

Draft National Planning Framework

Para number	Cheltenham Borough Council Comments
General	Throughout the Draft National Planning Policy Framework (DNPPF) bullet points have been used. This is unhelpful when referring to particular paragraphs and a full numbering sequence should be used.
General	There are a number of references to the word “significance” without any guide on how the term significance can be assessed
General	The phrase “objectively assessed” is used - but how and by whom?
General	The word “appreciable” is used but no guide is given on how an assessment of “appreciable” can be made.
General	The word “addressed” is used, this needs to be better defined as it is open to interpretation.
General	Reference is made to the term “acceptable returns to a willing landowner” within the context of finances, but no indicative calculation or methodology is provided to demonstrate how “acceptable” will be achieved, determined or assessed.
General	Reference is made to “quality”; but this needs to be better defined as it is open to interpretation.
General	Topics addressed previously in Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) are included within the DNPPF, but to varying levels. For example, the section on green belts has succinctly brought together the principles of PPG2, but other areas of guidance, for example PPS25 and PPS5 are limited in content within the DNPPF. This is going to lead to a policy void as local plans both existing and emerging will not contain the level of detail previously contained within PPGs and PPSs. Without guidance in place, pressure will be placed on the appeal system as decisions are challenged which may result in inappropriate development being brought forward. As currently drafted, DNPPF is too “broad brush” and it fails to provide the tools to Local Planning Authorities to implement guidance in a consistent manner.
General	The general thrust of DNPPF, in that decisions about the content and shape of sustainable development should be for Local Planning Authorities and local communities, is very much welcomed. However, what the DNPPF fails to do, is to allow Local Planning Authorities and communities to work together on emerging local plans. Cheltenham is currently involved in collaborative working, preparing a joint core strategy with neighbouring councils Tewkesbury Borough and Gloucester City. This has involved front loading and preparation of an evidence base. We are now in a position where the strategy is being drawn together, but in the context of the DNPPF as currently worded, development proposals outside the plan led system could in theory be brought forward due to the presumption in favour of development in the absence of a local plan. This is wholly unacceptable, enabling developers to take advantage of a window of opportunity as plans are in preparation. The DNPPF needs to be amended to reflect emerging plans and the evidence base supporting these; not to do so is likely to result in development proposals threatening the sustainable spatial vision of the emerging plan and the long term development pattern.
General	There are no links or references to other policy documents and guidance. Whilst the attempt to condense guidance is commendable in principle, the reality is that planning considerations include other publications which will

	<p>continue to be relevant to the decision-making process.</p> <p>Furthermore, the sections on sustainability, design, heritage and transport would be considerably more robust if they included references to documents and tools such as By Design, Manual for Streets, Building for Life, Safer Places, Code for Sustainable Homes, BREEAM, Urban Design Compendium, Buildings in Context, Streets for All etc. which have established themselves as the minimum requirement in terms of quality.</p>
General	The document makes no reference at all to the enforcement of planning legislation. This is a crucial part of the national planning system and should be included in a framework document.
1	The initial statement is that the purpose of planning is to help achieve sustainable development, but there is no mention of the quality of that development. Unless the objective of the planning system is to achieve good design and provide some quality control, we will return to the sort of building disasters seen in the 1960s, many of which we are now demolishing – this is not a sustainable approach.
3	This and other paragraphs emphasise transparency in the planning system and the role of communities and accountable bodies in producing local plans and neighbourhood plans. However, the DNPPF has significantly moved away from the ambitions of the Localism Bill; whilst reference is made to communities and the preparation of neighbourhood plans, the emphasis is on granting planning permissions, with or without local plan and neighbourhood plans – If there is an absence of local plans and neighbourhood plans, then there is a significant risk of inappropriate development being permitted.
14	<p>There is concern about the 3rd bullet point of this paragraph. Over the past few years, the development plan system has been in disarray; the impact of this is that many local authorities have dated plans and have not progressed Local development frameworks (now local plans) in as timely a fashion as they would have wished. Sufficient time needs to be provided to enable local authorities to ‘catch up’, working with stakeholders and communities, to put in place plans which are appropriate and reflect the circumstances of their local areas. To require councils to “grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date” is wholly inappropriate – it will inevitably result in poor planning decisions and a credibility gap when measured against DNPPF Para 3’s statement on “transparency”.</p> <p>There is a real risk that Local Planning Authorities will be under pressure to seek to provide guidance on all aspects of spatial planning in detail, over and above that expected by the DNPPF, to avoid the risk of permitting development which may be deemed inappropriate, simply because the local plan is “<i>silent or indeterminate</i>”. This is contrary to the thrust of the DNPPF and the objective of having a planning system that is about “<i>making development happen</i>”</p> <p>If the presumption in favour of sustainable development is retained, the NPPF needs to make clear that this is subject to caveats in terms of issues of importance outlined elsewhere in the NPPF and the planning policy hierarchy.</p>
19	Bullet point 2 – the default answer of ‘yes’ to development proposals is inappropriate. Such an approach fails to take account of local

	circumstances and issues which LPAs need to address; these may be issues not fully addressed by the DNPPF. Such an approach places growth as a priority, but clearly fails to appropriately balance this against social issues and environmental capacity.
21	DNPPF requires the preparation of a local plan. Is this simply a change in terminology or a proposed change to the statutory regulations? It is not clear as currently set out. Cheltenham is currently drafting a joint core strategy with neighbouring local authorities, embarked upon under the Local Development Framework regulations; this in due course can be embodied within an expanded local plan, but an explanation is required.
26	See comments made to paragraph 14; in the absence of an up to date local plan, reliance on the DNPPF for determination of planning proposals is inappropriate. Local plans are based upon an extensive evidence base and in the absence of an up to date plan, the evidence base should provide the starting point, together with the DNPPF, in considering proposals for development.
27	The requirement for an adequate evidence base is supported. However, developing a sound and robust evidence base takes time and resources. In the absence of this evidence base the DNPPF sets out that planning applications should immediately be determined in line with the Framework before such evidence- based assessment have been completed. This means in reality that the evidence- based information will not be used on a significant number of applications and the Government's intentions are therefore contradictory.
27 - 38	Green infrastructure requirements (including SUDs) should be included here and given as much weight as other infrastructure. When designating potential development land, as well as taking into account transport, water, energy and telecommunications, the quality and capacity of existing green infrastructure should be assessed and its ability to meet future requirements estimated. Potential enhancements should be identified. It is also important to ensure that planned green infrastructure is deliverable in a timely fashion and that visually attractive solutions are achieved and amenity enhanced.
30	Agree that assessment of sites contributing to economic development should be undertaken, but disagree that these should be combined with strategic housing land availability assessments (SHLAAs). SHLAAs are resource intensive and reviews of land should not be linked to the methodology of SHLAA.
31	This paragraph should be expanded to reinforce the duty to cooperate.
	The DNPPF generally raises the profile of infrastructure (in a generic sense). It emphasises the central importance of infrastructure in delivering the aims and objectives of both the NPPF and Local Plans. This is welcome.
33	Agree, but this paragraph should be expanded to reinforce the duty to cooperate, ensuring that the Ministry of Defence strategic planning team is proactive in discussing issues early on with local authorities.
36	The reference to environmental assessment not repeating the assessment of higher level policy is unclear. Which higher-level policy? This sounds like a hangover from RSS and Structure Plans. If this is retained, then appropriate signposting to the higher level policy is required.
37	DNPPF understands that people have a basic emotional need to belong

	<p>to a community or group, but fails to show an understanding that our cultural heritage reinforces this sense of belonging and adds to our well being and quality of life.</p> <p>The proposal to place the onus on the Local Planning Authority to predict the likelihood of unidentified heritage assets being discovered in the future (page 11) is unreasonable. The reason that the heritage assets are unidentified is because no-one knows about them. The implication is that if the LPA is unable to predict their existence, such sites are expendable and can be developed. Under such reasoning, major archaeology sites and finds of international importance such as Fishbourne Palace (accidentally discovered in the 1960) and Sutton Hoo (discovered in 1939) would have been built over, thus preventing future generations understanding their past.</p>
39 - 43	<p>The “reality check” or pragmatic approach to infrastructure provision/viability advocated in the DNPPF entails involving Parish Councils and Neighbourhood Fora in the assessment of the cumulative impacts on development in their area of all existing and proposed local standards, SPDs etc to ensure that implementation of the development plan is not put at serious risk, and that development is facilitated throughout the economic cycle. The participation of these bodies in broader planning will be helpful in increasing understanding of the constraints and opportunities that the process of development planning must engage with, and will assist in ensuring that local people have “buy-in” to infrastructure in their area. This proposal is generally to be welcomed for these reasons.</p> <p>However, the general approach to viability assessment set out in the document is fundamentally flawed. It takes no account of the effect of government cuts in public spending, or the slow rate of national economic growth, in assessing how major infrastructure is to be funded beyond the contributions (which may themselves, on imposition of the NPPF, prove rather harder to obtain) made by developers via s.106 or CIL. This omission begs the question: how will funding gaps, where they are found to exist, be closed without compromising the quality or quantum of essential infrastructure?</p> <p>This concern is heightened by the absence in the DNPPF of guidance on the prioritisation of infrastructure requirements, and particularly in circumstances where funding may be severely constrained. This is perhaps exacerbated by what may be an unintended emphasis in the document on certain types of infrastructure (such as telecommunications, renewable energy and low carbon development) that may in practice destabilise the balance of the framework in relation to other important infrastructure types. The danger here is that infrastructure of the types highlighted in the DNPPF may take priority over other infrastructure types when funding is being sought, simply because they are accorded such a high profile in the framework.</p> <p>It is also of significance that the evidence supporting the assessment of viability should, according to the DNPPF, be “<i>proportionate, using only appropriate available evidence.</i>” (para 42). This is an ambiguous statement. “Proportionate” is vague and open to wide interpretation, as is “appropriate”. Sole reliance on “available” evidence could, on one interpretation, hinder LPAs in asking developers to provide fresh studies,</p>

or further reasonable information, in support of infrastructure assessments that may come forward as part of proposals for development.

The importance of avoiding compromising the economic viability of development is flagged as a key consideration in assessing infrastructure requirements. This is welcomed. It is of some concern however that the DNPPF concept of viability assessment appears directly to be linked with and governed by the level of profit the land owner and developer may deem “acceptable”, thus:

To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, local standards, infrastructure contributions and other requirements should, when taking account of the normal costs of development and on-site mitigation, provide acceptable returns to a willing landowner and willing developer to enable the development to be deliverable (paragraph 39)

The DNPPF expects that Local Plans will set out strategic priorities for the area, including strategic policies to deliver transport, minerals, waste, energy, telecoms, water supply and water quality infrastructure, together with health, security, community infrastructure and other local facilities. Local Plans should plan positively for the development and infrastructure “*required in the area to meet the objectives, principles and policies of the framework.*”

Elements of this requirement are opaque. The extent to which strategic planning policies can be effective in, for instance, the *delivery* of water quality infrastructure is questionable because this is a matter largely outside the control of the LPA. The delivery of water quality infrastructure – filters, pipes etc and the bringing forward of new provision, upgrades, maintenance etc - is a matter for the business planning of the private-sector utility companies operating in the area. Strategic planning policies could, in contrast, be very effective in preventing, say, the pollution of water resources through ensuring that development is located in areas that take account of the need to safeguard the resource and that adequate drainage/sewerage is provided for the development in question.

There will be a requirement for Local Planning Authorities to work with other authorities and providers to assess the quality and capacity of existing infrastructure and its capacity to meet forecast demands, and to take account of the need for nationally significant infrastructure within their areas. The first part of this requirement is already in hand. The second element will plainly require good communication between LPAs and those bodies charged with providing “nationally significant infrastructure” such as nuclear power, rail improvements etc.

The DNPPF urges that CIL charging schedules should be worked up alongside the Local Plan. Having regard to concerns raised above over “acceptable” profit levels for landowners and developers, it may be that there is now a compelling incentive to introduce a CIL regime, so that an increasingly difficult, protracted and arguably inherently biased (in favour of developers/landowners) negotiation context for s.106 is obviated where possible.

	The CIL should support and incentivise new development, <i>particularly by placing control over a meaningful proportion of the funds raised with neighbourhoods where development takes place</i> (para 40). The implications of this need to be carefully considered in light of the concerns raised above over (a) the approach to prioritisation of infrastructure requirements, (b) the quality and quantity of infrastructure and (c) the likelihood of difficulties securing gap funding.
46	The emphasis on joint working is welcomed, but it needs to be recognised that joint working requires commitment and investment of both financial and human resources. Joint working impacts on the timely delivery of plan making and this needs to be taken into account (see comments above). Cheltenham Borough Council entered into collaborative working with Tewkesbury Borough and Gloucester City Councils in 2008 in the preparation of a joint core strategy. Best practice arising from this collaborative working can be supplied if this would support further debate on plan making.
53	Absence of reference to good design as a primary objective of the planning system is a major flaw in this paragraph. In the Development Management section, the key role of the LPA in achieving quality design, is omitted. Instead, mention is made in paragraph 120, that the role of the local design review is to provide assessment and support to ensure high standards of design. This definition of the role of the local design review is acceptable, but the omission of the key role of the Development Management team in a LPA to secure good design is not acceptable.
54	Second bullet point – DNPPF needs to be more appropriately balanced against the wider sustainability principles of the environment and social well being. In some local authority areas the detrimental impact of development upon the environment may outweigh the benefits of economic and housing growth. Development needs to be commensurate with environmental limits if we are to truly “ <i>meet the needs of the present without compromising the ability of future generations to meet their own needs</i> ”.
57	The use of the word “could” twice in this paragraph lacks precision and is not helpful to any of the parties to pre-application discussion.
62	A reference to “other material considerations” here would be useful.
73	This section is supported; it would be helpful to reinforce the role of Local Enterprise Partnerships and the duty to co-operate. Cheltenham Development Taskforce (CDT) is proactive in helping to deliver regeneration that supports economic development. This taskforce is supporting Cheltenham in developing the local plan; however there is a limit to how local plans and the support of regeneration organisations such as CDT can set the criteria for inward investment.
75	Accept that local plans need to provide flexibility and enable markets; however, in areas where land availability is constrained, the pressure to release employment sites for other uses is high, leading to a potential imbalance between jobs and housing if an appropriate range of employment sites are not safeguarded.
76 – 80	This policy approach removes any requirement for development proposals to demonstrate that alternative sites have been assessed as part of a sequential approach. There is a real risk that investment will be diverted away from town and city centres, in preference to out of centre locations
76 – 81	There is no reference to high speed broadband. This needs to be

	referenced.
81	Reference is needed to protecting high quality agricultural land; this is picked up in natural environment, but it also needs to be referenced here. Agriculture forms a major part of the rural economy and should be protected by the DNPPF.
82 - 94	Urban areas in particular may experience transport problems arising from the cumulative impact of a number of smaller schemes; this needs to be picked up in this section.
84	The transport objectives also need to make reference to safety and design quality/place-making as ways of meeting sustainability objectives. The split of 2 objectives between 1. Economy; and 2. everything else, suggests an imbalance which fails to take account of the multiplicity of benefits (economic, social and environmental) arising from a well considered street scene and sustainable transport.
85	Reference should also be made to Local Enterprise Partnerships.
86	The absence of any detail on transport criteria and reliance upon local criteria may have a detrimental impact until such a time as Local Planning Authorities are in a position to put criteria in place through local plans. District authorities do not generally have specialist transport planners, therefore it is likely that this will be a weakness across local plans.
89	Quality street scene is considered an important element in achieving sustainable transport objectives; it needs to be introduced here as a specific point.
93	Does this paragraph refer to local highway or parking standards? Presumably it refers to local <u>parking</u> standards and this needs to be made explicit.
97	How would this be tested? Would the onus be on the applicant to work with the telecommunications provider to prove that the new building/development would not interfere with existing signals? Clarification should be sought to enable the LPA to make applicants aware of this during pre-application discussions.
98	Paragraph supported. Such details are important when determining prior approval/planning applications. This evidence would be listed as part of the approved documents which would be included on the decision notice. This will ensure that any exposure is within safe limits and within the international commission guidelines. This will enable the Local Planning Authority to proceed with enforcement action if the exposure were to increase and not be in accordance with the approved documents.
101	Bullet point 3; which requires local planning authorities to 'plan for a steady and adequate supply of land-won aggregates by: (second sub point) – using land banks of permitted reserves to indicate when new permissions for extraction are likely to be needed': the wording is at best a little confusing and at worst worrying, as it would seem to imply that land banks can be used to sway permissions for new facilities. Better clarity on the intention of this text should be provided.
107	Support the need to provide a choice of quality homes and creation of sustainable and inclusive mixed communities. However, such housing should be brought forward through allocations within the local plan, enabling transparent engagement with stakeholders and local communities. Within the context of the DNPPF there is a risk that major sites may be brought forward outside the local plan, where such plans are not advanced. This is likely to result in inappropriate sites being approved to facilitate the thrust of DNPPF of growth.

	<p>Evidence from various studies in recent years on housing quality indicate quality in terms of housing design (internal & external space, appearance etc) and housing estate layout is sadly missing. The NPPF references to “quality” seem to consider that anyone reading the document will understand what “quality” is, but they do not. NPPF needs to be more robust in its consideration of quality – this could be easily done by reference to a number of key documents such as By Design, Manual for Streets, Building for Life, Safer Places, Code for Sustainable Homes, BREEAM, Urban Design Compendium etc. and a consideration of space standards.</p> <p>Development on garden land continues to be a major issue of concern; it is not addressed here or elsewhere in DNPPF. This is an omission that should be included within the revised NPPF.</p>
109	<p>Many authorities have been challenged by the requirement for a 5 year housing land supply; this has particularly been the case as LPAs prepare Local Development Frameworks. However, due to the uncertainties within the planning system and major changes such as the future abolition of regional strategies, the preparation of plans has been slowed down – this has diverted of resources away from plan making to defending the release of inappropriate sites in the context of the 5 year supply. Cheltenham is committed to putting a plan in place as quickly as possible, but must be based upon a robust and defensible evidence base, including a cross-boundary understanding of housing requirements.</p> <p>The additional allowance of 20% added to the 5 year housing supply is not supported. In the Ministerial foreword to the DNPPF Greg Clark MP sets out that the DNPPF is a move away from imposed targets and remote decision making; this is completely contrary to the imposition of a requirement for a 5 year supply and additional 20%. This requirement should be removed.</p> <p>Disagree that windfalls should not be taken into account in the first 10 years of housing supply. Windfalls will continue to come forward and to exclude this element of supply is misleading and lacking in transparency.</p>
110	<p>The wording of this paragraph is inappropriate; as set out above there are numerous challenges faced by Local Planning Authorities in managing the 5 year supply and putting timely local plans in place. The presumption that planning permission is granted in the absence of a plan, or where there is no 5 year supply of deliverable housing sites, will result in sites coming forward which are supported by neither the LPA nor local communities. Again, in the Ministerial foreword, Greg Clark MP emphasises the need to include people and communities in decision making, but this is clearly not reflected in the approach set out in paragraph 110.</p> <p>The wording of paragraph 110 is important, as drafted it states that planning permission should be <i>granted</i> where, for example where a local authority cannot demonstrate a five year supply of deliverable housing sites. This goes beyond PPS3 paragraph 71 provides that where local planning authorities cannot demonstrate an up to date five year supply of housing they should consider favourably planning applications for housing having regard to other policies in the PPS. This proposed change will lead to pressure for unacceptable sites to be granted permission where an authority does not have a five year supply.</p>

111	Third bullet point - generally all LPAs struggle to demonstrate how they can meet identified need levels for affordable housing. For many such authorities, fully meeting the demand would be economically undeliverable and environmentally unacceptable. It may therefore be better to speak of meeting affordable housing need as something authorities should aim for.
107 – 113	There is no reference in this section to gypsies, travellers and travelling show people. If the DNPPF is to replace all other government guidance, this should be included. Cheltenham recently responded to the draft planning policy statement on planning for travellers' site but it is not clear how this fits with the DNPPF.
114 – 123	<p>The Design section, whilst well-meaning, is vague and insufficiently robust. As mentioned above, this could be done simply and efficiently through references to supporting documentation, which could easily overcome this problem (eg By Design, Manual for Streets, Building for Life, Safer Places, Code for Sustainable Homes, BREEAM, Urban Design Compendium, Buildings in Context, Streets for All etc). Alternatively, the DNPPF needs a serious rethink, to establish some baselines for design quality.</p> <p>There is also insufficient consideration of the importance of landscape quality and trees – in terms of aesthetics, quality of life, mental and physical well-being and the impact of beautiful places on anti-social behaviour and sustainable travel.</p>
123	The guidance with regard to outdoor advertisements is weak; as currently drafted, the guidance opens the floodgates for our towns and cities to be covered in adverts. There is no mention of good design.
124 - 132	This section covers some of the social and environmental aspects of sustainable development, but only touches briefly on the economic aspects. Mixed use developments are referred to, but the importance of providing employment opportunities within communities is missing.
129	<p>Bullet point one – makes reference to assessing whether open space or land is surplus to requirements; there should be a caveat, similar to that used in the Historic Environment section, to the effect that '<i>evidence of deliberate neglect or damage</i>' should not be taken into account in any decision.</p> <p>Although linked green spaces are referred to in the Natural Environment section, as '<i>networks of biodiversity</i>', they are not mentioned here. Without explicit reference in this section, there is a danger that parcels of land could be judged to be surplus to requirements, but which nevertheless provide an important link to green spaces for wildlife.</p> <p>This section only refers to sport and recreational spaces; reference to ensuring land is made available for growing food is missing.</p>
131	The 4 th bullet point seems to imply that the functions of Green Belt and Local Green Space are somehow interchangeable where they overlap. This is not the case – as is evidenced from a review of paragraph 134. Suggest deletion of 4 th bullet point.
133- 147	This section retains the principles of PPG2 and this is supported.
146	Question the statement that ' <i>elements of many renewable energy projects will comprise inappropriate development</i> '. Green Belt can provide valuable opportunities for siting renewable energy schemes especially if

	<p>national targets for renewable energy are to be achieved. Green Belt is not always of high amenity value and wildlife is not necessarily affected by renewable energy schemes. Renewable energy structures tend to be temporary in nature and siting such schemes in Green Belt can safeguard land against the threat of other types of development.</p>
148 - 162	<p>This section is not sufficiently robust to ensure delivery of the measures required to effectively mitigate and adapt to climate change.</p>
150 - 151	<p>This section refers only to new developments.</p> <p>The energy efficiency of existing buildings is a significant issue and the introduction mentions '<i>active support for energy efficiency improvements to existing buildings</i>', but there is no specific guidance about how to implement this. The introduction simply states that local planning authorities should '<i>adopt proactive strategies to mitigate and adapt to climate change</i>'.</p>
152 - 153	<p>Bullet point 2 states '<i>Once opportunity areas for renewable and low-carbon energy have been mapped in plans....</i>', but this is not a requirement – in paragraph 152 bullet point 3 it states only that local planning authorities should '<i>consider</i>' identifying suitable areas.</p> <p>The reference to decentralised, renewable or low carbon energy supply systems in paragraph 152 bullet point 5 needs strengthening. Rather than '<i>identifying opportunities</i>' there should be a presumption that such measures will be incorporated within new developments.</p>
154 - 162	<p>Whilst, generally, the guidance on Flooding issues within the draft NPPF contains reference to PPS25; this is one of perhaps a small number of the PPGs / PPSs where the well established principles relating to the sequential test, exception test and sequential approach etc should remain as detailed as possible. Flooding is an issue which can impact on people's safety and livelihoods; therefore, it is critical to ensure that development can proceed without adversely impacting on communities.</p> <p>Of initial concern is that tables D1 – D3 from the current PPS25 which provide a clear steer on flood risk classification of certain land uses and also the approach to take to development proposals is not transferred across in some form. Presumably it will be for LPAs to provide information on how to apply the sequential test and exception test or will this be replaced through a technical supporting document such as the PPS25 'Development and Flood Risk Practice Guide'?. For consistency it would be preferred if this was included in revisions to the DNPPF</p> <p>Also of concern is the change to the Exception Test (footnote 10, page 44); specifically current criterion (b) has been removed which states:</p> <p><i>"the development should be on developable previously-developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously-developed land"</i></p> <p>This proposes a clear watering down of the current guidance, removing the brownfield first approach, possibly in order to remove perceived barriers to economic growth, but which could lead to unsuitable areas of greenfield land being developed (at risk) which would not currently come forward.</p>

	<p>Paragraph 157, bullet point 1 refers to the sequential approach to development, but where the new guidance departs from the current guidance, is that it introduces a provision to allow the most vulnerable parts of a development to be located in the greater risk areas where there are overriding reasons. This is not a particularly welcome addition from a safety perspective and could lead to abuses. Developers should be partially responsible for providing evidence that flood risk will not be increased elsewhere as a result of a development, rather than the burden sitting entirely with the planning authority. As such, site-specific flood risk assessments should be required to look beyond the boundary of the specific development.</p> <p>Paragraph 156 bullet point 5 suggests seeking opportunities to relocate development, including housing, away from areas where flood risk is expected to increase as a result of climate change. Paragraph 157 also refers to avoiding development in flood risk areas. However, placing housing in flood risk areas is not necessarily always inappropriate; what is important is that any such housing is of an <i>appropriate design</i>, for example, this could mean building houses on stilts.</p> <p>In both footnote 9, page 44 and paragraph 158 it suggests that the sequential test should not be applied to minor development and change of use and in paragraph 158, the exception test. This is a worry especially, but not exclusively, for changes of use. For instance, what if the change of use is to a more vulnerable use as currently defined within table D2 from PPS25?</p> <p>It would be prudent to introduce a requirement for such development to pass the (new) part b of the exception test in that, inter-alia, a site specific Flood Risk Assessment must demonstrate that the change of use would not be at risk, nor increase risk to others etc.</p> <p>There is no clear distinction between planning developments in places that are vulnerable and ensuring developments themselves are adaptable to the impacts of climate change and that their vulnerability to climate change is minimised. For example, the need to conserve water and incorporate appropriate measures in new developments is not mentioned.</p> <p>There is no reference to the vulnerability of existing buildings and how this might be addressed through the planning process.</p> <p>There is no reference to mitigating or adapting to climate change in the context of historic buildings and neither is it picked up explicitly in the section about the historic environment</p>
163 - 175	<p>Specific reference to (the quality of) water courses and their importance in providing links between habitats and as habitats in themselves is lacking.</p> <p>The emphasis in this section is on minimising the adverse effects on the local and natural environment and on protecting valued landscapes. A section dealing with new, designed landscapes - both residential and commercial - should also be included. It should stress the importance of designing the landscape at the outset and not as an afterthought, in order to maximise the beneficial effects of green infrastructure e.g. flood alleviation, increasing wildlife habitat and carbon sequestration.</p>
176 -	<p>On initial review, much of this section has been taken directly from PPS5,</p>

191	<p>and appears to be a direct extract. However, this is not the case and there are some fundamental changes and omissions. Of particular concern is the omission of clause HE7.5 from PPS5, which relates to the design of new buildings in historic environments. An additional clause should be added to the Framework which states as follows – <i>“Local Planning Authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use”</i>.</p> <p>Paragraph 177 - add a numbered point which states – <i>“recognise that heritage assets are a non-renewable resource”</i>.</p> <p>Paragraph 180 - add sentence: <i>“Local Planning Authorities should not validate applications where the extent of the impact of the proposals on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents”</i>.</p>
Glossary	Mentions “significance of heritage assets” but no mention of how the significance is assessed.
Glossary	The definition of previously developed land excludes private residential gardens. This reflects previous revisions to PPS, but the DNPPF fails to address the ongoing debate around the suitability of such sites for accommodating development.