



Supplement for

OVERVIEW AND SCRUTINY COMMITTEE - MONDAY, 2 SEPTEMBER 2024

Agenda No	Item
-----------	------

- | | |
|-----|---|
| 11. | National Planning Policy Framework Consultation and the Implications for Cotswold District 3 - 8 |
|-----|---|

This supplement contains the report concerning the Council's response to the UK Government's National Planning Policy Framework Consultation. The report was first published as part of the Cabinet agenda for Thursday 5 September 2024, after the publication of the pack for the meeting.

Purpose

To advise Cabinet of the current NPPF consultation and agree proposals for submission of a consultation response on behalf of the Council.

Recommendations

1. Note the report
2. Agrees any recommendations it wishes to submit to Cabinet on 5 September 2024.

Invited

Councillor Juliet Layton – Cabinet Member for Planning and Regulatory Services
Matthew Britton – Interim Forward Planning Lead

This page is intentionally left blank

Agenda Item 11



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET – 5 SEPTEMBER 2024
Subject	NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION AND THE IMPLICATIONS FOR COTSWOLD DISTRICT
Wards affected	All
Accountable member	Councillor Juliet Layton Cabinet Member for Planning and Regulatory Services Email: juliet.layton@cotswold.gov.uk
Accountable officer	Jon Dearing – Interim Executive Director Email: jon.dearing@publicagroup.uk
Report author	Matthew Britton – Interim Forward Planning Lead Email: matthew.britton@cotswold.gov.uk
Summary/Purpose	To advise Cabinet of the current NPPF consultation and agree proposals for submission of a consultation response on behalf of the Council.
Annexes	None
Recommendation(s)	That Cabinet resolves to: 1. Delegate the submission of the Council response to the Interim Forward Planning Lead in consultation with the Cabinet Member for Planning and Regulatory Services.
Corporate priorities	<ul style="list-style-type: none"> • Responding to the Climate Emergency • Delivering Housing • Supporting Communities • Supporting the Economy
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Strategic Housing Manager, Local Management Team



1. BACKGROUND

- 1.1** The Government is consulting on a series of proposed changes to national planning policy. This includes specific changes to the National Planning Policy Framework (NPPF) and broader reforms relating to planning fees, local plan intervention and the thresholds used for determining applications under the Nationally Significant Infrastructure Project (NSIP) regime.
- 1.2** The consultation runs from 30 July – 24 September 2024 and the Government has indicated that a new version of the NPPF will be published later in 2024.
- 1.3** The purpose of this report is to provide an overview of the proposed changes highlighting, where possible, any implications for Cotswold District.
- 1.4** Since 2020, Cotswold District Council has been preparing a Partial Local Plan Update, primarily to make the adopted Cotswold District Local Plan (2011-31) 'green to the core'. This has already undergone two Regulation 18 consultations, the last being between February and April 2024.
- 1.5** In January 2024, the Council also began a Local Plan Development Strategy and Site Allocations Plan (2026-41). This will set new requirements for different types of development, green space, and supporting infrastructure, amongst other things. It will also set out how and where these requirements will be delivered. This Local Plan underwent its first Regulation 18 consultation between February and April 2024.

2. MAIN POINTS

- 2.1** The following provides a summary of the national planning policy consultation proposals. It does not provide an exhaustive list of every proposal and instead focusses on the issues that are most important to Cotswold District.
- 2.2** In summary, the consultation proposals have the following significant implications for the district:
 - i.** Councils at the Regulation 18 stage of their Local Plan (such as Cotswold) will have to prepare their plans against the revised NPPF and progress as quickly as possible.
 - ii.** The requirement for social rented housing from new developments would be increased, and First Homes would be removed as an affordable housing tenure. The consultation also seeks views on the most appropriate way to promote high percentage social rent / affordable housing developments. Delivering more affordable housing, particularly social rented housing, is a Council priority and these changes are welcomed.
 - iii.** The consultation proposals include various changes to national Green Belt policies, including introducing the concept of 'grey belt' land within the green belt. Cotswold



District has a relatively small amount (around 100 hectares) of Green Belt land, so is largely unaffected.

- iv. The number of homes the Government calculates to be needed in the district would increase from 504 to 979 homes a year (equating to 14,685 homes over the Council's new Local Plan period between 2026 and 2041). This is due to the Government proposing to introduce a new 'standard methodology' for calculating housing need – a centrally determined, two-step calculation of the number of homes needed in each local planning authority area.
- v. The housing need figure would become a mandatory starting point for determining the Local Plan housing requirement. The Council would no longer be able to use an alternative 'housing need' methodology even where there appear to be exceptional circumstances for doing so. It is anticipated that many rural local authorities will have higher housing requirements as a result.
- vi. The Council would, however, be able to justify a lower housing requirement in its adopted Local Plan based on hard constraints that restrict land and delivery, such as the Cotswolds National Landscape, protected habitats and flood risk areas. To do so, the Council would need to demonstrate it has taken all possible steps and exhausted all options before a lower housing requirement could be justified – for example, optimising density and sharing the housing need with neighbouring authorities.
- vii. The Council would no longer be able to count past over-delivery of housing in the adopted Local Plan period against its future housing requirement.
- viii. The requirement for a 5% buffer on the 5 year housing land requirement would be re-introduced. The requirement for a 20% buffer on the 5 year housing land requirement would also be retained where there has been "significant under delivery" of housing¹.
- ix. No transitional arrangements are proposed to enable Local Planning Authorities to plan for the revised housing need calculations or adjust to the reintroduction of the 5% buffer on the 5 year housing land requirement. It is anticipated that some local authorities will be unable to demonstrate a 5 year housing land supply as a result, although the Government says, "This is necessary to ensure that we urgently address the issue of chronic undersupply of land that has underpinned the housing crisis and support our drive to deliver 1.5 million new homes over the next five years."
- x. There would be a change to the 'presumption in favour of sustainable development', which applies when councils do not have a 5 year housing land supply or where housing delivery is below 75% of the requirement over the previous 3 years. The change clarifies what policies are 'most important' in the assessment of housing schemes,

¹ Defined as being where the number of homes delivered in a local planning authority area falls below 85% of the housing requirement / housing need figure (whichever is applicable) over the previous three-year period.



which will be the development plan policies “for the supply of land”. A new footnote explains further that these are policies “which set an overall requirement and / or make allocations and allowances for windfall sites for the area and type of development concerned.” Explicit reference would also be added to the need to consider policies “for the location and design of development” and “for securing affordable homes”, when the presumption is engaged.

- xi. It is proposed to strengthen expectations that plans should promote an uplift in density in urban areas.
- xii. Brownfield (previously developed) land “within settlements” would become “acceptable in principle” for homes and other development needs. No definition of ‘a settlement’ is provided for the application of this policy, which could enable developments in inaccessible locations. The Government also asks whether agricultural hardstanding and glasshouses should be classified as ‘brownfield land’.
- xiii. Local planning authorities and county councils will continue to be under a duty to co-operate with each other and new mechanisms would be introduced to strengthen cross-boundary strategic planning. Once matters for collaboration have been identified, authorities would need to make sure that their plan policies are consistent with those of other bodies where a strategic relationship exists on these matters, and with the relevant investment plans of infrastructure providers, unless there is clear justification to the contrary.
- xiv. There is increased support for onshore renewable energy schemes and the updated NPPF would direct decision-makers to give “significant weight” to the benefits associated with renewable and low carbon energy generation, and proposals contributing to meeting a net zero future.
- xv. The Government proposes to clarify that “significant weight” should be placed on the importance of facilitating new, expanded or upgraded public service infrastructure when considering development proposals. This is a particular issue in Cotswold District, for example, in locations wastewater treatment / recycling infrastructure require upgrading.
- xvi. The Government has confirmed it will not implement the Infrastructure Levy as introduced in the Levelling-Up and Regeneration Act 2023.
- xvii. Rather than district-wide design coding, the Government proposes to focus on the preparation of localised design codes, masterplans and guides “for areas of most change and most potential”.
- xviii. The consultation proposals do not include the National Development Management Policies (NDMPs), which are set to take precedence over local and neighbourhood plans where they conflict with national policy. However, the Government says it plans



to implement the new plan-making system as set out in the Levelling Up and Regeneration Act from summer or autumn 2025, which does include NDMPs.

3. CONSULTATION RESPONSE

- 3.1** A NPPF consultation response will be prepared and submitted on behalf of the Council by officers working closely with the Cabinet Member for Planning and Regulatory Services.
- 3.2** An accompanying letter will be prepared and submitted to the MHCLG / Government, outlining the Council's support for consultation proposals, as well as any key concerns the Council may have.
- 3.3** Officers will reflect on the key risks for the Local Plan Update and decision making on planning applications, and how these can be mitigated / resolved. Any suggested changes in the Council's Local Development Scheme would be brought to Cabinet for approval.

4. ALTERNATIVE OPTIONS

- 4.1** Cabinet may choose not to respond to the consultation. However this is not recommended given the implications for the Council outlined in paragraph 2.2.

5. FINANCIAL IMPLICATIONS

- 5.1** Whilst the consultation response does not have any direct financial implications for the Council it is likely that additional work may be required to amend the Local Plan. The financial impact of such changes will be brought forward for consideration once the impact has been established.

6. LEGAL IMPLICATIONS

- 6.1** The main legal implications concern the impact of the consultation proposals may have on the timetable for implementation of the new Local Plan and this is, as yet, unclear.

7. RISK ASSESSMENT

- 7.1** The national planning policy consultation proposals have significant risks to the district, as set out in section 2. For example, if brought into force, they could have a bearing on the timescales / production of the council's Local Plan; the amount of housing development required in the district; and the Council's ability to deliver plan-led development with the benefit of local democracy.

8. EQUALITIES IMPACT

- 8.1** Not applicable.



9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 Delivering a Local Plan that is green to the core is a corporate priority in the Council's efforts to tackle the climate change and ecological emergencies and the consultation proposals may impact this.

10. BACKGROUND PAPERS

- [Proposed reforms to the National Planning Policy Framework and other changes to the planning system \(MHCLG, 30 July 2024\)](#)
- [National Planning Policy Framework: draft text for consultation \(MHCLG, 30 July 2024\)](#)
- [Outcome of the proposed revised method \(MHCLG, 30 July 2024\)](#)

(END)