



Committee: COUNCIL BUSINESS COMMITTEE

Date: THURSDAY, 19 FEBRUARY 2026

Venue: MORECAMBE TOWN HALL

Time: 6.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

To receive as a correct record the Minutes of meeting held on 27 November 2025 (previously circulated).

3. **Items of urgent business authorised by the Chair**

4. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Taxi and Private Hire Vehicle Licensing - Department for Transport Consultation**
(Pages 3 - 39)

Report of Licensing Manager.

6. **Consultation Response to the Draft National Planning Policy Framework** (Pages 40 - 104)

Report of Chief Officer – Planning and Climate Change.

7. **Responding to the open consultation on the Forest of Bowland National Landscape Draft Management Plan** (Pages 105 - 118)

Report of Chief Officer - Planning and Climate Change

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Ross Hunter (Chair), Paul Newton (Vice-Chair), David Whitaker, Suhir Abuhajar, Sarah McGowan, Abi Mills and Jean Parr

(ii) Substitute Membership

Councillors Matthew Black (Substitute), Sally Maddocks (Substitute), Joyce Pritchard (Substitute), Paul Stubbins (Substitute), John Wild (Substitute) and Jason Wood (Substitute)

(iii) Queries regarding this Agenda

Please contact Phillip Abel, Democratic Support - email pabel@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on 11 February 2026.

COUNCIL BUSINESS COMMITTEE**Taxi and Private Hire Vehicle Licensing – Department for Transport Consultation****19 February 2026****Report of Licensing Manager****PURPOSE OF REPORT**

To provide members with information regarding a Department for Transport (DfT) consultation on making all local transport authorities (LTAs) in England responsible for taxi and private hire vehicle (PHV) licensing.

This report is public.

RECOMMENDATIONS

- (1) That Council note the Department for Transport (DfT) consultation on making all local transport authorities (LTAs) in England responsible for taxi and private hire vehicle (PHV) licensing.**
- (2) That Council agree the draft response to consultation questions as set out in the report.**
- (3) That Council delegate the Licensing Manager to make minor alterations to the response and submit the final version of the response to the DfT.**

1.0 Introduction

- 1.1 The Department for Transport is seeking feedback on the potential benefits and challenges of making all local transport authorities (LTAs) in England responsible for taxi and private hire vehicle (PHV) licensing.

The consultation focuses on the impact this would have on:

- local authorities
- taxi and PHV businesses
- passengers

As taxi and PHV licensing is devolved in all UK nations, this proposal would only apply in England.

- 1.2 This consultation follows publication of the English devolution white paper by the Ministry for Housing, Communities and Local Government (MHCLG) in December

2024. The white paper sets out the government's proposal to change the administrative level of licensing for taxis and PHVs to facilitate better and safer transport services for the public.

- 1.3 Also set out in the English devolution white paper, government has committed to a programme of local government reorganisation (LGR). The ambition is to move to a single tier of local government in all parts of the country. It is thought this would create simpler structures, strengthen disjointed services and help councils pursue efficiencies.

A statutory invitation has been issued to all councils in 2-tier areas and small neighbouring unitary authorities to develop proposals for unitary local government, which will bring together lower and upper tier local government services in new unitary authorities. This means that services, including licensing, currently delivered by district councils would be delivered by new unitary councils.

Therefore, even if the proposals set out in the consultation do not proceed, the licensing authority in most areas will change. This is because, where implemented, LGR would move the licensing authority from district councils and any small neighbouring unitary councils within proposals to the successor unitary councils, resulting in fewer licensing authorities than at present.

2.0 Consultation

- 2.1 In most parts of England, councils are currently responsible for regulating the taxi and PHV sector, apart from in London, where the Mayor and Transport for London (TfL) are responsible for licensing. In areas where there is a single tier of local government, the responsibility lies with the relevant unitary council, while in areas where there are 2 tiers of local government, the responsibility lies with district councils. This means there are currently 263 licensing authorities in England.

- 164 district councils
- 62 unitary authorities
- 36 metropolitan councils
- Transport for London (TfL)

- 2.2 As outlined in the English devolution white paper (EDWP), there are concerns about the challenges caused by out-of-area working, where people licence away from the area in which they intend to work. [English Devolution White Paper: Power and partnership: Foundations for growth - GOV.UK](#)

These concerns were shared by Baroness Casey in her National audit on group-based child sexual exploitation and abuse report. [National Audit on Group-based Child Sexual Exploitation and Abuse - GOV.UK](#)

- 2.3 The government is exploring options for reforming taxi and PHV legislation to address the challenges caused by out-of-area working. As part of this, the EDWP included a commitment to consult on whether to make all local transport authorities (LTAs), including strategic authorities – who are the bodies that oversee local transport planning – responsible for taxi and PHV licensing. The Casey report reaffirmed this commitment.

- 2.4 The consultation document presents the benefits and challenges that the Department for Transport (DfT) has identified in making LTAs responsible for taxi

and PHV licensing.

2.5 The full consultation document is attached at **Appendix 1**.

3.0 Consultation Response

3.1 The consultation period will run from 8 January 2026 until 1 April 2026. A full list of questions asked as part of the consultation can be seen from page 26 of the consultation document.

The following are applicable to Local Licensing Authorities, like Lancaster City Council who are currently responsible for taxi and private hire vehicle licensing.

If all local transport authorities were made responsible for taxi and private hire vehicle licensing as proposed, would your local authority expect:

Question 1: Any one-off costs? If so, what would the one-off costs to your authority be for? How much would the costs be?

Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

Taxi and Private Hire Licensing fees are required to be cost neutral, with each licence fee being recovered for the activity related to the administration and monitoring of that licence only (one cannot subsidise another).

So, whilst the Licensing Authority would have a reduced income, the loss would be resource rather than monetary.

It is estimated that Taxi and Private Hire Licensing equate to between 60-70% of Officer time, this in resource time would be 1x 37hr per week Licensing Officer, 1 x 37hr per week Administration Officer, 1 x 37hr per week mechanic and approx. 10-15hr per week of Licensing Manager time.

Transition costs also require consideration, ensuring the licensed trade understand and comply with any new or updated requirements, communication, guidance and signposting.

Question 2: Any ongoing costs? If so, what would the ongoing costs to your authority be for? How much would the additional costs be?

Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

None Identified.

Question 3: Any one-off savings? If so, what would the savings to your authority be for? How much would the savings be?

Please provide a monetary value in pounds, if possible, otherwise the resource time required.

None Identified.

Question 4: Any ongoing savings? If so, what would the savings to your authority be for? How much would the savings be?

Please provide a monetary value in pounds, if possible, otherwise the resource time

required.

None Identified.

Consultation questions for all respondents

Consultation questions on proposals

Question 13: Should all local transport authorities be responsible for taxi and private hire vehicle (PHV) licensing? Why?

Lancaster City Council understands the benefits and challenges of making LTAs responsible for taxi and private hire licensing.

The primary purpose and consideration for Local Licensing Authorities in respect of taxi and private hire licensing is the safety of the public, in its widest context.

The ability to locally set policies and standards, with trained officers (on the ground) are key to safeguarding the public. Local knowledge may be diluted should LTAs be responsible for taxi and PHV licensing.

Licensing Officers are generally trained across the sector, moving taxi and PHV licensing to LTAs may result in a loss of specialist officers at a local authority level. The ability to address local issues in a timely manner may be difficult, response times to both the public/licensed trade may increase.

Lancaster City Council acknowledge and support endeavours to address the cross-border loophole in legislation, inconsistent standards and variable licensing fees allow drivers to shop around for licences. Reducing the number of licensing authorities and introducing minimum standards could alleviate the impact currently felt by the local licensed trade by out of area drivers.

There will be variance in political direction due to Council specific plans and priorities. Members of Licensing Committees are trained prior to undertaking any decision-making in respect of licensing matters; this must be upheld should LTAs be responsible for taxi/PHV licensing.

Consultation questions on economic benefits and costs

Question 14: Are there wider economic benefits in making all local transport authorities responsible for taxi and private hire vehicle licensing? If so, what are they?

Recognise the benefit to the local licensed trade, boundaries increase opportunities for Hackney/PHO businesses.

Question 15: Are there other costs in making all local transport authorities responsible for taxi and private hire vehicle licensing? If so, what are they?

Resourcing the migration of data from local authorities to LTAs would be a significant, LTAs required to purchase Licensing software, additionally there would be an annual maintenance cost.

A summary of responses. Including the next steps will be published in due course on gov.uk.

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Provide a detailed response to the consultation	Option 2: Not Respond
Advantages	That the views of Lancaster City Council are considered and communicated to the DfT, additionally that these views are clearly stated in public.	None.
Disadvantages	None.	The views of Lancaster City Council are not heard and made public.
Risks	That the responses are not taken account of.	As above.

5.0 Officer Preferred Option (and comments)

5.1 The preferred options for the response are as outlined above.

6.0 Conclusion

6.1 The Department for Transport is seeking feedback on the potential benefits and challenges of making all local transport authorities (LTAs) in England responsible for taxi and private hire vehicle (PHV) licensing.

5.2 Officers have prepared responses to the consultation questions; they have been approved by members of Licensing Committee prior to consideration and approval by Councils Business Committee.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

None.

LEGAL IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

Financial Services have provided the information contained in the response in relation to service costs.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None.

SECTION 151 OFFICER'S COMMENTS

None.

MONITORING OFFICER'S COMMENTS	
BACKGROUND PAPERS	Contact Officer: Miss Jennifer Curtis Telephone: 01524 582732 Email: jcurtis@lancaster.gov.uk Ref: DfTconsulat2026



Department
for Transport

Open consultation

Local transport authorities and the licensing of taxis and private hire vehicles

Published 8 January 2026

Applies to England

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Impact on passenger experience

How to respond

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Freedom of Information



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This publication is available at <https://www.gov.uk/government/consultations/local-transport-authorities-and-the-licensing-of-taxis-and-private-hire-vehicles/local-transport-authorities-and-the-licensing-of-taxis-and-private-hire-vehicles>

Foreword

Taxis and private hire vehicles (PHVs) are an integral part of local transport networks. They are used by everyone in our communities, but especially low-income young women and those with mobility difficulties. Taxis and PHVs enable people to access the businesses, schools and hospitals in their area, provide the important 'first-and-last mile' of longer journeys on other modes and are often vital for late-night travel or reaching places not served by public transport.

People today do not live their lives within the boundaries of local authorities, they cross these invisible borders frequently, living in one area but working and socialising in others.

With evolving technology, people now book services more flexibly, but safety and reliability remain key priorities. All authorities must only grant licences to those who are fit and proper to hold one, or if the vehicle is safe to carry the public. Despite this, out-of-area working, where drivers license in one area but work elsewhere, is a major challenge. While most drivers are law-abiding and simply seeking efficient entry into the sector, this practice complicates enforcement and raises concerns about inconsistent licensing standards across local authorities.

There have been longstanding calls for reform of the legislation that regulates the sector, and we are keen to make progress. Since coming into government, we have been carefully considering how to improve the regulation of the sector.

We previously committed to consulting on giving all local transport authorities responsibility for taxi and PHV licensing, as outlined in the [English Devolution White Paper](https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth) (<https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth>). This could help to reduce the occurrence of out-of-area working, reduce the factors that induce it, and better match enforcement resources, though we recognise it may be controversial particularly for those already holding this role who work tirelessly to make the existing system succeed.

Baroness Casey's recommendation reaffirmed our view that robust standards in safety must be applied by all licensing authorities. We committed to legislate to tackle the inconsistent standards of taxi and PHV driver licensing and have introduced an amendment to the English Devolution and Community Empowerment Bill to enable the setting of national minimum standards. We will continue to consider a range of other options, including out-of-area working and enforcement, seeking the best overall outcomes for passenger safety.

This consultation is seeking views on just one potential, but incredibly significant, option to identify the right level of regulating this form of transport. Our work continues to explore how best to change the underlying legislation to move towards a modern, consistent and passenger-focused licensing framework that supports both public safety and the needs of the sector.

Lilian Greenwood

Parliamentary Under-Secretary of State, Minister for Local Transport

Introduction

Taxis and private hire vehicles play a vital part in local transport, connecting residents to the local economy and enabling businesses and residents to reach wider transport networks. All social groups use taxis and PHVs. Groups that use them the most are low-income young women, amongst whom car ownership is low, and those with mobility difficulties.

Both taxis and PHVs are vital parts of local transport. The most notable difference between taxis and PHVs is that taxis can 'ply for hire' (stand at a taxi rank or be hailed in the street) and are available for immediate hire, while PHVs must be booked in advance through a licensed PHV operator. PHVs include a range of vehicles such as minicabs, executive cars and limousines.

The way in which taxis are regulated is rooted in the Town Police Clauses Act 1847. As well as providing the powers to regulate taxis, it defined 'who' should do this. The regulation of private hire vehicles (PHVs) has naturally followed the same path.

In most parts of England, councils are currently responsible for regulating the taxi and PHV sector, apart from in London, where the Mayor and Transport for London (TfL) are responsible for licensing. In areas where there is a single tier of local government, the responsibility lies with the relevant unitary council, while in areas where there are 2 tiers of local government, the responsibility lies with district councils. This means there are currently 263 licensing authorities in England.

Though more modern legislation has followed the 1847 act and changed 'how' the sector is regulated, it has not considered 'who' in local government should regulate the sector. The lives of people who use taxis and PHVs, the vehicles used and the way people engage services could not have been envisaged nearly 200 years ago. While little may have substantively changed for much of this period, the adoption of new technology by passengers and the sector in the last 10 years, particularly for PHVs, has

changed immeasurably. The appropriate level of 'local' licensing does not appear to have been considered in detail since its inception.

As outlined in the [English devolution white paper](https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth) (<https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth>) (EDWP), there are concerns about the challenges caused by out-of-area working, where people license away from the area in which they intend to work. These concerns were shared by Baroness Casey in her [National audit on group-based child sexual exploitation and abuse report](https://www.gov.uk/government/publications/national-audit-on-group-based-child-sexual-exploitation-and-abuse) (<https://www.gov.uk/government/publications/national-audit-on-group-based-child-sexual-exploitation-and-abuse>).

The government is exploring options for reforming taxi and PHV legislation to address the challenges caused by out-of-area working. As part of this, the EDWP included a commitment to consult on whether to make all local transport authorities (LTAs), including strategic authorities – who are the bodies that oversee local transport planning – responsible for taxi and PHV licensing. The [government's response to the Casey Report](https://www.gov.uk/government/publications/national-audit-on-group-based-child-sexual-exploitation-and-abuse) (<https://www.gov.uk/government/publications/national-audit-on-group-based-child-sexual-exploitation-and-abuse>) reaffirmed this commitment. The term 'strategic authority' is used throughout this consultation to refer to current and future combined authorities and combined county authorities.

The EDWP also set out the government's devolution ambitions for England. Over time, those proposals could lead to changes in many parts of England, excluding London, in terms of which local government body is the LTA. Given this, the consultation document focuses on the principle of whether LTAs, as the body responsible for producing and delivering local transport plans, should be responsible for taxi and PHV licensing. This document presents the benefits and challenges that the Department for Transport (DfT) has identified in making LTAs responsible for taxi and PHV licensing.

As outlined in the white paper, the department believes that administering taxi and PHV licensing across the larger footprint of LTAs would simplify the way the PHV sector provides the services that passengers demand and enhance compliance and safety. This should increase the consistency of standards and enable more effective use of enforcement powers across a whole functional economic area. Greater economies of scale should also enable improvements to the efficiency of taxi and PHV licensing. Together, these benefits should reduce the factors that induce people to license out of their usual working area.

This is a public consultation, and we encourage responses from everyone with an interest in taxis and PHVs, including:

- passengers
- safety groups

- local authorities
- the taxi and PHV sector and representative bodies

As taxi and PHV licensing is devolved in all UK nations, this proposal would only apply in England. The proposal does not extend to London, where TfL is the LTA and is already responsible for taxi and PHV licensing.

Local transport authorities and local transport plans

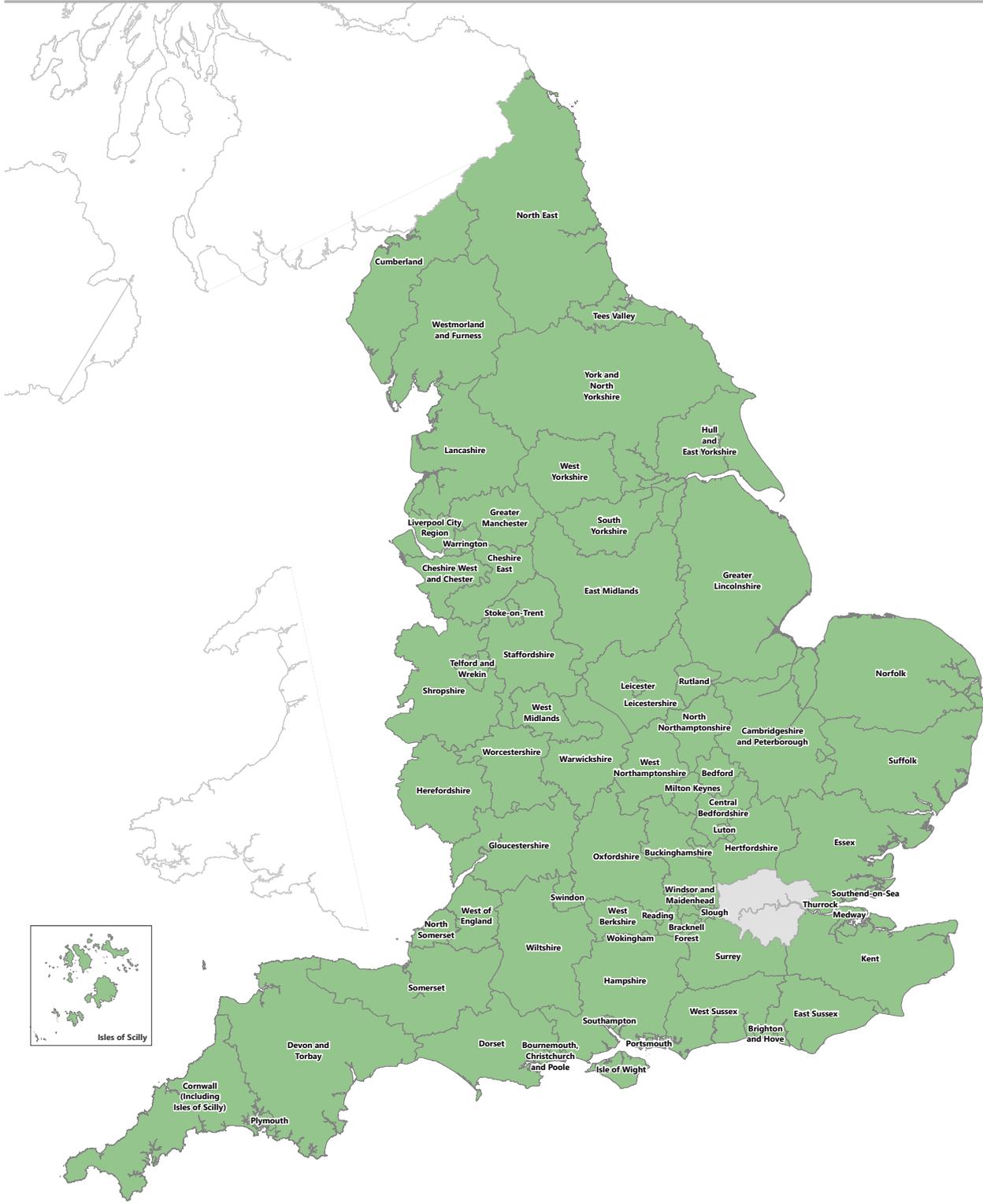
Outside of London, local transport authorities (LTAs) are currently county councils and unitary authorities, except in areas where a strategic authority sits above them. There are currently 70 LTAs in England ([see map 1](#)), this number may change as a result of the [local government reorganisation and English devolution programmes](#).

Under the Transport Act 2000, LTAs are responsible for formulating transport policies and publishing them as a local transport plan. These statutory plans enable an LTA to make strategic planning decisions on local transport provision by setting out their strategy for transport in their area (including transport to and from the area) and how they plan to achieve it. LTAs' policies must promote 'safe, integrated, efficient and economic transport' and must have regard in particular to the needs of:

- disabled people
- older people
- people with mobility problems

LTA areas are intended to reflect the public's travel patterns in those areas.

The role LTAs should have in regulating local transport in their areas was acknowledged in the English devolution white paper, which also included a commitment to empower LTAs to regulate on-street micromobility schemes (like hire bikes), so local areas can shape them around their needs.



 Department for Transport

0 50 100 Miles

Map Created By: Roads Geography & GIS Data Team

Map Date: 12th September 2025

Contains boundary data sourced from ONS under the Open Government License V3.0

Map 1: local transport authorities in England

Proposed changes in local government

There are currently 263 taxi and PHV licensing authorities. This consists of:

- 164 district councils
- 62 unitary authorities
- 36 metropolitan councils
- TfL

This consultation is on the principle that taxi and PHV licensing should be the responsibility of LTAs, which means strategic authorities where they exist currently or in the future. This will enable larger licensing authorities and the benefits this brings. Strategic authorities, which are formed of a number of councils working together, cover sensible geographies comprised of areas that people recognise and work in. A strategic authority will provide coordination on issues which cross local authority boundaries within its area, including transport, as the LTA. The ultimate ambition of English devolution is for universal coverage of strategic authorities. Once this ambition is realised, it would mean that, unless this consultation proposal goes ahead, no LTAs would be responsible for taxi and PHV licensing apart from TfL.

As also set out in the English devolution white paper, [government has committed to an ambitious programme of local government reorganisation](https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth/english-devolution-white-paper#communities) (<https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth/english-devolution-white-paper#communities>) (LGR). The ambition is to move to a single tier of local government in all parts of the country. This would create simpler structures, strengthen disjointed services and help councils pursue efficiencies.

A statutory invitation has been issued to all councils in 2-tier areas and small neighbouring unitary authorities to develop proposals for unitary local government, which will bring together lower and upper tier local government services in new unitary authorities. This means that services, including licensing, currently delivered by district councils would be delivered by new unitary councils.

Therefore, even if this proposal does not proceed, the licensing authority in most areas will change. This is because, where implemented, LGR would move the licensing authority from district councils and any small neighbouring unitary councils within proposals to the successor unitary councils, resulting in fewer licensing authorities than at present. See [local government reorganising policy and programme updates for more information about LGR](https://www.gov.uk/government/collections/local-government-reorganisation-policy-and-programme-updates) (<https://www.gov.uk/government/collections/local-government-reorganisation-policy-and-programme-updates>).

What proposed changes in local government would mean if licensing moved to LTAs

This consultation is on the principle of whether taxi and PHV licensing should be a function of all LTAs, regardless of which local government body has this role. Where a strategic authority (SA) is in place, it will be the LTA. For areas undergoing LGR, if there is not an existing strategic authority, any new unitary councils that are established will become the LTA until an SA is in place.

Should the decision be to make all LTAs responsible for taxi and PHV licensing, its implementation would take into account progress with the government's English devolution and LGR programmes and obtaining the legislative powers to move the licensing function where needed.

Making all local transport authorities responsible for taxi and PHV licensing

We believe there are significant benefits in all local transport authorities (LTAs) being responsible for taxi and PHV licensing, enabling the sector to be fully considered and integrated in local transport plans. Taxis and PHVs are an integral part of local transport networks and are particularly relied upon by those with mobility difficulties. There is a strong case for taxi and PHV licensing to sit with the body responsible for local transport planning, alongside other modes of local transport.

People do not generally live their lives within the boundaries of local authorities. Their lives will take them across borders frequently, they may live in one area, work in another and socialise in a third. LTAs, however, better reflect local travel patterns, particularly in the case of strategic authorities, which generally cover much larger footprints across whole functional economic areas and reflect travel-to-work patterns and local labour markets.

Making LTAs responsible for taxi and PHV licensing would allow them to introduce relevant policies which align with their local transport plans and support the wider local transport strategy for their areas. It would also mean that the LTA has direct control, rather than influence, over policies such as emissions standards, as well as charging infrastructure provision, to support its overall transport decarbonisation strategy for the area.

All metropolitan councils are the taxi and PHV licensing authority for their area and already sit within a strategic authority, which is the LTA for that area. If this proposal is not taken forward, that position would remain unchanged. Metropolitan council areas are arguably the locations where this proposal could have the greatest benefit.

In large metropolitan areas with several licensing authorities, such as the Liverpool City Region which has 6 ([see map 2](#)), taxis and PHVs will frequently work across multiple authority areas when carrying passengers, just as the buses do. Designating LTAs such as Liverpool City Region Combined Authority with the responsibility for taxis and PHVs would mean that taxis and PHVs would be considered alongside all their other local transport responsibilities.

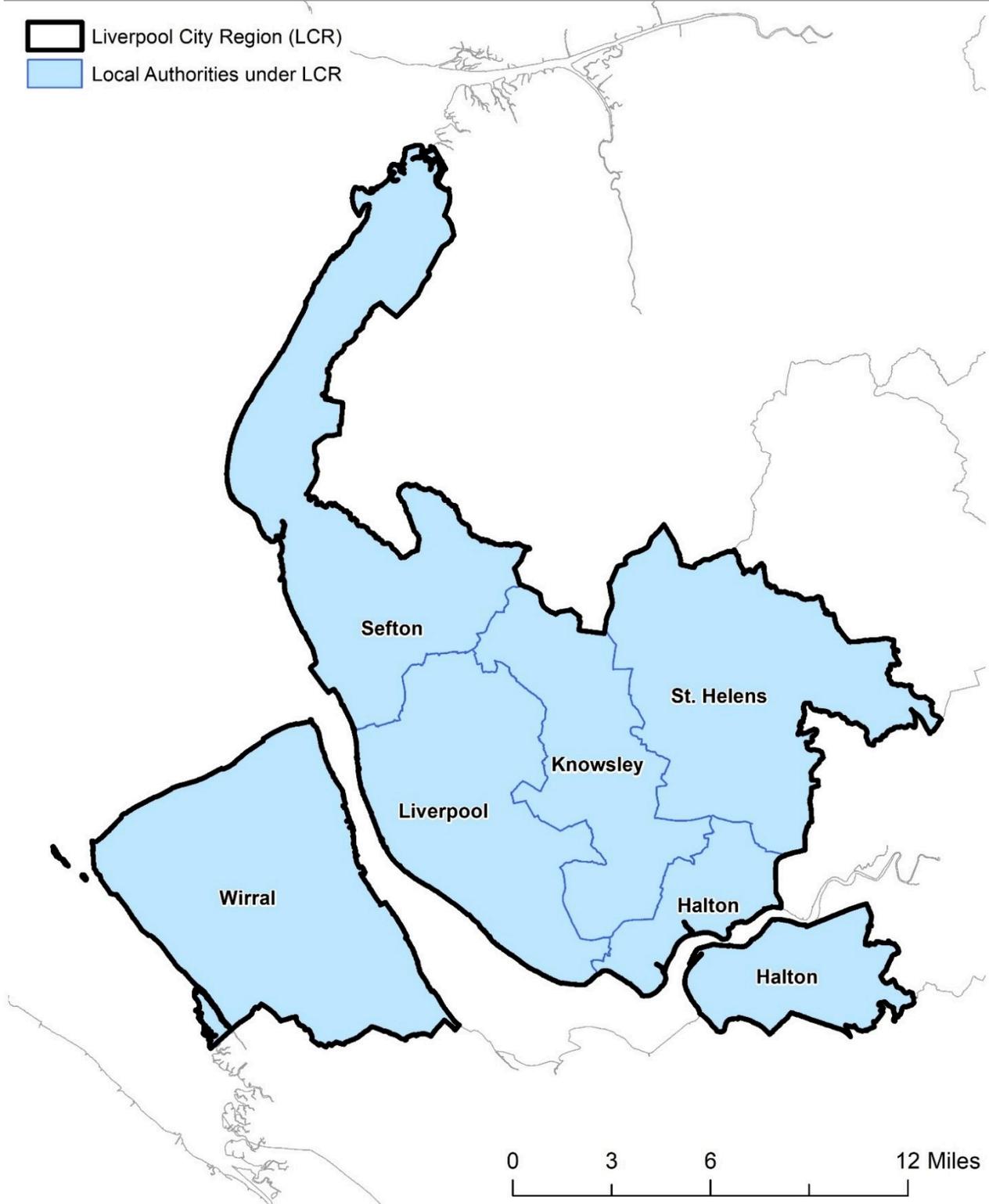
As well as helping to ensure taxis and PHVs are an integral part of transport planning, making all LTAs responsible for licensing would also see a significant reduction in the number of licensing authorities. There are currently 263 licensing authorities compared to 70 LTAs. This would have the effect, in many places, of increasing the size of taxi and PHV licensing areas, which would:

- greatly improve consistency in licensing standards
- remove the factors that can induce a driver to license away from the area in which they intend to work
- increase in area working

Increased 'in-area' working would better match resourcing and compliance costs and enable more effective use of existing enforcement powers. The government's ambition to have a strategic authority in every part of England has the potential to deliver the smallest number of taxi and PHV licensing authorities and so enable the greatest benefits in terms of consistency in standards, more in-area working and a more efficient taxi and PHV licensing regime. The impact on trade and passengers is discussed in detail later in this document.

Taxi and PHV Licensing Authorities

Liverpool City Region



Map 2: Liverpool City Region and its current constituent licensing authorities

Simplifying the regulation of taxis and PHVs

Taxis can only ply for hire or stand at a taxi rank in the area (or zone) in which they are licensed, but can undertake pre-booked journeys anywhere. PHV journeys must always be pre-booked, and as with taxis, these journeys can be anywhere. The PHV driver, their vehicle and the PHV operator must all be licensed by the same authority. For PHVs, this is known as the 'triple licensing lock'. In both cases, journeys will frequently cross local authority borders.

The ability of taxis and PHVs to undertake bookings outside of their licensing authority's area is important to meet the demands of the travelling public. There is nothing inherently unsafe about this practice.

[Statutory guidance to licensing authorities](#)

<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) issued by the department in 2020 outlines how they should carry out their licensing function to protect children and vulnerable adults, and means that safeguarding requirements are broadly similar across England. For example, all applicants for a taxi or PHV driver licence are subject to the highest level of criminality checks – an enhanced Disclosure and Barring Service check with checks of the adults' and children's barred lists.

The [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Act 2022](#) (<https://www.legislation.gov.uk/ukpga/2022/14/contents/enacted>) means that a driver who has a licence refused, suspended, or revoked for safeguarding, road safety or discrimination reasons cannot obtain a licence elsewhere without that relevant information being known and considered by any licensing authority that received a new application.

Significant numbers of drivers working 'out-of-area', licensing with a different authority to the one in which they predominantly work, cause challenges in regulating the sector. A significant reduction in the number of licensing authorities is likely to considerably reduce the amount of out-of-area working, diminishing the challenges it presents to licensing authorities.

As well as better, more integrated transport planning, making LTAs responsible for licensing would create a situation where more vehicles and their drivers are operating more of the time in the area in which they are licensed, leading to a reduction in out-of-area working.

A significant reduction in the number of licensing authorities would mean there are fewer boundaries. This could potentially mitigate, but not eradicate, the negative aspects of other policy solutions to address the challenges of out-of-area working that are currently being considered, such as the imposition of journey restrictions, to secure the best overall outcomes for passenger safety.

Licensing requirements

The reasons why a taxi or PHV driver may obtain a licence from an authority in which they do not intend to work are varied and complex.

The time and cost taken to gain a licence have been given as factors that induce 'out-of-area' working. Overly burdensome, poorly targeted and expensive requirements by some licensing authorities are key to the decisions made. Restrictive vehicle requirements, such as a maximum vehicle age at first licensing, and a lack of available opportunities to complete mandatory training and testing, can both prevent or, at best, delay new entrants from obtaining the necessary licences and from earning an income. Licensees may well 'invest' in higher fees if they can reap a return on that by working sooner.

Action has been taken by the department to increase consistency in licensing requirements through the publishing of guidance. The government has issued extensive [guidance to licensing authorities](https://www.gov.uk/government/collections/licensing-of-taxis-and-phvs-for-local-authorities-in-england) (<https://www.gov.uk/government/collections/licensing-of-taxis-and-phvs-for-local-authorities-in-england>), outlining how they should carry out their licensing function. A reduction in the number of licensing authorities, while inconsistencies might still exist between authorities, would mean there would be fewer policies for there to be variations between (for example, the current 70 LTAs rather than the current 263 licensing authorities).

We would expect LTAs taking on the licensing function for the first time, having considered the department's guidance, to look afresh at what its requirements and policies would be. Achieving a significantly greater level of consistency would reduce the incentive and ability to shop around for a PHV licence. Greater variation in taxi vehicle requirements may continue, but they would still only be able to stand and ply for hire in the area (or zone) in which they are licensed.

Under the current structure, implementing a common set of standards across an area requires all licensing authorities within it to agree to them. Licensing authorities are expected to consult on significant changes in policy requirements. In Greater Manchester, for example, such a process would require each of the ten licensing authorities to consider the responses received and reach a reasonable position which may be different from its neighbours. Should Greater Manchester Combined Authority be the licensing body, it would need to consult only once and its policies would apply throughout. We expect this reduction in administration would reduce the licensing authority costs and fees to the sector.

Making licensing the responsibility of larger authorities would also create opportunities for those authorities to take advantage of economies of scale

and create more specialised and efficient taxi and PHV licensing teams. For example, each of Liverpool City Region's 6 councils license between 440 to 5,235 vehicles and 542 to 5,916 drivers. Should licensing move to the LTA (Liverpool City Region Combined Authority), it would license more than 13,100 vehicles and 16,200 drivers, bringing economies of scale to the administration of the taxi and PHV licensing regime.

Compliance and enforcement powers

Local authorities can prosecute breaches of taxi and PHV law via the court system, such as illegal plying for hire, regardless of whether they issued the licence, or the taxi or PHV was unlicensed. A licensing authority has the power to suspend or revoke a taxi or PHV driver, vehicle or PHV operator licence only when it granted the licence.

The decision by some drivers to license 'out-of-area' can lead to a significant number of drivers and vehicles licensed with one authority operating in other licensing authorities' areas.

While safety standards in licensing requirements are consistently high across England, a licensing authority would not generally be able to undertake compliance checks or suspend or revoke the driver, vehicle or PHV operator licence where unsafe activity is identified, unless it issued the licences. However, licensing authorities must report safeguarding, road safety and discrimination concerns in respect of drivers to the authority that licensed the driver and that authority must consider whether to suspend or revoke the licence.

The [statutory guidance recommends that licensing authorities should jointly authorise officers from other authorities](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) so that compliance and enforcement action can be taken against licensees from outside their area. Such an agreement would set out the range of powers available, but these could include the ability to undertake compliance checks and immediately suspend a driver's licence in the interests of public safety. The department acknowledges that this would only apply to drivers and vehicles licensed by the authority with which the agreement is with and that it might be challenging for a licensing authority to seek co-authorisation of licensing officers to exercise these powers from every relevant licensing authority. Nonetheless, this is an important existing tool to mitigate the opportunities for drivers to evade regulation.

Should the decision be taken to move licensing to all LTAs this would make this process of joint authorisation more effective. Leeds City Council, for example, would currently need 4 agreements in place to have powers over licensees licensed by adjoining authorities. If strategic authorities, as the

LTA, were responsible for licensing, 3 of those current authorities would be within the West Yorkshire Combined Authority (WYCA) and additionally, Calderdale Borough Council would also be included. A single joint authorisation agreement with York and North Yorkshire Combined Authority would mean that both would have effective powers to ensure compliance of over 17,800 vehicles and 22,500 drivers.

WYCA entering into 4 agreements with its neighbours, York and North Yorkshire Combined Authority, South Yorkshire Combined Authority, Greater Manchester Combined Authority and Lancashire Combined County Authority, would mean it has powers over 42,500 vehicles and over 54,000 drivers in its region.

Larger licensing areas would mean more drivers and vehicles operating in the area in which they are licensed (work 'in area') more often. As a result, the licensing authority's full compliance and enforcement powers would be applicable to more, if not all, of the sector operating in the area without the need for joint authorisation agreements. Licensing authorities would then have greater ability to protect the travelling public directly if there were circumstances that required immediate licensing action.

Compliance and enforcement resourcing

Expanding licensing areas by making LTAs responsible for licensing is expected to better match resources raised through licensing fees with compliance activities, as more licensees work 'in area'. It would also create opportunities for them to take advantage of economies of scale and create more specialised and efficient taxi and PHV licensing teams.

Specialised teams would have the flexibility to target their compliance and enforcement activity in areas where concerns are identified or in response to spikes in demand, such as those associated with large sporting or entertainment events, which, under the current framework, frequently require additional sector capacity from nearby areas – out-of-area working.

Impact on licensing authorities

The local government body that is the LTA could change, either as a result of the creation of new strategic authorities or local government reorganisation. If this proposal does not proceed, and taxi and PHV licensing is not moved to all LTAs, the establishment of new unitary authorities through LGR would still result in a change to existing licensing

authorities in most places. For this reason, it is difficult to say with certainty what the impact would be on authorities that currently carry out licensing.

Nevertheless, this proposal only relates to the taxi and PHV licensing function, so if taken forward, it would mean that in future, there would be instances where taxi and PHV licensing would be split off from the wider licensing function, such as alcohol and gambling (which are static businesses). This would be the case in areas where there is a strategic authority, as these are the LTA, but not the wider licensing authority. This section, therefore, looks at the impact of a split on the wider licensing function, for which local government is responsible.

If an LTA becomes responsible just for taxi and PHV licensing, there would be some duplication of licensing processes between it and the local authority responsible for the wider licensing function. The taxi and PHV licensing regime is, however, designed and intended to be self-funding and so paid for by the taxi and PHV sector rather than local residents. This means that, although there are likely to be one-off transitional costs, no long-term unfunded burden should be placed on LTAs. If there are transitional costs to the sector, these should be offset in the long term by the efficiencies that would be gained from LTAs licensing a significantly larger number of taxi and PHV drivers, vehicles and PHV operators across their larger area.

Taxi and PHV licensing can currently be a significant proportion of a local authority's licensing function, so moving it could potentially impact the other licensing functions referenced above. Where a local authority team works across multiple licensing functions, the loss of the taxi and PHV licensing function may mean that they need to reallocate resources to take into account the reduction in responsibilities and the corresponding reduction in income.

As mentioned above, taxi and PHV licensing should be self-funding and funds raised from taxi and PHV licensing fees cannot be used to fund other licensing regimes. For this reason, making LTAs responsible for taxi and PHV licensing should not affect the funding available for other forms of licensing that are not the responsibility of the relevant LTA.

Given the current significant variances in licensing requirements across the country, LTAs taking on licensing for the first time could face a challenge in rationalising the existing licensing requirements for their area. If all authorities followed the recommendations in the guidance issued by the department, this difficulty should be mitigated. Consolidating requirements provides an opportunity to engage the breadth of the sector and passengers across the expanded area to determine the appropriate licensing requirements.

Should the proposal be taken forward, we would encourage LTAs taking on licensing to develop policies, requirements and have in place systems to

process licensing applications before assuming responsibility for taxi and PHV licensing. While LTAs could seek to temporarily continue to apply the requirements of their predecessors in their respective areas as a transitional measure, it would be preferable for LTAs to have in place the long-term regime they intend to take forward.

LTAs would need to agree transitional arrangements for those who are already licensed by one of their predecessors in terms of complying with any new licensing policies where these are different. It would be unreasonable, for example, for an LTA to expect the replacement of vehicles with little notice and it should consider a reasonable timeframe for a fleet to adjust. Having an agreed policy on these matters in advance of any transfer of responsibility would, however, enable those licensed for the first time to meet the new requirements from day one.

Most taxi and PHV licensing powers are a non-executive function of councils and current strategic authorities effectively only have an executive. Should the proposal to move licensing to all LTAs be taken forward, we would need to consider how best the licensing power should be conferred and exercised by LTAs. We would take into account the 2 existing models, the model operated by the Mayor of London and TfL and the model operated by local authorities outside London, as well as other relevant information.

Impact on the taxi and PHV sector

As stated in the [‘Proposed changes in local government’](#) section, in many areas the authority responsible for taxi and PHV licensing could be changing as a result of the LGR programme. Making LTAs responsible for taxi and PHV licensing, regardless of which body in an area has this role, would deliver benefits for both taxis and PHVs. Improvements in consistency and efficiency of licensing would simplify the process for applicants and those seeking to renew their licence. The main impact would be fewer licensing authorities covering larger areas. These areas would better reflect the working practices of the sector and the travel patterns of their customers, the public.

Consistency

Each of the current 263 licensing authorities in England has its own taxi and PHV licensing policies, which has led to significant variation in non-safety related requirements, for example, vehicle requirements, across the country.

The difference in licensing requirements and fees between current licensing authorities can vary the costs for taxi and PHV vehicle proprietors and drivers by hundreds, if not thousands of pounds and far greater differentials for operator licensing fees.

These licence holders serve passengers who will frequently move between licensing authority areas, especially in our cities, where metropolitan councils are currently the licensing authorities but are not the LTA. For example, a passenger may live in one area, work in another and socialise in a third, yet each will have different licensing requirements, and so costs, for taxi and PHV services.

Making LTAs, who in metropolitan areas are already the strategic authority, responsible for licensing, would mean that the same licensing requirements would apply across a wider area that better reflects passengers' travel patterns. Alongside the adoption of the [statutory guidance](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) and [best practice guidance](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance) (<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance>), this would ensure consistency in a region by making a single authority, with requirements, policies and processes applied throughout. Nationally, reducing the number of licensing authorities is expected to increase consistency.

Making LTAs responsible for licensing would simplify the operation of taxi and PHV businesses for those who currently operate in multiple licensing areas within a region. This simplification would give the many small businesses that operate in this sector valuable clarity and lower costs through reduced time spent obtaining multiple licences and monitoring multiple authorities' policies, thus empowering them to focus on providing a safe and efficient service for passengers. As outlined previously, consulting once on policies and applying these over a wider area would increase consistency and reduce administrative costs that would be reflected in lower licensing costs to the sector.

Cost and speed of licensing

The variance in time and cost to obtain a licence is a major influence on where individuals and businesses choose to license. For example, a driver may wish to obtain a licence from the authority in which they live and intend to work, but unnecessary requirements and long processing times may induce them to license elsewhere, even if fees are higher, so that they can start to earn an income sooner. This does not mean that either the driver or the vehicle they use is unsafe.

If the government decided to make LTAs responsible for licensing, there would be administrative efficiencies and benefits for taxi and PHV licensing due to there being fewer licensing authorities of greater scale. For example, where a strategic authority, as the LTA, receives a larger number of applications for taxi and PHV driver licences, it should be better able to run required training courses or provide testing opportunities more frequently.

Drivers and PHV operators

The proposal to make LTAs responsible for licensing would result in larger licensing areas, which potentially could give taxi drivers the ability to ply for hire across a much larger area, opening up additional earning opportunities, although licensing authorities may decide to introduce taxi zones. The PHV sector and its regulation would also benefit from these changes.

The 'triple licensing lock' can lead to drivers seeking licences from authorities other than where they predominantly work, so they can work with PHV operators that are popular with the public, even though they are not licensed by that area's authority. A PHV operator that is popular with passengers in a region will be able to attract more drivers, as it can provide drivers with more work. If this operator does not hold a licence with a driver's local authority, but the driver wishes to work with/for that operator, they must apply for a licence with an authority that licenses that operator.

If a large number of driver and vehicle licence holders change the authority they license with to work with or for a particular PHV operator, this could significantly impact PHV operators licensed by the original authority. Those operators licensed by that authority would have a smaller number of drivers and vehicles available, which may affect the service levels they can provide and so they may lose even more passengers to the popular operator. This could induce affected operators to follow the flow of drivers and seek an additional operator licence to retain access to a larger pool of drivers and vehicles.

For example, a PHV operator that wanted to be able to draw from the pool of drivers licensed by every authority in Greater Manchester would need to hold 10 licences, with all the cost and complexity this entailed, and may need to sub-contract bookings between its operations to be able to send the driver that was closest to the passenger, reducing wait times, avoiding 'dead miles' and the unnecessary congestion and emission this creates.

LTAs, being the licensing authority, would create a single large licensing authority for a region. This change would create a larger pool of drivers, making it easier for smaller PHV operators to co-exist alongside larger ones without having to change where they are licensed to maintain access to a wide pool of drivers. This would also have benefits for drivers, making it

easier for them to change who they work with. Increased competition among operators for drivers may result in better pay and conditions from operators, without having to apply for a different licence.

Taxi zones

Under the existing system, some licensing authority areas are divided into taxi zones. Taxi zones act as separate licensing areas for taxis but are administered by one licensing authority. Each taxi zone has its own byelaws and may have different licensing requirements and fare tariffs. A taxi driver and vehicle may receive a licence for a zone only, rather than the entire licensing area.

Currently, licensing authorities are only able to abolish taxi zones in their licensing area or retain them wholly unchanged. This means that these zones exist as a result of previous local government reorganisation rather than to better regulate the taxi sector.

Using zones means that local knowledge tests can be set for each taxi zone rather than across the entire licensing authority area and different licensing requirements can be set for each taxi zone. However, taxi zones can also create additional complexity and cost in the administration and enforcement of the taxi licensing regime for licensing authorities.

Under the current licensing framework with 263 licensing authorities, the department's [best practice guidance for taxi and PHV licensing authorities](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance) (<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance>) recommends the abolition of taxi zones, as zoning to subdivide what may already be small licensing areas diminishes the supply of taxis and the scope for customer choice. If larger licensing authority areas are created, DfT recognises the potential benefits of continuing to set local knowledge tests for taxi drivers over a smaller area, where the relevant licensing authority considers this necessary. The department would look to update the guidance to reflect this.

Financial implications of licensing policy rationalisation

If licensing was moved to LTAs, there could potentially be a financial short-term cost to taxi and PHV drivers, vehicle proprietors and PHV operators due to the potential for rationalisation and standardisation of licensing requirements in the areas affected. For example, if an LTA were to replace

several authorities that have variations in their licensing policies, this would need to be rationalised in its new policy, which would lead to changes in some licensing requirements for some, if not all, licensees.

Changes could include different vehicle specifications or additional training requirements that generate extra costs for businesses and existing licence holders. Equally, this may mean that those who might be subject to excessive and disproportionate regulation may benefit from the rationalisation process, but the financial implications would vary between individuals. The need for changes should be mitigated if existing policies already follow the guidance issued by the department.

LTAs, being the licensing authority, would have a positive long-term impact through the greater consistency in licensing requirements and efficiencies for the taxi and PHV sector. It would be the responsibility of LTAs to determine the transition arrangements to any new policies and allow the sector sufficient time to comply with any new requirements.

Impact on passenger experience

The public are with a few exceptions able to choose which business they use and competition encourages better services and value for consumers. Passengers should be able to choose which licensed operator they wish to use. Taxis are more regulated and restricted in how they provide services to protect consumers, as in the immediate hire (hail and rank) market, competitive pressure does not apply as they are unable to compare prices and other factors.

The licensing regime should reflect the way in which the public uses taxi and PHV services, as people will regularly travel beyond licensing authority areas, particularly in our cities. For example, someone may live in one metropolitan borough council's area, work in another and socialise in a third. These proposals would amend the licensing regime to better reflect that. Residents would benefit most if taxi and PHVs are integrated into the local transport network and moving licensing to LTAs will help ensure that they are considered during local transport planning.

Though the safety standards applied to drivers, vehicles and PHV operators are already broadly the same, increased consistency in other aspects of licensing should provide the public with a more consistent experience. Integration of taxi and PHV licensing within LTAs may give them a greater opportunity to create improvements beyond taxi and PHV services by facilitating a holistic local transport network where different modes of transport interact effectively and support one another. This would benefit the wider travelling public.

The increased ability to undertake compliance activity highlighted earlier will ultimately lead to safer journeys for passengers by empowering LTAs to maintain effective oversight of the larger number of licensees in its area and take direct action against drivers, vehicles and PHV operators who break the rules, without relying on securing co-authorisation of licensing officers from other authorities. The consolidation of licensing at the LTA level may also help to ensure resources are available to target unlicensed and uninsured drivers and vehicles.

Accessibility policies

LTAs taking on the licensing function would need to develop a new licensing policy and rationalise the various licensing policies which the previous authorities had. This could have a significant impact on disabled passengers, as we know that disabled people use taxis and PHVs more than those who are not disabled, as reflected in the [National Travel Survey \(https://www.gov.uk/government/statistical-data-sets/transport-disability-and-accessibility-data-tables-dis04\)](https://www.gov.uk/government/statistical-data-sets/transport-disability-and-accessibility-data-tables-dis04).

Disability is a protected characteristic under the Equality Act 2010, and disabled people may face particular barriers accessing taxi and PHV services if authorities fail to regulate services inclusively. Some licensing authorities have licensing requirements to improve the accessibility of services. According to the department's taxi and private hire vehicle statistics, as of 1 April 2024:

- 67% of licensing authorities required taxi drivers to complete disability awareness training
- 65% of licensing authorities required PHV drivers to complete disability awareness training

The [best practice guidance for licensing authorities in England \(https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance) states that drivers should be trained in disability awareness and/or have their knowledge and skills assessed. The guidance also sets out that authorities should understand the demand for accessible services in their area, including wheelchair accessible vehicles, as part of their wider inclusive service plans, and ensure that they have the right mix of vehicles. As set out above, the department would expect the guidance to be the starting point for the creation of new licensing authority policies, including on accessibility.

Though this is a recommendation in the department's best practice guidance and all licensing authorities are subject to the Public Sector Equality Duty (PSED), not all authorities currently require the completion of

disability awareness training and/or the passing of an assessment before a licence is granted. The government would expect LTAs to include this requirement in their licensing policies. This would increase the number of suitably skilled drivers, making taxis and PHVs more accessible for disabled passengers. While it is the case that new licensing authorities could elect not to require this, which could mean taxi and PHV services became less accessible, given the steer from government and their PSED obligations, we consider this an unlikely outcome when looking at policies afresh.

Similarly, new licensing policies could positively or negatively affect the number of wheelchair accessible taxis and PHVs available to passengers who require them. Current licensing authorities, particularly in urban areas, may have a policy that all taxis must be wheelchair accessible. This is less common in more rural areas where there may be little or no demand for rank and hail services and passengers instead rely on booking a taxi or PHV in advance and passengers can specify their requirements at the time of booking to ensure the vehicle satisfies their needs.

It is possible that, with more licensing authorities covering both urban and rural areas as they cover a larger geographic area, there could be calls for the removal of policies that require all or part of the taxi and PHV fleet to be wheelchair accessible, potentially reducing the overall supply for passengers who require such vehicles. The recommendations in the best practice guidance should mitigate this risk, as the new licensing authority would be expected to ensure that the supply of wheelchair accessible vehicles meets the demand in their area. The new authority could incentivise the provision of wheelchair accessible vehicles.

Compellability

When a taxi is at a rank or hailed in the street, the driver is obliged to take a passenger anywhere within a prescribed area unless they have a reasonable excuse. Outside London, the prescribed area is usually the licensing authority boundary or within any taxi zones that the authority may operate. The area in which this duty applies is often referred to as the 'compellable area'. This provides passenger protection, as drivers are required to accept less attractive journeys, for example, because they are short or to an unpopular destination.

Journeys that occur entirely within the compellable area are also subject to fare regulation. Licensing authorities can set the maximum fares for taxis they license. Fare regulation and compellability provide important consumer protection in situations where passengers are unable to shop around, unlike the pre-booked PHV sector, where market forces apply.

Under the current situation, where a passenger wants to take a taxi to another licensing area (which could be a different borough of a metropolitan area) or zone, the driver would generally be under no obligation to take them. Where a taxi driver does agree, the passenger would not benefit from the protection of regulated fares.

Moving licensing to the LTA level would mean that, in most places, there would be larger taxi and PHV licensing areas, which would mean, in the absence of taxi zones, the compellable area for taxis would be larger as well. This could provide greater protection on price within these larger areas and give passengers, including disabled passengers who rely on taxis the most, greater travel freedom. It would, however, place taxi drivers under an obligation to carry passengers much longer distances than at present. It would be for LTAs to decide whether to implement taxi zones or use a single area approach. They would be expected to balance the benefits of large areas for passengers with the impacts this would have on taxi drivers.

How to respond

See the [ways to respond section of the consultation page on GOV.UK](https://www.gov.uk/government/consultations/local-transport-authorities-and-the-licensing-of-taxis-and-private-hire-vehicles) (<https://www.gov.uk/government/consultations/local-transport-authorities-and-the-licensing-of-taxis-and-private-hire-vehicles>) to find out how you can respond to this consultation.

The consultation period began on 8 January 2026 and will run until 1 April 2026. Ensure that your response reaches us before the closing date.

If you would like further copies of this consultation document, it can be found on [GOV.UK](https://www.gov.uk/dft#consultations) (<https://www.gov.uk/dft#consultations>) or you can contact taxisandphvs@dft.gov.uk if you need alternative formats (Braille, audio CD, etc.).

You can submit your response to:

Taxi and PHV Policy Team
Zone 2/22
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Alternatively, you can email: taxisandphvs@dft.gov.uk.

When responding, state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, make it clear who the organisation represents and, where applicable, how the views of members were assembled.

What will happen next

We will publish a summary of responses, including the next steps, in due course on GOV.UK. Paper copies will be available on request.

If you have questions about this consultation, contact:

Taxi and Private Hire Vehicle Policy Team
Zone 2/22
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Email address: taxisandphvs@dft.gov.uk

Full list of questions

These questions are listed here to give you an overview of what we are asking. The consultation response form may include more questions, for example, questions about who you are.

See the [ways to respond section of the consultation page on GOV.UK](https://www.gov.uk/government/consultations/local-transport-authorities-and-the-licensing-of-taxis-and-private-hire-vehicles) (<https://www.gov.uk/government/consultations/local-transport-authorities-and-the-licensing-of-taxis-and-private-hire-vehicles>) to read a full list of questions and find out how you can respond to them.

Consultation questions for local authorities

Questions to local authorities who are currently responsible for taxi and private hire vehicle licensing

If all local transport authorities were made responsible for taxi and private hire vehicle licensing as proposed, would your local authority expect:

Question 1: Any one-off costs? If so, what would the one-off costs to your authority be for? How much would the costs be? Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

Question 2: Any ongoing costs? If so, what would the ongoing costs to your authority be for? How much would the additional costs be? Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

Question 3: Any one-off savings? If so, what would the savings to your authority be for? How much would the savings be? Please provide a monetary value in pounds, if possible, otherwise the resource time required.

Question 4: Any ongoing savings? If so, what would the savings to your authority be for? How much would the savings be? Please provide a monetary value in pounds, if possible, otherwise the resource time required.

Questions to local transport authorities who would become responsible for taxi and private hire vehicle licensing if this proposal went ahead

If all local transport authorities were made responsible for taxi and private hire vehicle licensing as proposed, would your local authority expect:

Question 5: Any one-off costs? If so, what would the one-off costs be for? How much would the costs be? Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

Question 6: Any ongoing costs? If so, what would the ongoing costs be for? How much would the costs be? Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

Question 7: Any one-off savings? If so, what would the savings to your authority be for? How much would the savings be? Please provide a monetary value in pounds, if possible, otherwise the resource time required.

Question 8: Any ongoing savings? If so, what would the savings to your authority be for? How much would the savings be? Please provide a monetary value in pounds, if possible, otherwise the resource time required.

Consultation questions for the Taxi and PHV sector

If all local transport authorities were made responsible for taxi and PHV licensing as proposed, would you expect:

Question 9: Any one-off costs? If so, what would the one-off costs be for? How much would the additional costs be? Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

Question 10: Any ongoing costs? If so, what would the ongoing costs be for? How much would the costs be? Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

Question 11: Any one-off savings? If so, what would the savings to your business be for? How much would the savings be? Please provide a monetary value in pounds, if possible, otherwise the resource time required.

Question 12: Any ongoing savings? If so, what would the savings be for? How much would the savings be? Please provide a monetary value in pounds, if possible, otherwise the resource time required.

Consultation questions for all respondents

Consultation questions on proposals

Question 13: Should all local transport authorities be responsible for taxi and private hire vehicle licensing? Why?

Consultation questions on economic benefits and costs

Question 14: Are there wider economic benefits in making all local transport authorities responsible for taxi and private hire vehicle licensing? If so, what are they?

Question 15: Are there other costs in making all local transport authorities responsible for taxi and private hire vehicle licensing? If so, what are they?

Freedom of Information

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

The department will process your personal data in accordance with the Data Protection Act 2018 (DPA) and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Confidentiality and data protection

The Department for Transport (DfT) is carrying out this consultation on making LTAs responsible for taxi and PHV licensing. This consultation and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. If your answers contain any information that allows you to be identified, DfT will, under data protection law, be the controller for this information.

What data we collect and how we will use it

We process the following personal data through our online forms, surveys and consultations:

- name
- email address

This personal data is collected for the purpose of further communication or response to you, including:

- asking you follow-up questions about your entry
- verifying the identity of the individual as required, for example, by sending access passwords

We may also ask whether you are responding on behalf of an organisation or yourself. If responding on behalf of an organisation, we may ask for the name of your organisation and your role in the organisation. In some circumstance, we may also ask for some further details about the operations of your organisation.

This allows us to correctly weight your response, ascertain your validity to the organisation when responding, and ascertain your employer or company when completing transactional services.

Our lawful basis for collecting your data

Under data protection law, the lawful basis for processing your personal data is Article 6(1)(e) – public task.

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Data sharing

Your personal data is processed on behalf of DfT by [SmartSurvey](https://www.smartsurvey.co.uk/) (<https://www.smartsurvey.co.uk/>), with respect that they are our current survey collection software provider only.

Your responses and evidence may be shared with third-party research organisations, or other government departments, for the purposes of analysis. Your name and contact details will be removed prior to that sharing taking place and will not be shared with any other third parties unless separately stated.

Artificial intelligence

Your data, including personal data, may be analysed and summarised using technology, such as artificial intelligence (AI). Your name and contact details will be removed prior to the use of AI.

Your data may also be used for the purposes of trialling and developing certain AI solutions. Personal data will only be used to develop AI models where the models are hosted on systems that are under our control. We will not allow your personal data to go outside of those systems.

How long we retain the data

Your personal data will be kept securely by DfT and anonymised within 12 months of the entry or consultation closing date, unless separately stated.

Further information

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COUNCIL BUSINESS COMMITTEE**Consultation Response to the Draft National Planning Policy Framework****19 February 2026****Report of Chief Officer - Planning and Climate Change****PURPOSE OF REPORT**

To advise Members of the internal consultation arrangements regarding the above consultation, and to seek authority from the Committee to submit the response.

This report is public.

RECOMMENDATIONS

- (1) **That the consultation responses relating to the proposed National Planning Policy Framework be submitted as per the draft agreed by the Planning Policy Cabinet Advisory Group.**

1.0 Introduction and Procedural Arrangements

1.1 A new draft version of the National Planning Policy Framework (NPPF) has been published for consultation by the Ministry for Housing, Communities and Local Government (MHCLG). Lancaster City Council's officers and Elected Members have been working to provide a response to the (lengthy) consultation.

1.2 The draft consultation response is due to be presented earlier this week (17 February) to a meeting of the Planning Policy Cabinet Advisory Group (PPCAG). Because of the wider planning implications associated with the NPPF consultation, Members of the Planning Regulatory Committee are also invited to the meeting.

1.3 Because of the short period of time between PPCAG and Council Business Committee, and the length of the consultation (225 questions), and also the pressures on the municipal calendar at the end of February/beginning of March, permission is sought from Council Business Committee to submit the consultation responses that were subsequently amended and agreed at PPCAG.

2.0 Scope & Content of the National Planning Policy Framework Consultation

2.1 The consultation represents a significant reworking of national planning policy. Many of the proposed changes seek to enable the delivery of the Government's housebuilding agenda. In particular there is a more consistent presumption in favour of sustainable development within settlements, and outside settlements on sites that

are well-located and make efficient use of land and infrastructure. There are structural changes to the document that result in a clear separation of plan-making policies and national decision-making policies. These policies are not statutory, but it is clear from the draft text that they will be a considerable material consideration that are capable of being directly applied to decisions and plans. It is also clear Local Plans should not replicate the national policies or be inconsistent with those in the NPPF.

- 2.2 Amongst the responses that PPCAG will consider are those that relate to the structure and content of Spatial Development Strategies and Local Plans; matters regarding housing delivery; a more defined approach to Green Belt/Grey Belt land; and topic-specific questions regarding issues such as transport, heritage and the natural environment.
- 2.3 The proposals are notably more rules-based, and Government expects the national policies to be *“capable of supporting timely and consistent planning – especially in those places where development is most desirable, where national policy should provide for a default “yes” to the principle of development”*.
- 2.4 Links to the consultation literature are attached as background papers to this report.
- 2.5 The City Council’s draft response to the NPPF consultation are attached at Appendix A.

4.0 Consultation Arrangements

- 4.1 The national consultation closes on 10 March 2026. The consultation arrangements set out in paragraph 1.2 of this report have informed the content of the Council’s draft submission.
- 4.2 During the consultation the Ministry for Housing, Communities and Local Government (MHCLG) published a note correcting errors in their original consultation literature. For clarity, the MHCLG note corrected paragraphs relating to town centre sequential testing and market for sale housing; and they remedied errors regarding some sub-questions in the consultation.

5.0 Next Steps

- 5.1 Should Council Business Committee agree that the response (as amended by PPCAG) be submitted, officers will make arrangements to formally submit next week (w/c 23 February 2026).

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

The NPPF was first introduced in 2012 and sought to condense disparate national planning policy into one single framework. The revisions rework the content and style of the NPPF but retain its purpose, seeking to deliver a more accessible national planning policy that will be consistently applied across the country.

The consultation responses will be assessed by Government and all duties of consideration regarding any impacts will be appropriately considered by the decision-maker.

LEGAL IMPLICATIONS

There are no legal implications arising from the report.

FINANCIAL IMPLICATIONS

There are no financial implications, other than those already incurred within existing resources, arising from this report.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None at this stage.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments to add.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments to add.

BACKGROUND PAPERS

1. [National Planning Policy Framework: proposed reforms and other changes to the planning system](#)
2. [National Planning Policy Framework: draft text for consultation](#)
3. **Draft response to the NPPF Consultation – Appendix A** (*i.e. prior to presentation to PPCAG; amendments that are agreed will be included in the final submission*)

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Appendix A: Questions on proposed reforms to the National Planning Policy Framework and other changes to the planning system

- 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?**

We are concerned that the failure to make the National Development Management Policies (NDMP) statutory is a missed opportunity to make the national planning system simpler (especially plan-making), and to alleviate workloads for all local planning authorities and other users of the system. We would advocate for a reversal of this decision.

We do not foresee any alternative to the introduction of secondary legislation to deliver statutory policies.

- 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?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
- a) **Please provide your reasons, particularly if you disagree.**

We welcome the revised structure to the NPPF, and in particular the greater distinction between plan-making and decision-making policies. The Introduction is helpful in re-establishing the purpose of the Planning System. We consider that the layout makes the Framework simpler to navigate and will ensure that it acts more like an unambiguous rules-based guide.

- 3) **Do you agree with the proposed set of annexes to be incorporated into the draft Framework?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
- a) **Please provide your reasons, particularly if you disagree.**

Yes, the use of annexes for the presentation of detailed, complex and technical subject matter is appropriate and they ensure that the format of the main NPPF remains accessible. However we would advise against the addition of future annexes for any subjective matters (such as design).

- 4) **Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

Yes, but only incorporated as an Annex.

- 5) **Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied?**

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

- a) **Please provide your reasons, particularly if you disagree**

Yes. In particular, removal of the potential conflict caused by the interpretation of “substantial” and “great” weighting is supported.

- 6) **Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

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

Agree, the re-emergence of more strategic policy thinking is welcomed. Since the abolition of the regional tier of plan-making in 2010 it has created a vacuum where cross boundary strategic thinking can only take place through the process of Duty to Cooperate. This means that consideration of strategic matters of infrastructure delivery and targeting development needs have all be undertaken on sometime an ad-hoc basis. The future role of Spatial Development Strategies (SDS's) presents a positive opportunity to re-establish strategic plan making across all areas of the Country.

- 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?**

Whilst the need to be responsive to changing events is a valid reason for attempting to make SDSs more flexible having a stable plan is also equally important. Having planning documents which change their strategic thinking on potentially such a regular basis provides neither stability or certainty to any party, whether that be the local planning authority, the development industry or the local community.

It is recommended that SDS's have a minimum lifespan of 10 years to create such certainty to all key stakeholders with on wholly exceptional circumstance to where an early review is necessary. This could include a significant change to housing need, but this should only be in the context of either persistent under delivery or the loss of key development sites.

- 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? **Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

The national policy position would need to be amended to be reflective of the ambitions around retaining SDS's for more than a 5 year period.

9) Do you agree with the role, purpose and content of local plans set out in policy PM2? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree**, strongly disagree.*

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

Whilst the proposed content of a Local Plan, as described in paragraph 1 of PM2 is supported, there are a number of concerns around the length of time which is anticipated to preparing local plans, which is not attached the reality of other aspects of plan-making, in particular the increasing demands of Government around increasing engagement and stakeholder participation in the process. Further direction should also be provided to describe the implications of local planning authorities not meeting this 30-month aspiration.

Furthermore, the aspirations around reviewing local plans every 5 years is not realistic. As with SDS's the preparation of local plans should seek to provide certainty to all parties engaged in the plan-making process, the local community, the development industry and the local planning authority itself. The expectation of reviewing a plan every 5 years (as is the implication of paragraph 3) is wholly realistic, it will lead to a continual churn of plans being prepared and quickly being reviewed.

Not only will it lead to great uncertainty in the process, it does not reflect the lack of resource within local planning authorities to undertake this work, both financially (to update the relevant evidence to underpin a sound plan) and also the staffing resource required. The Government, whilst placing greater demands of local planning authorities in terms of the scale and speed of plan making, still have not provided anywhere near enough resource to support this expectation.

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan? Yes/**No**

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.

Whilst it is necessary to provide stability and certainty to the content of a local plan for a greater period of time than 5 years. It is recognised that plans need to be flexible and adaptable to change. Therefore 15 years is too long a period to accurately provided this.

It is felt that a lifespan of 10 years represents a reasonable balance between providing the certainty and stability needed against the need for a plan to respond positively towards changing local circumstances.

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

The general principles set out in PM6 represent a strong and positive starting point for plan-making. But this has to be put into the context of the 30-month plan-making period, particularly in regard to the extent and implications of points (d) and (e).

12) Do you agree with the approach to initiating plan-making in PM7? Strongly agree, *partly agree*, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

If local planning authorities stand any chance of preparing plans in the 30-month timeframe anticipated, then it is accepted that work needs to be front-loaded and there needs to be a clear plan for preparation ready at the outset. That includes all elements described in (a) to (d) of paragraph 1 of PM7.

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8? Strongly agree, partly agree, neither agree nor disagree, *partly disagree*, strongly disagree.

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

There are no objections to the role of evidence informing local plans. Evidence is at the heart of informing an objective and soundly prepared Local Plan and the content of PM8 accurately reflects the importance of evidence in that process.

However, the Government consistently fails to explain to local planning authorities what is meant by appropriate levels of evidence or, in the context to this consultation what is meant by evidence being '*relevant to the matters being considered by the plan; proportionate, so that it is focused and not necessarily extensive*'.

As always it would be beneficial for local planning authorities to understand what is considered by the Government to be core elements of evidence which all local plans should seek to deliver, accepting that there will always be circumstances specific to a local area which may as a result lead to more evidence being required. This could quite simply be included either as an annex to this Framework or as part of the supporting practice guidance.

It is not clear why the Government have been so consistently hesitant to provide this guidance however, if it were to be provided, it would help ensure that local planning authorities didn't prepare unnecessary and over-proportionate evidence which they do in order to protect themselves from risk as they advance their plans.

14) Do you agree with the approach to identifying land for development in PM9? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

No additional comments to make.

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

It is highly beneficial for all parties to talk to their neighbouring planning authorities to ensure that any cross boundary issue is well understood, explored and any outcomes agreed upon. Whether this is considered under a 'Duty to Cooperate' process or 'Duty to Support' does not fundamentally alter its importance.

Consideration needs to be given on how these engagement processes filter through to the preparation of Spatial Development Strategies where they are undertaken at a regional level.

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.

Many communities consider that the development industry has a consistent track record of seeking to water down the contributions required of them through the planning application process. This can be via removing policy obligations such as affordable housing or removing infrastructure requirements as set out in the infrastructure delivery plan (which supports the local plan). It is very rare that local planning authorities see policy compliant development and decisions are regularly taken to balance the need for delivery against the issues of viability.

The content provided through PM12 provides little comfort that this national framework will adequately ensure that new development comes forward with the infrastructure necessary to support its sustainable delivery.

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

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

Without further detail on what such review mechanisms could be it is not possible to comment on whether they would be beneficial or not.

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.

Our overriding consideration is that Policy PM13 should be deleted or significantly amended to support Local Authorities to set local quantitative standards in local plan policies.

The following text is proposed: *Any planning policies that propose qualitative standards for development should have a justified and robustly evidenced rationale for its inclusion.*

Section 19(1A) of the Planning & Compulsory Purchase Act requires that development plan documents, taken as a whole, include policies that ensure land use and development contribute to both the mitigation of, and adaptation to, climate change. The Climate Change Act further establishes that effective climate action must occur at both the national and local

levels. In addition, the Public Sector Equality Duty under Section 149 of the Equality Act 2010 reinforces the obligation to consider people with protected characteristics, many of whom are disproportionately affected by poor housing performance, cold homes, and overheating.

Rather than proposing restrictions that would prevent local planning authorities from fulfilling these duties, the government should instead provide clear guidance and support that enables LPAs to develop robust, evidence based and innovative local standards. These standards are essential for meeting local needs and for ensuring a safe, liveable future.

The government recognises the need for local policy in PM13 for water efficiency in order to meet the stresses of local conditions. This is no different for energy, materials or design. Local planning policy exists to meet the specific characteristics, challenges, and needs of each area. Different places have distinct emissions profiles, development pressures, socio-economic needs, environmental baselines, and infrastructure constraints (including limitations in the electricity network) which national minimum standards cannot meaningfully address. Critically, setting this constraint completely undermines the ability of local communities to advocate for development which meets their unique needs and undermines community voice and participation. The government states that PM13 has been brought forward as they “*are concerned*” that local policy is hampering industry’s ability to “*adapt*” or deliver “*at scale*”. This concern is not underpinned by evidence, nor has an impact assessment been done as to the impacts which the weakening of a national position would cause. Indeed the evidence would appear contradictory to this. Across the country, LPAs have already demonstrated that locally tailored policy with quantitative standards can be robustly evidenced, viable, deliverable, and legally defensible, with years of successful implementation to draw on.

The Building Regulations represent a nationally applicable minimum standard. By design, national minimums cannot reflect local climate, infrastructure, or socio-economic conditions, or resolve area specific challenges. The most recent Future Homes Standard (FHS) consultation bills, net zero, and climate resilient homes. Its implementation has been delayed yet again, and the proposed 12-month transitional period would allow thousands of new homes to proceed without the improved standards the government itself is advocating. New homes could and should meet net zero performance today. The FHS will only produce net-resilient homes which will be net zero only when the electric grid fully decarbonises. This will increase near territorial emissions and medium-term territorial emissions and undermine wider local efforts to address climate mitigation.

Critically for adaptation, the climate is warming at an increasingly rapid rate. PM13 places limits on LPAs ability to address overheating. Compliance with Part O of the Building Regulations uses UKCP09 projections, not the updated UKCP18 which has greater seasonal variations including more robust heat extreme projections.

Fuel poverty, cold homes, poor ventilation and overheating disproportionately affects children and young people, women, vulnerable populations, minorities, and low-income communities. Local policy can and should be based on the most up to date data, needs and climate projections for their local areas and should be supported to deliver better outcomes for all residents. LPAs should retain the ability to set higher energy and climate adaptation standards (such as for overheating) where they are justified.

Neither PM13 nor the wider draft NPPF provides certainty on how embodied carbon will be managed. Despite the absence of robust national regulation, many developments nationally have already been successfully delivered in line with LPA requirements for whole life and embodied carbon assessments. This is a critical policy area given that embodied carbon forms a significant proportion of total lifecycle emissions and must be addressed to meet carbon budgets.

The Planning Practice Guidance on climate change is out of date (most is now close to 12 years old) and fails to provide LPAs with comprehensive or current guidance. The lack of clarity in the draft NPPF, particularly within PM13, prevents a full and informed response to the proposed policy changes.

The reason given by the government for restricting local policy on construction and layouts is that these “*are matters best left to the market to determine.*” This fundamentally contradicts the purpose of the planning system. Market driven solutions often create outcomes which conflict with both short- and long-term public needs. The market does not internalise costs which will burden communities, the environment and residents in the homes for the whole lifecycle of the development. In a severe housing shortage, as is currently experienced in England, the market has little incentive to improve quality beyond the minimum. Consequently, the market may deliver lower quality housing which would not be the choice of occupants if there were better choices available. The government has provided neither evidence nor impact assessment to justify this approach. There is a lack of provided evidence supporting the assertion that market-led design produces better or even adequate long-term outcomes. And there is no provided assessment of the risk and impact of poorly designed layouts on resident health, wellbeing, building energy use, building lifecycle carbon costs, climate resilience and development lifetime costs to society. It also provides no assessment on the need for good layout for occupant safety (such as in relation to designing out crime and the impact on the safety of women and girls as evidenced in the recent 'Violence against women and girls' (VAWG) strategy),

PM13 risks significantly limiting the ability of LPAs to secure the best outcomes for nature and the community. It may restrict opportunities to achieve nature recovery and ecological enhancement beyond the minimum Biodiversity Net Gain (BNG) requirements particularly in urban and built-up areas and it restricts the opportunity to develop other local standards required to meet local conditions and the needs of the local community. This includes many issues which are of importance to the local residents and which a blanket one-size-fits-all national approach may not be appropriate.

As written, PM13 restricts the ability of LPAs to meet the ambition of climate adaptation and mitigation as set out across other areas of the draft NPPF resulting in inconsistency across policy. Critically across a wide range of legislation, LPAs are legally required to meet climate objectives, but the proposal set out in PM13 will effectively prohibit them from using the tools necessary to do so. This creates conflict across the statutory duties of Local Authorities and increase the risk of legal challenge.

Local policy has consistently provided a test bed for raising standards nationally. Instead of constraining LPAs, the NPPF should empower them and give them the tools to innovate, meet local needs, and deliver tailored solutions to the diverse climate, environmental, and social challenges they face, as had been evidenced as possible by numerous LPAs across the

Country to date. Failure to allow this significantly undermines the purpose and value of the Local Plan and serves only to further disconnect communities from the planning system.

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?

The tests of soundness remain a stable and clear approach towards the assessment of local plans, and it is agreed that these should remain the core principles of assessing the content and direction of plans.

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?

No additional comments to make.

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.

The overall principle is supported, however reference to the minimum necessary information to enable a decision to be made could result in less timely decision making, which would be the opposite of the intention of the policy. It is positive that the policy references local engagement with the community, consultees and the local planning authority (LPA).

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.

We agree that each LPA will maintain its own policies to promote the economy whilst protecting the environment. It is the role of the local validation list to ensure that additional information not included within the national validation guide is catered for, and we agree this should derive from the requirements of policy within the Development Plan.

23) Do you have any views on whether such a policy could be better implemented through regulations?

No comment to make.

24) Do you agree with the principles set out in DM3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

We agree with overall direction of the policy with respect to decision making. However when working with applicants in a positive and proactive way, this can unavoidably lead to decisions that are made outside of the statutory decision-making timescales. Therefore, this feels at odds with the current system. We endorse the need to only consult consultees if it is necessary.

With respect to point D we agree with the principle; however the critical issue here is that consultees need to be sufficiently resourced and then mandated to respond to consultations within the statutory period. This often does not happen at present. Without sufficient resourcing it is questionable whether this policy will be workable.

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?

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

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

The overall premise is to be supported, however not all schemes come forward that are located on allocated housing sites and therefore they will not have been through the viability testing phase. The policy needs to be re-worded to cater for this element. We would add that if a scheme has been viability tested during the application stage that there is no further provision for this to be re-examined following consent, given that the merits have already been assessed. This would provide greater confidence in the planning system.

We agree that where a developer submits a Section 73 application that seeks to reduce affordable housing provision based on a new viability assessment, the LPA should have regard to the harm that such a reduction may cause and should give this appropriate weight in the overall planning balance, alongside the wider merits of the scheme

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

The critical issue is that at the plan making stage a robust (and pragmatic) viability exercise has to be based on reality and not on the aspirational wishes from the LPA.

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?

Clearer national guidance would be helpful, and we acknowledge the work undertaken to date regarding the implementation of Section 73B of the Levelling-Up and Regeneration Act 2023. We note that Government intends to undertake a wider review of the statutory framework for modifying or discharging existing planning obligations. Both Section 73 and Section 106A can both be used, but we would question the effectiveness of Section 73 if there was no planning condition which could be modified. Section 106A may be preferable. We would advocate that a proportionate fee (i.e. relative to the complexity and issues arising from the application) should be required.

- 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.

Developers take on risk when they seek to develop sites; it should not be for the local housing market to effectively subsidise the developer profit. If a developer can demonstrate to the satisfaction of the LPA that the development is unviable then re-consideration of the affordable housing scheme should logically follow.

- 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? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

- 30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes? ***Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

We strongly agree that planning decisions need to focus upon the key issue of whether a development represents an acceptable use of land. More operational matters should be handled by the relevant regulatory regimes.

- 31) Do you agree with the new intentional unauthorised development policy in policy DM8? ***Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

We fully support the additional weight that is proposed to be attributed to intentional unauthorised development. Whilst we accept that retrospective applications should not automatically be refused, the fact that the works were intentional should attract substantial weight in decision-making. This approach needs to be consistent in planning (enforcement) appeal decisions too. Such a change would potentially reestablish some confidence in the planning enforcement system and may work as a deterrent. This needs to be coupled with swifter prosecutions and an increase in the fines thresholds.

- 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?

- a) If so, are there any particular additions or mitigations which we should consider?

The intentional harm relating to the historic fabric of listed buildings is a key consideration. For example, if works are carried out to facilitate a change of use to a listed building, the wording of policy needs to act as a sufficient deterrent and indicate that retrospective applications will not be supported.

- 33) Do you agree with the new Article 4 direction policy in policy DM10? ***Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

Yes, more flexibility on this issue is welcome.

We would also advocate that the process of introducing a new Article 4 Direction should be made as simple as possible, without recourse for Secretary of State intervention. The removal of permitted development rights via Article 4 is best determined by the local planning authority, based on robust evidence.

34) Do you agree with the proposed approach to setting a spatial strategy in development plans? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

The ability to set a wider strategic strategy will allow for strategic issues, for example infrastructure delivery or targeting economic growth, to be undertaken at a higher more strategic level and provide greater direction to lower tier local plans without the need for unnecessary duplication.

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.

No additional comments to make.

36) Do you agree with the revised approach to the presumption in favour of sustainable development? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree**, **strongly disagree**.*

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

Whilst a simplified presumption is welcomed, it is felt that the ambitions around Policy S5 mean that the implications of exercising the presumption in rural areas may have significant adverse implications which do not seem to have been fully considered and explored by this Framework.

But we consider that the ambitions of this Framework regarding development outside settlement areas goes too far, especially when suggesting that authorities which do not have a sufficiently strong supply of housing should support the delivery of housing in rural, isolated locations. Whilst the Framework provides circumstances where this would not be acceptable, these are considered to be weak and not sufficient to prevent truly unacceptable development from being permitted through this presumption.

The Policy also limits the opportunity for local authorities to take account of local circumstances with the wording in the subsequent policies of S4 and S5 relating to the assessment of schemes against national decision-making policies in the Framework only. The watered-down role of Local Plans in this assessment is of significant concern.

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.

It is recognised that in order to the make the best use of existing land that development should be prioritised to sites within existing urban boundaries provided a number of circumstances can be met. It is felt that while S4 does consider these circumstances it should also consider the implications of new development against the existing character of the settlement and provide a consideration to whether the scale of development being proposed is actually proportionate. Local policies would allow such considerations to be made. The inability to consider Local Plan policies within this balance is significant concern.

- 38) Do you agree to the proposed approach to development outside settlements?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree.***
a) Please provide your reasons, particularly if you disagree.

Whilst acknowledging in principle support for Policy S5, we have significant concerns relating to criteria (h) and (j). As currently worded the inclusion of these criteria in what are otherwise acceptable rural uses has the potential to result in residential development being directed to unsustainable locations something which we do not support. This is discussed further under our response to question 39.

- 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?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree.***
a) Please provide your reasons.

Many categories set out in S5 are reflective of longstanding uses which have been considered acceptable in more rural locations. These remain appropriate.

However, criterion (h) and (j) seek to encourage a greater role for general housing stock to be provided in rural, more isolated locations which leads to greater dispersal of development impact and shows a lack of consideration for the implications of piecemeal, unplanned development in the countryside. The lack of housing supply should not be seen as a circumstance, or excuse, for the support of poorly planned and poorly located new housing. This is particularly the implication from criterion (j). The inclusion of criterion (j) would have the potential for particularly damaging impacts on the countryside, particularly in areas which have high value landscapes (which are not taken account of in S5) and therefore should be removed. The Framework (as a local plan) should be read as a whole and there is sufficient direction across the plan to support the delivery of new housing in sustainable locations without the need for criterion (j).

- 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?** *Strongly agree, partly agree, neither agree nor disagree, **partly disagree,** strongly disagree.*
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.

While supporting the direction of this policy in encouraging development in locations well served by sustainable transport this should not be at the expense of other planning

considerations which may warrant such locations unsuitable. The blanket approval of schemes in such locations should therefore be avoided.

Clearer definitions are also required in relation to how 'well connected stations' will be defined and the evidence base that will be used to assess service provision. The current definition is considered vague.

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy? *Strongly agree, partly agree, neither agree or disagree, **partly disagree**, strongly disagree.*

a) If not, please provide your reasons

Whilst the inclusion of housing figures for neighbourhood plan areas are well meaning, the inclusion of such figures is not considered to be robust. Many neighbourhood plan groups would seek to dispute the numbers provided and any numbers which are included in a plan tend to be arbitrary and not sufficiently based on the very local circumstances of that specific plan area. It is not considered to be an effective or robust method of providing such figures and its recommended that such figures are undertaken on a case-by-case basis, ideally using some form of methodology which is provided within the Practice Guidance.

42) Do you agree with the approach to planning for climate change in policy CC1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree**.*

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

The City Council agree with the broad intention of the policy to take a proactive approach to mitigating and adapting to climate change but strongly disagree with the proposed mechanisms and constraints to local plan making. Those most affected by climate change, children and young people, women, vulnerable populations, minorities, and low-income communities should be central to CC1 which should support local plans to address these impacts.

The NPPF should empower local areas to deliver radical reductions in greenhouse gas emissions. As drafted it is unclear how this can be achieved without the ability to set quantitative standards or address the full range of emissions associated with development.

The focus on climate adaptation, emphasis on long-term climate risks and provision for relocation of homes and other uses is welcome. Guidance should be provided based on the most recent climate projections and highest emissions scenario (currently UKCP18, RCP 8.5).

CC1 apply across all areas of plan making, not only spatial strategies and allocations and should include conversions and material change in use. Local areas have local carbon budgets, local infrastructure, and local needs which local plans should be supported to provide a local solution to.

Clear requirements to reduce operational and embodied carbon are required. Guidance should be provided to include Scopes 1-3 of emissions and for alignment with the governments carbon budgets, local carbon budgets and alignment with the Climate Change Act as noted in footnote 30.

The Framework fails to provide guidance for those locations where a spatial development strategy has yet to be prepared. It is not clear where, in the absence of this strategy, strategic guidance will be provided and how this should be assessed in the interim.

CC1 (1) The policy should require climate change mitigation and adaptation to be integrated across all policy areas from health to housing. It is welcome that a range of long term weather related climate risks is included. This should also include soil wetting and drying cycles.

CC1 (1) (a) The policy must not be constrained to the spatial strategy and allocations to be effective and must also include wider local and design policy. It should cover both new development and conversions or changes of use.

CC1: (1)(a)(i) It is welcome that baseline carbon assessments are expected to be provided. This should at a minimum include all territorial emissions and should be expected to cover a full lifecycle assessment of the development including Scopes 1-3. There should be a requirement for a carbon mitigation plan and levers for off/insetting any residual emissions. Robust guidance should be provided on the baseline assessments and policy guidance for setting quantitative emissions reductions targets across all development. Policy PM13 should be revised to allow for effective policy setting across emissions areas.

CC1 (1) (a) (ii) It is welcome that planning must be done around the relocation of development in response to climate impacts. The paragraph requires further detail and guidance on the relocation of homes and other uses at risk of coastal change, and the requirements this responsibility carries in plan making. Guidance should also be provided around vulnerability and risk.

CC1 (1)(b) – The approach to climate risk should apply to all development not just allocations. Further guidance is required in this policy area. Risk levels should be based most recent climate projections and highest emissions scenario (currently UKCP18, RCP 8.5) and be based on local circumstance.

CC1 (1)(c) Water efficiency standards should be expected across all local plans and all development types and not be limited to new development. Water efficiency policies should be based on most recent climate projections and highest emissions scenario (currently UKCP18, RCP 8.5). This paragraph should include rainwater harvesting and grey water recycling.

CC1 (1) (d) paragraph should include mention of ecosystem services and soil health. Plan-making policies should apply at the site level as well as wider strategic considerations.

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.*

a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?

The approach to mitigation should provide for the situation within local carbon budgets and set out meaningful approaches to achieving national and local mitigation targets across all emissions scopes. The policy should require an assessment of full life cycle emissions

including Scope 3 emissions and a mitigation plan. Guidance should be provided on how proposals should be assessed and include locally applicable guidance.

CC2 (1)(a) The paragraph should also include reference to increasing electric vehicle use where applicable to the development.

CC2 (1)(b) The paragraph should be positively focused to increase model shift and “*support good access to facilities within walking, cycling and public transport distance*” rather than seek to “*limit the need to travel.*”

CC2 (1)(c) This paragraph should go beyond approaches outlined in DP3(1)(c) and more comprehensively and holistically approach operational energy, healthy buildings and embodied carbon. It should include renewable and low carbon energy, ventilation and energy affordability.

CC2(1)(d) The requirement should be that the proposal ‘must’ maximise the re-use of existing structures and materials. There should also be a clear preference included for retaining existing structures over demolition. Whole lifecycle carbon assessments including Scope 3 emissions should accompany any demolition activity. The reference to ‘non-contaminated’ soil and hardcore should be removed. All soil and hardcore should be included as provision can be made for remediation/recycling.

CC2(1)(e) The paragraph should include that development should be designed to be heat network ready in areas where heat network zoning may apply. Development which creates waste heat should be expected to be future proofed for connection to a heat network regardless of if a heat network currently exists.

CC2(1)(f) Reference must be given to the protection and enhancement of soils as the largest terrestrial carbon store. The paragraph should also include the protection and enhancement of habitats within development sites which act as carbon stores.

CC2(1)(g) This should be accompanied by an assessment of full life cycle emissions and full accounting of Scope 3 emissions and a mitigation plan.

CC2 The paragraph should include reference to water efficiency. The policy should reference the protection of the historic environment.

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?

The approach to development within coastal areas is welcome as is the widening recognition of heat and drought related climate risk. The approach to adaptation must provide for the ability to situate assessment of applications within local climate contexts and set out meaningful approaches to addressing local adaptation needs. Specific recognition should be given to the disproportionate impacts of climate change on children

and young people, women, vulnerable populations, minorities, and low-income communities particularly with reference to local areas. Specific mention should also be given that green infrastructure should be planned with reference to climate projections. Provision for nature to adapt should also be included. Guidance should be provided on how proposals should be assessed. The policy should apply to new development as well as conversions and material change in use. Substantial weight should be given to retrofitting measures for climate adaptation.

CC3(1) A definition of what is included in the 'potential' impacts of climate change should be outlined in guidance. Impacts should be based on most recent climate projections (currently UKCP18) and be planned for the high emissions scenario. Clear, locally applicable guidance should be provided to support determination of applications. The assessment should be expected to include an equality impact assessment.

CC3(1)(c) The paragraph should include the protection and enhancement of soils for their function in the hydrological cycle. the use of SuDS to add other adaptation benefit such as urban cooling, and also include green and blue roofs and decreasing surface sealing.

CC3(1)(d) The paragraph should also include extreme weather impacts. DP3(1)(c) requires inclusion of wider design considerations for design methods required to effectively adapt to overheating which are included under the response to question 148. The approach should also seek to increase urban greening, trees and deliver green/blue roofs not just within new development but also proposals for conversions and material change in use applications.

CC3(1)(e) The phrasing of this paragraph should be amended to reflect a contextual approach to identifying at-risk sites. The policy should also contain consideration of design and materials of development for reducing fire risk. This should also be included in DP3(1)(c)

CC3: Policy CC3 should have a similar paragraph to that contained in CC2 (2) but relating to climate adaptation. Wording should give 'substantial weight' to retrofitting measures designed to reduce the impacts of climate change.

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree.***

a) Please provide your reasons

CC3(1)(e) – The phrasing of this paragraph should be amended to reflect a local and contextual approach to identifying at-risk sites and accompanied with locally applicable guidance. The policy should also require consideration of design including ventilation and roof design, fire resilient materials, landscaping and blue features, protection of soils, water supplies and mains pressure, evacuation routes, and building air tightness. Design considerations should be included in DP3(1)(c).

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

Guidance should be developed from areas where there is high wildfire risk. The Framework should allow for local plan making policy to respond to local need, local climate,

environment and landscapes, and historic and cultural environment. Qualitative local policy should be supported for location specific needs such as setting building design aspects including ventilation and roof design, fireproof materials, landscaping and blue features, protection of soils, water supplies and mains pressure, evacuation routes, building air tightness, wildfire community protection plans. Requirements must apply also to conversions and material change of use.

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

The Framework should place emphasis on the urgency of climate change and provide for situating development within local carbon budgets and local climate adaptation needs. Local policy should be expected and enabled to deliver meaningfully on net zero across the full range of greenhouse gas emissions associated with development. All development plans should be required to deliver climate adaptations based on UKCP18, RCP 8.5. A greater focus on climate resilience should be included.

The critical need for local food growing areas should be included as well as insuring the delivery of allotments, community gardens and urban farms. Climate policies should link in with health policies. Specific recognition should be given to reducing the disproportionate impacts of climate change on children and young people, women, vulnerable populations, minorities, and low-income communities particularly with reference to local areas.

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.

Whilst we support the drive to deliver more housing expressed throughout the NPPF, we remain concerned about the amended methodology for calculating future housing requirements. The proposed amendments continue to use a stock-based approach for calculating future need.

This approach has no linkages with the demographic or economic conditions and trends of a local area. The approach continues to fail to take account of local circumstances which could lead to need and economic aspirations being unmet in some areas and in other areas where numbers have been inflated upwards risks producing housing numbers that have no ability of being delivered in respect of the availability of genuinely deliverable sustainable sites, the capacity of the market to deliver or importantly the existence of the community to need them.

It continues to burden authorities with unrealistic housing numbers that they have no prospect of delivering and where the evidential need for them in that location has not been demonstrated. It has the potential to lead to land being released where the demographic need for that growth does not exist, especially where the population of an area may in fact be declining or in some instances remaining static.

We have consistently strived to deliver growth through challenging housing targets driven by the economic prospects of the District and the demographic needs of its community. The

ability to deliver this growth has, like many areas, proved challenging with constraints impacting the availability of genuinely deliverable sites.

The NPPF as worded no longer makes provision for identifying those circumstances under which an authority may require a lower housing requirement where this has been demonstrated necessary following a robust assessment of supply and the presence of constraints and land availability.

As drafted the NPPF continues to place an unrealistic expectation on local authorities to deliver over inflated housing numbers.

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?

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

a) If so, what elements should this guidance cover?

Clearer guidance on how the demographic needs of these groups should be provided. The relationship of demographic data with the stock-based housing requirement should be made clearer.

50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites (PPTS) within this chapter? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

The City Council would support the inclusion of requirement figures where it is supported by evidence and where it is recognised that the ability to deliver this need is influenced by both land availability and genuine sustainable opportunities. Failure to do so risks undermining the Local Plan and, as is the case with all types of development, risks schemes being promoted and approved in unsustainable locations.

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If so, what are the key principles this guidance should establish?

Changes to PPTS have made assessing the needs of the Travelling community more complex (particularly the changes in the definition of Travellers) which has required studies to include data and site visits/interviews to existing sites and any others believed to be occupied by Travellers. On this basis GTAA's require a longer lead in time and a degree of co-operation from the Travelling community. Even with experienced consultants/field work staff, this can be extremely challenging. However, in our opinion and experience, the combination of data and site visits is more likely to provide better results. We welcome further guidance but even with this, it will not necessarily overcome some of the challenges around identifying Travellers. We also welcome the recent changes to PPTS which allows LA's to include Travellers who have ceased to travel because in excluding them, there is more likelihood of dealing with illegal encampments and unauthorised pitches.

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

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

The Council agrees that the wording included in Annex D is sufficiently clear and provides certainty to local authorities on the circumstances under which the relevant buffers apply.

Whilst recognising the purpose of the buffer in creating additional flexibility the City Council maintains that the buffer places an additional burden on authorities who are already facing significant challenges in delivering their housing requirement and in most instances will never be able to demonstrate a five-year supply.

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

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

This should make clear how issues of over and under supply will be treated, with the NPPF currently silent on this.

54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Whilst the intention and wording are clear, the reality of achieving this is questionable. Failure to demonstrate a five-year supply risks undermining the Local Plan and, as is the case with all types of development, risks schemes being promoted and approved in unsustainable locations. Lancaster district has the highest number of Traveller pitches in the whole of Lancashire. Whilst recognising the importance of identifying and meeting need, it has been incredibly difficult to find suitable sites that accord to own policy – i.e. in sustainable locations. A number of permissions have been granted since our GTAA was adopted in 2017 having regard to identified need, and in some instances, temporary permissions have been granted pending the identification of sites in more sustainable locations, but this has not proved possible even though we have an open call for sites. Any sites that have been nominated are in flood zone 3 (an area of the district where the largest number of sites have already been given historic consents) and any others were in very unsuitable or isolated locations.

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

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

No additional comments to make, we agree with the identified measures.

- 56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

The identification of designated rural areas as locations for the establishment of affordable housing requirements for non-major residential developments is supported. This will ensure that affordability issues in rural areas can be addressed, providing a clear link between need and location.

- 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? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Ensuring that housing is delivered which meets the needs of an aging population and the needs of disabled people is vital. Proposals which help deliver this are supported by the Council.

- 58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

- a) Please provide your reasons, and would you support an alternative minimum percentage requirement?**

We currently have a 20% minimum requirement for M4(2) as part of the adopted Local Plan, but it is our intention that our new Local Plan will significantly increase that percentage (ideally to 100% unless there is exceptional justification for a departure from these standards on a case by case basis).

- 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? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

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

The establishment of requirements for the provision of specific types of housing on identified sites or parts of allocated sites is supported. In most instances this may provide the main mechanism for ensuring that the needs of different groups of the community are met.

- 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? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

- a) Please provide your reasons and indicate if an alternative site size threshold would be preferable?**

The Council support this requirement. Implementation of this proposal will ensure that housing sites deliver the full mix of housing required by the community and will help to ensure that housing need across all tenures is delivered. We welcome the opportunity to increase the supply of social rented homes and meet other specialist needs in the district.

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

a) Please provide your reasons

The Council agrees with this proposal and recognises the important and valuable role which small sites will play in meeting the future housing requirements for an area. The recognition within the policy that this may not always be possible is also supported.

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

The policy places substantial weight on the delivery of accommodation which contributes towards meeting the evidenced need of the local community. Whilst this is supported the Council would question the extent to which the delivery of the new housing requirement based on a stock-based approach is an appropriate measure of need.

As referenced in previous responses the ability of an authority to deliver its housing requirement is extremely challenged, with housing requirements in an area often now significantly above the availability of sustainable housing sites. Measuring performance against these requirements via both five-year supply considerations and housing deliver test performance places an authority and its community under significant pressure and in most instances undermines an authority's ability to appropriately plan for its community when the delivery of need, based on inflated housing requirements, is given substantial weight.

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

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

Lancaster district already has designated accommodation (run by Guinness Trust) for those leaving HM Forces and alongside this, we have sought to ensure that HM Forces personal would be afforded reasonable preference for social housing alongside the national priority afforded for shared ownership. Further data on need by district would be helpful.

Managing housing pressures and meeting the needs of other homeless households and those in extreme housing need is challenging, and if there is evidence of need at a district level, then having more homes that are designated for HM forces personnel could ensure that supply aligns to need but as timing is crucial in matching need with supply, the fall-back position needs to be clear in the event that there are no identified HM forces households in need of that accommodation when it becomes available otherwise homes could be left unoccupied.

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

Lancaster City Council has formulated a suggested mix of market and affordable housing tenures and size typologies as the starting point for all new developments. Whilst recognising that most developers will have a preference to build larger 4-5 bedrooled homes which are most profitable and provide the best headroom for affordable housing delivery, this has to be balanced with meeting a local need i.e. also providing opportunities for first time buyers and people needing to downsize including households that may require accessible homes.

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?

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

a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?

Whilst we support the principle of increasing the supply of social rented homes, with affordable rent as the default rented tenure since 2011, the council would need to re-test development viability in order to arrive at a suitable percentage. Even with our existing affordable housing targets, these are regularly challenged by developers and house builders because of the sharp increase in construction costs since the pandemic. We robustly challenge any attempt to re-negotiate affordable housing requirements through an independent assessor, but any further controls that can be put in place to prevent a reduced number of affordable homes being provided on new sites would certainly be welcomed.

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?

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

a) If so, what changes would be beneficial?

The council has no direct experience of providing this type of accommodation so further guidance on this would be helpful in order to inform future policy making.

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?

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

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.

In all circumstances, the council will seek to secure on-site affordable housing delivery and would only negotiate a commuted sum payment as a last resort.

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

As a) above, only when every other possible option to secure on-site affordable housing has been exhausted (i.e. homes for rent and shared ownership through a Registered Provider) would a commuted sum be accepted.

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).

The risks are that it may not prove possible to spend the commuted sum payments in the area where the affordable housing should have been provided on-site particularly in rural areas. The calculation of commuted sums will inevitably be less than the value of the affordable housing that should have been provided. That said, we have made very good use of any commuted sums previously held where a viability gap has been identified by Registered Provider partners (particularly with more modest grant rates since 2011) and on one occasion a commuted sum directly supported a community led development (partnership with an RP) which allowed the CLT to purchase the site. On other occasions, commuted sums have been used to offset the additional costs associated with special needs housing.

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.

We already have an existing policy that allows commuted sums to be paid to a Registered Provider, the council itself as a stock retaining LA with a HRA, or a community group for delivery of schemes providing 100% affordable housing and where a viability gap has been evidenced.

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

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

a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions 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.

Further guidance to ensure that commuted sums due are a true equivalent of the on-site affordable housing would be welcomed.

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

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

Strongly agree on both quality and quantity and on quality to fit in with the council's own priorities on climate change and combating fuel poverty and as stated in question 68, to offset some of the costs associated with special needs housing.

72) Do you agree with the criteria set out regarding the locations of specialist housing for older people? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

Accessibility to key services is important as is the delivery of proposals which meet the accessibility needs of the older population. This section should also refer to affordability with this also being a key issue for older people. The importance of energy efficiency should also be noted with fuel poverty being a key issue.

73) Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

Based on our own experience, proposals of this nature must have the support and input of the relevant commissioning lead or body who will evidence need and suitability. There have been local instances where speculative providers have sought to bring forward specialist/supported accommodation without the knowledge or direct support of the relevant commissioning lead which may be wholly unsuitable, fail to provide the appropriate level of care and support or be in the wrong area. In Lancashire, there are more children's homes than any other local authority area and yet the commissioning team often fail to place looked after children within the county. The planning system needs to play its part in bringing some controls around this to safeguard vulnerable adults and children and measures to control some of the extortionate costs associated with these specialist placements.

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

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

We agree with the amended glossary wording and criteria identified. Assessment of future proposals must be set within the context of need as identified under paragraph 1 of Policy HO9.

75) Do you agree the proposals provide adequate additional support for rural exception sites? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, including what other changes may be needed to increase their uptake?

We consider that the emphasis on delivering affordable housing (to warrant an exception) is sufficiently strongly worded. We consider that HO10 (2b) might usefully remove reference to 1 hectare, and instead solely focus upon ensuring that development is commensurate to the size of the settlement in question (i.e. rely only on the % criteria instead).

76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

There has been little appetite for First Homes from local developers perspective, and our preference is to bring forward affordable homes that are owned and managed by Registered Providers.

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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?

We have no preference for the approaches set out.

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

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

We already have the largest number of Traveller pitches in the county, so there could be implications if no local connection test exists (recognising that this could be a difficult test for some Travelling families to meet). Equally there is a risk that the more proactive Local Authorities will be meeting the needs of other Local Authorities who are not doing enough to meet the accommodation needs of their own Travelling communities. Our current policy already directs new pitch provision to sustainable urban and rural locations, although as previously stated, there have been some circumstances where it has been necessary to depart from this policy

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

The policy is pragmatically worded, recognising the difficulty in delivering multi-phase, complex sites. It is helpful to include the flexibility of setting a shorter commencement timescale to ensure proposals are started without delay. It would be helpful to define “consenting framework” in HO13(3). Does this effectively mean any parent permission (such as an outline for the wider site?).

- 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?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.**

We have no further comments to add to our response to Q.80.

- 82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns? Yes, *no***
- a) Please provide your reasons.**

Not that should be explicitly included in the NPPF. The role of development corporations was appropriately considered in the New Towns Taskforce Report (28 September 2025). These corporations are the only logical solution, in our view, to establishing bodies of sufficient scale to single-mindedly create a new town, including land acquisition, infrastructure delivery and wider local engagement from the outset.

- 83) Do you agree with the proposed changes to the Housing Delivery Test (HDT) rule book?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.**

We do not support the removal of the word lower from the rule book. The removal of this text from the rule book places authorities under more pressure and will in many instances make it more likely for an authority to find itself subject to the sanctions resulting from a poor HDT performance.

When there are fundamental questions in relation to the methodology used for the calculation of local housing need figures, the authority is unable to support any amendment which would strengthen their use in reporting past delivery and would ultimately undermine an authority's ability to determine future planning applications. On that basis the proposed amendments are not supported.

- 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? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***
- a) Please provide your reasons, particularly if you disagree.**

Greater emphasis on relevant national strategies and the need for flexibility in planning for economic growth is essential. Aligning local policy with national priorities ensures consistency, maximises opportunities for funding and investment, and helps Local Plans remain responsive to wider economic shifts. Many local economies are diverse and fast-changing, and overly rigid policy frameworks risk constraining innovation, limiting the growth of emerging sectors, and undermining the district's ability to respond to new market conditions. A flexible, forward-looking policy approach enables authorities to support evolving industries, adapt to technological and labour-market changes, and proactively guide sustainable economic development.

85) Do you agree with the approach to meeting the need for business land and premises in policy E2? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

The approach set out in Policy E2 contains several positive elements. Giving appropriate weight to the economic benefits of commercial development (E1(a)) and recognising the importance of modernising agricultural operations (E2(1b)) are both constructive measures that support business growth and the functioning of rural economies.

However, the requirements in E2(2) would benefit from greater flexibility. Market signals, operational requirements and sector-specific locational needs can vary substantially, and an overly rigid approach risks constraining sustainable economic development or creating conflict with environmental and spatial objectives. Providing clearer criteria for how these competing factors should be balanced would support more consistent and transparent decision-making.

Further clarification is also needed on how “unmet need” should be evidenced. Without a consistent evidential framework, interpretation may differ between applicants and decision-makers, generating uncertainty and delays. Greater clarity here would help ensure the effective delivery of employment land and improve the usability of the policy.

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree

The introduction of a dedicated policy for freight and logistics is positive, as this sector has distinct operational, spatial and transport requirements that justify clearer national guidance. A specific policy within the NPPF provides greater certainty for applicants and decision-makers and helps ensure that proposals are directed to suitable locations with appropriate infrastructure and transport connections.

The policy could benefit from a stronger emphasis on addressing the wider impacts associated with freight activity. This includes clearer expectations around reducing transport-related emissions, managing cumulative effects on the road network, and safeguarding environmental and residential amenity. Reinforcing requirements for sustainable transport modes, good design, and integration of low-carbon technologies would help ensure that freight and logistics development contributes to economic growth while supporting national objectives for climate mitigation and good place-making.

87) Do you agree with the approach to rural business development in policy E4? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

The proposed redrafting of paragraph 88 improves alignment with wider policies relating to development inside and outside settlements through Policies S4 and S5, and offers stronger support for agricultural diversification, which is an important element of maintaining a vibrant rural economy. The policy could provide further clarity around how rural business

development should balance economic benefits with the protection of the countryside, environmental quality, and local character, as well as social impacts. Additional emphasis on the scale, design, and potential landscape or amenity impacts of rural development would help guide decisions more effectively.

88) Do you agree with the proposed changes to policy for planning for town centres? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

The proposed drafting of Policy TC1 provides a coherent and strategic approach to planning for town centres, bringing together key principles into one policy, and placing greater emphasis on having an overarching strategy to guide development needs, opportunities for diversification/intensification, and the identification of areas suitable for public realm or infrastructure investment. The strengthened focus on making effective use of vacant sites, encouraging a broader mix of uses including residential, and aligning site allocations with the plan period rather than a fixed ten-year horizon provides welcome flexibility when considering site allocations and improves consistency with the wider plan-making framework.

We consider that the policy could offer further clarity on the mechanisms for how strategic approaches to town centres should balance growth and diversification whilst protecting their distinctive character, heritage assets, and local identity. While the recognition of the role of design guides, design codes, masterplans, and Article 4 directions is helpful, more guidance on when and how these tools should be applied would support greater consistency and ensure they effectively enhance vitality and viability.

89) Do you agree with the approach to development in town centres in policy TC2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, please explain how you would achieve this aim differently?

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

The change has had minimal effect since its introduction to the high street, however there are far more leisure, food and drink uses now which offer a more diverse town centre, but this will be at the expense of the more traditional high street uses.

We consider however there is current inconsistency between national policy (supporting the High Street), guidance and the flexibility of Class E in all locations (including non-town centre).

91) Do you believe the sequential test in policy TC3 should be retained? ***Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

The test still plays a role in steering new development for town centre uses to locations which best support the vitality and viability of town centres. We strongly support its retention.

92) Do you agree with the approach to town centre impact assessments in policy TC4?

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

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

We consider that this element should be weighted in the overall planning balance, rather than comprising grounds for an outright refusal.

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

The policy is very supportive of development which is not a surprise given the Government's 10-year infrastructure strategy. We support the preference for utilising existing sites for infrastructure as opposed to new sites. We believe that this approach needs to be rigidly adhered to by telecoms operators.

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

Yes. Using existing sites to minimise visual impact is the preferred approach. A greater focus on the specifics of individual sites is required to ensure that applicants take sufficient account of the characteristics and appearance of the locality.

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

We would advocate that there is an additional requirement for the use of photomontages of proposed development in protected landscapes, conservation areas and those adjacent to listed buildings. These prove useful visual aids to help users of the planning system understand the visual impacts of a development.

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?

An additional requirement of this policy should be that both environmental assessments and greenhouse gas assessments are undertaken to inform decision making and to guide energy infrastructure into areas of least harm, particularly in areas of high ecological value, or areas of high sequestered carbon (for example see the methodology for Scottish wind farms). Development should also be made to consider fragmentation of habitats.

The Framework's proposal in PM13 limits the ability of LPAs to set quantitative standards for development which in turn could limit the ability to proactively support appropriately sized infrastructure within the competing land, resource and infrastructure constraints which exist within a local area. For example, setting higher energy efficiency standards for residential and commercial development could release pressure on areas of local grid constraint.

However the policy fails to provide guidance for how this should be planned for, the evidence needed to underpin it or how the policy should be prepared, particularly in the absence of yet to be published national and regional policy, strategy and guidance. It is not clear where, in the absence of this, strategic guidance will be provided and how this should be assessed in the interim.

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

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

The approach to proactive planning for local low carbon and renewable energy in line with wider cross-cutting strategic energy policy is welcome. The focus on waste heat is also welcome; this however must be balanced with other planning considerations.

The Framework fails to provide guidance for how this Policy should be planned for, the evidence needed to underpin it, or how the policy should be prepared. It is not clear where, in the absence of this strategy, strategic guidance will be provided and how this should be assessed in the interim.

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3? Strongly agree, partly agree, neither agree nor disagree, *partly disagree*, strongly disagree.

a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.

The contributions of small-scale and community led development is welcomed.

Substantial weight should be given to the whole lifecycle emissions of the development, including any associated emissions that result from degradation of the local environment and soils. This should be applied to, at a minimum, development being proposed on peat soils (see our previous reference to Scottish wind farms.)

Weight should be given to the restoration of land if the development has a limited operational lifespan, and whether soil health and carbon can be recovered to a level equal or above that which was originally on site. Appropriate financial guarantees should be used to underpin planning conditions of site restoration.

All renewable energy development should also provide direct annual community benefit funds or other direct local benefit such as delivery of an Energy Local Club.

Renewable development should be expected to deliver multiple land uses and not sterilise land for other use. For example proposals which include business cases and design which support inclusion of agriculture such as Agri-photovoltaics should be encouraged.

As renewable development constrains open space, proposals should include improving and increasing access to rural areas such as through the improvement or delivery of PROWs, cycle routes and bridleways.

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4? *Strongly agree, partly agree, **neither agree nor disagree**, partly disagree, strongly disagree.*

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

No comments to make.

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

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

We strongly agree with the removal of coal from the list of minerals of national and local importance, and with the proposed prohibition on identifying new coal sites. However, we partly agree with M1 as a whole as outlined in the following observations.

The proposal to align policy with the phasing out of and reducing dependence on fossil fuels is welcomed. The proposal to remove shallow and deep-mined coal from minerals of local and national importance is welcome. It is also welcomed that development plans may not identify sites for peat or coal extraction. This supports the phasing out of combustion-based fuels and the critical need to deliver on climate mitigation, as well as providing vital protection to the ecology of peatland. It also offers the opportunity to address the socioeconomic impacts that such extraction has had on some communities with extraction often located in areas with the highest levels of deprivation.

However, there is a difference between a prohibition on allocating sites for coal or peat extraction, and in refusing development proposals. The latter of which is not included within this policy (however it is noted that in M5 there is a strict ban on approving peat extraction, but that coal is absent from this ban). It is recommended that a strong policy position is made on coal and peat extraction within plan making such that no sites may be allocated, and no permissions granted for such development.

This must however be holistically approached and should be combined with strong support for LPAs to drive down Scope 1 and 2 emissions through other areas of the Framework and Scope 3 emissions arising from fossil fuel associated emissions across the entire supply chain not only those associated with extraction of materials.

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree**, strongly disagree.*

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

It is welcomed that the development plan should not plan for new or extensions to existing oil and gas extraction. However, M1 (4) must also reference the decommissioning and abandonment of sites within the phases of oil and gas development. These are integral components of the full project lifecycle and proposals should therefore be expected to provide a complete assessment of environmental impacts and responsibilities.

Any further development within licenced areas must continue to be required to provide full lifecycle assessment of greenhouse gas emissions including Scope 3 emissions and emissions related to the environmental (including) soil damage resulting from the development. There should also be included a requirement to prepare and submit carbon management plans, monitoring and reporting, onsite mitigation of emissions and meaningful off/insetting of Scope 1 and 2 emissions. Any further development within licensed areas must also provide direct annual community benefit funds or other direct local benefit such as the delivery of an Energy Local Club where there is electricity created on site. Any waste heat generated should be expected to support wider heat decarbonisation efforts by supplying that heat to heat networks or other uses.

Finally, any oil or gas development within licensed areas should be expected to restore the land to previous use or for other uses (including societal, cultural, historic, habitat environmental and climate) and not sterilise land for other future uses.

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of ‘minerals of national and local importance’? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree, strongly disagree.***

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

We agree that critical and growth minerals should be added to the list ‘minerals of national and local importance.’ As far as possible minerals should be extracted within the UK, recognising the role that this plays in national security and global social responsibility and not outsource the damage that extraction creates to other countries where social, cultural and environmental protections may not be as strong. However, a focus should also be placed across the Framework on prioritizing the minimisation and use of virgin materials.

While minerals can only be worked where they are found, as written M1 (6) provides wide interpretation of where it may be appropriate to extract minerals and does not reference the need to prevent and in worst case mitigate/offset societal, cultural, historic, landscape, soil, biodiversity, habitat, environmental and climate loss or damage. Nor does the Framework seem to provide the levers for investment in mitigation and policy levers needed to meaningfully repair damage from mineral extraction. The policy fails to provide guidance on how this should be interpreted. It is not clear where, in the absence of this guidance, strategic guidance will be provided and how this should be assessed in the interim.

A stronger focus and priority must be placed on secondary and recycled materials and minerals waste. The critical need to reduce and minimise the extraction and use of virgin materials is key to ensuring a just net zero transition and supporting the circular economy. Any extraction activity must also include full life cycle emissions and full accounting of Scope 3 emissions.

Across all areas of the plan, the circular economy should be centred and provide LPAs the ability to set quantified targets for recycled materials and development of the circular economy.

103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

No comments to make.

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals? *Strongly agree, partly agree, **neither agree nor disagree**, partly disagree, strongly disagree.*

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

The weight must not just focus on the emphasised economic benefits but should also include societal and community benefit as well as those outlined in M3 (d) and historic benefit in M3 (e). There must also be balance with the losses and damages that the extraction will cause. This must holistically consider societal, cultural, historic, landscape, soil, biodiversity, habitat, environmental and climate damage arising from the proposed development.

A stronger focus and priority must be placed on secondary and recycled materials and minerals waste. The critical need to reduce and minimise the extraction and use of virgin materials is key to ensuring a just net zero transition and supporting the circular economy.

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3? ***Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

This exclusion is warranted as the extraction of oil and gas has far larger associated carbon emissions than the extraction of non-combustible minerals and should therefore be treated differently in the context of planning.

While some development for mineral extraction could conceivably have net benefits to the green energy transition and delivery of net zero, fossil fuels will always have a negative impact on climate in terms of the scope 3 emissions associated with the end use of the extracted fuels. 'Substantial weight' should not be given to onshore oil and gas extraction in this context, particularly given the requirements of the Climate Change Act 2008.

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree**.*

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

Reference should also be given to avoiding social, cultural, landscape, soil, biodiversity, habitat, environmental and climate loss and damage. The gendered impacts of mineral development must also be addressed.

Mineral development should provide direct annual community benefit funds or other direct local benefit. Any waste heat generated should be expected to support wider heat decarbonisation efforts by supplying heat to heat networks or other uses.

M4(c) Should seek to secure restoration to the highest environmental standards. Bonds or other financial guarantees should underpin the planning conditions to ensure that conditions are followed through and communities and the environment are protected.

- 109) Do you agree with approach to coal, oil and gas in policy M5? Strongly agree, partly agree, neither agree nor disagree, *partly disagree*, strongly disagree.**
a) Please provide your reasons, particularly if you disagree.

M5(2) The paragraph should include that the extraction of coal at new or extended sites should be refused. M5 (2) should also include facilitation of heat recovery for heat networks.

- 110) Are there any other exceptional circumstances in which coal extraction should be permitted? Yes/No**

No comments to make.

- 111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.**

No comments to make.

- 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? Strongly agree, partly agree, neither agree nor disagree, *partly disagree*, strongly disagree.**

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

In M6 (3), reference should also be given to avoiding social, cultural, landscape, soil, biodiversity, habitat, environmental and climate loss and damage.

- 113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas? Strongly agree, partly agree, *neither agree nor disagree*, partly disagree, strongly disagree.**

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

No comments to make.

- 114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land? Strongly agree, *partly agree*, neither agree nor disagree, partly disagree, strongly disagree.**

115) If not, what further guidance is needed?

Policy L1 provides a sufficient framework for developing local plan policy. The intention of this policy and the promotion of the effective and efficient use of land is supported. We would however note that whilst minimum densities can help to deliver this, it is important that site specific considerations are also considered such as heritage and townscape as well as the overall character and sustainability of the site. Further guidance on how a design led approach could be developed would therefore be supported.

116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***a) Please provide your reasons, particularly if you disagree.**

L2 is very specific and we would suggest that assessing whether a proposals represents efficient use of land is best undertaken at the local level. Phrases such as ‘*development footprints which optimise a sites development potential*’ are very subjective and may be interpreted as giving carte blanche for proposals that are insensitive in terms of scale and massing. Whilst the policy position is clear, we question whether the policy should be advocating the use of corner plots for accommodating taller properties. Whilst such plots may present an opportunity to deliver more distinctive buildings, we would suggest that height needs to be examined on a case by case basis through the determination process.

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***a) If not, what typologies should be added or removed and why?**

The general direction is accepted, however density is hard to achieve when topographical challenges exist.

118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***a) Please provide your reasons, particularly if you disagree.**

The policy provides a solid basis, however, is very specific and we would not agree that it is sufficiently high-level. The local context will always be important when making decisions on these types of applications.

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. *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***a) Please provide your reasons, particularly if you disagree.**

The policy is positively worded, indicating that proposals may be acceptable if it satisfies one or more of the criteria (including L2(d)(i)). We would query whether this part of the policy

is necessary, given that the Framework already advocates high-quality design, scale and density within other policies.

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree**, strongly disagree.*

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

The inclusion of a requirement to retain at least 50% of the non-developed area provides some safeguards (as does the intent to ensure buildings do not occupy more than twice the footprint of the existing building on the site). However the danger of including specific sizing requirements in policy is that it is interpreted as a figure ‘to be achieved’ by the applicant. It may also facilitate proposals that, on a case-by-case basis, are unsuitable for the plot.

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes? *Strongly agree, partly agree, **neither agree nor disagree**, partly disagree, strongly disagree.*

a) If not, please explain how guidance could be clearer?

The policy is worded to promote an increase in density, which, in principle, is acceptable. However it is critical (from a place making perspective) that it is done sensitively. It is welcome that L3.2 talks about the importance of the character of the settlement, and we believe that this should be emphasised. Higher densities should always be secured where they can be accommodated.

122) Do you agree with the minimum density requirements set out within policy L3? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree**, strongly disagree.*

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

The density requirements are rightly aspirational. In many areas of our district these figures may only be appropriate when delivered as apartments (as opposed to dwellings). Whilst we recognise that increased development density can help address housing delivery issues, we still believe that it should be for the Local Plan to stipulate density requirements.

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.

We have no evidence to share, but this issue highlights the importance of assessing these issues at a local level as opposed to being nationally mandated.

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

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

We agree the dwellings per hectare is the metric to use and would agree that net developable area is a suitable metric also.

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

a) Please provide your reasons and preferred alternatives.

We understand the use of railway stations as indicators of sustainability, but there are other determinants that influence whether a settlement should accommodate higher densities of development, i.e. distance to bus stops, towns and villages, schools. These matters, which often require assessment on an individual locational basis, are best retained at the local level.

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? *Yes/No*

a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?

No comments to make.

126) Should we define a specific range of residential densities for land around stations classified as ‘well-connected’?

We consider that this should be determined at the local level and be included in Local Plan policies. If the policies are not sufficiently ambitious, then the evidence base can be challenged at Examination. This is the type of local assessment that is necessary.

127) If so, what should that range be, and which locations should it apply to?

No comments to make.

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

It depends how receptive Inspectors are to the continued inclusion of criteria-based policies within Local Plans. These policies provide the necessary design advice for residential extensions. If it is the intention that Policy L4 (and national design and place-making guidance) replaces local policies, then we would disagree.

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

No additional comments to make.

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

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

The policy fails to provide guidance for those locations where a spatial development strategy has yet to be prepared. It is not clear where, in the absence of this strategy, strategic guidance will be provided and how this should be assessed in the interim.

We are also concerned by the amended wording contained in Annex E in relation to the identification of Grey Belt land. This has seen the removal of footnote 7 considerations from the definition. The current inclusion of footnote 7 would have seen these areas potentially excluded from what could be considered Grey Belt where they provided a strong reason for refusing or restricting development. Removal of these from the definition will potentially lead to more areas being lost to development without a proper assessment of the potential impact of this.

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree**, strongly disagree.*

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

Whilst supporting the principle of directing development to accessible public transport hubs such as train stations, we wish to note that this should not be at the expense of the protection of the Green Belt. Such areas may still perform strongly against the five purposes for designation, with the loss of such land risking undermining the overall extent of the Green Belt. The impact on the Green Belt should still be taken into account when assessing proposals in such locations.

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

We support the intentions of this policy and would support the delivery of the measures referenced. The extent to which the Local Plan can achieve all of these is, however, questionable especially where land is within private ownership and may not be available to deliver the benefits suggested.

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

GB6 refers to the tests included at GB7. Not all of the tests in GB7 are sufficiently clear (e.g. what constitutes “*limited*”?). But we are pleased to see the inclusion of renewable and low

carbon energy development as one of the development types where “*very special circumstances*” might warrant an approval.

- 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? Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.**

GB7.1h caters for new housing provision on Green Belt. The policy suggests that this would not be inappropriate where it is near a well-connected station. We would suggest that this requires assessment as part of the Local Plan process as opposed to be included within policy. The density requirements associated with L3 are (understandably) ambitious but we believe are best addressed via local plan examination.

- 138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.**

The alignment between the planning policy for traveller sites and the Framework ensures that there is sufficient clarity and consistency.

- 139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.**

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

Development on green belt land should incorporate the highest level of benefits and affordable home delivery is at the forefront. Many development sites are multi-phase, and therefore part 3b could in effect apply to most sites. Is this the intent of the policy?

The wording should not be used to marginalise the Local Plan viability assessment.

- 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?**

Yes. In order to highlight that viability assessments should be the exception as opposed to the rule, it may help developers and local authorities -to have some typical benchmark values.

- 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? Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.**

The overall intention is to be supported especially if it means that a greater quantum of social rented housing comes forward. We would say however that a 10-15% requirement would need to be tested as part of the Local Plan process and therefore discretion is needed with respect to this.

- 142) Please explain your answer, including your view on the appropriate approach to setting a ‘floor’, and the right level for this?

No further comments to make.

- 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? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
a) Please explain your answer.

This provides a robust and standardised national benchmark and allows developers and decision makers to make informed decisions.

- 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?

It is a standardised approach especially for greenfield land and agricultural land.

- 145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
a) Please provide your reasons, particularly if you disagree.

Planning judgement still needs to be exercised, however the change does at least provide additional clarity with respect to what constitutes Grey Belt.

- 146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
a) Please provide your reasons, particularly if you disagree.

Further clarity is needed via the Planning Practice Guidance. It is welcome that the DP1 (c) provides for policies around design which can respond to local issues. This is critically important to retain to ensure that local areas can respond to local need.

- 147) Do you agree with the approach to design tools set out in policy DP2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
a) Please provide your reasons, particularly if you disagree.

We welcome the move away from the legal requirement for authority-wide design codes, however, further guidance would be beneficial through Planning Practice Guidance to provide more clarity; for example, to help *interpret ‘where design guides, design codes and masterplans are necessary’*.

It should be made clear in DP2 (a) that the ‘*character of the site or area*’ refers to the natural as well as the built environment. It is very welcome that DP2 (b) outlines the need

to respond to local context and be underpinned by community engagement. Emphasis should be placed on the need to also engage with children, youth and young adults. Further guidance would be useful. Engagement audience should include engagement with children, youths and young adults who are generally underrepresented in planning engagement. It would also be beneficial for design guides, design codes and masterplans to be reflective of existing strategies, for example Green and Blue Infrastructure Strategies and Local Nature Recovery Strategies.

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree**, strongly disagree.*

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

Design reviews are a valued resource, especially when they involve complex, strategic developments. However we still believe that local pre-application advice is the best method for assessing the acceptability of development proposals.

Some specific observations which inform the creation of well-designed places:

- Policy DP3 (1) (d) the design of a new development - should be led and shaped by nature. Green and blue infrastructure should not be an afterthought in the design process. For example, to be effective, sustainable urban drainage systems need to be an integral and early part of the design process to ensure the layout, design of green and blue space and the design of development take every opportunity to reuse, infiltrate and attenuate water. In addition to incorporating (new) and connecting to a (existing) network, how the design of a development can enhance existing green and blue infrastructure should be explored. Wherever possible, the aim should be to connect to the existing green and blue infrastructure network. The ongoing management and maintenance of green and blue infrastructure is also a key element of the design of a development.
- Policy DP3 (1) (d) must include reference to soils and improving soil quality (along with air and water quality). Soils must be protected and enhanced in order to deliver on the aims of (a), (b), (c), (d), (g) and (h). Development on agricultural land should be expected in particular to protect soils and to deliver areas for food growing such as orchards, community gardens and allotments.
- Policy DP3 (3) (d) should include wider design considerations for mitigation and adaptation including protection from extreme weather, fire and a focus on healthy buildings. This could include form factor, resilient low carbon, external shading, roof design (for low carbon energy, green roofs, shading and fire resilience), internal layouts, design for storms, increasing thermal mass and controlled ventilation with single vent points (such as mechanical ventilation heat recovery).
- Policy DP3 (1) (g) Public space which says that "*To respond to their context and create well-designed places development proposals should...(part g) include spaces that are safe, secure, inclusive, accessible for all ages and abilities and which facilitate and encourage social interaction, play and healthy lifestyles...*" We

consider that this section (and the wider NPPF) should specifically make reference to women, girls, gendered safety and designing out violence against women in the built environment. It is imperative that women and girls feel safe when interacting with the built environment through consideration of measures such as well-lit streets (which can still be ecologically and dark skies friendly), accessible public transport, well considered street layouts which will encourage more women and girls to use walking and cycling as an alternative to the private car, thereby also having a benefit on reducing levels of pollution. Omission of any reference to this issue in the NPPF is significant, given the levels of new development that the NPPF will facilitate. Exclusion of any reference would also be contrary to the recently published government strategies such as the 'Violence against women and girls' (VAWG) strategy.

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, what else would help secure better design and placemaking outcomes?

No additional comments to make.

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

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

Yes. It is encouraging to see reference to public transport operators and land promoters within the groups identified for early engagement regarding sustainable transport at the plan-making stage.

The policy could however be stronger in favour of sustainable transport. It could do this by amending the start of Policy TR1: (1a) to read "*Making sustainable transport considerations **part a priority** of early engagement with local communities...*". This policy must make it clear that new development should explore all opportunities for sustainable transport.

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

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

We have no objection to the setting of parking standards in development plans (as opposed to making these an optional inclusion). The greater flexibility in TR2 is also welcome, particularly placing greater emphasis on the local assessment of a site's connectivity.

It is important to ensure sufficient space for electric vehicles and parking spaces for other groups such as blue badge holders, and we are encouraged to see reference to this in the policy. Similarly, reference to 'wheeling' (for the first time in the Framework) is also welcome.

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

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

The change in wording; i.e. expanding on the previous, vague reference to “*significant development*” is a considerable improvement and will help clarify the type of impacts that local planning and highway authorities should be concerned with.

We believe that the Department for Transport Connectivity Tool has the potential to be a significant informant of what is a sustainable/unsustainable location. We would advocate greater training in the use of the Connectivity Tool, not just for officers but for Elected Members and other built environment professionals.

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

It is encouraging to see TR4 (1a) indicate that there should be “*priority first to pedestrian and cycle movements*”, and that maximising the opportunities for high quality public transport is also to the fore.

We agree with the reference to prioritisation facilities, such as segregated cycle lanes, and to the principle of reducing the scope for conflict between modal types.

In our experience, “unnecessary street clutter” is often caused by the siting and scale of highway signage, which can be insensitive to its surroundings, particularly in conservation areas.

We would suggest amending TR4 (1d) to add that the delivery of goods should not just aim to “not compromise” key place-making principles but also should seek to maintain unobstructed access for all modes of transport.

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

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

We have no comments to make on this question.

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 required, and for considering impacts on the transport network? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

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

Yes; some clarity at TR6 (3) regarding the term “severe adverse impact” is welcomed but considering how the issue of severity is a considerable cause of disagreement during planning appeals (typically public inquiries), we wonder if this should be more explicitly defined.

We consider that there is an opportunity to provide criteria for when a Transport Statement or a Transport Assessment should be required (i.e. to provide national consistency). This could be reflected in Annex C of the Framework.

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

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

We have no additional comments to make.

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

The scenarios presented in the policy for opportunities to improve the quality of existing routes are logical.

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

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

Welcome the inclusion of definitions for community facilities and public service infrastructure, to highlight their importance. It is good to see the need for engagement with relevant service providers set out in national planning policy. Previously within our district, in some cases, this has been received with mixed response. It is also good to note the request to set out the facilities and contributions that are expected from development referenced in this section. However, it would be beneficial to include more emphasis on the protection of existing services and infrastructure. We strongly agree with the expectation for the development plan to set local standards for different types of recreational land. Whilst national standards are a useful starting point, there is not a one size fits all approach, because different areas have different needs and so this needs to be reflected in local standards to deliver the bespoke spaces each area needs.

The ability to set local standards and allocate land for green space and outdoor recreational lands should also include reasons around climate adaptation and to provide climate shelters.

159) Do you agree that Local Green Space should be ‘close’ to the community it serves? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

The previous wording ‘*reasonably close*’ was not particularly helpful and widely open to interpretation. Local Green Spaces are ‘*green areas of particular importance to the local community*’, and in order to be able to serve this local community as per point a) it must be close and therefore accessible to the local community in which it serves.

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

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

Yes, we think that this sufficiently bolsters support for new or improved community facilities.

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?

We support the inclusion of the word ‘reasonable’ relative to walking distance. Rather than the term ‘fast food outlets’, perhaps a better choice would be ‘hot food takeaways’ as that would align with the definition of types in the Use Classes Order.

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

No additional comments to make.

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

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

We agree that the policy seeks to protect open space provision, but we would add that the replacement provision should still be of a better standard of provision, and most importantly, be relevant to what the local area requires (i.e. is deficient in).

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

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

The provision to exclude Local Green Space designations from falling within the Grey Belt or areas of previously-developed land is logical and is supported.

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

P1 (1) should explicitly mention climate. P1 (b) (i) should explicitly mention soil.

Agree that future impacts need consideration at the allocation stage and we are pleased to see that the NPPF picks this up.

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

None.

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

The criteria appear to be robust and it is similar to the amenity-based policies that have previously been included in our Local Plan.

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

We consider that P4 should be more explicit about the Agent of Change principle and the presumption that the continuation of existing activities within a locality will not be compromised by nearby new development.

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

This appears to be a comprehensive list, and we have no additional comments to make.

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

Yes, but not at the expense of the other policies contained within the Framework.

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

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

We support the increased clarity provided by Policy F3 in relation to this important issue.

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5? Strongly agree, *partly agree*, neither agree nor disagree, partly disagree, strongly disagree.

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

The changes to the sequential test are equally useful for developers and LPAs. We note that the aim is still to steer development to the lowest flood risk. We would query why the policy is silent on the impact of groundwater, and we would welcome clarification on this matter.

173) Do you agree with the proposed approach to the exception test set out in policy F6? Strongly agree, *partly agree*, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

No additional comments to make.

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards? *Strongly agree*, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

The policy adds the new requirement that Sustainable Urban Drainage Systems should be designed in accordance with the National Standards, which we fully support.

Multifunctional benefits should be a cornerstone of delivery of SuDS. Climate adaptation should be explicitly mentioned as SuDS can support and facilitate cooling as well as water management. Soils should be referenced in this policy. Soils across the development site should be protected as much as possible from compaction during development. Soils in areas which will not be sealed including areas where SuDS will be installed should be protected from damage so as to continue to retain their role in the hydrological cycle.

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

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

We fully support the de-culverting and rewilding of river channels wherever possible.

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change? *Strongly agree*, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

The policy seeks to build on the Flood Risk and Coastal Change Planning Practice Guidance and by aligning the Framework and the PPG this removes any conflict or ambiguity when making decisions.

- 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?**

This is a welcome addition and adds further weight to the threats posed by our changing climate. As worded, we are confident that this will ensure that only appropriate development will be permitted. The change aligns with the *Flood Risk and Coastal Change Planning Practice Guidance*. Its inclusion within the Framework will assist decision makers.

- 178) **Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? *Strongly agree*, partly agree, neither agree nor disagree, partly disagree, strongly disagree.**
- 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.**

No additional comments to make.

- 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? *Strongly agree*, *partly agree*, neither agree nor disagree, partly disagree, strongly disagree.**
- a) **Please provide your reasons, particularly if you disagree.**

We would like to offer additional observations regarding the various policy components.

N1,1a. hierarchy of sites: strongly agree. It continues the long-standing policy of site hierarchy but does not restrict it to the formally designated sites which typically form a subset of the overall local areas of value for biodiversity.

N1, 1b. opportunities: strongly agree. The Local Nature Recovery Strategy (LNRS) makes a valuable contribution to this, although additional strategies and management plans also have an important role, especially for landscape scale.

N1, 1c. steers location of development to land of least environmental value where consistent with policies: partly agree. The approach is broadly good, but there is caution about the term “*where that would be consistent with other policies in this Framework*”. With the planning balance strongly tilted to allow development unless there is a significant overriding reason, it will be difficult in practice for planning authorities to steer development away from areas of environmental value that do not have a formal designation for conservation.

LNRS identifies opportunities to integrate development and environmental restoration. Where the opportunities are not integrated into a development there is an opportunity cost to future nature recovery. In some cases there will be other land that could be identified for future alternative opportunities when those originally identified are lost. In other cases the opportunity cost would be significant and not readily replaceable by other alternatives, and

in such cases there should be the option to preclude the allocation for land for development. For example, creating a 'pinch-point' development might limit a landscape-scale opportunity for future wetland restoration/flood relief scheme. It might lose the opportunity to create habitat that would also enable recreational access to a new or improvement green network/suitable alternative natural greenspace area, although N1, 1d may help with this.

N1, 1d Strongly agree. The role, importance and multiple benefits that both green and blue spaces can provide needs to be emphasised and considered in all development proposals. Standards should be set for green infrastructure, and these should complement and/or incorporate standards for open space and recreation. As such spaces are multifunctional. Requirement needs to be set through national policy, with a national starting point that can then be tailored to local needs through the setting of local standards.

There is a risk that the policy might be interpreted as meaning that only established trees and hedgerows that are specifically identified as beings of visual, historic or nature conservation value should be retained. Those trees and hedges considered to be of importance at site scale (e.g. mature trees that are not significantly visible outside the site and not currently identified as a bat roost) would not necessarily be valued for retention. N3 deals with long-term maintenance, which is a welcome inclusion, but only covers trees that have been retained.

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?

It would be reasonable to seek more than 10% biodiversity net gain:

- Where bespoke compensation is required for losses of irreplaceable habitat. Compensation for unavoidable losses of irreplaceable habitat is taken out of calculation of BNG and is considered separately, rather than as contributing to any gain from a development. Assuming no change in this position, the rest of the losses on site could be addressed by the usual 10% gain.
- Where development impacts on strategic green corridors of other local green and blue infrastructure, because reduction or loss of those cannot usually be replaced by habitat compensation in areas remote from the development. This interacts significantly with local Open Space needs especially if there is an existing deficit in accessible natural green space in the area.
- On large scale or phased developments where it is likely that the site will be cut into separate units below the mandatory BNG threshold.

It should be noted that the impact of Policy PM13 on this proposed policy of the Framework is not clear as it lays out that quantitative standards should be limited to a narrow range of areas which do not include BNG.

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

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

The approach in policy N2 1. is broadly supported. Developments should aim to meet all of the policy criteria in N2, 1. a to g. To emphasise the importance of this, the following wording could be added to the end of the opening sentence of N1 'should from the outset', to indicate that these considerations should be factored in from the very start.

N2 (1) (a) and (d) must include reference to soils. This is for their social, cultural, environmental and climate value and the critical role they play in ensuring landscaping survival. N2 (1) must explicitly reference the protection and enhancement of soils on all development sites. This should also require soil baseline assessments, soil management plans, avoidance of loss of soils to landfill, and opportunities for reuse of soils on site.

N2 (1) (b) should be accompanied by guidance which sets out how this should be assessed and how at the local level protection of agricultural land supports national land use goals including that for food security. This policy should also include when development is on agricultural land how the non-renewable resource of agricultural soils will be protected as much as possible from sealing, and protected and enhanced for local growing within the development site.

N2, 1 f. is welcomed, although such measures also need habitat nearby that can be used by swifts, bats and hedgehogs, all of which are dependent on diverse and abundant invertebrate populations.

N2 2. provides an important last resort to refuse development if there is significant harm that cannot be resolved. In accordance with best practice significant harm should include indirect or off-site harm as well as direct on-site losses.

An example of indirect harm would be housing development adjacent to heathland with a rare reptile population, or rare ground-nesting birds, where the site would be within an easy predation zone for domestic cats and/or there would be recreational disturbance from increased public access. No on-site compensation could be achieved, and effective offsite compensation would only be possible if there were alternative areas where habitat enhancement could bolster another relatively local population sufficiently to compensate for the reduction or loss related to development - and that may not be the case with rare or threatened species.

N2 should place more emphasis on blue infrastructure.

There is no question related to N3. N3 should also reference the air quality and social equity.

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

a) Please provide your reasons, including how policy can be improved to ensure compliance.

In N4, 2. setting out the requirements for assessment of major development in Protected Landscapes is useful. There will be the difficulty of deciding how to weigh factors of development cost and economic benefit against attributes that cannot be monetarised in the same way: conservation and enhancing natural beauty and wildlife and cultural heritage.

As Protected Landscapes are national assets not just local ones, assessment of economic benefits should also focus on the economy nationally, rather than the economic benefit case just being satisfied by a benefit to the local economy.

Note that many Protected Landscapes also have significant importance for conserving and enhancing wildlife (e.g. Arnside and Silverdale), not just the National Parks and the Broads.

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.

Policy N6 does provide a hierarchy of sites with the sites of highest importance given the greatest protection. As written, the level of protection has been downgraded at all three scales. There is no reference to the mitigation hierarchy and protection for sites rests solely on Policy N2, 2.

N6, 1aⁱⁱ would only provide an adequate degree of compensation if an Environmental Delivery Plan is supported by robust evidence that the type of impact can be adequately compensated for the sites and features affected – and compensation can be delivered in a relatively short timescale. This means that EDPs would only be of value for a very limited number of landscape-scale impacts such as nutrient neutrality. Broadening EDPs to complex habitats of high value and to species where there is insufficient evidence about effects and the effectiveness of compensation would lead to reductions of biodiversity, some of which may be irrecoverable.

N6, 1bⁱⁱ reduces the existing protection for SSSIs. The text should be “*should be refused unless;*” rather than “*should only be supported if;*”.

The test of “clearly outweighs” is unclear and the text omits any reference to N2, 2. A developer should not be eligible to apply for an Environmental Delivery Plan unless the preceding steps to avoid, minimise and mitigate have already been undertaken.

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

There are significant concerns about the criteria for Environmental Delivery Plans, the evidence to support their efficacy, the time to deliver any compensation, and the resources for this, especially the capacity within Natural England.

A specific issue in this district (and others) is that of recreational disturbance on the bird populations of the coastal SPA. We consider that the best method to address this is via the system of payments that have already been put in place in some areas to provide mitigation and compensation in the local area and with funding coordinated by the local authorities, with Natural England as a participating stakeholder. Examples include schemes for SPAs at the Solent, the Essex estuaries and the Humber.

It is likely that a similar scheme will need to be put in place for Morecambe Bay and Duddon Estuary SPA, after completion of the current user surveys that have been commissioned jointly by three local councils to inform the need for mitigation. We think the existing model would be more appropriate here than an Environmental Delivery Plan, particularly for ensuring that the actions delivered are local and appropriate, which is not the case with Environmental Delivery Plans – Natural England would not be obliged to provide any compensatory measure in the local area.

Natural England has informed us that they are not able to deal with planning consultations routinely and is placing more responsibility on the local planning authorities, in order to focus on only the largest developments, NSIPs and significant impacts on SSSIs. We consider that Natural England could not resource the operation of any scheme to address the current and future recreational impacts on the SPA. It would be on a much greater scale than current District Level Licensing.

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons.

These are significant designations and for them not to have the same statutory protection in planning as listed buildings and conservation areas appears to reduce their importance, making them only a material consideration. We particularly welcome that this would include the setting of such assets. The NPPF could also confirm that the S72 duties include consideration of setting in relation to character and appearance of a conservation area.

At the moment, The Gardens Trust must be consulted by LPAs before they grant planning permission for any development which will affect a Registered Park or Garden. Given the Government's proposal through its Reforms to the Statutory Consultee System, which could see The Gardens Trust losing their statutory consultee status, the need to extend the special regard duties to include Registered Parks and Gardens, in particular, has become even more pressing.

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

Mainly in relation to Registered Parks and Gardens. Several in our district are also within conservation areas, which has then taken precedence in planning terms. However, this does not apply in all cases, leaving those Registered Parks and Gardens at potentially greater risk. Also development can affect the setting of Scheduled Monuments within our district, and it is important that our archaeological colleagues are able to assess the impact.

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

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

We support the inclusion of heritage assessment as part of the plan making process.

While we are pleased to see the promotion of local lists to identify non-designated heritage assets, the multiplicity of Non-Designated Heritage Assets (NDHAs) needs to be addressed. “Local lists” can include a wide range of unlisted historic assets and imply there are several different grades of undesignated historic buildings. We consider that local lists should simply incorporate all NDHAs within a parish and district, including all those which positively contribute to the character and appearance of a conservation area. Local lists should not just include selected historic buildings, implying a different grade or higher status for these building in comparison to other NDHAs. This simply results in greater complexity to the criteria used for identification of NDHAs and in the implementation of associated policy. It also makes the system difficult for the public to understand.

It is positive to see more explicit guidance in relation to conservation areas and advice to review them periodically. Where a new conservation area or an amendment to an existing boundary is proposed then this should rightly be informed by a formal conservation area appraisal. However, there are exceptional situations where designations are needed at short notice and therefore it should not be a requirement that there should be an adopted conservation area appraisal on designation. A draft assessment of the character and appearance of the conservation area should be considered appropriate in these circumstances pending the production of a full conservation area appraisal. Likewise, a management plan should certainly be encouraged but should not be a requirement of designation.

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

The inclusion of a spectrum of impacts from enhancement, through to not effect to harmful is supported as it clarifies that the assessment should also look at positive impacts not merely measure harm. However, it would be useful to acknowledge in 2b. that development can often cause a mix of enhancement and harm. It can be case that the enhancement and harm are evenly balanced resulting in a neutral outcome. On other occasions minor harm in one part of a scheme may be outweighed by significant enhancement elsewhere. The opposite also applies.

In relation to the content of heritage impact assessments, it is helpful for the national guidance to reflect the prescriptive guidance produced at a local level. Also, helpful to state that the decision makers need to be satisfied with the accuracy of those assessments. However, the accuracy of those assessments in relation to planning applications is a concern, as the vast majority of assessments are not impartial because they are paid for by the developer.

A standard format for heritage statements should be considered. These could be live documents, possibly in tabular form outlining the asset's significance, proposed works, and impact, to reduce the endless report writing and prose. A column for the local authority conservation officer comments could be included enabling them to more quickly respond to applications without having to write separate assessments. Although not something for inclusion within the NPPF, more guidance is needed to make these documents more useful.

We also consider more guidance is urgently needed to make the details, materials and specifications within an application easier to assess and for everyone to understand. Currently, information on the details of an application can be found in many parts of a planning or listed building consent application. For example, details can be found in the application form; within the Design and Access Statement; within the Heritage Statement; on the application plans and annotations; and within Schedules of work. Often these documents conflict with each other. Again, probably not for the NPPF but for supporting guidance to devise a system to simplify the process.

The IHBC and Historic England could assist in advising on these issues.

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 weight", and in particular the interactions between this and the statutory duties? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

We note the change in wording to "substantial weight" from "great weight". While on the face of it this seems to be a semantic change for consistency with substantial weight used elsewhere in the NPPF, in the case of heritage this is underpinned by statutory force through the duties in s16, 66 and 72 of the 1990 Act. It is not clear if the use of the term elsewhere the draft also reflects statutory duties and, if not, it could be inferred that heritage protection is being downgraded or levelled down.

We are pleased to see that 'less than substantial harm' has been removed. This terminology always downplayed any harm which was not 'substantial' for which the Planning Practice Guidance set a high bar, in saying that it "is a high test, so it may not arise in many cases". While we can understand why energy efficiency and low carbon heating measures have been given a special mention, it is not clear what is meant by 'important public benefits'. Are we to assume that they should receive greater weight than other public benefits, and we may need to accept more harm to the heritage asset? Important public benefits might also include significant enhancement to the heritage asset. We also have doubts that energy efficiency and low carbon measures in a single building can be meaningfully defined as an "important" public benefit, especially if the impact is harmful in other respects and may, ultimately, lead to a loss of public support for such measures.

Rather than define these specific benefits in policy, with the proposed wording being unclear and confusing, it would be better to define these benefits in supporting guidance.

The change from 'optimum viable use' to 'long-term re-use' does offer more flexibility, but if a range of uses no longer needs to be considered, then there is a risk that the most profit-making, but the least sympathetic, use will simply be put forward. While we appreciate that development proposals would still need to comply with Policies HE4 & HE5 it might be worth

re-defining “optimum viable use” as “optimum long-term use” to take account of the need to minimise harm.

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

We are pleased to see the inclusion of more detailed requirements in all these policies, including HE7.

It is a very positive policy on conservation areas and includes helpful references to non-designated heritage assets. Especially noted the comment in HE9 which states that “the assessment of impact should take into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole...” This seems to give a NDHA greater prominence in its own right, rather than simply assessing its contribution to the character and appearance of the conservation area.

Policy HE9 might include reference to the “setting” of conservation areas, to take account of development outside a conservation area that would affect its setting. An obvious example is a tall building.

The policy scope and wording of HE9 could equally be helpfully applied to Registered Parks and Gardens, which are also an area-based designation, to provide a firmer basis for consideration of impacts on these assets.

Policy HE11: Loss or Removal of Heritage Assets consolidates current Framework paragraphs 211, 217 and 218 to provide a cohesive approach where development would result in the loss or removal of heritage assets. It ensures assets are not lost unnecessarily and that, where removal occurs, they are recorded in the Historic Environment Record. The policy also retains the “retain and explain” approach for statues, plaques, memorials and monuments.

191) Do you have any other comments on the revisions to the heritage chapter?

Generally, we are pleased that this chapter acknowledges the positive role that heritage assets can play in sustainable development. The restructuring of the chapter with clear headings is welcomed, as is the greater clarity and detail. The new numbering system will also avoid constant re-numbering of policies where there are later amendments.

192) Do you agree with the transitional arrangements approach to decision-making?

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

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

We are unsure why development plan policies should be afforded “*very little weight*” where inconsistency arises. If the policies within the NPPF were statutory, then this approach would be far more logical.

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

No further comments to make.

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

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

On the whole, the list of WMS set out in Annex A is comprehensive, and we agree that a list is necessary to avoid confusion.

We are concerned about the inclusion of Planning – Local Energy Efficiency Standards Update as a document that is superseded, and we believe that this is premature without a comprehensive, cross-regulatory sector approach to the setting of local standards. In short, if a local planning authority considers that there is scope and viability headroom to insist on increased energy efficiency standards in their district and are able to evidence this]during plan-making, then there should still be scope to do so.

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

a) Please give reasons.

Consenting data centres under the NSIP regime has a strong potential to disrupt development including the delivery of new, high-quality housing in the UK. Due to tight grid constraints across the country, housing and other development can often be limited constraints on local electrical infrastructure. Developments such as data centres, which carry a high energy requirement and therefore take up a high quantum of local grid capacity, can cause knock-on impacts to the viability of housebuilding due to grid upgrade costs.

Development involving data centres should be consented by local planning authorities (i.e. not using the NSIP regime) or, if the NSIP regime is to be used, there should be a strong requirement to work closely with the local planning authority to anticipate any disturbance to the local grid and to avoid any negative impacts to allocated development sites.

Without these measures in place a data centre could undermine site allocations within a development plan and thus result in slower housing delivery and a loss of a 5-year-housing-supply. This effect is not limited to housing development either and is a risk for all development types which require grid connections. It is therefore vital that this issue is addressed and that data centres come forward in a way which works with the local planning system and which minimises negative impacts.

Streamlining the process for delivery of data centres should not occur at the expense of the local area. Any application must mitigate and avoiding social, cultural, landscape, soil, biodiversity, habitat, environmental and climate loss and damage.

The following should be added to the consenting process for large-scale datacentres to ensure the impacts of delivery are reduced as much as is possible:

- Any combustion based co-located energy infrastructure (e.g. CHP) should be explicitly excluded.
- Provide for improvements to the electric network which increases overall headroom to ensure surrounding area is not sterilised for development.
- The development must be required to complete a full lifecycle carbon assessment including Scope 3 emissions. This must include the development's lifetime impact on the LPAs territorial emissions profile. A carbon management plan must be provided and any residual Scope 1 and Scope 2 emissions from the development should be expected to inset them within the local authority or worst case offset with a credible national offsetting scheme within the UK.
- Data centres' economically productive lifespan is quite short. As such planning applications for datacentres and their associated infrastructure including co-located energy infrastructure should be accompanied by a decommissioning plan.
- Where any water-based cooling systems are proposed, a full catchment-based water availability assessment must be provided and approved by the local water regulatory body
- Provision must be made for the use of waste heat produced from the datacentre to provide heating for nearby residential and business use. Data centres should be co-located with heat networks where possible, and where no heat network exists, they should be required to be designed for heat network readiness, or one should be created and made available for nearby connections
- A local benefit scheme must be delivered which includes direct substantial social, cultural, economic and environmental benefits to the local area. This could include community shares, local annual benefit fund, Energy Local Clubs, creation/improvement of public open space, delivery of PROW, cycleways and bridleways, etc.

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? Yes/No

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.

For the reasons outlined in Q.195 we would support proposals that ensured that the local authority remained the decision maker for applications relating to data centres. We recognise the issues associated with two consenting schemes and believes that increasing the energy generation thresholds would help reduce this issue while ensuring that local authorities retained their decision-making powers.

197) Do you have any views on how we should define ‘co-located energy infrastructure’? Please provide your reasons.

Where it is not possible to deliver the energy infrastructure within or adjacent to the site, the energy infrastructure should be within the same primary substation area. Locating within the primary substation area, as opposed to within the data centre site boundary, can also introduce wider benefits for example by reducing landscape impact, increasing the catchments for community benefits and supporting wider rural income diversification.

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? Yes/No

a) Please provide your reasons.

We do not have a preference regarding the thresholds.

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

Not applicable.

200) Would you support the use of growth testing for strategic, multi-phase schemes? Strongly agree, partly agree, neither agree nor disagree, **partly disagree, strongly disagree.**

201) Would you support the optional use of growth testing for regeneration schemes? Strongly agree, partly agree, neither agree nor disagree, **partly disagree, strongly disagree.**

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

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.

We accept that 17.5% is a good reflection of industry for market led schemes.

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?

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.

It is clear that greenfield sites with little in the way of abnormal costs will appeal to the market. The scenario set out in (a) above would make viability testing more transparent and potentially quicker.

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?

a) Please explain your answer.

The overriding message should be that viability testing later in the process should be the exception, rather than the rule.

205) Existing Viability Planning Practice Guidance refers to developer return in terms of a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

No comments to make.

206) Do you agree there are 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? Strongly agree, partly agree, *neither agree nor disagree*, partly disagree, strongly disagree.

a) Please explain your answer.

The complexity of this issue requires further exploration by Government.

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?

a) Please explain your answer.

No comments to make.

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances? *Strongly agree*, partly agree, *neither agree nor disagree*, partly disagree, strongly disagree.

a) In what circumstances might a premium, or the usual premium, not be required?

In respect of the delivery of affordable housing.

b) What impact (if any) would you foresee if this change were made?

Removing premiums can only assist with facilitating faster development.

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

a) Please explain your answer.

Every site is different and faces constraints and challenges. An extant consent might be incapable of being implemented, so the existence of a permission should not be proof of alternative use value.

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*

a) If another metric, please set out your preferred approach and rationale.

No comments to make.

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?

This can be avoided simply by clarity of national policy wording. Be unequivocal in stating that schemes have to be policy compliant.

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

a) Please explain your answer.

No additional comments to make.

213) Do you agree that a 2.5 hectare threshold is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

We only partly agree because clarification is required as to whether the figure represents net or gross developable area.

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

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

No comments to make.

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development? *Yes/No.*

216) If so, please explain your answer and provide views on potential mitigations.

Sites may come forward in smaller, piecemeal amounts to fall within the threshold requirements.

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.

The Building Safety Levy has still yet to be formally introduced after being delayed for a year. It should be implemented first and exemptions should then be considered following its introduction. We see no reason for the exemption.

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.

It would in our experience depend on whether studios or apartments are proposed. We would argue a development of 120 purpose-built studios is quite different to a scheme which includes shared accommodation in the form of Houses in Multiple Occupation. The critical question is why should they be exempt in the first place?

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.

Whichever option represents a simpler administrative solution.

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.

No comments to make.

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.

As per Q.216, the risk of smaller sites coming forward in piecemeal fashion to circumvent the levy.

222) Do you agree with the proposal to extend the Permission in Principle application route to medium development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree.***

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

The PIP route is overly simplistic, and the outline planning consent route is more suitable for assessing new housing, in particular medium-sized developments.

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?

A short planning statement can be useful for LPAs and can also seek to advance the applicant's case. We find that applicants often choose to submit a covering planning statement irrespective of whether they are required to.

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?

a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.

We have no comments to make.

225) Is there anything that could be done to mitigate any impact identified?

We have no comments to make.

COUNCIL BUSINESS COMMITTEE

Responding to the open consultation on the Forest of Bowland National Landscape Draft Management Plan

19 February 2026

Report of Chief Officer - Planning and Climate Change

PURPOSE OF REPORT

To advise Members of the publication of the consultation on the draft Forest of Bowland National Landscape Management Plan and to provide an opportunity to consider a proposed consultation response submission.

This report is public.

RECOMMENDATIONS

- (1) That the report be noted and that the responses to the consultation questions as proposed in Appendix 1 are considered and submitted as the Council's corporate response to the consultation.

1.0 Background

- 1.1 The Council has a duty as set out in Section 89 of the Countryside and Rights of Way Act 2000 to prepare and review Management Plans for the two National Landscapes in our area (Arnsdale and Silverdale National Landscape and the Forest of Bowland National Landscape). This work is delivered on the council's behalf by the relevant National Landscape staff units. The Management Plan for the Forest of Bowland National Landscape has recently been reviewed and a draft produced to guide the management of these protected landscapes for the period 2026 – 2031. Once the consultation is complete and the Management Plan finalised, the council will need to formally adopt the Management Plan to continue to meet its statutory duties.
- 1.2 The Forest of Bowland was designated as an Area of Outstanding Natural Beauty in 1964, and spans 803 square kilometers across Lancashire and North Yorkshire. It is internationally recognised for its heather moorland, blanket bog, and rare upland bird species, including the hen harrier and curlew. The landscape comprises dramatic upland fells, wooded valleys, and undulating farmland, and offers a sense of tranquility and dark skies.
- 1.3 Despite its rural character, over one million people live within a 30-minute drive, making it a vital recreational resource. The area supports a working landscape of

farming, forestry, water supply, and tourism, contributing significantly to local and national economies. Governance is provided by a partnership of local councils, agencies, landowners, and community groups. The plan acknowledges Bowland's role in delivering ecosystem services such as carbon storage, flood mitigation, and biodiversity conservation, while addressing challenges like climate change, development pressures, and inequalities in access to nature. Its strategic position near major urban centres like Manchester enhances its importance for health, wellbeing, and sustainable tourism.

- 1.4 The previous Management Plan for the Forest of Bowland National Landscape covered the period 2019 - 2025. This new draft Management Plan for the period 2026-2031 sets out 5-year strategy for how the landscape should be conserved, enhanced and managed, and how public bodies must now actively further the purpose of designation under the Levelling-Up and Regeneration Act 2023.
- 1.5 Council officers have been involved in the review and preparation of the draft Management Plan through attendance of the Forest of Bowland Joint Advisory Committee (JAC). The draft Management Plan takes account of a focused JAC workshop session in August 2025 where members of the JAC were involved in reviewing and preparing the details of the plan.
- 1.6 This is the first draft Management Plan to be produced since legislative changes in 2023 as a result of the Levelling-up and Regeneration Act 2023 (LURA) which amended the duty on relevant authorities in respect of their functions which affect land in National Parks, National Landscapes, and the Norfolk and Suffolk Broads (collectively referred to as Protected Landscapes) in England. Relevant authorities must now 'seek to further' the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to 'have regard to' their statutory purposes.
- 1.7 As set out by Department for the Environment, Food & Rural Affairs (DEFRA)¹, *"the duty is intended to facilitate better outcomes for England's Protected Landscapes, which are in line with their statutory purposes. The duty is intended to... [ensure] that the purposes for which Protected Landscapes are designated for are recognised in reaching decisions and undertaking activities that impact these areas"*.
- 1.8 National Landscape Management Plans are meant to be taken as a guide for all partners and stakeholders to refer to when planning their own work within the National Landscape. They set out a range of objectives, desired outcomes and requirements for land management and project delivery within the National Landscape to achieve these outcomes. Some of these required actions and behaviours would be led by the National Landscape partnership unit, whilst many of the actions and behaviours would be led by other partners and stakeholders, with support from the National Landscape team where required.

2.0 Content details

- 2.1 The draft Management Plan for Forest of Bowland National Landscape is split into four themes for delivery. Each theme represents an aspect of delivering the primary purpose.

¹ DEFRA Guidance for Relevant Authorities on seeking to further the purposes of Protected Landscapes (December 2024)

- Theme 1: Landscape
- Theme 2: Nature Recovery
- Theme 3: People
- Theme 4: Place

- 2.2 For each of these themes the 'Forces for Change', which represent the current issues and opportunities in play have been described. There are then 'Outcomes', 'Measures' and 'Targets' that have been drawn up in response to these predicted changes.
- 2.3 The management plan is also underpinned by 17 core principles that guide policy and practice. These are as follows:
1. Farming and sustainable land management
 2. Focus on outcomes, not prescriptions
 3. Collaboration and partnerships
 4. Reversing declines in upland nature through landscape-scale ecological networks
 5. Adapting to a changing climate
 6. Ecosystem services and benefits
 7. Managing landscape change
 8. Economy and Environment
 9. Integrated Nature and Heritage Conservation
 10. Balancing benefits
 11. Using and valuing regulation
 12. Access for everyone
 13. Engagement and Inclusion
 14. Learning and sharing
 15. Arts and creativity
 16. Gathering and sharing data and evidence
 17. Sustainable funding and resource allocation
- 2.4 These principles collectively aim to deliver a resilient, inclusive, and economically viable future for Bowland.
- 2.5 Appendix 1 sets out all the responses that LCC are proposing to make to the National Landscape team through this consultation. There are not a significant number of these as LCC officers were given opportunity to propose amendments to the National Landscape Management Plan as it was being written. To give a flavour of the type of proposed changes being suggested to the National Landscape Partnership however, some of these are highlighted in paragraph 2.6 onwards (below).
- 2.6 Areas of the Management Plan that have been highlighted in the proposed response by LCC relate to how the draft Management Plan provides overall direction but lacks spatial detail and specific guidance needed for effective implementation. It is considered that including mapped features, such as nature recovery opportunity areas, tranquillity and dark-sky zones, landscape sensitivity areas, and potential woodland-creation sites, the inclusion of which would help Lancaster City Council align the plan with Local Plan policies.
- 2.7 While the plan identifies issues like congestion, parking pressures, and conflicts on rural lanes, it does not propose practical transport solutions such as on-demand shuttle services for example. Similarly, guidance on small-scale renewable energy and "sympathetic design" is limited, with no clear criteria on viability, infrastructure impacts, materials, building conversions, scale, or lighting. More detailed principles, similar to

those found in National Landscape Management Plans from other areas, would strengthen the plan’s usefulness and policy alignment.

2.8 The Climate Adaptation Plan (CAP) for the Forest of Bowland is also available for comment alongside the Management Plan. LCC have made a number of observations on the CAP, which are set in response to question 18 of the consultation response which is included in Appendix 1 of this report. These comments relate to issues such as the requirement to clarify where data has been derived, as well as concerns over the accuracy of this data, and the need to ensure that moorland management, habitats and soils practices are considered from now, rather than only beginning to look at these in 30 years from now, when it is considered that the situation will be significant worse.

3.0 Consultation arrangements and next step timescales

3.1 The Draft Management Plan is being consulted on between 19th January until 2nd March 2026. Full details can all be found on the consultation website. Accompanying the Management Plan is the Strategic Environmental Assessment Screening (and Screening report), Habitats Regulations Assessment Screening report, the Equalities Impact Assessment Screening report, Climate Change Adaptation Plan and a Summary of the Landscape Character Assessment.

3.2 The consultation aims to collect views on the content of the plan and is open to anyone who lives or works in the area or anyone who visits it. This particularly includes residents, farmers, land managers, schools, businesses, local clubs, partner organisations and Parish Councils. If Members have comments on the Management Plan that they wish to raise, please could these be provided to the Chair of PPCAG.

3.3 As a relevant authority, Lancaster City Council will create a consolidated officer consultation response, which will be provided and submitted to the National Landscape team by the Planning Policy & Housing Strategy Team. The Chief Officer for Planning & Climate Change has been provided with delegated authority to formally submit the Council’s response following consideration at the Planning Policy Cabinet Advisory Group (PPCAG) on 17th February, and at Council Business Committee on 19th February.

4.0 Details of the Consultation and the Suggested Response

4.1 A copy of the response to the consultation is set out in Appendix 1 of this report.

4.2 Members of the Planning Policy Cabinet Advisory Group (PPCAG) received a similar report early this week on 17th February 2026 highlighting the consultation.

5.0 Options and Options Analysis (including risk assessment)

	Option 1: To respond to the consultation questions	Option 2: To respond to the consultation with other comments	Option 3: To not submit a response to this consultation
Advantages	The views of the Council will be considered by the	The views of the Council will be considered by the	None

	National Landscape Partnership team when deciding how to proceed to the final version of the Management Plan.	National Landscape Partnership team when deciding how to proceed to the final version of the Management Plan.	
Disadvantages	None	Dependent upon the extent of any additional considerations, there is very limited time to submit the consultation response.	The formal opinion of Lancaster City Council would not be provided, and an opportunity to contribute to the consultation would be lost.
Risks	None.	None.	None.

6.0 Officer Preferred Option (and comments)

6.1 The preferred option is Option 1, to respond to the consultation as drafted at Appendix 1.

7.0 Conclusion

7.1 The consultation closes on 2nd March 2026. Once all responses have been received, the National Landscape Partnership team will produce a consultation report reflecting feedback that will be published online at the end of March 2026. Production of the final Management Plan will take place by April 2026 and formal approval will be sought from the National Landscape Partnership/Joint Committee which will meet to endorse the revised plan. Final approval will need to be sought from the relevant authorities² (including Lancaster City Council) prior to formal adoption of the Management Plan, which is currently anticipated for May 2026, at which stage the Secretary of State (for Environment) is notified

7.2 As previously stated, the new Management Plan is for the period 2026-2031 and is used by all partners so that all can work together to enhance and connect people to the National Landscape to ensure it remains a beautiful place where people and nature thrive together.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

The report and its recommendation to submit the consultation response to the draft Management Plan consultation has positive implications for sustainability and rural issues,

² Relevant Authorities are comprised of the following: Lancaster City Council, Lancashire County Council, North Yorkshire County Council, Pendle Borough Council, Preston City Council, Ribble Valley Borough Council, and Wyre Council.

given that prominence is given to these issues in plans. There are no equality issues arising from this report. The National Landscape Draft Management Plan includes actions that seek to address equality issues, increasing access opportunities for disabled people and those with additional needs. The support of activities for outdoor recreation and education/community participation all of which promote good health. Managing the rural economy through change and conservation is an effective way of ensuring that rural communities can become sustainable and that traditional skills can be retained for the benefit of those who live there, and those who visit for tourism and recreation.

LEGAL IMPLICATIONS

Consultation responses should be considered in accordance with statutory requirements.

FINANCIAL IMPLICATIONS

There are no financial implications at this stage.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

There are no resource implications at this stage.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments to add.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments to add.

BACKGROUND PAPERS

1. Forest of Bowland National Landscape draft Management Plan 2026-2031 consultation documents. Available at <https://www.forestofbowland.com/management-plan-2026>.
2. DEFRA Guidance for Relevant Authorities on seeking to further the purposes of Protected Landscapes (December 2024) [Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes - GOV.UK](#)

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Appendix 1:

Lancaster City Council's response to the Forest of Bowland National Landscape Draft Management Plan consultation.

Lancaster City Council formal response (draft version)



**Forest of
Bowland**
National
Landscape

Forest of Bowland National Landscape Management Plan 2026-2031 Public Consultation

* Required

1. Are you responding personally, or on behalf of an organisation? *

- Personally
- On behalf of an organisation

2. Which of the following **best** describes your point of view? *

- Business
- Conservation body
or NGO
- Land
manager/farmer
- Local
government
- Local resident
- Member of a
community group
- Statutory body
- Visitor to the area (live outside the National Landscape)

3. To what extent do you agree or disagree with the proposed **vision** for Forest of Bowland National Landscape? (see p.29 of the plan)

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

4. Additional comments on the vision:

The Vision that the Forest of Bowland Management Plan provides is considered to be strong, clearly set out, and with detail included to be able to identify areas that will need docs for this to be achieved.

5. This Management Plan is built on a set of **core principles** which provide a framework to guide policy and practice in Bowland. Accepting these principles is essential to adopting and delivering the plan. Do you think we have identified all the relevant principles? (see p.29 of the plan) *

- Yes
- No

6. If you answered "No", please list any principles you think are missing, or provide suggestions for improving or clarifying the principles?

N/A

Please provide input to the Outcomes and Measures parts of the plan:

7. To what extent do you agree with the **outcomes** for **Landscape** (see p.33):

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

8. Please add any further comments about the **outcomes** for **Landscape**:

The Landscape theme focuses on conserving and enhancing Bowland's distinctive character, including its moorland fells, wooded valleys, and traditional farmed areas. Measures include restoring dry stone walls, hedgerows, and parklands; protecting skylines and dark skies; and ensuring new development respects local vernacular styles. Lancaster

City Council are particularly pleased to see the focus on preserving dark skies. Lancaster has adopted specific local guidance its other National Landscape (Arnsdale & Silverdale National Landscape) in the form of the [Cumbria Good Lighting Technical Advice note](#), and Lancaster aims to have a similar level of guidance for the Forest of Bowland National Landscape through its Local Plan Review, which will also be in line with the Institution of Lighting Professionals (ILP) ['Bats and Artificial Lighting at Night Guidance note](#) (August, 2023).

9. To what extent do you agree with the **outcomes** for **Nature Recovery** (see p.39):

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

10. Please add any further comments about the **outcomes** for **Nature Recovery**:

Lancaster City Council considers that Nature Recovery is central to the plan and is therefore pleased to see that it is identified as one of the four central themes. The Management Plan addresses the urgent need to restore habitats and reverse species decline. Key outcomes of the Management Plan include bringing all remaining unrestored peatlands under restoration, expanding woodland and tree cover by 750 hectares by 2040, and safeguarding species-rich grasslands. Rivers and wetlands will be reconnected to floodplains and managed to improve ecological health. Champion species such as hen harrier, curlew, and black grouse will benefit from targeted conservation measures. Actions integrate climate adaptation strategies, such as enhancing hydrological function in peatlands and promoting resilient tree species. Collaboration with farmers and landowners is critical, supported by agri-environment schemes and green finance opportunities. These efforts contribute to national targets under the Protected Landscapes Framework and the global 30x30 commitment, which sees the UK having committed to protect 30% of land and sea for nature by 2030.

11. To what extent do you agree with the **outcomes** for **People** (see p.57):

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

12. Please add any further comments about the **outcomes** for **People**:

Lancaster City Council is supportive of the 'People' theme's direction as it emphasises inclusive access, learning, and wellbeing, improves rights of way and creates accessible routes, supported by infrastructure such as all-terrain wheelchairs. The Council is supportive that the MP also sets out that educational initiatives will be used to engage schools, colleges, and lifelong learners, fostering skills in conservation and rural crafts. The Management Plan states that health and wellbeing programmes will assist in highlighting nature's therapeutic benefits, addressing barriers such as transport and cultural perceptions. Community engagement is integral to the plan, ensuring that diverse audiences can explore and appreciate Bowland's special qualities. These measures all collectively aim to strengthen the social contract between people and nature, promoting stewardship and resilience.

13. To what extent do you agree with the **outcomes** for **Place** (see p.68):

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

14. Please add any further comments about the **outcomes** for **Place**:

Lancaster City Council is pleased to see that the Place theme addresses cultural heritage, regenerative tourism, and community vitality. Conservation of historic assets, ranging from prehistoric sites to vernacular architecture, is prioritised alongside adaptive reuse of redundant structures. The Management Plan sets out how regenerative tourism initiatives will reinvest economic benefits locally, promote experiences that are authentic to the Forest of Bowland area, and reduce environmental impacts through sustainable transport and visitor management. Community-focused actions include maintaining essential services, supporting volunteer networks, and fostering local enterprise. These strategies aim to create a resilient rural economy that complements environmental goals, to ensure that the Forest of Bowland National Landscape remains a living, working landscape with strong cultural identity.

15. Please use this final text box to share anything else you feel has not been covered or addressed in the plan:

The plan provides direction but is not spatial in its presentation. Some degree of spatial mapping may be beneficial to help to visually demonstrate the implications of the Management Plan. This could for example include mapping of the potential nature recovery opportunity areas, mapped tranquility zones, mapped dark-sky zones, mapped landscape sensitivity areas, or mapped areas of potential woodland creation. A more specific spatial element to this would make it easier for Lancaster City Council to integrate the Management Plans aims into local policy through the Local Plan Review.

The draft Management Plan recognises issues such as congestion, parking overflow at honeypots and conflict on rural lanes, but doesn't give specific transport based solutions to these issues which could include 'on-demand' shuttle buses (such as 'dial-a-ride' / app-based approaches).

The Management Plan recognised the opportunity to installation of small-scale renewables in the National Landscape however beyond referring how this could be tackled via community led section there is no other guiding principles and criteria for how this could be approached, including issues such as the need to assess viability, the impacts on grid infrastructure and also if there is potential for small-scale farm-based renewables which the City Council could look to incorporate into its Local Plan (evidence permitting).

The Management Plan also calls for 'sympathetic design' but offers no specifics around this. It is accepted that this will vary by site but further information around issues such as acceptable materials or guidance on conversions of rural building etc, as well as scale/massing threshold and lighting design criteria would be useful and could help feed into Local Plan policy. There are other National Landscape Management Plans in the UK such as the Cotswolds National Landscape Management Plan, Nidderdale National Landscape Management Plan, Arnside & Silverdale National Landscape Management Plan) which do provide more robust guidance around these issues.

In relation to visitor management the Management Plan acknowledges that the Forest of Bowland experiences stresses but doesn't offer ideas around solutions such as potential parking strategies, or visitor behaviour management (in relation to dogs, fires, wild camping for example) or any specific detail around the sustainable tourism transport network. More information round this would assist with Lancaster's ability to manage hotspots like the Trough of Bowland.

16. Would you like to comment on the **Climate Adaptation Plan**?

- Yes
- No

17. If yes, how far do you agree that the **Climate Adaptation Plan** covers the key issues and sets out the required measures to adapt to climate change?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

18. Please add any further comments about the **Climate Adaptation Plan**:

Page No.	Comments
4	Local climate bullet points omit heatwaves °c should be °C with a capitalised C (this goes for the whole document)

	<p>“In Lancashire the hottest summer day so far on record was 30.1°C in 2023” - LCC is not clear where this figure is from but disputes its accuracy. Hazelrigg weather station near Lancaster recorded a peak of 35.2°C on July 19, 2022 and the temperatures in 2022 in general were the highest throughout the country.</p> <p>“Winter months in Lancashire usually see 16 days of rain and this is projected to remain the same in the 2 and 4°C scenario” – the Met Office offer a customised risk assessment for each district area in the UK which is based on their own UKCP18 data. This data shows that for the Ribble Valley district (which comprises most of the FBOW) that the very minimum increase in winter rainfall under 4 degrees of warming is 15% and could be as high as 24%. This data can be found here: Explore the Climate of your Local Authority. LCC consider that is potentially misleading to include that 4 degrees of warming won't see an increase in winter rainfall days given the number could go up by 24%.</p> <p>LCC consider that there should be mention here of the increased risk of wildfires.</p>
<p>Table on pages 5 and 6</p>	<p>Woodlands – there is no reference here of the impact of waterlogging during prolonged periods of wet weather or flooding. Waterlogging can increase the likelihood of trees being brought down in storms and can increase the risk of disease.</p>
<p>13</p>	<p>“Limiting this rise to 1.5°C was the aim of the Paris Agreement and it is suggested that we have already reached this level in 2024.” – it should be noted that the Paris Agreement did not refer to a single year of above 1.5 degrees temperatures but to a long-term trend. Although this fact makes the situation no less urgent, according to international law the targets of the Paris Agreement have not yet been broken</p>
<p>20</p>	<p>The future action planning section outlines an approach which will aim to ‘resist change to moorland management, habitats and soils over the next 20-30 years’ – this would be a disastrous approach and not something that LCC consider should be a suggestion in a Climate Adaptation Plan. Serious changes in management of land (particularly heather moorland, which is not a naturally occurring habitat and is of low ecological value, low ecosystem service, and high fire risk) need to happen BEFORE it's too late, not after 30 years when the situation will be severe.</p> <p>As above, LCC consider that the ‘Resist’ portion of the RAD approach outlined on this page is not best suited for an environment which is actively degrading (peatland and agricultural soils for example). The ecosystem in the Bowland Forest is in need of repair, and the most effective method of doing that is to change and management practices.</p>
<p>Table on pages 21 and 22</p>	<p>The third column of this table has been left empty.</p>
<p>Main Actions Table</p>	<p><u>Planning pressures - new development</u> There is mention here of the value of the floodplain and how it can alleviate flooding. This could therefore perhaps include a corresponding action for identifying spaces that could be introduced to the flood plain, such as agricultural land which is currently drained by ditches etc.</p>

	<p>It is unclear how 'pressure for building adaptations such as rooftop solar panels' could lead to 'loss of green/biodiverse spaces' such as meadows. Has this perhaps been placed in the wrong section?</p> <p><u>Towns and Settlements</u> Similar to the above, it is unclear how raingardens and water infiltration will improve air quality</p> <p><u>Moorland and peatland</u> LCC suggest that more actions are added into the fire risk section here, such as consideration of enhancing biodiversity, banning controlled burns, moving away from monoculture practices, re-wetting, potential fire breaks etc</p> <p><u>Upland Heath</u> The action here of 'improved heather management and grazing' could be misleading as to what is actually being supported. Does this include management practices such as controlled burns? Is this advocating a reduction in stocking rates or an increase?</p> <p>There is no mention of improving biodiversity on heather moorland. This would not only reduce the impact of the heather beetle, but also impact of droughts, reduce the risk of wildfires, and reduce risk of flooding elsewhere. It would also mean that bracken would be less likely to take over and would therefore lower management costs.</p> <p><u>Unimproved grassland</u> LCC consider that the CAP would benefit from additional specifics on the 'appropriate management' of purple moor grass and rush pasture, as this could be interpreted in multiple ways by the end user.</p>
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Your Response

19. Would you like your name to be displayed alongside your comments?

- Yes
- No (if no, your response will remain anonymous)

20. Name:

Lancaster City Council

21. Please provide your email address if you'd like to be notified when the **Consultation Report** is available on our website. (Your email will not be published in the report.)

dneville@lancaster.gov.uk

22. We take your privacy seriously and will only use the information you provide for the purposes of the Management Plan consultation.

You can find our Privacy Notice here: <https://www.forestofbowland.com/privacy-notice> *

Yes, I have read the privacy notice

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