Whilst local plans can be complex, detailed, and technical documents it would aid wider accessibility if this was simply called a "<u>Local Plan Project Brief</u>". This would ensure transparency and provide Government and the Planning Inspectorate with early warning of issues.</p> <p>Waste Planning implications</p> <p>Waste Planning Authorities face additional challenges because the NPPW has not been updated alongside the NPPF. NDMPs for waste are therefore unknown and cannot be taken into account in plan-making. WPAs will be at a disadvantage under the new 30-month timetable unless the NPPW is updated urgently.</p>
<p>13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Response: Partially agree (with caveats)</p> <p>Overall position</p> <p>POS supports PM8 but recommends stronger guidance, clearer expectations for SDS-level evidence, and explicit encouragement of shared evidence bases.</p>

a) Please provide your reasons, particularly if you disagree.

Key Points

- Evidence production must be **proportionate** and avoid unnecessary detail.
- SDS evidence should form the **common evidence base** for local plans.
- Evidence should not be continually refreshed; *“the best must not be the enemy of the good”* .

Clearer guidance is needed on what constitutes proportionate evidence for SDSs.

POS agrees with the intention behind PM8 to ensure evidence is **proportionate, relevant, and sufficiently up to date**, and to curtail the excessive production of evidence that has characterised plan-making in recent years. However, further clarity is needed to ensure the policy is effective.

A major cause of excessive evidence production has been:

- MHCLG requirements,
- historic judicial judgments, and
- a resulting risk-averse culture within LPAs.

PM8 must therefore be explicit that evidence should be **proportionate**, not exhaustive, and that LPAs are not expected to refresh evidence continually during plan preparation.

POS urges Government to avoid allowing “the best to become the enemy of the good.” Evidence can never be 100% accurate; it is a structured attempt to understand the future using assumptions and methodologies that will always be open to debate. Standardisation of methodologies would help avoid unnecessary disputes.

Relationship between SDS and Local Plan evidence

PM8 should go further by encouraging the use of a **common evidence base** for SDSs and local plans wherever possible. Evidence on population, economy, infrastructure, environment and transport should be prepared at the SDS level and then used by LPAs. Local plan evidence should focus primarily on **site-specific matters and matters of local distinction..**

This would avoid duplication, reduce costs, and ensure consistency across the development plan.

Need for clearer guidance

The draft NPPF lacks specificity on:

- what constitutes “proportionate” evidence at SDS level,
- what evidence is required for different policy areas and different tiers of plan making, and

	<ul style="list-style-type: none"> • what evidence should be left to local plans. <p>Strategic Planning Authorities will need clear guidance to avoid over-production of evidence and to ensure consistency across the country.</p> <p>As referenced in Q2 There is also a lack of clarity around the use of the phrase “development plan ... at the appropriate level”. It is unclear what is expected at SDS level versus Local Plan. This ambiguity risks confusion for both evidence gathering and plan-making. We recommend that all references to the development plan specify the tier at which the requirement applies.</p> <p>POS members are concerned that LPAs are being asked to commit to producing a Local Plan within 30 months before the Government has released the proposed standardised templates. This creates a significant practical challenge. Without knowing the structure, content expectations or technical requirements of these templates, LPAs cannot meaningfully plan for the staffing, skills, budget or programme management needed to meet the statutory timetable.</p> <p>In effect, authorities are being asked to sign up to a delivery programme while key components of that programme remain unknown. This is not a sound basis for resource planning, and it risks undermining confidence in the new system from the outset.</p>
<p>14) Do you agree with the approach to identifying land for development in PM9?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response: Strongly agree (with caveat for minerals/waste)</p> <p>Key Points</p> <ul style="list-style-type: none"> • POS supports the approach, subject to national guidance. • Site capacities must remain indicative. • Minerals and waste allocations should not require viability assessments; PM9 should clarify this. <p>Strongly agree subject to the guidance included in : Create or update a local plan using the new system - GOV.UK and the point made in response to Q9 above regarding indicative site capacities.</p> <p>Minerals and Waste Plans – Party disagree.</p> <p>Policy PM9.2.b states that the assessment for identifying land for development should include an assessment of the likely viability of sites. Proposed mineral and waste site allocations have not previously been subject to viability assessments. Policy PM9 should clarify what types of development a viability assessment will be required for, as the policy would currently apply to land for all types of development, including minerals and waste sites.</p>
<p>15) Do you agree with the policies on maintaining and demonstrating cross- boundary cooperation set out in policy PM10 and policy PM11?</p>	<p>POS Response: Partly agree</p> <p>Overall position</p>

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

POS supports the principle of maintaining and demonstrating cross-boundary cooperation, but PM10 and PM11 require strengthening to:

- recognise the leadership role of SPAs
- ensure no strategic matter is left unresolved
- align SDSs and local plans
- reflect Mayoral powers and duties
- accommodate the national nature of minerals and waste planning
- support a national picture of growth through structured SPA-to-SPA cooperation

With these changes, PM10 and PM11 would provide a more effective and realistic framework for cross-boundary strategic planning.

Key Points

- SDSs will require significant cross-boundary collaboration, especially for:
 - Strategic sites
 - Functional geographies
 - Environmental designations
- POS supports a model similar to **Regional Aggregates Working Parties** for joint SPA working.
- SPAs must play a **leadership role**, not just cooperate.
- Once an SDS is adopted, SPAs should review all local plans for alignment.
- Minerals planning requires cooperation across **non-adjacent** areas due to national supply chains.

Detailed comments

POS agrees that effective cross-boundary cooperation is essential to a functioning strategic planning system. However, we **partly agree** with the approach set out in PM10 and PM11 because the policies, as drafted, do not fully reflect the scale of cooperation required, nor the leadership role that Strategic Planning Authorities (SPAs) will need to play.

1. Cross-boundary issues require structured, ongoing cooperation

SDSs will inevitably need to address a wide range of cross-boundary matters, including:

- strategic developments spanning multiple authorities

- functional geographies such as housing market areas, economic corridors and hubs
- river catchments and water management
- nationally important environmental and landscape designations

To ensure consistency and coherence, the sum of SDSs must add up to a **national picture of long-term spatial growth**. This requires structured cooperation between SPAs across key geographies, supported by a robust monitoring framework (see comments under Q6, PM1 (2i)).

POS supports the model recommended in *Planning Positively for the Future*, which proposes a light-touch but formal joint working arrangement similar to the **Regional Aggregates Working Parties (RAWPs)**. These are jointly resourced by Government and authorities and ensure that national needs are met through coordinated local action. A similar model could support SDS implementation and cross-boundary coordination.

2. SDSs and Local Plans will be out of sync — alignment mechanisms are essential

The first generation of SDSs and Local Plans will not align temporally. The NPPF is clear that LPAs should continue preparing local plans without waiting for SDS adoption. However, this creates a risk of misalignment, particularly where:

- the SDS proposes a different spatial strategy or distribution of growth
- the SPA is a Mayoral Authority with significant delivery tools and powers, including strategic call-in powers under the English Devolution and Community Empowerment Bill

To avoid inconsistency and delay, POS recommends that **as soon as an SDS is adopted, the SPA should review all local plans within its geography** and identify any that require early review to ensure alignment.

3. PM10 and PM11 must recognise the leadership role of SPAs

Both policies currently treat SPAs as participants in cooperation, rather than leaders of it. This is a significant omission. The policies should distinguish between:

- **SPAs cooperating with other SPAs** on cross-boundary strategic issues; and
- **SPAs leading and, where necessary, directing cooperation between LPAs** to ensure the SDS is implemented consistently.

Without this leadership role, the risk of fragmentation, duplication and delay increases.

4. PM11(2) should not allow unresolved strategic matters

PM11(2) allows for circumstances where cross-boundary matters have not been fully addressed. POS considers this inappropriate in a strategic planning system. If an SDS is genuinely strategic, **there should be no circumstance in which a strategic matter is left unresolved**. Allowing unresolved issues undermines the SDS and creates uncertainty for local plans.

5. Mayoral Duty to Collaborate must be referenced

PM10 and PM11 should be updated to reference the **Mayoral Duty to Collaborate** introduced through the English Devolution and Community Empowerment Bill. This will be a key mechanism for ensuring alignment across complex geographies.

6. Minerals and Waste require a different approach

For Minerals and Waste Planning Authorities, POS **partly disagrees** with PM11(1b). The requirement to provide for unmet need only in “neighbouring and/or nearby areas” is incompatible with the **Managed Aggregate Supply System (MASS)**, under which minerals are extracted where geology allows, not where demand arises.

Evidence from:

- the Aggregate Minerals Survey for Great Britain (2023),
- BGS Mineral Planning Factsheets, and
- the Environment Agency’s Waste Data Interrogator

shows that minerals and waste often move **long distances** across the country. Specialist waste facilities are also not necessarily located near the areas they serve. PM11 must therefore refer to **“appropriate areas where a strategic relationship exists”**, consistent with existing NPPF wording.

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

POS Response: Agree

Key Points

- SDSs must clearly identify **national funding** for strategic infrastructure.
- Developer contributions should fund **residual** costs.

POS supports PM12(3) and (4) on affordable housing.

POS Response: Strongly agree (with important caveats)

POS agrees that PM12 provides greater certainty at the plan-making stage regarding the contributions expected from development proposals. This clarity is welcome and will support more transparent and consistent decision-making.

However, PM12(1) and PM12(2) make no reference to wider context of national funding decisions, particularly for strategic infrastructure projects that should be referenced in an SDS which will often be necessary for delivery of other objectives in development plans (such as large housing schemes). In this context, developer contributions should be required for the residual funding that is necessary to deliver the strategy or given infrastructure project.—

	<p>transport, utilities, flood mitigation, digital connectivity—that cannot be funded solely through developer contributions. SDSs must therefore set out:</p> <ul style="list-style-type: none"> • which elements of infrastructure require national or regional funding, and • which elements should be funded through developer contributions, recognising that contributions should cover only the residual funding gap. <p>Without this clarity, LPAs and SPAs cannot develop coherent CIL or s106 strategies.</p> <p>POS is broadly content with PM12(3) and PM12(4) in relation to affordable housing, subject to the amendments proposed under Q17.</p>
<p>17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Response: Partly agree</p> <p>Key Points</p> <ul style="list-style-type: none"> • POS supports review mechanisms but proposes revised wording to ensure: <ul style="list-style-type: none"> ○ Developer profit is protected ○ Only surplus profit contributes to additional public benefits • Plans must clearly set out: <ul style="list-style-type: none"> ○ When review mechanisms apply ○ How viability will be reassessed <p>POS supports the principle that plans should set out the circumstances in which review mechanisms will be used. Greater clarity and transparency are essential, particularly where viability is cited as a reason for reducing policy-compliant contributions.</p> <p>However, clarification is required on how LPAs are expected to meet PM12(1). If the expectation is that plans must set out actual financial sums for each site or contribution, this would be extremely challenging to define and keep up to date over the duration of the plan period.</p> <p>POS therefore proposes an amendment to PM12(4), with a new preamble and clearer structure:</p> <p><u>“Review mechanisms are designed to revisit the viability assessment using actual figures for expenditure and income in place of earlier assumptions. The developer’s profit is therefore delivered in full in the review calculations, and only profits above that level are used to deliver additional public benefits, including affordable housing. Review mechanisms should not adversely affect development finance. Plans should:</u></p> <p><u>a. Set out the circumstances in which review mechanisms will be used for development</u></p>

proposals where contributions are proposed to be reduced below policy requirements; and b. Clearly set out the processes and terms of engagement for how and when viability will be reassessed over the lifetime of the development to maximise policy compliance.”

This wording ensures:

- developer profit is protected,
- additional public benefits are secured where viability improves, and
- review mechanisms do not undermine scheme deliverability.

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

POS Response: Partly disagree

Overall position

POS cannot support PM13 as drafted. Until Building Regulations universally achieve net zero standards, LPAs must retain the ability to adopt higher local standards where justified and viable. PM13 should be amended to reflect this, alongside transitional arrangements and a clear pathway to future BR-led reform.

Key Points

- Commencing s.43 would prevent LPAs from setting higher energy efficiency standards.
- This would undermine local climate ambitions and contradict other NPPF policies.
- POS proposes an **optional “Zero Carbon Standard”** for LPAs, similar to optional water efficiency standards.

Transitional arrangements are needed for recently adopted plans with higher standards

Detailed response

POS has significant concerns about PM13, particularly the proposal to commence s.43 of the Deregulation Act 2015, which would prevent local plans from setting higher energy efficiency standards for residential development.

1. Impact on climate change objectives

Many LPAs—including National Park Authorities—are seeking to introduce higher energy efficiency standards to support local and national climate ambitions, including net zero by 2040. Removing the ability to set higher standards would:

- significantly reduce local influence over climate mitigation and adaptation,
- contradict the objectives of Chapter 5 of the draft NPPF, and

- undermine policies CC1, CC2(2) and CC3, creating internal inconsistency within the Framework.

2. Planning vs Building Regulations – a “half-done” reform

POS recognises the argument that energy and design standards could be addressed through Building Regulations (BR). However:

- BR reforms have **not yet been delivered**,
- the Future Homes Standard is not yet in force, and
- planning remains the only mechanism through which many LPAs can drive higher performance.

Removing planning powers **before** BR reforms are complete would leave a policy vacuum and halt progress toward zero-carbon homes.

3. A pragmatic alternative – optional “Zero Carbon Standard”

POS recommends adopting an approach similar to optional water efficiency standards. LPAs should be able to adopt an **optional Zero Carbon policy** where justified and viable. This could include:

- space heating demand limits,
- energy use intensity limits,
- embodied carbon limits,
- other performance-based metrics.

This approach would:

- allow local leadership where appropriate,
- maintain national consistency,
- ensure policies are examined for soundness, and
- avoid undermining climate objectives.

4. Transitional arrangements

POS recommends a **time-limited transitional period** for recently adopted local plans (less than 3 years old) that include higher local standards. A two-year transitional window would:

- bridge the gap until BR reforms and the Future Homes Standard are implemented,
- avoid penalising LPAs that have recently adopted ambitious climate policies, and

- ensure all policies are reviewed within the required 5-year cycle.

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?

POS Response: Partly agree

Overall position

POS supports the direction of travel but believes the tests of soundness should explicitly support a **two-tier examination process**, ensuring proportionate scrutiny of DM policies and reducing unnecessary burdens on LPAs.

Key Points

- POS supports the revised tests but argues for a **two-stage examination**:
 - Full examination for strategic policies
 - Light-touch PINS check for DM policies
- SDSs cannot demonstrate certainty for long-term infrastructure, and PM14 appropriately recognises this.

Waste plans will be disadvantaged until the NPPW is updated.

Detailed response

POS supports the intention behind the revised tests of soundness and agrees that the proposed approach is more proportionate than the current system. However, further improvements are needed to ensure examinations are genuinely streamlined and focused on what matters.

1. A two-tier examination approach is essential

POS continues to advocate for a **two-stage approach** to plan-making and examination, as set out in POS Manifesto Background [Paper 9 Spatial Planning: Simplifying the Process](#). Under this model:

- **Strategic and spatial policies** would be subject to full examination;
- **Development Management (DM) policies** would undergo a **light-touch PINS check**, limited to:
 - ensuring they do not duplicate NDMPs, unless necessary to do so,
 - confirming they are supported by proportionate evidence, and

- o addressing only outstanding objections.

This approach would significantly reduce examination burdens, speed up plan-making, and allow LPAs to focus resources on strategic issues.

2. Support for PM14(3) – recognising long-term uncertainty

POS strongly supports PM14(3), which acknowledges that SDSs cannot demonstrate certainty for long-term infrastructure provision over a 20-year horizon. This is a realistic and pragmatic recognition of the nature of strategic planning.

3. Minerals and Waste Plans – concerns about consistency with national policy

POS **partly disagrees** with the application of PM14 and PM15 **to Minerals and Waste Plans**. Waste Planning Authorities will be at a disadvantage because the National Planning Policy for Waste (NPPW) is not being updated alongside the NPPF. With the NPPW update not expected until later in 2026, WPAs will struggle to demonstrate consistency with national waste policy at examination. This risks unsoundness through no fault of the authority. We also note that the 'consistent' test of soundness (Policy DM1b)iii) omits the 'unless directed by other policies in this framework' caveat set out in Policy PM6.1.c.

20) Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?

POS Additional comments

POS has several further comments on the plan-making chapter that are not fully captured in earlier questions.

Supplementary Plans & PM16

POS supports the continued role of Supplementary Plans (SPs) within the planning system and welcomes Policy PM4(1)(b), which rightly recognises that SPs allow authorities to respond quickly and positively to unanticipated changes between plan-making cycles. This flexibility is essential—for example, where circumstances on a development site change and prompt policy intervention is needed.

However, POS has significant concerns about the approach set out in **PM16 – Examining Supplementary Plans**, which we consider fundamentally flawed.

1. The proposed examination requirements are disproportionate and undermine the purpose of SPs

POS supports full examination **only** where SPs include strategic matters or site allocations. Beyond this, the requirement for all SPs to undergo a full DPD-style examination is excessive and risks undermining the very purpose of SPs.

We have consistently argued, including in our response to the LURB plan-making reforms (October 2023), that:

- the Government's approach to SPs is over-engineered and does not reflect how SPDs have traditionally been used
- treating SPs like DPDs will act as a powerful disincentive to their preparation due to cost, time and resource implications
- this is a sledgehammer to crack a nut, particularly for design codes, masterplans and thematic guidance

Historically, SPDs have provided detailed design guidance, site-specific masterplans and thematic implementation guidance **quickly and inexpensively**. Removing this flexibility will force LPAs to include far more detail in Local Plans, slowing down plan-making and undermining the Government's ambition for faster, slimmer plans.

2. A more proportionate approach is needed

POS recommends a tiered approach:

- **SPs containing strategic matters** should undergo full examination.
- **SPs containing DM policies, design guidance or codes** should be subject to a **light-touch PINS check**, limited to outstanding objections and using written representations wherever possible.
- Only **one stage of formal consultation** should be required.
- PM16 should also require **consultation with the SDS body** where SPs relate to strategic sites or opportunities.

This approach maintains rigour where necessary while preserving the agility that SPs are intended to provide.

3. Transitional arrangements for existing SPDs/SPGs are essential

POS is very concerned that Annex 1 contains **no transitional arrangements** to allow existing SPDs or SPGs to remain in force beyond June 2026. This will have significant unintended consequences, including policy gaps and uncertainty for applicants and communities.

We strongly recommend a **time-limited transitional period** to allow plan-making bodies to update or replace existing SPDs/SPGs, including through new SPs where appropriate.

4. Correction required in Chapter 2 preamble

There is an error in the preamble to Chapter 2 at paragraph (e), which states:

“Supplementary plans, produced by local planning authorities, minerals and waste planning authorities and the Mayor of London...”

This list **omits Strategic Planning Authorities outside London**. There is no justification for allowing scope within London but not for other SPAs. This omission must be corrected.

2. Missing plan-making policies for key national priorities

There are several areas where the NPPF includes **decision-making policies** but no corresponding **plan-making policies**. This creates a gap: LPAs will be expected to respond to proposals without having the ability to set out a proactive, plan-led approach.

POS recommends adding plan-making policies to support the following decision-making policies:

- **S5** – Development outside settlements near railway stations
- **CC2** – Mitigation of climate change
- **HO13** – Housing build-out
- **E2** – Employment land
- **E3** – Freight
- **TR3** – Locating development

Providing plan-making policies would allow LPAs to:

- integrate national priorities into local strategies,
- optimise opportunities (e.g. around stations or freight hubs),
- coordinate infrastructure planning, and
- achieve better outcomes than relying solely on case-by-case decisions.

3. Minerals planning – additional comments

Further comments on minerals planning have been provided under Q19 and earlier sections. POS reiterates that minerals and waste planning requires:

- national consistency,
- recognition of long-distance movements of materials, and
- alignment with MASS and national waste infrastructure.

Chapter 3: Decision-making policies

21) Do you agree with the principles set out in policy DM1?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

POS Response : partly disagree

Policy DM1 attempts to balance faster decision-making with appropriate community engagement, but several elements create uncertainty and risk undermining good practice. The phrase “minimum necessary information requirements to enable a decision” is vague and could lead to applications being submitted with insufficient information, causing delays at validation or during assessment. As the document notes, “this may result in the submission of applications which are ‘light’ in information” . *It may be helpful to include an exhortation to the effect that **“applicants are encouraged to consult with the Local Planning Authority for projects that are not major applications but are likely to raise issues that would benefit from pre-application engagement.”***

The policy also seeks to limit pre-application engagement for non-major developments except where “complex planning matters arise, such as the potential effect on heritage assets”. Firstly, the potential effect on heritage assets is not necessarily complex. Additionally, there are many matters in the NPPF, such as delivering good design, which will also need pre-application engagement. The policy should be amended to reflect this.

We also note that the ‘consistent’ test of soundness (Policy DM15.d) omits the ‘unless directed by other policies in this framework’ caveat set out in Policy PM6.1.c.

22) Do you agree with the policy DM2 on information requirements for planning applications?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

POS Response : partly disagree

Statute already empowers LPAs to publish Local Lists (TCPA s62; DMPO Articles 11 & 34), and these powers are not limited by the NPPF

A Local List should include all elements that are required to ensure an application is valid and enables Local Planning Authorities to have some flexibility in requiring information specific to their circumstances. This may include a requirement for information that does not yet specifically appear within a policy in the development plan. The requirement for the Local List to ‘only

	<p>include' additional information requirements if there is a policy in the development plan requiring a specific further assessment is unlawful: the legislation (s62 TCPA) allows the LPA to require "such particulars as they think necessary" and "such evidence in support of anything in or relating to the application as they think necessary" and these requirements are further refined by the Development Management Procedure Order (DMPO), but crucially that Order does not make any reference to the NPPF. Therefore the NPPF cannot limit what LPAs put in their Local Lists.</p> <p>Minerals and Waste</p> <p>Annex C: information requirements do not include many of the information requirements expected for minerals and waste applications, or Regulation 3 development. However, policy DM2 provides for inclusion of additional information requirements in Local Lists if specific assessments are required by a development plan policy.</p> <p>The section doesn't mention how the information requirements will relate to the requirements for Environmental Impact Statements (EIS) Environmental Outcome Reports (EOR) going forward.</p>
<p>23) Do you have any views on whether such a policy could be better implemented through regulations?</p>	<p>The Development Management Procedure Order provides the statutory basis for determining what information must be submitted for a planning application to be valid. In contrast, the revised NPPF is positioned as guidance. This raises an important question about the continuing role of National Planning Guidance and the relationship between these three sources. That relationship must be clarified and made consistent. Applicants and Local Planning Authorities should not be required to cross-reference regulations, the NPPF, and National Planning Guidance simply to understand what constitutes a valid application.</p> <p>The draft policy also does not explain how information requirements will interact with Environmental Impact Statements (EIS) or the forthcoming Environmental Outcome Reports (EOR). This omission risks confusion at a time when the system is already undergoing significant change.</p> <p>POS has set out a clear position on planning application supporting information in POS-MBP15-Improving DM.pdf We advocate a streamlined and proportionate approach in which only two core documents accompany the application form, plans and fee:</p> <ul style="list-style-type: none"> • A Design Justification, explaining why the scheme represents good design (effectively a Design and Access Statement). • An Impact Assessment, setting out the externalities arising from the proposal and how they are mitigated (serving as the ES for EIA development). <p>All other reports and studies currently submitted can be incorporated as chapters within these two documents. This would eliminate unnecessary repetition of site descriptions, planning history and policy context. For small developments, these documents could be reduced to a short supporting letter. The approach must be scalable and proportionate.</p>

	<p>Local Lists would need to be reviewed and significantly reduced to ensure that necessity and proportionality are genuinely delivered. Supporting advice should promote brevity and succinctness, with methodological detail placed in appendices or referenced via external standards. It should also be explicit that both the Design Justification and Impact Assessment must relate to the submitted iteration of the scheme, not an earlier version—something that is currently too often overlooked. Certification to this effect should be required at the start of each document.</p> <p>Where either document exceeds 1,500 words, a technical summary of under 1,500 words should be mandatory. Consideration should be given to interpreting any discrepancy between the summary and the main document in favour of the summary, to reinforce clarity and quality.</p> <p>Link to Manifesto 15 POS-MBP15-Improving DM.pdf</p> <p>Any move to rely more heavily on development management regulations must ensure that additional information requirements for minerals and waste applications, and for Regulation 3 development, are fully captured. The supporting text acknowledges that relying solely on regulations could be complex and may reduce flexibility if it replaces Local Lists entirely. This risk needs to be addressed.</p> <p>Existing standards, such as Building Regulations, can be relied upon and should not be duplicated in planning permissions. However, there are other matters, such as sustainable drainage, which need to be demonstrated to be acceptable in order to ensure a development proposal can be supported and additionally often represent physical elements of landscaping that need to be assessed for their visual impact. Currently the requirement to demonstrate a proposal does not have repercussions for other (existing) development falls outside existing regulations.</p>
<p>24) Do you agree with the principles set out in DM3?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response : partly agree (with additions)</p> <p>The principles are broadly supported, but the policy should explicitly state that decisions are made on planning merits, not on the volume of representations. As the document notes, “large number of objections... does not necessarily mean that they carry more weight” . This would counter the growing trend of treating applications as local referenda.</p> <p>Clarity is also needed on whether DM3 removes the ability to agree extensions of time, given the shift from the 2024 NPPF wording. (2024 NPPF states that “Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”)</p>
<p>25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?</p>	<p>POS Response : partly agree (with additions)</p> <p>The overall approach is sensible, but several issues require amendment:</p> <ul style="list-style-type: none"> • A: It is not just the typology that could have an impact – quantum could too. • B: Issues about site characteristics (eg pollution) should be reflected in the land value and the policy needs to say that.

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<ul style="list-style-type: none"> • C: Again, why are these not reflected in the land value? • D: Again, why are these not reflected in the land value?
<p>26) Do you have any further comments on the likely impact of policy DM5: Development viability?</p>	<p>POS Response : partly agree</p> <p>DM5: Development viability – we welcome the shift here, for national policy to support review mechanisms rather than require a local plan policy. However, the NPPG still says a local plan policy is needed, so this needs to be addressed.</p>
<p>27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?</p> <p>a) If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.</p>	<p>POS considers that s106A—and the supporting regulations—should be amended to allow applications for modification only where there has been a significant and genuinely unpredictable change in circumstances that renders an obligation undeliverable in whole or in part. This would introduce a fair and transparent mechanism while preventing opportunistic renegotiation.</p> <p>Any such request should be supported by robust evidence consistent with the requirements set out in NDMP DM5. This would ensure that modifications are only sought where justified, while enabling development to proceed where obligations have become unviable for reasons outside the applicant's control.</p> <p>When reviewing viability in circumstances where unforeseen risks have materialised impacting on viability, it is vital that the NPPF/PPG makes it clear that the developer's profit (generally 15-20%) included in the original viability appraisal was at that very high level because market housing development is considered to be high risk. In reviewing viability because such risks have materialised the developer's profit should be adjusted to a more normal level (5-6%) because such renegotiations must not be used to protect super profits for developers at the expense of community infrastructure and affordable housing.</p>
<p>28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.</p> <p>a) If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations.</p>	<p>In advance of legislative reform, the key issue is the continued use of s73 to amend schemes by varying the condition listing approved plans. Once s73B is introduced, this practice should cease. There will no longer be a need to use s73 for scheme amendments, and LPAs should stop imposing conditions that list approved plans, as these will become unnecessary.</p> <p>s73 should revert to its original and proper purpose: amending conditions only, not facilitating design or layout changes. This would provide greater clarity, reduce procedural complexity, and avoid unintended impacts on affordable housing obligations or other negotiated elements of a permission.</p>
<p>29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?</p>	<p>POS is broadly supportive of the approach set out in DM6. However, there is an inconsistency in the wording of paragraphs 3 and 4:</p>

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<ul style="list-style-type: none"> • LPAs “must use national model conditions unless there are strong reasons to use a different one”; • LPAs “should use national model obligations unless a different obligation is more appropriate”. <p>These two formulations should be aligned, and the wording used for obligations is preferable. The requirement to demonstrate “strong reasons” for departing from a model condition is unnecessarily restrictive and may not be legally compliant with the LPA’s statutory power under s70(1)(a) to impose conditions that meet the established tests.</p> <p>A consistent and proportionate approach is needed—one that encourages use of model conditions and obligations but allows LPAs to depart from them where justified by the specifics of a case.</p>
<p>30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Position: Partly agree</p> <p>The clarification is welcome, but DM7(4) is unnecessary: acceptable proposals should be approved regardless of what prompted them. Additional wording is recommended to emphasise that planning conditions should not duplicate regulatory controls and that commencement/occupation conditions tied to licences will usually fail DM6 tests.</p> <p>POS recommends that the following text is added at the DM7 1, “<u>... operate effectively, including their enforcement. Conditions preventing the commencement or occupation of a development until a licence or other such requirement is in place will usually fail tests (a) and (b) set out in Policy DM6. Such matters can be dealt with by an Informative on a Planning Permission</u>”</p>
<p>31) Do you agree with the new intentional unauthorised development policy in policy DM8?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Position: Partly disagree</p> <p>DM8 introduces significant legal and practical risks by seeking to elevate “intent” to a material consideration. What is a material planning consideration is a creature of law and not national planning policy. Furthermore, this departs from established decision-making principles, which focus on the planning merits of a proposal rather than the motivations of the applicant. It also risks inconsistency with enforcement appeal processes, particularly ground (a), where the question is simply whether permission ought to be granted. In practice, the planning system is unlikely to give substantial weight to intent except in the most finely balanced cases, which raises questions about the usefulness and enforceability of the policy.</p> <p>The draft also assumes the existence of local enforcement plans, which is not always the case. The policy should explicitly encourage their preparation to ensure a consistent and transparent approach.</p> <p>While the intention behind the policy—to deter unauthorised development and reduce retrospective applications—is understood and could help restore public confidence, paragraph</p>

	<p>2 does not go far enough. It requires decision-makers to consider whether the breach was intentional but provides no clarity on:</p> <ul style="list-style-type: none"> • what the consequences of intentionality should be, or • how “intentional” is to be defined or evidenced. <p>Without a clear test or defined ramifications, the policy risks creating uncertainty for applicants, LPAs and inspectors alike. A more robust framework is needed if “intent” is to play any meaningful role in decision-making.</p>
<p>32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?</p> <p>a) If so, are there any particular additions or mitigations which we should consider?</p>	<p>The issue is less about types of harm and more about enforcement tools. Current powers leave a gap between warning letters and stop notices. A new intermediate warning mechanism—similar to Ireland’s Section 152 letter—could deter continued breaches and carry legal weight. POS Manifesto 11 proposals, such as a unified Retrospective Development Application, could also streamline processes and reduce gaming of the system. See Link to POS manifesto 11</p>
<p>33) Do you agree with the new Article 4 direction policy in policy DM10?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Agree</p> <p><i>The approach is broadly acceptable, but wording should be improved. Instead of requiring Article 4 directions to “apply to the smallest area possible”, the policy should state that they <u>apply to the smallest area commensurate with mitigating evidenced harm.</u></i></p>
<p>Chapter 4: Achieving sustainable development</p>	
<p>34) Do you agree with the proposed approach to setting a spatial strategy in development plans?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Agree</p> <p>There is currently no reference in this section to the UN Sustainable Development Goals (including SDG 11: Sustainable Cities and Communities), despite their direct relevance to the Purpose of the Planning System. The government is required to undertake Local and National Reviews of progress against all 17 SDGs, and these goals form a fundamental part of the UK’s wider sustainable development obligations. This section should therefore explicitly reference the SDGs and demonstrate how the planning system contributes to meeting them, ensuring coherence with the earlier section on the Purpose of the Planning System.</p> <p>Policy S2 – Producing a spatial strategy</p> <p>The overall direction of Policy S2 is welcomed and aligns with our view that Strategic Development Strategies must focus on higher-level, genuinely strategic matters. However, the policy should be amended to include explicit reference to the general extent of the Green Belt and to the identification of broad locations where Green Belt boundaries may need to be reviewed to meet development needs. This is essential to ensure that spatial strategies can plan positively and realistically for growth.</p>

S2 (a) Defining Settlements

POS is concerned that a 'one size fits all' approach to defining settlements risks creating uncertainty and unintended consequences, particularly during the interim period when there is not consistent and complete Local Plan coverage. There are localities across the country where careful consideration is needed regarding how S2a) (and consequently policies S3 (1 a) and S4) will apply, and whether alternative mechanisms are required to avoid inappropriate outcomes.

Whilst many Local Plans do identify settlements and define settlement boundaries, this is not universal and there are many areas which do not benefit from the definition of settlement in an adopted Local Plan. Rural authorities and those covering Protected Landscapes often do not use settlement boundaries because development is already tightly constrained by designation and special qualities. Conversely, some smaller urban authorities may effectively comprise a single settlement and are not therefore defined by a settlement boundary rather an LPA boundary, in such areas it may not be appropriate for the presumption to apply uniformly across the entire urban area.

The proposed approach therefore risks creating inconsistency and uncertainty for LPAs. Further consideration is needed to determine whether the model is suitable for all locations and LPAs, and what transitional arrangements will apply where existing Local Plans do not define settlements or include criteria for determining the extent of a settlement to support the implementation of policies S31a) and S4.

Minerals and Waste - Policy S2 is worded to apply to development plans, but not all the requirements would be applicable to minerals and waste plans (for example settlement boundaries and town centres) and policy S2 should be amended to clarify which aspects apply to a minerals and waste plan. Policy S2.2 only refers to local plans and not to minerals and waste plans, which implies that a minerals and waste plan is not expected to include a key diagram or a policies map. Clarity is requested on this point regarding how the allocations and spatial strategy of a minerals and waste plan are to be depicted. It would also be useful to make clear that a local plan needs to include the minerals and waste plan's allocations and designations within its policy map.

35) Do you agree with the proposed definition of settlements in the glossary?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

POS Position: Agree (subject to caveats)

See our response to Q34 above regarding the locational differences that make defining a settlement—whether through boundaries or criteria—problematic in some areas, and the need for transitional arrangements where Local Plan policies defining settlements are not yet in place.

The second sentence which says 'This includes areas defined as a settlement in the development plan' is weak and invites arguments about settlement areas that are not so defined. It is recommended that the definition is amended to **'Settlements are defined as those identified in the development plan as being suitable for development, by using defined settlement boundaries'**. This allows a consistent approach to be taken across the country whilst respecting local choices about the most sustainable locations for development. Allocations

	<p>attached to or within settlement would normally have the settlement boundary drawn around them, so would be included within this definition.</p> <p>But some allocations are not in such locations and could not be classed as settlements, albeit maybe on PDL in the countryside, or for local employment or gypsy and traveller uses, In these cases it would not be appropriate to consider the allocation as part of a settlement.</p>
<p>36) Do you agree with the revised approach to the presumption in favour of sustainable development?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Response : partly agree (with additions)</p> <p>Key Issues:</p> <p>POS partly agrees with the revised approach. The intention to simplify and clarify the presumption is welcome, but the drafting requires refinement to:</p> <ul style="list-style-type: none"> • ensure the presumption clearly applies only to <i>the principle</i> of development • maintain consistency across policies (especially S3, S4 and S5 in referencing the development plan) • reflect the diversity of settlement patterns • avoid weakening protections for designated landscapes <p>With these changes, the presumption would be more robust, clearer in practice, and better aligned with the plan-led system.</p> <p>Detailed response</p> <p>POS supports the intention behind the revised presumption, and we recognise that the new approach is clearer and more accessible. However, several important concerns need to be addressed to ensure the policy operates as intended and does not create unintended consequences.</p> <p>1. Clarity that the presumption applies to the principle of development, not the detailed acceptability</p> <p>Throughout the document, the narrative emphasises that the default decision should be “yes”. While this is acceptable in principle, it must be absolutely clear that this relates only to the principle of development. Detailed matters—such as design quality, neighbour impacts, environmental considerations, and highway safety—must still be assessed rigorously.</p> <p>Given how NPPF and NDMP wording is often used in appeals, POS considers it essential that the NPPF includes explicit wording to avoid misinterpretation. This could be achieved either through a clear statement in the Introduction or by consistently using the phrase “in principle” wherever the presumption is referenced.</p> <p>2. Inconsistencies in policy drafting</p>

Policy S3(c) appropriately references the development plan, but this reference is missing from both Policies S4(c) and S5(1). This inconsistency risks undermining the plan-led system and should be corrected.

3. The presumption does not reflect the diversity of settlement patterns across England

The desire for greater uniformity is understood, but the proposed approach does not adequately reflect the very different settlement patterns found across the country:

- In some areas, settlements are heavily nucleated with little development in the open countryside.
- In others, particularly in the Midlands, South West and parts of the North, settlement patterns are far more dispersed, with farmsteads and small clusters of dwellings between larger settlements.

In these dispersed areas, several of the proposed categories of development permitted outside settlements could have significant and potentially harmful impacts. These issues are explored further in our response to Q37.

4. Protected landscapes and the weakening of safeguards

The 'one size fits all' approach in S5 does not distinguish between designated and undesignated landscapes. While S5(2) identifies where development can be resisted, it places particular weight on policies that use the word "refused".

A significant concern arises from the change in wording relating to major development in protected landscapes (current NPPF paragraph 190, now N4(2)):

- **Current wording:** "permission should be refused for major development other than in exceptional circumstances"
- **Proposed wording:** "major development within protected landscapes should only be supported in exceptional circumstances"

When read alongside S5(2), this shift risks weakening the protection afforded to National Parks and other designated landscapes. It could imply that adverse impacts are less likely to outweigh benefits than under the current framework. POS strongly recommends retaining the existing "be refused" wording to maintain the established level of protection.

37) Do you agree to the proposed approach to development within settlements?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

Position: Partly disagree

Subject to the caveats and weaknesses identified in response to Q34, 35 and 36 above, POS broadly supports the approach to development within settlements, which reflect the approach many LPAs already adopt, however, S4(1) is wrong in law – any proposal must also be assessed against the development plan – s38(6). Whilst policy S3(c) appropriately references the development plan this reference is missing from both Policies S4(c) and S5(1)

	<p>S4(2)(b) is odd in protecting cemeteries & burial grounds, because presumably if they were coming forward for development their previous use would have ceased and all the bodies would be removed!</p> <p>It is assumed that as Policy S4 applies to all development proposals within settlements, it will also apply to minerals and waste development. If this is the intention it should be made clear within the policy.</p>
<p>38) Do you agree to the proposed approach to development outside settlements?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>POS supports the intention to simplify the presumption, but we have significant concerns about the drafting, legal soundness, and practical implications of the proposed approach.</p> <p>Key Issues</p> <p>POS partly disagrees with the revised approach. While simplification is welcome, the current drafting:</p> <ul style="list-style-type: none"> • is inconsistent with s38(6) • weakens protections for designated landscapes • risks unsustainable development in dispersed rural areas • contains drafting weaknesses and omissions • relies on an HDT mechanism that is not fit for purpose <p>With the amendments set out below, the policy could be made clearer, legally robust, and more aligned with the plan-led system.</p> <p>Detailed response</p> <p>1. Legal concerns: inconsistency with s38(6)</p> <p>Several elements of Policy S5 are wrong in law because they fail to reflect the statutory requirement in s38(6) of the Planning and Compulsory Purchase Act 2004, which states that decisions must be made in accordance with the development plan unless material considerations indicate otherwise.</p> <ul style="list-style-type: none"> • S5(1) omits reference to the development plan. • S5(2) repeats this omission. • S5(5) is similarly inconsistent with s38(6). • By contrast, S3(c) correctly references the development plan, but this is missing from S4(c) and S5(1).

To ensure legal compliance and maintain the plan-led system, S5(1) should be amended to state:

“when assessed against the development plan and the NDMPs in this Framework.”

2. Weak or unclear drafting

- S5(1)(b) – “show to be necessary” is too weak. It should read: “demonstrated to be necessary.”
- S5(1)(c) – should explicitly require that the existing building is lawful.

3. Concerns about the Housing Delivery Test (HDT)

POS objects to the use of the HDT in S5(1)(j) as currently drafted. The HDT penalises LPAs for factors outside their control, including market behaviour and developer build-out rates. POS has separately offered to propose practical amendments to the HDT in a separate submission to MHCLG.

4. Impacts on countryside and dispersed settlement patterns

a) Re-use of isolated buildings (S5(1)(c))

Many rural areas—particularly National Parks and National Landscapes—contain large numbers of isolated field barns. Applying a presumption in favour of their reuse, extension or replacement (including as dwellings) would:

- lead to significant urbanisation of open countryside
- increase car dependency
- undermine landscape character and tranquillity

National Park Authorities and National Landscape Boards have consistently and successfully resisted similar proposals (e.g., extensions of Class Q) for these reasons.

b) Development of small groups of houses outside settlements (S5(1)(e))

In dispersed settlement areas, this could result in:

- substantial increases in housing in unsustainable locations
- increased reliance on private car use
- particular harm in Protected Landscapes

c) Need for sustainability caveats (S5(1)(d) and S5(1)(e))

Both categories must be caveated to ensure development only occurs in sustainable locations and does not promote unsustainable travel patterns.

5. Designated landscapes: weakening of protections

The proposed wording in N4(2) changes the established test for major development in protected landscapes:

- Current NPPF: "permission should be refused... other than in exceptional circumstances."
- Proposed wording: "should only be supported in exceptional circumstances."

When read alongside S5(2), this risks weakening protections for National Parks and National Landscapes. POS strongly recommends retaining the "be refused" wording to maintain the current level of protection.

6. Missing development types in S5(1)(a)

S5(1)(a) refers only to mineral extraction, but mineral proposals often include:

- mineral processing
- ancillary development

These should be explicitly included.

The policy also omits waste management activities. While many should be on employment land, certain types are appropriately located outside settlements, including:

- composting
- anaerobic digestion
- landfill
- wastewater treatment works

These should be added to ensure the policy reflects operational realities. Without this clarification, waste applications may engage the provisions of Policy S5 (4) which set out that "any other development proposals which do not fall within one of the categories set out above should only be approved in exceptional circumstances"

<p>39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons.</p>	<p>S5.(1)a) Specific Uses</p> <p>Only refers to mineral extraction in the list of development proposals which should be approved outside settlements. Mineral extraction proposals often include mineral processing and other ancillary activities, which the policy does not currently refer to as suitable outside settlements. Therefore, the policy should be amended to include <u>'mineral extraction and ancillary development'</u>.</p> <p>Does not include any waste management activities. Whilst most waste management activities should be located on employment land, it would be appropriate for composting, anaerobic digestion, landfill sites, and wastewater treatment works to be located outside settlements and the policy should be amended to include these development types.</p> <p>S5(1)(c) Re-use of isolated buildings</p> <p>Many rural areas—particularly National Parks and National Landscapes—contain large numbers of isolated field barns. Applying a presumption in favour of their reuse, extension or replacement (including as dwellings) would:</p> <ul style="list-style-type: none"> • lead to significant urbanisation of open countryside • increase car dependency • undermine landscape character and tranquillity <p>National Park Authorities and National Landscape Boards have consistently and successfully resisted similar proposals (e.g., extensions of Class Q) for these reasons.</p> <p>S5(1)(e) Development of small groups of houses outside settlements</p> <p>In dispersed settlement areas, this could result in:</p> <ul style="list-style-type: none"> • substantial increases in housing in unsustainable locations • increased reliance on private car use • particular harm in Protected Landscapes <p>S5(1)(d) and S5(1)(e) Need for sustainability caveats</p> <p>Both categories must be caveated to ensure development only occurs in sustainable locations and does not promote unsustainable travel patterns.</p>
<p>40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?</p>	<p>POS Position: Agree</p> <p>POS generally supports the introduction of national policy encouraging development well-located to railway stations. However, Policy S5(h) must recognise that this “one size fits all” approach will not be deliverable or appropriate in every location.</p>

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.</p>	<p>In some areas, the type of housing needed—particularly family housing—or local viability constraints mean that the densities implied by the policy cannot realistically be achieved. There are also locations where stations sit within less sustainable settlements with limited facilities, services, or employment opportunities. In these cases, large-scale development risks reinforcing unsustainable, car-dependent dormitory settlements rather than creating genuinely sustainable communities.</p> <p>At the other end of the scale, there are highly sustainable locations where the opportunity may arise for very high density development (such as the replacement of no longer needed large-floorplate, multi-storey office buildings) and the policy should be worded to enable LPAs to have local plan policies that ensure suitably high densities are secured.</p> <p>The policy must therefore provide LPAs with discretion to identify only those station locations that can viably and sustainably support significant new development.</p> <p>There is a lack of clarity over what is a 'reasonable walking distance of a railway station' in Policy S5(h) – this is going to be open to interpretation and create a lot of debate.</p> <p>Given the scale of this policy shift, development around stations should be addressed through a standalone policy, bringing together the station-related elements currently dispersed across Policies S5, L3 and GB7 and should cover both plan-making and decision-making.</p> <p>Crucially, the decision-making element must not override Local Plans that have already assessed station-related opportunities and set out an appropriate spatial strategy. The policy should explicitly reference the need to address local housing need, viability considerations, and the sustainability of the location—including whether sustainability can be improved through development.</p>
<p>41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?</p> <p><i>Strongly agree, partly agree, neither agree or disagree, partly disagree, strongly disagree.</i></p> <p>a) If not, please provide your reasons</p>	<p>POS Position: Strongly Agree</p>
<p>Chapter 5: Meeting the challenge of climate change</p>	
<p>42) Do you agree with the approach to planning for climate change in policy CC1?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS position: Strongly agree</p> <p>It is essential that national policy fully reflects the long-term implications of climate change, including increased flood risk, coastal change, water scarcity, biodiversity loss, landscape impacts, and the growing risks of overheating and drought. The NPPF must also remain consistent with the UK Marine Policy Statement, and Local Plans must have regard to and be</p>

consistent with relevant marine spatial plans. Embedding the Sustainable Development Goals would help provide this necessary read-across between different policy areas.

These expectations should be clearly set out in the objective box. It would also be helpful for the objective box to signpost other key sections of the NPPF that are integral to climate resilience and environmental sustainability, including:

- Section 2 – Plan-making
- Section 10 – Securing Clean Energy and Water
- Section 15 – Promoting Sustainable Transport
- Section 18 – Managing Flood Risk and Coastal Change
- Section 19 – Conserving and Enhancing the Natural Environment

This would reinforce that the climate change chapter does not sit in isolation but should operate as a golden thread running through the entire Framework.

The final sentence of the objective box could also be strengthened. A suggested improvement is:

“...by minimising vulnerability and improving resilience, including through mitigation and adaptation.”

Given the strong interrelationships between climate change, flood risk and coastal change, there is a legitimate question as to whether Chapter 18 (Managing Flood Risk and Coastal Change) should sit within the climate change chapter rather than being located 12 chapters away. Bringing these sections together could improve coherence and avoid fragmentation of policy intent.

Some further suggested refinements are set out below.

CC1 (1b) ‘...proposed allocations for development, and necessary **mitigation and** adaptations, **both of** which should be considered for the anticipated lifetime of the development;

CC1 (1d) ‘Identifying opportunities for green infrastructure provision and nature-based solutions which can safeguard **against, or mitigate the effects of, climate change including through improving carbon storage, supporting nature recovery and resilience**, and which take account of Local Nature Recovery Strategies in accordance with policy N1.

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

POS Position: Partly agree

a) Additional measures needed

POS supports the overall direction of CC2, but further refinement is required to ensure the policy is both deliverable and aligned with best practice.

1. Strengthen CC2(d) – “reuse first” rather than “reuse only”
CC2(d) should be expanded to reflect emerging good practice, particularly the “reuse first”

<p>a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?</p>	<p><i>approaches being developed in London (e.g., City of London and Westminster), supported by robust research such as that undertaken by Savills. These approaches recognise that:</i></p> <ul style="list-style-type: none"> <i>reuse should be the starting point, but</i> <i>sustainable development must still balance all three pillars of sustainability—environmental, social and economic.</i> <p><i>This avoids an overly rigid “reuse only” interpretation while still prioritising carbon reduction.</i></p> <p>2. Provide practical examples to support implementation <i>LPAs would benefit from examples or case studies illustrating how CC2 can be applied in practice, particularly in relation to whole-life carbon assessments, retrofit-first approaches, and viability considerations.</i></p>
<p>44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3? <i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?</p>	<p>POS Position: Partly agree</p> <p><i>POS is broadly content with the approach in CC3, but a small number of refinements would improve clarity and consistency.</i></p> <p>a) Additional measures or tweaks</p> <p>Suggested wording improvements for consistency:</p> <ul style="list-style-type: none"> CC3(1)(a): <i>‘Be located where the risk of flooding is minimised, or can be managed or mitigated, and the development made safe without increasing risk elsewhere,....’</i> CC3(1)(c): <i>‘...reduce volumes of surface water run-off in accordance with...’</i>
<p>45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated? <i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons</p>	<p>POS Position: Partly agree</p> <p><i>POS considers the overall approach reasonable, but members have raised concerns about how the policy interacts with design and placemaking requirements—particularly in relation to trees and green infrastructure (see Policy N3).</i></p> <p><i>More detailed guidance will be required on:</i></p> <ul style="list-style-type: none"> <i>how to balance wildfire mitigation with wider objectives for biodiversity, canopy cover and placemaking</i> <i>how to design fire breaks and defensible space in a way that does not undermine other policy aims</i> <i>how LPAs should assess wildfire risk consistently across different landscape types</i> <p><i>Clearer national guidance would help ensure that wildfire mitigation is integrated proportionately and coherently with other policy objectives.</i></p>

<p>46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?</p>	<p>Wildfire adaptation measures need to be integrated carefully with wider design and placemaking principles to avoid unintended conflicts—particularly around the role of trees, landscaping and green infrastructure in creating high-quality places.</p> <p>Some of the terminology used in the draft policy, such as “fuel loads”, is not widely understood in a planning context. National guidance would therefore be helpful to:</p> <ul style="list-style-type: none"> • explain key concepts in accessible terms • set out practical design responses to wildfire risk • show how wildfire mitigation can be balanced with other policy objectives, including biodiversity, canopy cover, amenity and climate adaptation • provide examples of how defensible space, fire breaks and planting strategies can be designed without undermining placemaking or environmental goals <p>It would also be useful for guidance to address how adaptation measures can help ensure that new development does not inadvertently become a source of wildfire risk—for example through poor layout, inappropriate planting, or unmanaged landscape buffers.</p>
<p>47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?</p>	<p>Two further points should be addressed.</p> <p>1. Absence of an NDMP on the circular economy</p> <p>There is currently no NDMP covering the circular economy. This is a significant omission. A national policy is needed to ensure a consistent approach across England and to embed circular economy principles in both plan-making and decision-making. This would also support the delivery of CC1–CC3 by reducing embodied carbon and promoting resource efficiency.</p> <p>2. Need for a national skills development programme</p> <p>The NPPF as a whole—and the climate-related policies in particular—will require a substantial skills uplift across the planning profession. POS is concerned that many planners may not currently have the expertise needed to commission, interpret and apply the technical evidence required to implement CC1–CC3 effectively.</p> <p>A national skills development programme is therefore essential to:</p> <ul style="list-style-type: none"> • address existing gaps • support consistent and robust decision-making • ensure LPAs can meet the expectations set out in the Framework <p>Without this investment, the ambition of the climate policies risks being undermined by capacity and capability constraints.</p>

Chapter 6: Delivering a sufficient supply of homes

48) Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

POS position: Partly disagree

POS has significant concerns with the continued reliance on the Standard Method (SM) and the implications this has for both SDSs and Local Plans.

The Standard Method remains a proxy, not a measure of actual housing need

POS continues to challenge the SM because it does not estimate **real** housing need. There are two practical consequences:

- Persuading communities and politicians is far easier when the need figure is based on demographic evidence—real households and real pressures—rather than an abstract proxy number.
- HO1(2) requires LPAs to prepare a SHMAA, which will inevitably expose discrepancies between the SM figure and the evidence of need for different groups. These risks undermining confidence in the plan-making process and makes constructive engagement with communities more difficult.

Disconnect between headline housing need and sector-specific evidence

There is a clear disconnect between the SM's headline figure and the detailed evidence required to support the policies in this chapter.

As such POS recommends the following actions:

1. SDSs provide an opportunity to revisit the Standard Method

The introduction of SDSs is an opportunity to develop a more sophisticated approach to assessing need—one that reflects:

- population change
- physical and environmental constraints
- spatial strategy and investment priorities

POS encourages Government to use SDSs to rethink the SM.

2. A national ONS-based toolkit is needed

POS recommends a national toolkit, drawing on ONS data, to provide headline figures for each area. Government should work with the ONS to provide readily accessible, granular datasets to support assessments of need for different groups—similar to the highly effective “How Many Homes?” initiative of the early 2010s. This would:

- reduce cost and duplication

	<ul style="list-style-type: none"> • speed up plan-making • ensure all stakeholders use the same up-to-date data • support transparency • align with the digital planning agenda <p>3. Flexibility for stepped trajectories</p> <p>Policies HO1 and HO2 should explicitly allow LPAs to adopt stepped housing trajectories, reflecting:</p> <ul style="list-style-type: none"> • infrastructure delivery • utility capacity • realistic build-out rates <p>A single fixed target is often unachievable and does not reflect how development is actually delivered.</p> <p>Other Comments on HO1(2)</p> <ul style="list-style-type: none"> • Single-person households should be explicitly referenced. They represent a significant and growing demographic across all age groups—from concealed adult children to older people living independently. • Private rented sector (2d): It is unclear how need for the PRS can be meaningfully assessed, beyond supporting Build to Rent. POS previously raised concerns when Government consulted on including PRS in the SM, and it was dropped for good reason. • Pitch and plot terminology: These terms relate to Traveller accommodation and are defined in the Glossary. For clarity, HO2(1) and HO2(4) should be amended to read: <ul style="list-style-type: none"> • “...and set pitch and plot requirements for Travellers” • “Pitch and plot requirements for Travellers...”
<p>49) Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) If so, what elements should this guidance cover?</p>	<p>POS Position: Partly agree</p> <p>Further guidance may be helpful, particularly on:</p> <ul style="list-style-type: none"> • assessing the needs of disabled people, where methodologies are less established • assessing need for Private Rented Sector and Community-Based Specialist Accommodation, if Government decides to retain these categories (noting POS's concerns about their inclusion) <p>Otherwise, many aspects of needs assessment are already well understood.</p>

<p>50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Position: Strongly agree</p> <p>Mainstreaming Traveller accommodation needs within the wider housing chapter is sensible and overdue. It:</p> <ul style="list-style-type: none"> • supports a more integrated approach to identifying suitable sites • enables provision on large strategic sites as part of a balanced spatial strategy • helps SDSs address cross-boundary issues, including transit sites <p>This approach should improve delivery and reduce fragmentation.</p> <p><i>However, it should be recognised that the need to meet the needs of Travellers through the Local Plan process may impact on the ability of LPAs to deliver the 30 month Local plan timeframe.</i></p>
<p>51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) If so, what are the key principles this guidance should establish?</p>	<p>This is now a well-established area of practice, and many LPAs are experienced in undertaking Gypsy and Traveller Accommodation Assessments. Additional guidance may not be necessary, though POS defers to those with specialist expertise.</p>
<p>52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: strongly disagree</p> <p>POS has long questioned the practicality of demonstrating a 5-year supply of deliverable sites given the Glossary definition, particularly the requirement that sites be “available now”. This is unrealistic for a five-year period—many landowners cannot meet this test, let alone LPAs.</p> <p>There are also fundamental issues with the approach to buffers:</p> <ul style="list-style-type: none"> • Sites in years 6–10 or 11–15 are generally placed there because they cannot come forward in the first five years. Requiring them to be brought forward and treated as “deliverable” is illogical. • LPAs already allocate more sites than required to account for non-delivery. This provides choice and competition and is assessed through the Local Plan process, including infrastructure and environmental considerations. <p>Finally, the definition should be amended for clarity:</p> <ul style="list-style-type: none"> • delete the word “other” • explicitly include Traveller accommodation <p>The opening sentence should read:</p>

	<p>“To be considered deliverable, sites for housing or pitches and plots for Travellers should be...”</p>
<p>53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: strongly disagree</p> <p>See response to Q52 above and Q83 below.</p>
<p>54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS position: partially agree</p> <p>The requirement to establish a 5 year supply of deliverable traveller sites and monitor delivery is sufficiently clear both in policy HO3 and Annex D.</p> <p>It is considered that the process for assessing and determining need for pitches and plots for Travellers is well established, however further guidance might be required to establish a consistent approach to monitoring and reporting on the supply and delivery of sites, particularly as Annex D requires this to be undertaken annually.</p> <p>Policies HO1, 2 and 3 clearly set out the respective roles of the SDS in establishing the pitch and plot requirement and for Local Plans to identify sufficient sites to meet the SDS requirement.</p>
<p>55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: strongly disagree</p> <p>The policy does not seem to embrace the new SDS landscape where large scale infrastructure requirements (their definition, funding & delivery) will be established in the SDS (a local investment strategy rather than a spatial plan). Local Plans should then focus on the local delivery of homes and supporting uses, rather than being required to function as strategic infrastructure investment vehicles.</p> <p>The current drafting risks blurring these roles and could create duplication, uncertainty, and inefficiency across plan-making tiers.</p> <p>It should also be recognised that allocating large-scale residential or mixed-use development will not be appropriate or feasible in every Local Plan area. Local characteristics, environmental constraints, settlement patterns, and land availability vary significantly. This includes rural authorities with dispersed settlements and constrained urban authorities where no suitable large-scale sites exist. In such areas, the most sustainable and deliverable strategy may be a portfolio of smaller sites rather than a single large-scale allocation. The most appropriate strategy will be for the SDS to set out.</p> <p>Additional guidance will be required to establish a consistent approach to identifying and allocating large scale sites in advance of an SDS.</p>

<p>56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS position: Neither agree nor disagree</p> <p>While the intention appears reasonable, the proposed definition lacks clarity and does not fully reflect the explanation set out in the consultation document. The draft NPPF glossary wording omits the important reference to “in parishes”, which is included in the consultation paper, this materially affects interpretation.</p> <p>The consultation paper text states:</p> <p>“...in parishes with a population of 3,000 or less and a population density of two persons or less per hectare.”</p> <p>Whilst the proposed glossary definition refers to “other areas” with those characteristics, which is significantly more ambiguous.</p> <p>There is also a question as to whether the criteria should be linked by “or” rather than “and”, as this affects which areas qualify and therefore the policy’s practical impact. Greater precision is needed to ensure the definition operates as intended and genuinely supports rural affordable housing delivery.</p>
<p>57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Strongly disagree</p> <p>We reiterate our long-standing position that matters of building standards and accessibility should be addressed through Building Regulations rather than the planning system. This ensures consistency, avoids unnecessary duplication, and provides a clearer regulatory framework for developers and authorities, as well as for national supply chains.</p> <p>In addition, at a minimum, all new homes—except those in non-lift-serviced multi-storey developments where step-free access is not viable—should be built to M4(2) standards. It should not fall to individual local planning authorities or developers to determine where people with current or future accessibility needs can live. Given that much of the existing housing stock does not meet these standards, there is a pressing need to increase the supply of accessible homes across all areas.</p> <p>On M4(3), we suggest that a national baseline requirement would provide greater certainty and equity than locally determined percentages, while still allowing for viability considerations in exceptional cases.</p>
<p>58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Strongly disagree</p> <p>It is not appropriate for LPAs to establish something which should be a standard requirement of building regs</p>

<p>a) Please provide your reasons, and would you support an alternative minimum percentage requirement?</p>	
<p>59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Agree</p>
<p>60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons and indicate if an alternative site size threshold would be preferable?</p>	<p>POS Position: Partially agree</p> <p>The principle of securing a broader mix of tenures is supported, but the requirement should be grounded in evidenced local need rather than applied through a fixed national threshold. Local housing markets vary significantly, and authorities should retain the flexibility to determine the appropriate tenure mix based on robust local evidence, viability considerations, and the characteristics of individual sites.</p> <p>A rigid threshold risks creating requirements that are either unnecessary or undeliverable in certain areas. A more effective approach would be to require authorities to set out tenure expectations in line with their local housing needs assessment, rather than linking this to a specific site size.</p>
<p>61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons</p>	<p>POS Position: Strongly disagree</p> <p>This proposal would impose a significant additional burden on local planning authorities and would seriously undermine their ability to produce Local Plans within the proposed 30-month timescale. Identifying, assessing, and allocating small and medium-sized sites is resource-intensive and does not align with the ambition for more concise and streamlined Local Plans.</p> <p>A policy-based approach is far more appropriate for managing such sites, many of which already come forward as windfalls. The NDMPs and the new presumption provide a clearer and more proportionate framework for enabling these sites without requiring formal allocations.</p> <p>There are also several practical challenges with the proposal:</p> <p>1. Limited availability of candidate sites</p> <p>Small and medium-sized sites are often not promoted through call-for-sites processes. Without a realistic pool of sites, allocation and delivery testing becomes impossible, regardless of policy intent.</p> <p>2. The 2.5-hectare threshold is arbitrary</p>

	<p>The proposed size range bears no relationship to modern field sizes or land parcel patterns. This adds complexity and does not reflect how land is typically assembled or brought forward for development.</p> <p>3. Delivery of small and medium sites is not plan-led</p> <p>These sites tend to come forward opportunistically, dependent on landowner intentions and market timing. They function more as windfalls, and are therefore better managed through criteria-based policies rather than allocations.</p> <p>Overall, the proposal risks slowing down plan-making, increasing burdens on LPAs, and diverting resources away from strategic priorities without delivering meaningful benefits.</p> <p>POS suggested that delivery of the objective could be better achieved by confirming in policy HO6 that the 20% small/medium sites expectation can be met via a mix of allocations, commitments and evidenced windfall delivery rates to reflect delivery realities.</p>
<p>62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?</p>	<p>POS Position: Strongly disagree</p> <p>POS maintains its wider concerns regarding the Standard Method and the Housing Delivery Test (HDT), and we reiterate the need for both to be fundamentally revisited. As previously stated (see responses to Q52 and Q83), the HDT is not an appropriate or effective mechanism for assessing performance or driving plan-making.</p> <p>For this reason, the bracketed section within HO7 should be removed:</p> <p>“...(including the extent to which there is a five-year supply of deliverable housing and traveller sites, and performance against the Housing Delivery Test).”</p> <p>Retaining these references risks perpetuating the very issues that the reforms are intended to address. If the intention is to give substantial weight to meeting identified needs, this should be done directly, without relying on metrics that are themselves under review and widely recognised as flawed</p>
<p>63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS fully supports the need to ensure appropriate housing provision for military personnel and their families. However, we consider this to be a specialist housing need, rather than a form of affordable housing in the conventional sense.</p> <p>There are important nuances that distinguish military housing from other affordable tenures:</p> <ul style="list-style-type: none"> • Military families often move frequently, and some choose to live off-base to maintain continuity for children or to remain close to wider family support networks. • Housing needs range from single-person accommodation to family homes, with allocations and rents governed directly by the Ministry of Defence.

	<ul style="list-style-type: none"> The drivers of need, eligibility, and affordability are therefore distinct from those underpinning traditional affordable housing products. <p>For these reasons, while we support the intention, we recommend that HO8(2)(a) is caveated to ensure that any provision is clearly linked to unmet military housing need within the locality, rather than being treated as interchangeable with mainstream affordable housing</p>
<p>64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: partly disagree – further clarity required</p> <p>Local planning authorities should retain the ability to require appropriate market-housing mixes, even where the affordable housing requirement is met. This is essential to prevent cumulative patterns of inappropriate house types across the plan area and to ensure developments contribute positively to meeting local housing need. This flexibility is also frequently required by Neighbourhood Plans, which often include specific mix expectations that reflect local evidence and priorities.</p> <p>The purpose and practical effect of this policy are unclear. It is not evident why flexibility in the size of market homes would directly support affordable housing delivery, nor how this aligns with the need to plan for appropriate dwelling sizes and ensure minimum space standards.</p> <p>Several concerns arise:</p> <ul style="list-style-type: none"> If the intention is to relax space standards, this risks creating poor-quality homes and undermining long-term living standards. If the intention is to allow a shift in the mix of market homes to improve viability, this should be made explicit and tested through evidence, not implied through ambiguous drafting. There is a risk that the policy could inadvertently encourage the delivery of smaller, lower-quality affordable units, which would not address identified needs. <p>POS therefore seeks further clarity on what is meant by “size” in this context, how flexibility is expected to operate, and what safeguards will be in place to ensure that quality and need are not compromised.</p>
<p>65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?</p>	<p>POS Position: Partly agree</p> <p>Requiring a minimum proportion of social rent could support increased delivery, but the proposed 10% threshold may be too low to reflect the level of need identified in many local housing needs assessments. In many areas, social rent is the tenure of greatest need, and therefore a higher proportion may be justified based on robust local evidence.</p> <p>Flexibility is essential so that local authorities can respond to localised housing mix issues, in line with local evidence or wider strategic requirements. Any minimum percentage or threshold must allow for authorities to intervene where the cumulative effect of market-housing choices is creating imbalances in settlement mix or delivery across the plan area.</p>

	<p>Clarity is also required on whether the 10% relates to:</p> <ul style="list-style-type: none"> • 10% of all homes, or • 10% of the affordable housing requirement. <p>These two interpretations produce significantly different outcomes, and the policy should be explicit to avoid ambiguity.</p> <p>Any national minimum must also avoid becoming a default ceiling, used by developers to argue that they need not provide more than 10% regardless of local evidence. It should also avoid incentivising the delivery of only small, low-cost units when many areas have acute need for larger family-sized social rented homes.</p> <p>Finally, the implications for the Green Belt “Golden Rules” should be clarified to avoid unintended consequences.</p>
<p>66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?</p> <p>a) If so, what changes would be beneficial?</p>	<p>POS Position: Partly agree – subject to clearer definition</p> <p>POS supports measures that help meet the needs of those in acute housing difficulty, particularly young people and vulnerable groups. However, the term “stepping stone accommodation” requires a clear definition, as it encompasses a wide range of models with different purposes, governance, and support structures.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Independent Living and Live & Work programmes (e.g., Centrepont, St Basil's), which provide genuinely affordable accommodation linked to employment pathways. • Short-term supported accommodation (e.g., Stepping Stone Projects), offering on-site or floating support to help residents transition to independent living. <p>Given this diversity, any policy change must be explicit about:</p> <ul style="list-style-type: none"> • what forms of accommodation are in scope, • the level of support expected, • whether flexibilities around space standards are appropriate and safe. <p>POS supports the principle but recommends clearer definitions and safeguards to ensure quality and prevent exploitation of vulnerable groups.</p>
<p>67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Strongly disagree with blanket applicant discretion</p> <p>There will be circumstances where off-site contributions are appropriate, but this should be at the discretion of the local planning authority, not the applicant. Allowing applicants blanket discretion would undermine local strategies for mixed and balanced communities and could significantly reduce on-site affordable housing delivery.</p> <p>Cash contributions also place the burden on LPAs to:</p>

<p>a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.</p> <p>b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer</p>	<ul style="list-style-type: none"> • identify and purchase land, • assemble viable schemes, • deliver affordable housing themselves or through Registered Providers (RPs). <p>This is particularly challenging for authorities without housing stock and/or limited land holdings. Also, rural authorities which have a high proportion of small/medium category where opportunities for on-site delivery are already limited.</p> <p>Off site contributions for medium scale developments would be largely inappropriate as these sites are important for securing an appropriate market mix on site.</p> <p><u>National Parks and National Landscapes</u></p> <p>POS supports the view that National Parks, National Landscapes and the Broads should be exempt from any requirement to accept cash contributions, consistent with their existing ability to seek affordable housing from smaller sites.</p> <p>Additional observations</p> <ul style="list-style-type: none"> • Off-site contributions from medium sites could, in some areas, create a more meaningful funding pot for delivering affordable housing on dedicated sites. • RPs often decline to take very small numbers of units on scattered sites due to management costs and practicalities. <ul style="list-style-type: none"> • If off-site contributions are to be used, LPAs may need the ability to allocate specific sites for affordable housing delivery, ensuring there is a clear route for spending contributions.
<p>68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).</p>	<p>POS Position: See response to Q67</p> <p>The risks and benefits largely mirror the issues set out above. Key considerations include:</p> <p>Potential risks</p> <ul style="list-style-type: none"> • Reduced on-site affordable housing delivery. • Increased pressure on LPAs to find land and deliver schemes. • Higher land values if developers assume they can avoid on-site provision. • Slower delivery if LPAs lack capacity or land to spend contributions. • Challenges for RPs, particularly SMEs, if opportunities for integrated on-site provision diminish. <p>Potential benefits</p> <ul style="list-style-type: none"> • In some areas, larger off-site contributions could enable delivery of dedicated affordable housing sites. • Could help overcome viability barriers on constrained medium sites.

	<ul style="list-style-type: none"> • May support more efficient RP involvement where on-site numbers are too small to manage. <p>Overall, POS considers that LPA discretion is essential to balance these risks and benefits in a way that reflects local circumstances</p>
<p>69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.</p>	<p>POS Position: See response to Q67 – additional detail below</p> <p>To spend commuted sums effectively and at pace, LPAs need clearer national guidance, greater flexibility, and practical support. The key barriers are structural rather than procedural. POS highlights the following issues:</p> <ol style="list-style-type: none"> 1. Clear national guidance on eligible uses and spending routes <p>For example guidance on:</p> <ul style="list-style-type: none"> • the types of schemes and tenures that qualify, • whether funds can be pooled across sites or across authority boundaries, • relevant timeframes and clawback provisions. <ol style="list-style-type: none"> 2. Support for LPAs with limited land holdings <p>Many authorities—particularly those without housing stock or with very limited land—struggle to identify suitable sites. Guidance should therefore support:</p> <ul style="list-style-type: none"> • land assembly, • partnership models with Registered Providers, • cross-boundary delivery where appropriate. <ol style="list-style-type: none"> 3. Ability to allocate sites specifically for affordable housing delivery <p>This would give LPAs a clear route for deploying commuted sums and avoid funds sitting unspent due to lack of deliverable land. Issues relating to land value and viability arising from allocation should be clarified.</p> <ol style="list-style-type: none"> 4. Recognition of capacity constraints <p>Delivering affordable housing directly or through partners requires skills, staff, and resources that many LPAs no longer have. National support or funding for capacity-building would materially improve delivery.</p>
<p>70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?</p> <p>a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions</p>	<p>POS Position: See response to Q67 – additional detail below</p> <p>Further guidance would be helpful to ensure consistency, transparency, and fairness. Local housing markets differ significantly. Guidance would allow LPAs to apply local evidence and local policy priorities within a consistent national framework. Any national approach should set out:</p>

<p>in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.</p>	<ol style="list-style-type: none"> 1. A clear valuation methodology 2. Principles of and guidance on how viability evidence should be used, including: <ul style="list-style-type: none"> • treatment of abnormal costs, • treatment of developer profit, • how to avoid contributions being artificially depressed. 3. Safeguarding against minimising contributions by manipulating assumptions by setting: <ul style="list-style-type: none"> • standardised inputs, • expectations for independent verification, • how LPAs can challenge unrealistic assumptions.
<p>71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree – subject to LPA discretion</p> <p>POS supports off-site delivery where it demonstrably leads to better outcomes, but this must be at the discretion of the local planning authority, not the applicant.</p> <p>Off-site delivery can be beneficial where:</p> <ul style="list-style-type: none"> • it enables a larger or higher-quality affordable housing scheme on a dedicated site, • Registered Providers prefer consolidated units rather than small, scattered numbers, • on-site delivery is impractical or would compromise scheme design or viability. <p>However, there are important caveats:</p> <p>1. On-site delivery should remain the default</p> <p>Mixed communities are a core planning objective. Off-site delivery must not become a route for developers to avoid integrating affordable housing.</p> <p>2. LPAs must retain control</p> <p>Only LPAs can judge whether off-site delivery aligns with local need, local land availability, and local housing strategies. But recognising that as set out in Q67, off-site delivery places responsibility on LPAs to find land and deliver schemes—challenging for authorities with limited land holdings or no housing stock.</p> <p>3. Protected landscapes require special consideration</p> <p>As noted previously, National Parks, National Landscapes and the Broads should be exempt from any requirement to accept off-site contributions, consistent with their existing flexibilities</p>

<p>72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>POS strongly supports the principle that locational and connectivity factors should be central to decisions on specialist housing for older people. Ensuring access to services, public transport, and community facilities is essential. But we strongly object to LPAs getting involved in codable or management issues:</p> <ul style="list-style-type: none"> • HO9(1)(a)(ii) accessibility standards – Building Regulations deals with this. Planning should not duplicate or reinterpret technical standards already governed nationally. • HO9(1)(c)(ii) internal space standards are codable and therefore should be in the Building Regulations not planning policy. <p>Similar comments relate to HO9(1)(b)(i) and HO9(1)(c)(iiii) which have been made in response to Q73 and Q74 below.</p> <p>General concerns</p> <ul style="list-style-type: none"> • These requirements represent a substantial additional burden on LPAs, both in assessing highly specialist facilities and in enforcing private contractual or operational matters. • Local authority planners are not equipped to judge the detailed operational models of specialist accommodation providers. • The policy should also make clear—either here or elsewhere—that where relevant, specialist accommodation should include affordable provision.
<p>73) Do you agree with the criteria set out regarding the locations of community- based specialist accommodation, including changes to the glossary?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>HO9(1)(b)(i) It is not the role of LPAs to assess or regulate how government-run or commissioned facilities are managed. Responsibility for operational standards should sit with the relevant commissioning or regulatory bodies, not the planning system. Requirements that involve LPAs in operational, management, or codable matters should be removed.</p> <p>For clarity and consistency, the NPPF should refer to:</p> <p><u>“Community-based specialist accommodation”</u></p> <p>rather than</p> <p><u>“Specialist community-based accommodation”</u>,</p> <p>as this aligns with the Glossary definition and avoids ambiguity.</p>
<p>74) Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Partly disagree</p> <p>HO9(1)(c)(iiii) Planning is not the appropriate vehicle for enforcing the management of specialist accommodation. LPAs do not regulate the management of flats or other residential uses, and imposing such responsibilities would create a significant and inappropriate burden on already stretched authorities.</p>

<p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Requirements relating to internal space standards, accessibility standards, or management arrangements should not be embedded in planning policy where they duplicate Building Regulations or impose operational oversight responsibilities on LPAs.</p>
<p>75) Do you agree the proposals provide adequate additional support for rural exception sites?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, including what other changes may be needed to increase their uptake?</p>	<p>POS Position: Partly agree</p> <p>The proposals appear sensible, but POS notes that policy support for rural housing has been reduced overall, and there is no replacement for paragraph 83 of the current NPPF. POS considers that this policy should be reinstated to ensure a clear and robust framework for rural housing delivery.</p> <p>Flexibility should be retained for Traveller sites to be urban exception sites and/or located further away from existing settlements if necessary. There should also not be a requirement for Traveller exception sites to be predominantly affordable, this is difficult to evidence in the case of private sector Traveller sites for purchase.</p>
<p>76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>POS supports the removal of First Homes exception sites as a discrete category. While First Homes are classed as affordable housing, they have not proven effective in meeting the intended need, particularly in rural areas or lower-value markets. Their exclusion from exception sites is therefore appropriate.</p> <p>Two additional points:</p> <p>HO10 (2 b) The drafting is unclear. The policy refers to a size requirement of 1ha or 5%, but does not specify whether this means whichever is greater or whichever is smaller. This should be clarified to avoid inconsistent interpretation</p> <p>HO (2 c) second sentence should be amended to read '<u>...may be allowed on the site where it is clearly evidenced that it is essential to enable the delivery of affordable units...</u>'</p>
<p>77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?</p>	<p>POS Position: Neither agree nor disagree – further clarity required</p> <p>The consultation does not provide sufficient detail on how the benchmark land value (BLV) would be defined or applied. POS therefore cannot take a firm position at this stage.</p> <p>If the intention is that viability assessments for rural exception sites should use a fixed BLV, POS would expect this to be based on:</p> <ul style="list-style-type: none"> • Existing Use Value (EUV) plus • a modest premium to incentivise landowners,

	<p>but not a multiple of EUV that would undermine affordability or inflate land expectations.</p> <p>The key test is whether the approach avoids unintended consequences, such as:</p> <ul style="list-style-type: none"> landowners holding out for higher values, schemes becoming unviable, reduced delivery of rural affordable homes.
<p>78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Partly agree</p> <p>Policy HO12: Traveller sites – As it is important that local plans fully meet the need for traveller sites, the locational guidance for their provision included in HO12 should appear as plan making policy.</p> <p>Specific Points:</p> <p>HO12 (1a) – “Provide a settled base that limits the need for long-distance travelling...”</p> <p>This may not fully reflect the cultural identity of Travellers and Travelling Showpeople. The wording should be reconsidered to avoid implying that travelling itself is undesirable.</p> <p>HO12 (1d) – The requirement that sites “do not enclose the site” may be inappropriate for Travelling Showpeople, who often require secure yards for equipment and vehicles. The policy should distinguish between different groups’ needs.</p>
<p>79) Please provide your reasons, particularly if you disagree.</p>	<p>See above.</p>
<p>80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>POS supports the intention behind HO13, but the policy does not address the core problem: LPAs currently have very limited ability to deal with stalled sites, particularly where a “technical start” has been made. Without legislative reform, HO13 will have limited practical effect.</p> <p>1. The fundamental issue is the definition of commencement (TCPA s56)</p> <ul style="list-style-type: none"> Under current legislation, commencement is treated as a one-off event. A minimal material operation—such as digging a trench—can lawfully “keep alive” a planning permission indefinitely, even if no meaningful progress is made. This undermines the purpose of implementation time limits and leaves LPAs powerless to intervene. <p>POS argues that:</p> <ul style="list-style-type: none"> commencement should be redefined as a process, not a single event;

- the law should require not only initiation of works by the condition date, but **continued implementation** thereafter.
- Without this change, stalled sites will continue to frustrate delivery regardless of HO13.

2. Completion Notice powers (TCPA s93H–J) remain ineffective

- POS has repeatedly highlighted that Completion Notices do not work in practice. The problems are twofold:

a) The permission evaporates, but the incomplete structure remains lawful

- Under s93J, a Completion Notice extinguishes the unimplemented part of the permission but leaves any partially completed structure lawful. This is manageable for discrete units (e.g., completed houses), but **not** for incomplete structures such as a concrete frame.
- POS proposes revised wording to ensure only **fully completed, independent planning units** remain lawful:
- “Subsection (1) does not affect any planning permission so far as relating to development carried out under it before the completion notice deadline, **provided such development resulted in a fully completed structure, which is in accordance with the original planning permission and constitutes an independent planning unit.**”
- This change is essential if Completion Notices are to be a meaningful tool.

b) The commencement loophole must be closed

- As above, s56 must be amended so that commencement is not satisfied by a token act.
- These reforms were set out in [POS Manifesto 11: Improving Enforcement Services](#), and although the Planning Act has been amended since (including changes for Wales), the core issues for England remain unresolved.

HO13 reads more like a statement than a policy

As drafted, HO13 does not clearly indicate how a decision-maker should respond to a proposal that cannot demonstrate timely delivery. It lacks a clear hook for refusal.

To give the policy practical effect, POS recommends amending HO13(1) to require applicants to **demonstrate delivery**, for example:

“Proposals for major residential and mixed-use development should be capable of bringing housing forward within a reasonable period and **must clearly demonstrate how the site will be delivered, including through a site-specific trajectory.**”

This would provide a clearer basis for decision-making and align the policy with the government's stated objectives.

<p>81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large-scale development are supported?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS partly agree with the proposal to take a flexible approach to the consenting framework. Large sites take years to deliver and there can be a tendency to be overly detailed and prescriptive at the time of outline consents, when in fact flexibility within a framework is a more responsive approach to issues such as phasing, economic cycles etc.</p> <p>However, we consider that it's important that large scale sites are planned in a comprehensive way with a clear focus on creating quality places.</p> <p>We would therefore recommend that the NPPF encourages local plan policies to specify the use of site wide masterplans and design codes as part of the planning application process. Local plan policies should provide a clear vision and set of objectives for strategic sites, providing a foundation for site wide masterplans and design codes to set out the approach to placemaking and delivery, with a focus on land use distribution, infrastructure requirements, movement structure, green & blue infrastructure provision and delivery strategy. These matters should be covered in HO4(2)</p> <p>Site wide planning applications and accompanying masterplans should be developed through a collaborative process.</p>
<p>82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns?</p> <p><i>Yes, no</i></p> <p>a) Please provide your reasons.</p>	<p>As with strategic sites, the POS consider it's important that super strategic sites are planned in a comprehensive way with an emphasis on delivering high quality, sustainable new places. We would specifically refer to the recommendations of the New Towns Task Force requiring local plans to set out clear placemaking principles to form the basis of any site wide masterplan and subsequent development proposals. Each site should have a clear long-term vision for creating a well-designed and distinctive place, supported by a strategic masterplan and design code to ensure placemaking quality. It is therefore recommended that the NPMPs for both Local Plan and SPs cover these crucial elements.</p> <p>Strategic masterplans should enable the provision of social and community infrastructure required to create sustainable communities together with an approach to delivery, including the need for appropriate delivery mechanisms and long term stewardship.</p> <p>Strategic masterplans and design codes should be developed collaboratively.</p>
<p>83) Do you agree with the proposed changes to the Housing Delivery Test rule book?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Strongly disagree</p> <p>POS considers that the HDT should be fundamentally reviewed, not adjusted. The proposed changes may be logical within the wider SPS framework, but they do not resolve the core issue: the HDT is an ineffective and unfair measure of LPA performance and should not continue in its current form.</p>

a) Please provide your reasons, particularly if you disagree.

1. The HDT does not reflect the limited influence LPAs have over delivery

Local planning authorities can:

- allocate land,
- grant permissions,
- create a positive planning framework.

But they cannot:

- force developers to submit applications,
- compel developers to build out permissions,
- influence the pace of construction,
- override market conditions, viability shifts, or developer business models.

Where external factors—such as market downturns, labour shortages, or developer behaviour—slow delivery, LPAs are unfairly penalised despite having done everything required of them.

2. Evidence suggests completions have fallen in recent years

Recent analysis indicates that housing completions have declined, which will inevitably push more LPAs into HDT “failure” regardless of their performance. This reinforces the need for a fundamental review rather than incremental adjustments.

3. The HDT diverts resources and undermines confidence in the plan-led system

The HDT imposes an additional administrative burden on LPAs at a time when resources are already stretched. It also creates uncertainty for communities and stakeholders by triggering speculative development in areas subject to HDT sanctions. This undermines confidence in the plan-led system and distracts LPAs from their core place-making role.

4. Even government has acknowledged the HDT’s limitations

The previous Government recognised that the HDT had the potential to penalise LPAs unfairly when slow delivery resulted from developer behaviour. Despite this, both the previous and current Governments have continued to apply the HDT without addressing its underlying flaws.

5. Recent policy shifts highlight the need for a new approach

The expansion of the Housing Revenue Account and the Social and Affordable Homes Programme represents a positive shift towards enabling local authority-led housing delivery. However, these changes further highlight the mismatch between the HDT and the realities of delivery: LPAs are being held accountable for outcomes they do not control.

Chapter 7: Building a strong, effective economy	
<p>84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>E1 (2) requires clarification. While flexibility is important, it must be clear that allocations can still be restricted where necessary to avoid unacceptable impacts, including:</p> <ul style="list-style-type: none"> • noise and other amenity impacts, • highway and transport constraints, • environmental or operational conflicts with neighbouring uses. <p>Without this clarification, the policy risks being interpreted as requiring economic allocations in locations where they would be inappropriate or harmful.</p>
<p>85) Do you agree with the approach to meeting the need for business land and premises in policy E2?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the intention behind E2, but has concerns about its practical application.</p> <p>1. Need for stronger alignment with the wider NPPF and development plan</p> <p>The current drafting includes only a passing reference to NDMP S5. This is insufficient. Policy E2 must make clear that proposals must comply with all relevant NPPF policies and the development plan, including those relating to:</p> <ul style="list-style-type: none"> • transport and access, • environmental protection, • design and amenity, • infrastructure capacity. <p>Without this, the policy risks being interpreted in isolation.</p> <p>2. Much of E2 should sit within plan-making policy</p> <p>As noted earlier, the identification of business land and premises is fundamentally a plan-making function. The policy as drafted appears to place significant weight on decision-taking, which may be unworkable where:</p> <ul style="list-style-type: none"> • the Local Plan does not contain suitable allocations, or • there is insufficient evidence to justify individual proposals. <p>LPA's cannot reasonably be expected to evidence the need for individual business facilities on a case-by-case basis without a robust plan-making framework.</p> <p>3. Risk of unworkability without an up-to-date Local Plan</p>

	<p>In areas without an up-to-date plan, or where employment evidence is outdated, E2 may be difficult to apply. The policy should therefore emphasise the importance of plan-led identification of business needs, with decision-taking playing a supporting—not primary—role.</p>
<p>86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>See Q85 above</p>
<p>87) Do you agree with the approach to rural business development in policy E4?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: agree.</p>
<p>Chapter 8: Ensuring the vitality of town centres</p>	
<p>88) Do you agree with the proposed changes to policy for planning for town centres?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the intention behind the revised policy But considers there is a missed opportunity in this chapter to strengthen the link between town centres, sustainability and national objectives, including SDG11. Town centres are often the most sustainable locations for development, typically acting as transport hubs and providing access to services without reliance on the private car.</p> <p>However, the policy remains rooted in an outdated retail-expansion model and does not adequately address the reality that many LPAs are now managing shrinking town centres due to long-term decline in retail floorspace demand. The policy should explicitly recognise:</p> <ul style="list-style-type: none"> • the need to reduce town centre boundaries where appropriate, • the transition from retail to other uses, particularly residential, • the role of new homes in supporting vitality and viability through increased footfall, • the importance of managing conversions sensitively and strategically. <p>Impact of Class E</p>

	<p>Whilst POS supports the concept of preparing strategies for town centres, it should be highlighted that Class E limits the ability of Local Planning Authorities to be responsive to local needs and influence the composition of centres.</p> <p>Further guidance is also requested on the content and depth that Strategies should contain, in order that policies on town centres can be written expeditiously to drive Plans through the 30-month timescale.</p> <p>The nature of retail planning has changed dramatically since the Pandemic and recent economic conditions. This has impacted both the format and use of units from a retailer perspective and the services that local people need in their centres. In order that centres reflect this shift, POS believes that more research and guidance is needed at a national level to shape centres for the future. This includes a thorough investigation of the impacts of Class E and debate on our use classes going forward. POS set out its thoughts on the UCO in chapter 4 of its Manifesto No 10.</p>
<p>89) Do you agree with the approach to development in town centres in policy TC2?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) If not, please explain how you would achieve this aim differently?</p>	<p>POS Position: Partly agree</p> <p>Whilst the approach in Policy TC2 is sensible, POS notes that Class E limits the ability of local planning authorities to influence much of the criteria specified in clauses a) and b) (e.g. retaining access to local shops, diversification of uses, intensification etc.). Class E indeed allows for unchecked concentration of uses and conversion of local shops to a wide range of other uses. This weakens the effectiveness of TC2 and should be acknowledged in the policy or supporting text.</p>
<p>90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?</p>	<p>POS Position: Class E has had significant negative impacts</p> <p>POS recognises that Class E was introduced to promote flexibility between previous use classes. In town centres, Class E has however made it quite difficult to influence how centres should develop. An example of reduced influence can be seen in the consequent inability to prevent over concentration of uses within centres and this has been detrimental to the vitality of centres. Negative impacts stemming from Class E are perhaps most apparent in out of town locations, especially in retail parks, which traditionally accommodated units for bulky goods (and associated higher levels of car parking), but have been able (via Class E) to diversify and increase vitality through permitted conversions to gyms, food and drink units and shops which would be equally (and arguably better suited to town centres). Class E, combined with the discontinuation of the disaggregation safeguard, have exacerbated this situation. Overall, many out of town retail parks can be seen to be thriving and evidently containing a concentration of units that should be located in centres, which are more sustainable locations.</p> <p>Furthermore, Class E has caused an erosion of business parks and land safeguarded for employment purposes. Residential uses, trampoline parks and padel courts can all be located close together (outside of our town centres) in dismal and perilous environments with large</p>

	<p>vehicles manoeuvring at close range. The NDMPs do not cover loss of employment uses and so this situation will be enabled into the future without a review of Class E</p>
<p>91) Do you believe the sequential test in policy TC3 should be retained?</p> <p>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>The Sequential Test is more important now than ever, given the contraction of retail floorspace and the need to focus activity in sustainable, accessible locations. The principle of the Sequential Test is a sound one but it can largely be viewed as an obstacle rather than an effective tool currently.</p> <p>POS recommends clearer guidance, expectations and thresholds are needed to ensure that this Test cannot be gamed. This would ensure consistency and prevent manipulation of site selection criteria and is necessary to protect town centres,</p> <p>Policy TC3 sets out that the Sequential Test should only apply to 'new development' for 'which planning permission is required', Class E allows retail and other town-centre uses to locate in unsustainable out-of-centre locations without triggering the Sequential Test. This undermines the policy's effectiveness and must be addressed through a review of Class E.</p> <p>POS strongly supports the re-introduction of disaggregation as a consideration of the Sequential Test. Whilst there may be some exceptions, perhaps to food retailing (genuinely serving local need), it seems evident that some retailers are now operating at out of town locations as well as town centre locations, with business models that seem to work for both locations. This is harming the vitality and viability of centres and promoting unsustainable forms of development and transport.</p>
<p>92) Do you agree with the approach to town centre impact assessments in policy TC4?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>POS supports the approach in TC4. Impact assessments remain an important tool for understanding the effects of out-of-centre development on the vitality and viability of town centres. The proposed changes appear proportionate and appropriate.</p>
<p>Chapter 9: Supporting high quality communications</p>	
<p>93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports stronger national policy for digital connectivity, but several targeted changes are needed to ensure the policy is balanced, effective and workable.</p> <p>1. Embed digital infrastructure within a wider National Spatial Plan</p> <p>Telecommunications infrastructure should be planned alongside energy, water, waste and minerals at a national and regional scale. A National Spatial Plan would help align investment and spatial planning across all major utilities. If this is not on the agenda SDSs must provide a</p>

	<p>complete national picture for energy, utility, telecommunication and water infrastructure. This requires:</p> <ul style="list-style-type: none"> • early and ongoing engagement with infrastructure providers, • alignment of SDS site strategies with utility investment plans, • a clear expectation that infrastructure planning and spatial planning are developed in parallel. <p>This will ensure SDSs present a coherent, connected national strategy rather than fragmented local approaches.</p> <p>2. Require removal of redundant equipment</p> <p>The policy should explicitly state that operators must remove unused equipment and restore land, reinforcing the existing GPDO Part 16 requirement and supporting LPAs in taking enforcement action.</p> <p>3. Reinstate key safeguards</p> <p>The revised wording weakens important protections by:</p> <ul style="list-style-type: none"> • reducing emphasis on using existing masts and structures, • removing the requirement to keep new masts to a minimum, • shifting from avoiding visual harm to merely minimising it. <p>Support for digital rollout must be balanced with amenity, design, landscape and heritage considerations. POS recommends retaining the requirement to minimise the number of new masts and restoring the hierarchy of avoid harm first, minimise only where unavoidable.</p>
<p>94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the principle of minimising visual impact and reusing existing structures. However, the policy needs strengthening.</p> <p>1. Avoid harm first, then minimise it</p> <p>The policy should retain a clear hierarchy:</p> <ul style="list-style-type: none"> • avoid harm wherever possible, • minimise harm only where avoidance is not achievable. <p>This is particularly important in rural and non-built-up areas where masts can be highly intrusive.</p> <p>2. Mast-sharing is rarely achieved in practice</p>

	<p>While the policy encourages use of existing masts and structures, operators almost always prefer to erect their own infrastructure rather than share with competitors. Encouragement alone is insufficient.</p> <p>Government should explore mechanisms that motivate or require mast-sharing, especially in sensitive landscapes. POS will expand on this in its response to the open call for evidence on digital infrastructure.</p> <p>This is particularly important in non-built up areas where the masts etc can be particularly intrusive.</p>
<p>95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports proportionate information requirements, but has concerns about the removal of key safeguards.</p> <p>1. Evidence of exploring existing sites should be retained</p> <p>The removal of the requirement to demonstrate that existing buildings, masts or structures have been considered is concerning. Without this, operators may default to new standalone masts even where alternatives exist.</p> <p>Given the increasing scale and prominence of telecommunications infrastructure, this requirement should be reinstated.</p> <p>2. Clarification needed on consultation requirements</p> <p>The policy refers to notifying “organisations with an interest in the proposed development” and sites “near a school or college”. These terms require clearer definition to ensure consistency and avoid disputes.</p>
<p>Chapter 10: Securing Clean Energy and Water</p>	
<p>96) Do you agree with the approach to planning for energy and water infrastructure in policy W1?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?</p>	<p>POS Position: Partly agree</p> <p>POS supports the intention behind W1, but important clarifications are needed to reflect how the system actually works in UK law and to ensure effective delivery of energy and water infrastructure.</p> <p>1. Clarify the legal responsibilities of key actors</p> <p>The NPPF should explicitly recognise the distinct statutory roles of:</p> <ul style="list-style-type: none"> • LPAs – plan for growth and community needs. • Water Authorities – plan and deliver infrastructure to meet that planned growth. • Building Control – ensure all new development has adequate water supply and drainage (Approved Documents G & H).

	<p>Given these responsibilities, planning should have a plan-making role only: defining growth and liaising with infrastructure providers to accommodate their planned infrastructure expansion to serve that growth. Decision-taking should not require LPAs to re-test matters that Building Regulations already control. The NPPF should state this clearly.</p> <p>2. Strengthen the strategic planning framework</p> <p>In the absence of a National Spatial Plan, SDSs must provide a complete national picture for energy and water infrastructure. This requires:</p> <ul style="list-style-type: none"> • early and ongoing engagement with infrastructure providers, • alignment of SDS site strategies with utility investment plans, • a clear expectation that infrastructure planning and spatial planning are developed in parallel. <p>This will ensure SDSs present a coherent, connected national strategy rather than fragmented local approaches.</p>
<p>97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>POS supports the principle of identifying opportunities for energy and water infrastructure within development plans. However, in practice most LPAs do not have the technical expertise to identify such areas or assess the feasibility of major utility infrastructure. These are highly specialised systems, and responsibility for planning and delivering them sits primarily with infrastructure providers.</p> <p>The policy should therefore support the principle but acknowledge the practical limitations at local level, ensuring expectations are realistic and aligned with statutory responsibilities and planned as part of the consideration of infrastructure requirements at the strategic level in SDS preparation.</p>
<p>98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.</p>	<p>POS Position: Strongly agree</p> <p>POS supports the proposed approach in W3. As a national decision-making policy, it provides an appropriate framework for enabling renewable and low-carbon energy development and the electricity network infrastructure needed to support it.</p> <p>However, the policy should make explicit that decisions must still take full account of environmental, transport, landscape and amenity impacts. Ensuring these considerations remain central will help maintain public confidence and secure well-designed, well-located infrastructure.</p>
<p>99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?</p>	<p>POS Position: Strongly agree</p> <p>POS supports the proposed approach in W3. However, the policy should make explicit that decisions must still take full account of environmental, transport, landscape and amenity</p>

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>impacts. Ensuring these considerations remain central will help maintain public confidence and secure well-designed, well-located</p>
<p>Chapter 11: Facilitating the sustainable use of minerals</p>	
<p>100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p><i>The present policy situation is ambiguous as it instructs to plan for coal through identifying sites/areas and that goes against wider Government policy on climate change and transitioning to net zero. The changes give clarity.</i></p> <p><i>In relation to mineral safeguarding and coal, the removal of coal from the list of local and nationally important minerals should mean MPAs don't need to identifying Mineral Safeguarding areas for coal in the local plan – which is welcomed.</i></p>
<p>101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>There has been changing government guidance (outside of the NPPF) on this issue over the years and having clarity in the NPPF that consideration only applies to sites within areas already licensed is helpful, along with a clear statement that new sites or extensions should not be identified within the Plan.</p>
<p>102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance' ?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>It has long been argued that the link between growth aspirations and the need to supply minerals to deliver that growth should be upheld more strongly in policy and the same applies to these mineral types as to aggregates for construction. The location and vulnerability of minerals is too often overlooked when all the policy focus is on the deliverable outcome and not the resource.</p>
<p>103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>The shift from 'encouraging' to 'require' for prior extraction is welcomed. The need for strong and enforceable policy to ensure safeguarding of mineral resources is essential.. The consideration of prior extraction of minerals needs to be recognised by developers as a normal part of site planning and delivery and not disregarded as a policy option that can be cast aside. Minerals are essential, but finite. The proposed NDMP M6 (3) stating that prior extraction of minerals should be approved will support this stronger approach to minerals safeguarding.</p>

<p>104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>It has long been argued that the link between growth aspirations and the need to supply minerals to deliver that growth should be upheld more strongly in policy and the same applies to these mineral types as to aggregates for construction.</p>
<p>105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Partly agree</p> <p>If there is to be commitment to shift away from fossil fuels towards greener energy then the policy option of actively planning for new oil and gas resource needs to be reviewed. However, consideration needs to be given to whether some reliance on these natural resources will continue in the future while alternative technologies meet needs. Whether interim self-sufficiency for oil and gas supply should be considered and guidance on this issued.</p>
<p>106) Please provide your reasons, particularly if you disagree.</p>	<p>See previous answer.</p>
<p>107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Strongly agree</p> <p>NDMP Policy M4 appears to address the main considerations for local amenity, public health and natural/historic environment. Broader considerations (e.g. climate change, flood risk etc) would be addressed by other NDMP policies in the NPPF so do not need to be repeated here.</p>
<p>108) Please provide your reasons, particularly if you disagree.</p>	<p>See previous answer.</p>
<p>109) Do you agree with approach to coal, oil and gas in policy M5?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>Clarity on the national policy approach to coal extraction is welcomed. It is no longer sufficient to demonstrate that a proposal can be made environmentally acceptable and there are specific grounds given for making an exceptional case. Clarity on what might constitute 'public safety' as justification for coal, oil or gas production would be helpful for context. However, restricting the grounds for allowing an exception means there would currently be no policy justification for removal of surface coal to access fireclay which is an important mineral resource for brickmaking. See response to Q110 and Q111 below.</p> <p>Further, NDMP Policy M5(4) appears to place the responsibility of the safety (gas pressure, prevention of leakage and avoidance of pollution) of underground gas and carbon storage facilities onto Mineral Planning Authorities (MPAs). It is unlikely any MPAs have the knowledge or experience to undertake such assessments. It may also overlap, if not duplicate, the responsibilities of other regulators (HSE and NSTA) – which would conflict with DM7, which seeks to prevent the duplication or extension of controls imposed by separate regulator regimes.</p>

<p>110) Are there any other exceptional circumstances in which coal extraction should be permitted?</p> <p>Yes/No</p>	<p>Yes.</p>
<p>111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.</p>	<p>Extraction of surface coal is required to access fireclay for example. Fireclay is included in the glossary as a critical mineral of national and local importance. It is a fundamental ingredient for making bricks, controlling vitrification and can also produce a lighter colour required by some builders. Because of its association with coal there could be resistance to its extraction, yet elsewhere in the NPPF we see increased emphasis on the need to maintain 25 year landbank reserves of brick clay to support the house building aspirations. There needs to be acceptance that surface coal is ancillary to this critical minerals of fireclay. Currently the NPPF only encourages the extraction of fireclay where proposals for coal extraction are permitted (as an exception). By restricting the policy for extraction of coal, the ability to access a critical mineral required to support brickmaking may also be restricted. This anomaly should be reconsidered.</p>
<p>112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>It is essential that proper safeguarding of minerals resource from sterilisation by non-minerals development is upheld and enforced by robust policy and clear guidance. Too often consideration of this issue is overlooked, or at best given slight regard but considered an unnecessary burden on developers. Submission of an appropriate Mineral Resource Assessment should also be a requirement within policy M6 as that will ensure planning authorities are provided with the right level and quality of information to consider the issue.</p> <p>We are concerned that whilst paragraph 225 of the 2024 NPPF refers to 'constrain potential future use for mineral working', M6.1.a refers to 'constrain likely or foreseeable future use for mineral working'. This is a significantly higher bar of certainty of future extraction that would need to be met for the safeguarding policy to apply at the planning application stage. This approach does not recognise that minerals are non-renewable resources to be protected for future uses to meet their own needs, in accordance with the definition of sustainable development. Therefore, we request that the phrase 'potential future use' continues to be used in the NPPF. If the new wording of 'likely foreseeable future use' is retained, then guidance will be required on how 'likely and foreseeable future use' should be assessed by the planning authority.</p> <p>M6.1.b. should be amended to state 'constrain or prevent the use of ...' because proposals for non-mineral development in proximity to a safeguarded site could constrain the use, for example, through a need to limit operational hours, whilst not preventing the use. The suggested change would be in line with policy P4 on the impact of development on existing activities.</p>
<p>113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas?</p>	<p>POS Position: Strongly agree</p>

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	
<p>Chapter 12: Making effective use of land</p>	
<p>114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Partly agree</p> <p>POS supports the principle of promoting the efficient use of land, but the policy needs to be more clearly tied with the sections on the purpose of planning and sustainable development.</p> <p>We remain concerned that the requirement to allocate small sites (<1ha) places a significant additional burden on LPAs and risks undermining the ability to produce Local Plans within the 30-month timeframe. A policy-based approach to small sites would be more proportionate, particularly as much of this is already addressed through NDMPs.</p>
<p>115) If not, what further guidance is needed?</p>	<p>The overall approach is sound, but the policy should explicitly recognise that private gardens are often among the most biodiverse parts of urban areas. Any approach to suburban intensification must therefore balance efficient land use with the need to protect and enhance urban biodiversity.</p>
<p>116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>L2(1)(b) "bringing back into residential use empty homes" generally doesn't involve development, so not sure why it's there. Environmental Health have powers (Empty Dwelling Management Orders) in this area, so there should be no role for planning.</p>
<p>117) Do you agree policy L2 identifies appropriate typologies of development to support intensification?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) If not, what typologies should be added or removed and why?</p>	<p>POS Position: Partly disagree</p> <p>POS supports the principle of encouraging appropriate intensification, but Policy L2 goes into an unnecessary level of detail for what are fundamentally small-scale, design-led matters. These issues are far better addressed through locally prepared Design Codes or Design Guides, which can reflect local character, building typologies and settlement-specific opportunities and constraints.</p> <p>We also object to the wording in L2(2). The phrase "unless there is an exceptional justification" should be replaced with "unless it is justified" to avoid creating an unnecessarily high bar that could lead to poor outcomes.</p>
<p>118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy?</p>	<p>POS Position: Partly disagree</p>

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>The design principles in L2(d) are overly detailed for national policy. These matters should be set locally through Design Codes or Design Guides, which are better placed to reflect local character and context.</p> <p>We also note that upward extensions rarely deliver additional homes, often simply increasing floorspace within existing dwellings. National policy should avoid implying that this is a significant source of new housing supply.</p>
<p>119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions. <i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>L2(d)(i) is overly prescriptive and risks becoming a contrived rule-based approach. Proposals such as corner plot redevelopment or upward extensions can and should be assessed on their merits, guided by locally prepared Design Codes or Design Guides.</p> <p>The current drafting of (d)(i), states that proposals should be “consistent with the overall street scene.” If the existing street scene is poor, degraded or in clear need of investment, requiring new development to be “consistent” with it risks perpetuating low-quality environments rather than enabling improvement.</p> <p>To avoid this unintended consequence, POS recommends amending the wording to ensure that development contributes positively to local character. A more appropriate formulation would be:</p> <p><i>“Proposals should be consistent with <u>enhance</u> the overall street scene.”</i></p> <p>This provides a clearer policy expectation, supports regeneration and design-led improvement, and aligns with the broader objectives of creating well-designed, attractive places.</p> <p>We also note that design codes will not always form part of the development plan and this should be recognised in NDMPs</p>
<p>120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>Again, the NPPF is going into too much detail for small-scale matters that are best handled locally. The criteria in L2(1)(d)(iii) appear arbitrary and may cause harm in some contexts while producing sub-optimal outcomes in others.</p> <p>Locally prepared Design Codes or Design Guides are the appropriate mechanism for managing development in residential curtilages, as they can reflect local character, plot patterns and settlement form.</p>
<p>121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) If not, please explain how guidance could be clearer?</p>	<p>POS Position: Partly agree</p> <p>POS supports the principle of optimising density, but the policy needs to be more clearly linked to the purpose of planning and sustainable development.</p> <p>We reiterate our concern (see Q61) that requiring LPAs to allocate small sites (<1ha) places a significant burden on plan-making and risks undermining the 30-month timetable. A policy-based approach would be more proportionate.</p>

	<p>L3(2) should explicitly reference local design codes and guides, which are the correct place to address detailed density considerations. In already high-density areas, further intensification may not be appropriate.</p> <p>The policy should also define what constitutes a reasonable walking distance from a railway station—10–15 minutes is widely accepted as the threshold beyond which car use increases significantly.</p>
<p>122) Do you agree with the minimum density requirements set out within policy L3?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p> <p>b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence</p>	<p>POS Position: Partly agree</p> <p>The minimum density requirements in L3 are acceptable as a baseline, but our earlier concerns about the “one-size-fits-all” approach still apply (see response to Q11 and previous comments on L3). LPAs must be able to set higher or different densities where local evidence supports this, yet PM6(1)(c) currently prevents such local variation.</p> <p>It should be noted that while higher densities near stations are generally supported, this cannot be universally applied (see our comments on Q40). For example areas with:</p> <ul style="list-style-type: none"> • specific local housing need (e.g., family housing), • viability constraints, or • the presence of stations in less sustainable settlements <p>May mean the required densities may be undeliverable or inappropriate. Conversely, some locations could support much higher densities, but LPAs will be prevented from setting them due to national restrictions by PM6.</p>
<p>123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of ‘net developable area’ within the NPPF suitable for this policy?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p>
<p>124) Do you agree with the proposed definition of a ‘well-connected’ station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we’re using for the number of Travel to Work Areas and service frequency appropriate for defining a ‘well- connected’ station?</p>	<p>POS Position: Strongly agree</p> <p>Given the scale of this policy shift, development around stations should be addressed through standalone policy, bringing together the station-related elements currently dispersed across Policies S5, L3 and GB7 and should cover both plan-making and decision-making. Please also see our response to Q40</p>

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons and preferred alternatives.</p>	
<p>125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?</p> <p>Yes/No</p> <p>a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?</p>	<p>POS Position: No</p> <p>POS does not support extending national minimum density standards to additional location types. As noted in earlier responses, national density figures are inherently arbitrary—too low for some areas and too high for others.</p> <p>A better approach would be:</p> <ul style="list-style-type: none"> • include in the glossary (or an appendix) indicative density ranges for different development forms in different location typologies (urban/rural/countryside etc), • focus policy on demonstrating effective use of land, rather than prescribing fixed densities, • allow LPAs to exceed prevailing densities where appropriate, and • use tools such as PTALs (as in London) to identify areas where higher densities are genuinely supported by public transport accessibility and consequential reductions in car parking provision. <p>This provides clarity without imposing rigid national standards.</p>
<p>126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?</p>	<p>See response to question 125 above.</p>
<p>127) If so, what should that range be, and which locations should it apply to?</p>	<p>See response to Q125</p> <p>POS does not support defining additional national ranges. Density should be determined locally based on evidence, accessibility and character.</p>
<p>128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Strongly disagree</p> <p>Policy L4 should be deleted. Residential extensions are highly context-specific and are best addressed through locally prepared Design Codes or Design Guides, which can reflect:</p> <ul style="list-style-type: none"> • local character and typology, • block patterns and materials, • garden sizes and amenity, • access, parking and cycle storage.

	Paragraph 1 (b) is unclear about whether it applies to occupiers, neighbours or both, and the policy overall introduces unnecessary national prescription for small-scale matters that should remain local.
129) Please provide your reasons, particularly if you disagree.	<p>Policy on dwelling extensions should be set locally in local plans and, neighbourhood plans and though local design codes and guides. It is not practical to try and set a national policy on such a small development proposals that have only a very local impact where local conditions are likely to be the determining issues and can vary considerably from area to area.</p> <p>We are concerned about the phrase “Blend effectively with the existing building”. What about delivering good design? It should say something like, “<u>Responds to the character and appearance of the existing building and results in good design.</u>”</p> <p>The policy contains nothing about:</p> <ul style="list-style-type: none"> • Adverse impacts on the neighbours • Internal space standards – we have them for new builds but not for extensions – although they should be in the BR & not part of planning • Highway impacts
Chapter 13: Protecting Green Belt land	
130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts? <i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i>	POS Position: Strongly agree
131) Please provide your reasons, particularly if you disagree.	N/A
132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land? <i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i> a) Please provide your reasons, particularly if you disagree.	<p>POS Position: Partially agree</p> <p>The Green Belt is not an environmental policy – it is a spatial policy that restricts development and is fundamentally designed to, “prevent urban sprawl by keeping land permanently open”. A better description would be the “Urban Containment Zone”.</p> <p>POS is concerned that the introduction of the Grey Belt concept confuses the role of Green Belt and results in the haphazard release of Green Belt land that is seen as less good. This is not in the interests of sustainable development. At one level, all Green Belt land performs well because it stops urban sprawl due to the operation of Green Belt policy.</p> <p>POS has stated (POS Manifesto No 3: We need to talk about the Green Belt) its preferred approach is:</p> <ul style="list-style-type: none"> • meet housing need,

	<ul style="list-style-type: none"> • apply a brownfield-first strategy, • then, if there remains a residual need, undertake a strategic Green Belt review to identify the most sustainable sites, • and redraw the boundary accordingly. <p>The introduction of SDSs provide the right geography for this work and should lead it.</p> <p>It is noted that GB2 requires land to be assessed against the five Green Belt purposes, but Annexe E only addresses Grey Belt, and omits guidance on purpose (c) “safeguarding the countryside from encroachment”. This is a significant gap and must be corrected.</p> <p>Purpose 5 (“assisting urban regeneration”) is almost always scoped out in practice; the NPPF should state this explicitly.</p>
<p>133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the principle of development around stations, but this must sit within a strategic Green Belt review, not be treated as a standalone exception.</p> <p>The requirement for “exceptional circumstances” to alter Green Belt boundaries is unnecessary. Many boundaries are historic, arbitrary or based on convenience rather than policy purpose. The test should be whether the land fulfils Green Belt purposes, not whether circumstances are “exceptional”.</p> <p>Where Green Belt review is triggered by the need to meet housing need, the “exceptional circumstances” test should not apply. This should be clearly stated in the policy, which should read as follows:</p> <p>GB3: Altering existing Green Belt boundaries</p> <p>1. Green Belt boundaries should be altered through the preparation and updating of local plans where:</p> <p>a. This would enable the development of land around stations <u>there is a need to meet housing need in the area;</u> or</p> <p>b. exceptional circumstances are fully evidenced and justified.</p> <p>Development around stations must also be genuinely sustainable. Many Green Belt stations lack the services, facilities and infrastructure that “make a place”, and therefore cannot be considered sustainable in terms of the three objectives of sustainable development.</p>
<p>134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?</p>	<p>POS Position: Partly agree</p> <p>POS supports most of the expectations in GB5, but does not agree with GB5(1)(d).</p>

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	
<p>135) Please provide your reasons, particularly if you disagree.</p>	<p>If the approach that POS advocates was adopted, there would be no need to consider the need for compensation for Green Belt loss. In our approach the Green Belt is there as an Urban Containment Zone and when land needs to be released for development that is a normal part of the operation of Green Belt policy and that development is carried out sustainably and well. The notion of compensation implies that some harm has been caused, which feeds a development is always harmful narrative.</p>
<p>136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>POS supports the need for clear tests, but we have concerns about how some elements align with sustainable development.</p> <p>The re-use of isolated buildings in the Green Belt is problematic. Granting a presumption in favour of reuse—whether for housing or business—has already resulted in numerous isolated dwellings and commercial uses that are entirely car-dependent and therefore unsustainable. If a building in an isolated rural location is no longer needed, it should not automatically be considered suitable for reuse. This concern also applies to the equivalent exception in Policy S5.</p> <p>We also refer to our comments under Q137 regarding station-environs development, which must be considered through a strategic Green Belt review, not routine decision-making.</p>
<p>137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>See our response to question 133.</p> <p>POS considers that the release of land around stations should be part of a strategic review of Green Belt where it is necessary to meet housing need. Such development opportunities is very likely to be the type of location that is prioritised. POS does not consider that this should be a form of Green Belt release that occurs routinely through the DM process.</p>
<p>138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.</p>	<p>No comment</p>
<p>139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>Yes, but the policy needs to be clearer. The philosophy behind the Golden Rules is that as part of the Green Belt the “hope value” in the site should be £0 because of permanent Green Belt restrictions on development. When land is released from those restrictions it is a perfectly valid planning policy response to say that certain community benefits should be prioritised, hence the Golden Rules. This means that in a viability appraisal, the land value input should be a BLV which would be EUV+, with the + representing a modest premium for the landowner – POS would expect it to be a 2-figure % increase and certainly not a multiple of the EUV. The PPG guidance will need to make this clear.</p>

<p>140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?</p>	<p>See answer to question 139 – by carefully defining the BLV as POS has set out, these issues are largely resolved in any Viability Appraisal.</p>
<p>141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Partly agree</p> <p>Policy GB8: The Golden Rules – On a detail, in para 3 there is no “and” or “or” after para 3.a, which creates ambiguity. It is assumed this should be “or”.</p>
<p>142) Please explain your answer, including your view on the appropriate approach to setting a 'floor', and the right level for this?</p>	<p>As stated in previous answers, if the philosophy behind the Golden Rules was more clearly set out in the NPPF, and the expectation that in releasing land for development, the national planning policy priority is for the delivery of the specified community benefits before any large land-owner profits, this would better frame the consideration of these matters in the DM and appeal process.</p>
<p>143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please explain your answer.</p>	<p>POS Position: Strongly disagree</p> <p>POS considers 10x Existing Use Value (EUV) to be excessive for Green Belt land. This figure originates from the Letwin Review, which examined greenfield sites with a realistic element of hope value. Green Belt land, by contrast, is intended to be kept permanently open, and therefore cannot reasonably be assumed to carry hope value. Any uplift in value arises solely from planning policy decisions to release land.</p> <p>For these reasons, a tenfold increase in EUV is not justified for Green Belt land and risks inflating expectations, undermining plan-making and making delivery more difficult.</p>
<p>144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?</p>	<p>It must be remembered that the BLV is the land-owner's profit as the developer's profit will be contained within the standard Viability Appraisal. If government is concerned that land will not come forward because there is insufficient compensation for landowners, then CPO needs to be considered.</p> <p>POS has set out proposals (POS Manifesto No 7: Compulsory purchase: three essential improvements) :</p> <ul style="list-style-type: none"> • a targeted CPO test to release housing sites, and • a new Compulsory Selling Order (CSO) power • enabling LPAs to secure land without the financial complexities of traditional CPO. <p>In most cases, the credible threat of such powers would be enough to rebalance negotiations in the public interest.</p>
<p>145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt</p>	<p>POS Position: Partly agree</p>

<p>definition, without undermining the general protections given to other footnote 7 areas?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>While POS has wider concerns about the Grey Belt concept, the proposed changes are a sensible improvement and should reduce inconsistency in decision-making. However:</p> <ul style="list-style-type: none"> • The Planning Practice Guidance needs to be clearer on how to assess land against Green Belt purposes, as current practice allows too much subjective judgement. • Additional guidance is needed on what constitutes a town or village, as this affects Grey Belt classification. • The definition must operate consistently in both plan-making and decision-making contexts.
<p>Chapter 14: Achieving well-designed places</p>	
<p>146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly Agree.</p> <p>A welcome move from the requirement in the LURA for authority wide design codes to a more flexible approach with design guides, codes and masterplans required where appropriate for new allocations and areas of significant change.</p>
<p>147) Do you agree with the approach to design tools set out in policy DP2?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly Agree.</p> <p>We welcome this change for greater flexibility allowing use of appropriate design tools according to the situation. This chapter is quite refreshing and generally links well to the National Model Design Code and the Design and Placemaking ppg. The dropping of the very vague term “beauty” is particularly welcomed.</p>
<p>148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>DP3 is generally sensible and we welcome the clear national expectation it sets for design quality. However, two points need strengthening.</p> <p>First, the NPPF must make clearer that any “presumption”, “default yes” or similar language applies only to the principle of development. Decisions must always remain subject to meeting all other relevant NDMPs, including DP3. This point is set out in our response to Q36.</p> <p>Second, while DP3 provides a strong national framework, several refinements would improve clarity and completeness:</p> <ul style="list-style-type: none"> • Climate (C): add reference to using street and public-realm trees to provide shade, shelter and microclimate benefits as well as supporting wildlife and the subjective wellbeing of residents and visitors. • Movement (E): include the need for a permeable network of safe streets and spaces with good connections to the wider settlement.

	<ul style="list-style-type: none"> • Built form (F): add reference to using landmark buildings or uses to support legibility. • Identity (H): emphasise locally distinctive, characterful development to avoid placelessness. • Safety and inclusion: DP3 should explicitly ensure design policies address natural surveillance, lighting, legibility, accessibility and management in ways that respond to people’s lived experience of public space. This is particularly relevant to addressing Violence Against Women and Girls objectives
<p>149) Do you agree with the proposed approach to using design review and other design processes in policy DP4? <i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) If not, what else would help secure better design and placemaking outcomes?</p>	<p>POS Position: Strongly agree</p> <p>POS supports the approach in DP4 and particularly welcomes the emphasis on preventing quality-creep during implementation, which is essential for securing genuine design quality.</p> <p>To strengthen the policy further, POS recommends two additions:</p> <ul style="list-style-type: none"> • Early community engagement: Before point (a), add a requirement for developers to <u>engage with town and parish councils and local communities</u> to understand how neighbourhoods function, what is valued locally, and the issues and opportunities that design should address. This fosters ownership, stewardship and long-term support for new development. • Long-term stewardship: After point (c), add a new point (d) <u>requiring arrangements for the long-term maintenance of public spaces and community buildings, and encouraging models that support community stewardship</u>. This ensures placemaking becomes place-keeping, securing quality over time. <p>These additions would help DP4 deliver better design outcomes and stronger, more resilient places.</p>
<p>Chapter 15: Promoting sustainable transport</p>	
<p>150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan- making? <i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS strongly welcomes the shift from a predict-and-provide model to a vision-led approach, and we support the overall direction of TR1. The ability in TR1 (2) for LPAs to set thresholds for “significant movement” based on local circumstances is also helpful.</p> <p>However, two clarifications are needed:</p> <ul style="list-style-type: none"> • Sustainable transport and isolated buildings: As noted in earlier responses, allowing the reuse of isolated rural buildings does not generally support sustainable transport objectives. While some conversions may provide local services or low-cost employment space, in most cases they increase car dependency and conflict with the intent of TR1. • Guidance on “vision-led” planning: The policy would benefit from clearer national guidance on what a “vision-led” approach means in practice and how it should be embedded in

	<p>development plans. This is particularly important given the cultural shift required across the transport and highway engineering professions.</p> <p>Overall, the direction of travel is positive, but further clarification will help ensure consistent and effective implementation</p>
<p>151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS broadly supports the balance struck in TR2, but we recommend a small refinement to strengthen the policy's intent.</p> <p>TR2(3)(c) should explicitly recognise opportunities to reduce car ownership and car use, not just reflect existing ownership levels. This could be achieved by wording along the lines of:</p> <p><u>“Local car ownership levels and travel trends, and opportunities to reduce car ownership and car use, including schemes that may reduce parking demand or support shared mobility.”</u></p> <p>This avoids naming specific schemes (e.g., car clubs), which have had mixed success, while still supporting innovation and flexibility.</p> <p>We also note:</p> <ul style="list-style-type: none"> • Managing parking at destinations (e.g., workplaces, town centres) is often more effective in reducing car use than restricting residential parking alone. • Up-to-date travel trend data is currently difficult to obtain, particularly given limitations in Census 2021 travel-to-work data. National guidance should acknowledge this constraint. <p>Overall, TR2 is sensible, but a clearer reference to reducing car ownership and car use would strengthen its alignment with sustainable transport objectives.</p>
<p>152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the intent of TR3, but several refinements are needed.</p> <ul style="list-style-type: none"> • Vision-led alignment: TR3(1) should refer to the vision for the area, not just the site, to maintain a clear link back to the vision-led approach in TR1. • Rural connectivity: TR1 (d) should be amended to include walking, and to recognise that existing routes may not be safe but could be improved. This would also align with TR8 on PRow.

	<ul style="list-style-type: none"> • Connectivity Tool limitations: The DfT Connectivity Tool works well in cities but is less effective in rural and semi-rural areas with limited transport options. Further development is needed to ensure consistent national application. • Safety and inclusion: TR3 should explicitly recognise that perceived safety, particularly for women, strongly influences travel choices and must shape the design of routes, interchanges and infrastructure. <p>Overall, the direction is sound, but clarity and refinement are required</p>
<p>153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>TR4 is broadly sensible, but several small amendments would improve clarity, consistency and alignment with TR1.</p> <p>Correct the typo in (a): “to facilitating” → “to facilitate”.</p> <ul style="list-style-type: none"> • Strengthen wording for readability and consistency, for example: <ul style="list-style-type: none"> • TR4 (1a) ‘..and second –so far as possible– to facilitating easy access to existing or proposed high quality public transport, where appropriate, with layouts and densities which maximise the catchments for bus and other public transport services; ‘ • TR4 (1b) ‘...which are adequately lit, and sufficiently secure, together with and accessible and secure cycle parking,’ • TR4 (1c) ‘...between pedestrians, cyclists, wheelers, and vehicles...’ • TR4 (1e) ‘Provide a suitable an appropriate number of parking spaces where appropriate ... <p>Note that EV charging is now covered by Building Regulations, though commercial requirements remain inadequate.</p> <p>As with TR3, TR4 should recognise that perceived safety, especially for women, is essential to encouraging sustainable travel choices.</p>
<p>154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p>
<p>155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be</p>	<p>POS Position: Strongly agree</p> <p>Some suggested tweaks for clarity/dealing with typos/linking back to TR1 as per our earlier comments etc.</p>

<p>required, and for considering impacts on the transport network?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>TR6 (1b) ‘....monitored and managed....’</p> <p>TR6 (2) ‘Transport assessments and statements, and travel plans, should reflect the transport vision for the area development and how it is intended to be achieved.....’</p> <p>TR6 (4) ‘...and the promotion of sustainable modes of travel, and realising the transport vision for the area and the development itself.’</p>
<p>156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS broadly supports the approach in TR7, but we have concerns about the wording of TR7(1d). While policies should normally be positively framed, the current wording raises the question of what constitutes an “acceptable environmental effect” in relation to noise, air quality and other impacts.</p> <p>From a development management perspective, it would be clearer and more appropriate to state:</p> <p>“Would not result in an unacceptable impact in terms of noise, air quality, or other environmental effects.”</p> <p>This aligns with established planning practice and avoids ambiguity.</p>
<p>157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>POS supports the inclusion of a dedicated policy on Public Rights of Way (PRoW). A few refinements would improve clarity and effectiveness:</p> <ul style="list-style-type: none"> • TR8(1a) should be reworded for readability, for example: <ul style="list-style-type: none"> ○ <u>“Maintain, and where appropriate enhance, the existing network of Public Rights of Way within and in close proximity to the site, including through suitable diversions agreed with the highway authority.”</u> <p>Development can significantly increase use of the PRoW network, creating additional maintenance pressures. POS therefore recommends adding a new clause to TR8(1c):</p> <p><u>“Where development will result in increased use of the Public Rights of Way network, financial contributions should be sought to support the management of those impacts, proportionate to the scale and nature of the proposal.”</u></p> <p>These changes would ensure PRoW are properly protected, enhanced and maintained as part of sustainable development.</p>

Chapter 16: Promoting healthy communities	
<p>158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the overall intent of HC1, but several clarifications are needed.</p> <ul style="list-style-type: none"> • Developer contributions: HC1(1)(b) must be explicit that contributions can fund capital investment only, not operational expenditure. Recent High Court judgments confirm that operational costs for services such as the NHS must be met through taxation, not the planning system. • Community facilities: The policy should clarify that planning relates to the buildings and spaces from which services operate, not the staffing, vehicles or equipment required to run them. • Outdoor recreation: HC1(1)(d) needs a more nuanced approach for high-density urban areas, where traditional open-space standards cannot always be met. Streets, pocket parks, and high-quality public realm often play a more important recreational role than large parks. <p><u>General comments on this chapter</u></p> <p>Health, wellbeing and inclusion: the draft NPPF misses an opportunity to continue to embed health, wellbeing, social inclusion and fear-of-crime considerations across plan-making and decision-making.</p> <p>POS would like to refer MHCLG to the comments submitted by TfL regarding the prevention of violence against women and girls (VAWG), particularly in relation to policies HC1, TR3, TR4 and DP3. And the comments of the Health and Wellbeing Planning Network in relation to embedding health and wellbeing issues into the new NPPF.</p>
<p>159) Do you agree that Local Green Space should be 'close' to the community it serves?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p>
<p>160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS Position: Partly agree</p> <p>POS supports the intent of HC3 and HC4, but reiterates the point made under Q158: more homes do not automatically mean more people. In most cases, the population already exists and is simply forming new households or moving within the wider area. Only net population growth, as identified in the SHMAA, generates additional demand.</p>

<p>a) Please provide your reasons, particularly if you disagree.</p>	<p>The planning system should therefore plan for buildings and physical infrastructure, not operational funding, which is a matter for service providers.</p>
<p>161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term 'fast food outlets', and the types of uses to which it applies?</p>	<p>POS considers this issue is better addressed through licensing, not planning. The proposed policy:</p> <ul style="list-style-type: none"> • does not address existing outlets, • cannot distinguish between healthy and unhealthy operators, and • risks requiring LPAs to monitor menus, which is not the purpose of planning. <p>A licensing-based approach would more effectively target health outcomes and drive best practice. The Institute of Licensing supports this position.</p>
<p>162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the principle but recommends:</p> <ul style="list-style-type: none"> • HC6(1)(a) should require evidence that marketing was undertaken at a price reflecting the existing use, not speculative future value. • Flexibility is needed to identify other locally important facilities through Local Plans, including in areas with multiple facilities of the same type. • The definition of public service infrastructure in the glossary requires clarification. • Further clarity is needed on the role of Health Impact Assessments in plan-making.
<p>163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>The addition of "and/or" is sensible. However, HC7(a) should also require an assessment of local need, aligned with HC1, not solely evidence that land or buildings are surplus.</p>
<p>164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p>

Chapter 17: Pollution, Public Protection and Security	
<p>165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the overall approach in P1, but the policy should explicitly acknowledge that other consent regimes regulate operational pollution. LPAs must be able to rely on those regimes functioning effectively (as set out in NDMP DM7) and avoid duplicating controls that properly sit with environmental permitting or other regulatory systems.</p>
<p>166) Are any additional tools or guidance needed to enable better decision- making on contaminated land?</p>	<p>BR Approved Document C covers much of this and therefore POS questions, given NDMP D7, why it is being duplicated in the planning system.</p>
<p>167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>Policy P3(3) seems to be at odds with NDMP DM7: "Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively". If they do not operate effectively then the job of government is to change the legislation etc so that they do.</p>
<p>168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the general approach in P4, including the explicit reference to waste and infrastructure uses, which will help safeguard essential facilities such as railheads and wharves.</p> <p>However, while LPAs should be satisfied that mitigation measures are capable of being effective, their implementation should remain a private matter between developers, landowners and tenants. Planning enforcement should not be used to police private contractual arrangements.</p>
<p>169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p>
<p>170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?</p>	<p>POS Position: Strongly agree</p>

<p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	
<p>Chapter 18: Managing Flood Risk and Coastal Change</p>	
<p>171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>Coastal retreat is a significant issue in parts of the country and must be considered as a constraint when determining housing requirements within the SDS. The policy should reflect that this is an issue for both strategic policy making as well as local plan site allocations. It is suggested that further guidance is required to fully understand how these issues can be addressed in plan making.</p> <p>Partly agree. POS is concerned that Policy F3 is insufficiently clear in terms of the approach to be taken to developing the evidence base for plan-making. For example, the national coastal erosion risk map (NCERM) uses two time periods with the longer-term period running up to 2105 whilst Policy F3 (2a) makes reference to 'over the next century.' The specific time period should be included linked to the available evidence. In addition, clarity should be provided either in the NPPF, or NPPG in relation to the following: · Which of the climate scenarios (i.e. the Higher Central Allowance or Upper Central Allowance) should be used? · Should development plans be based on 'With Shoreline Management Plans Delivered' or 'No Future Intervention' recognising that there are unknowns regarding the availability of funding to be certain that Management Plan 'interventions' will be delivered? · Should buffers to Ground instability Zones be included? In addition to the comments above POS would recommend some amendments to the wording of the policy for the sake of clarity as follows: F3 (2) 'Inappropriate development in vulnerable coastal areas should be avoided when identifying suitable locations for development, so that impacts and/or risks arising from coastal change are not exacerbated.' The suggestion to remove the word 'coastal' reflects the fact that as per F3 (2a) reference is made to 'the coast, estuaries or tidal rivers'</p> <p>F3 (2c) 'Safeguard land that is, or is likely to be, required for the management and/or mitigation of risks management including through managed realignment.' It is noted that Policy F3 (1) makes reference to Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries. POS would suggest that a similar cross-boundary approach should be reflected in Policy F1 and F2 in recognition of that in order to fully assess flood risk and plan for flood risk management/mitigation the most robust and effective approach is to take a cross-boundary approach. Consideration in this regard should be given to taking a similar approach to that set out in the London Plan 2021 in relation to the 'Thames Policy Area' designation and the development of Joint Strategies. In addition, POS would recommend that consideration be given to encouraging a place-based approach to managing/mitigating flood</p>

	risk as articulated in the requirements set out in the Environment Agency's Thames Estuary 2100 Plan Riverside Strategy Approach.
<p>172) Do you agree with the proposed clarifications to the sequential test set out in policy F5?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Neither agree nor disagree.</p>
<p>173) Do you agree with the proposed approach to the exception test set out in policy F6?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>For the sake of clarity reference should be made in the title of the Policy to 'the exception test' recognising that Policy F5 is titled 'The sequential test.' For example, 'Development in areas at risk of flooding from rivers or the sea <u>and the application of the exception test.</u>'</p> <p>For consistency Policy F6 (1b) should be amended to 'In certain other circumstances <u>as set out</u> in Annex F, table 3).....'</p> <p>Policy (2b) '....or the nature of development has changed <u>significantly materially</u> from that <u>for</u> which <u>it</u> was allocated...' It is also noted that reference is only made to the introduction of a more vulnerable use. POS would suggest that consideration is also given to referencing quantum of development/site coverage.</p>
<p>174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>Whilst requiring development to be designed in accordance with National Standards is helpful for developers to be clear as to what is expected POS would suggest that the detailed design of such systems should be a matter for the Building Control regime.</p>
<p>175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>POS suggest some amendments to the wording of the policy for the sake of clarity, to provide greater opportunities to secure de-culverting, and to reflect the fact that, in some cases de-culverting may be inappropriate from a safety or stability perspective.</p> <p>F8 (3) 'Development proposals should not enclose existing watercourses where this is not already the case, unless there are compelling reasons to do so; and should <u>where possible</u> remove existing culverts and re-naturalise existing river channels, unless to do so would increase flood risk or result in <u>other safety, land stability or</u> environmental harm.</p>

<p>176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS would suggest that Policy F9 (2) could be clearer by taking, for example, the following approach:</p> <p><u>'2. Permanent new residential development (including through changes of use) is inappropriate within a Coastal Change Management Area or other areas shown as vulnerable to erosion on the national coastal erosion map. Other development proposals which meet the requirements of (1) above, time-limited permissions and site restoration conditions should be used where appropriate.'</u></p>
<p>177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?</p>	<p>See response to Q. 171 above. POS is of the view that the scenarios should form part of the approach to developing evidence to support plan-making.</p>
<p>178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to.</p>	<p>POS Position: Strongly agree subject to the following observations:</p> <ul style="list-style-type: none"> • It is not clear what is meant by an 'electric vehicle charging station.' A definition should be provided to differentiate this from an 'electric vehicle charging point' assuming that the two are different. This reflects the fact that the Building Regulations require the provision of electric vehicle charging points across a range of uses. As this the case this could result in the need for a greater number of developments being required to undertake the 'exceptions test' based on the knowledge that such provision will be required in due course. • The inclusion of land-raising (unless part of or enabling a development with a higher vulnerability classification) in the 'Less Vulnerable' classification would mean that the exception test is not required within Zones 1/2/3a but could potentially have flooding implications elsewhere.
<p>Chapter 19: Conserving and enhancing the natural environment</p>	
<p>179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly disagree</p> <p>POS supports the general approach to plan-making in N1, but we have strong concerns about N1(2), which prevents development plans from setting biodiversity net gain (BNG) requirements above the statutory 10% except for specific site allocations.</p> <p>The current Planning Practice Guidance already provides a robust and proportionate test for going above 10%—requiring evidence of local need, local opportunities and viability implications. This framework is sufficient to prevent unreasonable or undeliverable policies.</p> <p>A blanket prohibition on higher BNG standards (other than for site allocations) ignores the clear justification some areas have for exceeding 10%, including:</p>

	<ul style="list-style-type: none"> • Government's own ambition for protected landscapes to lead nature recovery, • the national target for 30% of land managed for nature by 2030, and • local circumstances where higher BNG is both justifiable and deliverable. <p>A more balanced approach would allow higher BNG requirements either for specific allocations or for defined areas or development types, provided they meet the same evidence and viability tests already set out in national guidance. This would better support nature recovery while maintaining consistency and deliverability.</p>
<p>180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?</p>	<p>10% BNG is an arbitrary figure and can be easily exceeded in some circumstances (especially in urban areas where the baseline is very low or even 0) and a significant constraint where the baseline is already quite high. POS would urge for a policy that states that BNG should be optimised on all sites through good design with 10% being the minimum unless it can be demonstrated that it is not practically achievable.</p> <p>Meeting the BNG obligations for sites that cannot reasonably achieve this on-site should be done in landscape-scale habitat banks or nature-based solutions. In this way great places with green and blue infrastructure and access to recreational areas can be achieved on-site and ensure we get good place making, as well as best results for nature recovery.</p>
<p>181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>POS supports the overall intent of N2 and welcomes the emphasis on protecting existing ecological features and applying the mitigation hierarchy.</p> <p>Two refinements are needed:</p> <ul style="list-style-type: none"> • N2(1)(f): Requirements, such as swift boxes and bat boxes, are important but are also codable and could sit within Building Regulations. • The policy's emphasis should be placed on protecting existing nesting and roosting sites, not just providing new ones. <p>N2(2) is strongly supported, as it retains the essential principle of avoiding harm before mitigation or compensation is considered.</p>
<p>182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, including how policy can be improved to ensure compliance.</p>	<p>POS Position: Strongly disagree</p> <p>POS is concerned that the proposed drafting represents a weakening of long-established protections for National Parks and other Protected Landscapes. Several elements dilute the clarity, hierarchy and strength of the current policy framework.</p> <p>1. Loss of the clear hierarchy of protection</p> <p>The shift from the current NPPF wording (para 189) to N4(1) significantly reduces the weight afforded to Protected Landscapes. The longstanding distinction—where National Parks and the</p>

Broads have the **highest status of protection**—has been removed. Reducing the system to two broad levels of weighting is too blunt and risks undermining the special status of these areas.

2. Removal of footnote 66 and the Defra Circular

The deletion of footnote 66, which referenced the **Defra 2010 Circular on National Parks and the Broads**, is a retrograde step. The Circular has been invaluable in linking planning decisions to statutory National Park purposes and is routinely used in Local Plan examinations and appeals. It is also unclear whether the Circular is intended to be superseded, as it is not listed among the documents to be withdrawn. The reference should be reinstated.

3. Terminology should align with legislation

The use of “**natural beauty**” rather than “landscape and scenic beauty” would better reflect statutory language and the Defra Circular.

4. Major development tests weakened

The changes in N4(2) materially weaken the long-standing presumption against major development in Protected Landscapes:

- Replacing “permission should be refused other than in exceptional circumstances” with “should only be supported” sends a mixed and softer message.
- The revised wording around exceptional circumstances—removing “and” and adding “to inform a decision...”—is unclear and risks misinterpretation.
- The introduction of mitigation and compensation in N4(3), supported by footnote 71, further dilutes the principle that major development should be **resisted** unless the strictest tests are met.

Taken together, these changes risk creating a policy environment where major development could be approved subject to mitigation, even where it is fundamentally inappropriate.

5. Positive element retained

N4(4), which repeats the current protections for the **setting** of Protected Landscapes, is welcome and should be retained.

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

POS Position: Agree

<p>184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?</p>	<p>POS notes N1 does not appear to provide for the interim situation before EDPs are in place where Local Plans will still need to include mitigation measures for some international habitats. Similarly, N6 at the development management stage only seems to envisage there being no harm to the integrity of a site or this harm being addressed by an EDP. Local mitigation strategies will still be required for some years to come whilst Natural England implements the EDPs, so this should be reflected in the wording of both policies.</p>
<p>Chapter 20: Conserving and enhancing the historic environment</p>	
<p>185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons.</p>	<p>POS Position: Strongly agree</p> <p>Section 102 strengthens the requirement for decision-makers to give special regard to preserving or enhancing designated heritage assets and their settings. This reinforces the weight already afforded to heritage in planning decisions and is fully supported</p>
<p>186) Do you have any evidence as to the impact of implementing the additional regard duties for development?</p>	<p>POS Position: Strongly agree</p> <p>It should not prove an additional procedural burden and is unlikely to material effect outcomes as these are matters that are given significant weight already in decision making.</p>
<p>187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p>
<p>188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>The two policies (HE4 & HE5) set out a clearer decision-making framework and the amendments to the current NPPF wording improves clarity.</p>
<p>189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial</p>	<p>POS Position: Strongly agree</p>

<p>weight", and in particular the interactions between this and the statutory duties?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>The changes are sensible. POS recommends renaming the policy to "HE6: <u>Decisions on proposals affecting designated heritage assets</u>" for clarity.</p>
<p>190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Partly agree</p> <p>The policies are generally sensible. However, POS has concerns about the Conservation Area wording:</p> <ul style="list-style-type: none"> • The phrase "its contribution to the significance of the conservation area as a whole" has been interpreted to mean that harm to the same building is given different weight depending on the size of the Conservation Area. • This is not logical and likely not the policy intention. Removing "as a whole" would avoid this unintended effect. <p>Policy HE9 is otherwise supported.</p>
<p>191) Do you have any other comments on the revisions to the heritage chapter?</p>	<p>None. The revisions provide greater clarity and represent a significant improvement.</p>
<p>Further Questions</p>	
<p>192) Do you agree with the transitional arrangements approach to decision- making?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS agrees with the intention of paragraphs 1–3, but we have several important concerns and recommended amendments to ensure the transitional arrangements operate fairly, proportionately, and in support of effective plan-making.</p> <p>1. National Development Management Policies (NDMPs) and local flexibility</p> <ul style="list-style-type: none"> • POS supports the principle in paragraph 1 that NDMPs should not be repeated or duplicated in Local Plans. However, NDMPs must not prevent local authorities from adopting different or more detailed policies where robust local evidence justifies doing so. In such cases, the appropriateness of a local variation should be tested through independent examination. • As set out in our response to Question 1, POS supports the introduction of statutory NDMPs only if they operate as a national baseline, not as a mechanism that automatically overrides Local Plans. The approach in LURA would create a rigid hierarchy in which NDMPs prevail in all circumstances, even where an Inspector has found a locally specific policy to be sound. This is neither proportionate nor effective. • We therefore propose a legislative amendment to s38(5C) to remove the blanket presumption in favour of NDMPs and instead ensure that the most up-to-date,

evidence-based policy prevails—whether national or local. This would allow NDMPs to strengthen the system without undermining legitimate local policy choices.

2. Concerns with Annex A, paragraph 2

- POS objects to the statement in Annex A, paragraph 2 that:

“development plan policies which are in any way inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this framework.”

- It is not clear though whether this applies to the whole of a policy where only some of the clause(s) are inconsistent with the NPPF. Clarification is sought on this. Overall this wording risks **entire policies** being given very limited weight even if only a single clause is inconsistent with an NDMP. This is disproportionate and would undermine sound, recently examined policies. Clarification is sought about whether partial inconsistency affects the whole policy. POS strongly recommends additional transitional arrangements will be necessary and suggested wording is provided below.

Recommended amendment to paragraph 2

- POS recommends the following revised wording:
- Development plan policies which are in any way inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where they are included within a recently adopted Local Plan* (in which case new paragraph 9 transitional arrangements will apply (see POS response below)) or have been examined and adopted against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.

3. Absence of transitional arrangements for new and very recently adopted plans

There are no transitional arrangements for:

- recently adopted Local Plans
- plans currently at examination
- plans progressing under the NPPF 2024 transitional arrangements

This creates a paradox. A significant number of new Local Plans will be examined and adopted under a framework that **permitted local development management policies and standards**, including local climate-related standards. Yet, without further transitional protection or the legislative change proposed above, these policies—despite being tested and found sound—would carry very limited weight in decision-making once the new NPPF is published. This will undermine confidence in the plan-making process, discourage LPAs from continuing with plans

under the 2024 transitional arrangements and create uncertainty for applicants, communities, and Planning Inspectors

Recommended new transitional paragraph (9)

POS proposes the inclusion of an additional transitional provision:

Annex A paragraph 9) Existing policies within Local Plans adopted up to a maximum of three years prior to publication of this NPPF or in those plans going through examination at the time of publication of this NPPF should continue to be given weight in decision-making. This transitional arrangement will be in place for a maximum period of 30 months from the publication date of this NPPF and will allow for policies to be reviewed in accordance with this NPPF within the statutory five-year review cycle.

This approach protects legitimate, recently examined local ambition while maintaining a clear pathway to national consistency and bridging the gap until updated Building Regulations and the Future Homes Standard take effect.

4. Absence of Transitional arrangements for SPDs and SPGs

POS is very concerned that Annex 1 contains **no transitional arrangements** to allow existing SPDs or SPGs to remain in force beyond June 2026. This will have significant unintended consequences, including policy gaps and uncertainty for applicants and communities.

We strongly recommend a **time-limited transitional period** to allow plan-making bodies to update or replace existing SPDs/SPGs, including through new SPs where appropriate.

5. Clarifying paragraph 3

POS suggests that paragraph 3 should be redrafted to provide clearer guidance on the circumstances in which **unmet need** is triggered for the purposes of policy S5(1)(j). The current wording is confusing and risks misinterpretation.

193) Do you have any further thoughts on the policies outlined in this consultation?

Policy HO11: Isolated homes in the countryside

POS welcomes the opportunity to comment on Policy HO11 and recommends the following amendments to improve clarity, consistency and effectiveness:

- HO11(1)(a) should state that “There is **a clearly evidenced an essential functional** need ...” This avoids LPAs being drawn into personal circumstances (e.g., “my son/daughter needs a home”), which are not appropriate grounds for isolated dwellings.
- HO11(1)(e) POS questions whether this long-standing policy remains appropriate.

It is highly subjective – one person's "exceptional design" is another's "blot on the landscape" and it does not contribute meaningfully to rural housing delivery.

Isolated homes in the countryside are defined in Policy S5 (3) it is suggested that the definition is repeated in HO11(1)e)

Policy HE7 Non designated heritage Assets

For consistency, POS recommends retitling HE7 to:

- "HE7: Decisions on proposals affecting non-designated heritage assets."

Minerals Chapter

POS notes that no specific consultation questions have been asked on the Minerals Chapter but wishes to raise several concern about those changes in this consultation.

The introductory paragraph inserts the text: 'while at the same time restricting specific types of minerals development that could harm environmental objectives'. We assume this is designed to refer to coal, oil and gas, but could be taken to mean other mineral extraction and therefore clarification is required in this paragraph as to what specific types of mineral development that could harm environmental objectives are being restricted. We are concerned that this general wording could be viewed as a reason to restrict a wider range of minerals development than is intended.

We are concerned that the chapter no longer states that minerals are essential, when minerals supply is essential to the achievement of the goals set out in the NPPF, and this recognition should be reinstated in the objective of Chapter 11.

Policy M1

We are concerned that Policy M1 (4) no longer refers to 'as far as practicable' in the statement that policies should take account of the contribution that substitute or secondary and recycled materials and minerals waste can make to supply, in preference to the extraction of primary materials..." The removal of the words 'as far as practicable' does not recognise that the data available on secondary and recycled materials are limited and therefore it is difficult for Mineral Planning Authorities to reduce the forecast need for primary mineral extraction on this basis. For example, the data available from the Environment Agency's Waste Data Interrogator refers to the quantity of inert/C&D waste that is managed at facilities, and this does not directly relate to the quantity of recycled aggregates that are produced from that waste.

Footnote 40 states that the assessment of the provision needed for aggregate and industrial minerals may, where appropriate, be undertaken and set out through the preparation of SDSs, but does not set out when this would or would not be appropriate to occur, which risks minerals being omitted from SDSs. Aggregate minerals, in particular, will be required to enable the other growth contained in the SDSs to be built. Therefore, our preference is for 'where appropriate' should be deleted from the PM1 (f). If 'where appropriate' is retained in PM1 (f) then the NPPF needs to set out when it would not be appropriate for an SDS to include minerals. Due to the

lack of up-to-date aggregate guidelines (which were last published in 2009 and covered the period to 2020) and imminent local government reorganisation, it is very likely that there will be new unitary authorities responsible for minerals planning that do not have aggregate guideline figures or 10-years' worth of minerals production data for their unitary authority area. In this situation, it will be very important for the SDS to include the provision of minerals between unitary authorities so that a sufficient supply of minerals will be planned for in new minerals local plans.

Policy M1 Industrial minerals

Policy M1 (3) (a) states that the development plan should use evidence of existing capacities and demand to identify the level of provision needed for industrial minerals. This does not recognise that there is no requirement for industrial mineral operators to provide this information to the MPA and where it is published nationally it is often marked as commercially confidential due to the limited number of operators. For example, In Norfolk the single silica sand operator provides the authority with annual landbank figures and a 10-year and 3-year production average figure each year on our request. They do not provide an annual production figure.

M1(3) (b)(i) states that the development plan should maintain reserves of at least 10 years for individual silica sand sites. This is not realistic or deliverable because the current wording of 'individual silica sand sites' is unclear as to what is meant - 'site' could refer to a single mineral working or extraction area and the draft wording is therefore stating that one of these should contain a 10-year reserve, which is not always likely or feasible. It could also refer to the 'processing plant site'. The silica sand reserve to support a plant site is likely to be provided by multiple extraction areas, particularly where the sand quality varies between sites and blending is required. In Norfolk, for example, there has not been a 10-year land bank of silica sand since 2007 as this is reliant on the silica sand operator submitting planning applications and gaining approval. In Norfolk there is only one silica sand operator. This is also the case in some other Mineral Planning Authorities.

Policy M1 (3) (b) (ii) refers to ensuring the capacity of operations are maintained with reserves which are sufficient to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment. Therefore, Policy M1 (3) (b) (i) should also link the need for 10 years of reserves to extraction areas / mineral workings to support a plant site, instead of referring to 'individual silica sand sites'.

MP1 (3) (b) should be amended to state:

"Maintain reserves of: (i) at least 10 years for silica sand to maintain an existing plant, and at least 15 years where significant new capital is required. (ii) at least 15 years for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant; and"

	<p>We are concerned that the NPPF in Policy M1 (3) (a) only refers to allocating specific sites or preferred areas for industrial minerals and no longer includes areas of search or locational criteria. Mineral Planning Authorities may be unable to allocate sufficient specific sites or preferred areas for silica sand in their minerals local plans because a single operator may not promote any suitable sites and therefore areas of search and locational criteria may have to be the chosen policy approach. Areas of search and locational criteria should be included in M1 (3) (a).</p> <p><u>Healthy Place-Making</u></p> <p>POS is concerned that the proposed NPPF weakens the approach to healthy place-making developed in previous frameworks. The removal of paragraph 96 on health inequalities is a significant omission and conflicts with the requirements of section 12G of the Planning and Infrastructure Act, particularly in relation to SDSs. Health considerations must be integrated across planning policy, not diluted.</p>
<p>194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>This is very helpful and MHCLG should seek to maintain an approach where all national planning policy is in the NPPF and where future WMS are issued, they should be incorporated into a subsequent NPPF. It would be helpful for MHCLG to confirm in the new NPPF when published that this will be the approach and whether there are any other WMS in existence that need to be taken into account.</p>
<p>Annex A - Data Centres and onsite energy generation</p>	
<p>195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please give reasons.</p>	<p>POS Position: Strongly Agree</p> <p>This is consistent with our comments on the NSIP consultation paper</p>
<p>196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial?</p>	<p>POS Position: Strongly Agree</p> <p>This is consistent with our comments on the NSIP consultation paper</p>

<p>Yes/No</p> <p>a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.</p>	
<p>197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.</p>	<p>In this context the issue is that the energy infrastructure is being provided for the data centre because a suitable grid connection isn't available. Therefore, it is not about a spatial relationship, but a functional one.</p>
<p>198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres?</p> <p>Yes/No</p> <p>a) Please provide your reasons.</p>	<p>POS Position: NO</p> <p>POS reiterates its comments to the NSIP consultation paper was that the threshold should not be increased because smaller projects can have big impacts on local communities, and so any increase should just be related to the needs of data centres.</p>
<p>199) What benefits or risks do you foresee from making this change? Please provide your reasons.</p>	<p><i>POS reiterates its comments to the NSIP consultation paper was that the threshold should not be increased because smaller projects can have big impacts on local communities, and so any increase should just be related to the needs of data centres.</i></p>
<p>Annex B - Viability: Standardised inputs in viability assessment</p>	
<p>200) Would you support the use of growth testing for strategic, multi-phase schemes?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please explain your answer.</p>	<p>POS Position: Partially agree</p> <p>POS considers that it is essential to do so. However we would urge government to consider a different and more responsive approach which we have set out in our response to Mayor of London's consultation on the draft London Plan Guidance: Support for housebuilding (November 2025). It states with reference to the Fast Track Affordable Housing (35%) policy:</p> <p>POS considers that it is possible to have a FT AH policy that is flexible and responsive to the market. We recommend a Dynamic Viability Model where the FT AH % is reset annually using the following published market data:</p> <ul style="list-style-type: none"> • Change in house prices (House Price Index) • Change in construction costs (BCIS Index) <p>The movement of these two key indicators in the previous 12-month period can be used to assess changes in viability and thereby reset the FT AH % so that it remains responsive to market conditions.</p> <p>This approach could equally apply to AH policies in Local Plans with a viability tested AH % set in the plan but reviewed annually (via the Monitoring Report) to be reset against any movement in the two published data sets.</p>

<p>201) Would you support the optional use of growth testing for regeneration schemes?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please explain your answer.</p>	<p>Yes</p>
<p>202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market-led development.</p>	<p>POS does not have a strong view between a range or a single figure, but on balance would go for the latter with an evidenced, special circumstances proviso and a clear indication of what an upper limit might be.</p>
<p>203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?</p> <p>a) Please explain your answer. The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.</p>	<p>POS considers that the important point is not whether particular site types, tenures, or development models might require alternative, lower figures but to understand why these other development types usually have a lower figure for the developer's profit in a viability appraisal. The reason is that they are seen as less risky types of development and therefore a "normal" profit level (generally around 5%) is expected because no problems are expected to arise. The 15 to 20% developer's profit figure used for market housing is at that much higher level because of the risks associated with that development type.</p> <p>It is therefore important that when a planning permission has been granted and a developer is seeking changes to their obligations because they claim it is no longer viable, that the viability appraisal used to test this must consider the expected developer's profit correctly. Because we are dealing with a scenario where the anticipated risks have materialised, it cannot be right that the figure for the developer's profit remains at 15-20%. A more normal profit level of 5% should be used to enable decisions about reducing AH to be made. Otherwise the planning system is facilitating the foregoing of necessary community benefits to enable "super profits" to be made by the housebuilder.</p>
<p>204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?</p>	<p>The Viability Annex should contain the explanations and policies set out in the previous answer.</p>

<p>a) Please explain your answer.</p>	
<p>205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?</p>	<p>POS considers that GDV should be the metric that is used and advice on what components should go into it are essential. For example, how are matters such as demolition, contamination clear-up and site holding costs dealt with, and crucially, how are they represented in the EUV. A clean and cleared site is more valuable than one that has significant site clearance and clean-up costs and this must be properly reflected in its EUV.</p>
<p>206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please explain your answer.</p>	<p>POS Position: Strongly disagree</p> <p>In POS's experience the alternative metrics (Internal Rate of Return or Return on Capital Employed) are less transparent and far more difficult to ensure that they are not being manipulated. We strongly urge MHCLG to stick with GDV.</p>
<p>207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?</p> <p>a) Please explain your answer.</p>	<p>No.</p>
<p>208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) In what circumstances might a premium, or the usual premium, not be required?</p> <p>b) What impact (if any) would you foresee if this change were made?</p>	<p>POS would refer to its replies to question 77 in Chapter 6: Delivering a sufficient supply of homes and questions 139 & 143 in Chapter 13: Protecting Green Belt land and the need to set expectations at a reasonable level. It is also important to make sure that EUV is properly calculated and takes account of a site's condition. As stated in our answer to question 205, a clean and cleared site has a higher value than one that has site clearance and clean-up costs and this must be properly reflected in its EUV.</p>
<p>209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please explain your answer.</p>	<p>POS Position: Strongly agree</p> <p>POS considers that AUV can only be relevant when the following conditions are met:</p> <ol style="list-style-type: none"> 1. That it has an extant planning permission, or it is a use which would fully comply with up-to-date development plan policies, including any policy requirements for contributions towards affordable housing, infrastructure and other planning obligations; 2. There is clear evidence that the alternative scheme is implementable; and

	<p>3. There is a full explanation as to why it is not being implemented and another, less valuable, development is being sought.</p> <p>There must be a full and transparent explanation as to why the alternative development is not being pursued.</p>
<p>210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used? Decision maker discretion / Another metric / Neither</p> <p>a) If another metric, please set out your preferred approach and rationale.</p>	<p>Decision maker discretion and as outlined in our previous answer.</p>
<p>211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?</p>	<p>Market evidence can only be relevant where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The development is comparable in all material respects: for example: <ul style="list-style-type: none"> - location can affect values even in the same area (eg a site within walking distance of a public transport node will command more than one that requires a car or bus journey) - flats higher up a block will usually command more per m² than those on lower floors - the quality and standard of finish, plus services provided can effect values 2. The development must be comparable in terms of its planning policy compliance. <p>Without these safeguards past inflated land values (on non-policy compliance schemes) can become baked in and the lessons from the Parkhurst case could be lost.</p> <p>It is also important that these factors are considered when calculating the expected sales figures as an input into viability appraisals.</p>
<p>212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context.</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please explain your answer.</p>	<p>Yes, but this can only be helpful if they are comparable, as set out in our answer to the previous question.</p>
<p>Annex C - Reforming Site Thresholds</p>	
<p>213) Do you agree that a 2.5 hectare threshold is appropriate?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p>	<p>POS members are concerned that the proposed 2.5-hectare threshold is arbitrary and bears no meaningful relationship to modern field sizes or typical land parcel patterns. In practice, this threshold introduces unnecessary complexity and does not reflect how land is assembled or brought forward for development.</p>

<p>a) Please provide your reasons, particularly if you disagree.</p>	<p>The critical determinant should be the number of homes, not the size of the land parcel. POS recognises that in low-density areas—particularly where on-site requirements such as open space, drainage or biodiversity enhancements are needed—a 1-hectare threshold may be too small. However, this does not justify introducing a 2.5-hectare figure that lacks a clear evidential basis or practical relevance.</p>
<p>214) Do you agree that a unit threshold of between 10 and 49 units is appropriate? <i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p>
<p>215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development? Yes/No</p>	<p>The risks outlined in the preamble to the question are real and need to be considered carefully.</p>
<p>216) If so, please explain your answer and provide views on potential mitigations.</p>	<p>The only effective solution is a clear NDMP that allows for planning applications to be refused where the LPA considers that either the site is part of a larger site and should come forward comprehensively or a site is being developed at a sub-optimal density or contains large units for which there is less of a need for and therefore represents a lost opportunity to provide more housing.</p>
<p>217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation? a) Please provide your reasons.</p>	<p>It seems sensible to align all regimes.</p>
<p>218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption? a) Please provide your reasons.</p>	<p>It clearly assumes an average house size of 3 bedrooms, which is reasonable.</p>
<p>219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.</p>	<p>No, because the NPPF definition is centred primarily on the size of the development, rather than the site.</p>

<p>220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.</p>	<p>None.</p>
<p>221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.</p>	<p>No specific views.</p>
<p>222) Do you agree with the proposal to extend the Permission in Principle application route to medium development?</p> <p><i>Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.</i></p> <p>a) Please provide your reasons, particularly if you disagree.</p>	<p>POS Position: Strongly agree</p> <p>POS has stated for many years that it considers that PiPs should be available as an application route for all developments and its restriction to up to 9 dwellings should be scrapped. Therefore we do not object to the proposed changes but would encourage MHCLG to go further as we have advocated.</p>
<p>223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?</p>	<p>A short planning statement setting out NDMP/development plan policy compliance, demonstrating that the quantum of development can be acceptably accommodated within the site and that it should have no adverse impacts on the vicinity should be required.</p> <p>POS has also stated in the past that it would recommend replacing the Brownfield Register PiP approach to one where all specific allocations in a development plan would benefit from PiP. This would deal with the situation that can occur where objectors get "2 bites of the cherry": they object to the allocation and then to the application for planning permission. Our recommendations would speed up the planning process.</p> <p>With these changes in place, POS further recommends that the need for a specifically defined application for outline planning permission evaporates. In its place, in addition to PiPs, an applicant would be able to submit with an application for planning permission what information they consider necessary with the LPA having a power (similar to Article 5(2) of the DMPO) to notify the applicant that they are unable to determine it unless further details are submitted. Applicants should, as now, be encouraged to agree with the LPA what needs to be submitted with an application in the pre-application stage.</p>
<p>Public Sector Equality Duty</p>	
<p>224) Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic?</p>	<p>It would be helpful to have some guidance on the approach to the Public Sector Equality duty when dealing with planning applications in the NPPF or PPG.</p> <p>This is often raised in public representations on planning applications.</p>

a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.	
225) Is there anything that could be done to mitigate any impact identified?	N/A