

# Planning Policy Cabinet Advisory Group – 17 February 2026

## Item 1: Consultation Response to the Draft National Planning Policy Framework Consultation

### 1.0 Introduction

- 1.1 On 16 December 2025, the Government’s Ministry of Housing, Communities and Local Government (MHCLG) published a consultation on a revised version of the National Planning Policy Framework (NPPF). A new, draft NPPF was published alongside the consultation questions. The consultation is substantial in terms of detail and length, comprising 225 questions.
- 1.2 The consultation will close on 10 March 2026. In order for the City Council to respond appropriately, the Planning Policy Cabinet Advisory Group (PPCAG) will consider the suggested responses that are appended to this report. Members of the Planning Regulatory Committee have been invited to the meeting to participate.
- 1.3 Section 2 of this report sets out the key issues arising from the draft NPPF, and Section 3 discusses the potential main considerations for the Lancaster District.

### 2.0 Key Issues Arising from the Draft NPPF

- 2.1 The MHCLG set out in the consultation that the Government’s aim to reform the planning system requires a “*fuller and more definitive update of national planning policy*”. This means that the draft revised version of the NPPF is much more than a series of amendments; it is a radical restructuring to create a more “*rules-based*” approach to planning policy interpretation, local plan preparation and planning application decision-making.

#### Overview

- 2.2 The proposed revisions aim to achieve three principal objectives, which are:
  - To ensure national planning policy is accessible and understandable for everyone who uses it;
  - To establish a comprehensive suite of national policies on general planning matters which will apply across the country, to avoid these matters being repeated or deviated from in locally-produced plans – in so doing helping to speed up their preparation and preventing an unnecessary increase of different standards that can complicate development; and,
  - To make the policy which it contains more ‘rules-based’ and certain, and so more 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.

- 2.3 One of the much-anticipated changes was to be the inclusion of a series of statutory national decision-making policies within the NPPF. This would have avoided the need for the inclusion of generic decision-making policies within Local Plans. However, Government announced late last year that the national policies within the draft NPPF would be non-statutory (although this decision will be kept “*under review*”). Even though the national policies are non-statutory, they are worded to set expectations for all development proposals. The consultation makes it explicit that the decision-making policies “*should not be repeated in development plans*”.
- 2.4 The Draft NPPF appears to achieve its aim in being more accessible. The decision to remove continuous paragraph numbering and replace it with topic-based numbered policies should make the NPPF more usable and simpler to reference. Separating ‘plan-making’ and ‘decision-making’ content is equally as effective.
- 2.5 A continuing theme throughout is the delivery of much-needed housing and commercial development. The Government seeks various policy levers to make this happen, including a permanent presumption in favour of “*suitably located development*”; a default ‘Yes’ to develop proposals around well-served railway stations; greater focus on urban and suburban densification to make the most out of land; stronger support for rural social and affordable housing; and supporting “*small and medium*” housing sites.

### **The Plan-Making Framework**

- 2.6 The draft pre-empts the reintroduction of the tier of regional planning. New Spatial Development Strategies (SDS) will be produced by strategic planning authorities (i.e. combined authorities, etc), and they will set a positive vision for future growth for at least 20 years at a sub-regional scale. These SDSs will be expected to be “*genuinely strategic in nature*” and will not repeat the district-wide content of Local Plans.
- 2.7 The changes to the local plan system have been well-trialed in advance of the draft NPPF. There is an expectation that local plans should be prepared and adopted within 30 months of publishing a Gateway 1 assessment, and that plans should cover a period of not less than 15 years from the adoption date (although the consultation also seeks views on an alternative period of 10 years). Preparation of any subsequent local plan should commence within 5 years following adoption.
- 2.8 Another plan-making change is the introduction of Supplementary Plans. These allow local planning authorities to “*set design expectations or allocate specific sites for development outside the local plan cycle, while remaining part of the development plan*”.
- 2.9 A key policy within the NPPF is Draft Policy PM6, which sets the general principles for plan-making. The policy states that local plans should “*not replicate, substantively*

*restate or modify (the) national decision making policies unless directed by other policies in the draft Framework”.*

- 2.10 Policy PM8 favours the reuse or updating of an existing local plan evidence base, as opposed to the commissioning of wholly new evidence “*where possible*”. The purpose of policy is to ensure that the evidence base is “*relevant, proportionate and sufficiently up to date*”.
- 2.11 There are stronger expectations that the local planning authority shall engage proactively and regularly to identify and address cross-boundary matters. This includes scenarios where the district’s development needs cannot be wholly met within the plan area. This replaces the previous ‘duty to co-operate’. Demonstration of “*effective cooperation*” is anticipated via statements of common ground between the authorities.
- 2.12 The NPPF also requires authorities to “*promote greater clarity*” at the plan-making stage regarding developer contributions. Local plans are expected to include the levels of expected affordable housing contributions (expressed as a single figure, and not as a range); be realistic about the level of contribution, thus reducing the need for viability assessments at the decision-making stage; and be clear so that developers can account for the contribution when agreeing the price paid for land. Local plans should also agree the circumstances for contribution review for those developments that cannot achieve the requirements within the local plan.
- 2.13 Policy PM13 stipulates that quantitative standards set through local plan policies should be limited to “*infrastructure provision, affordable housing requirements, parking, and design & placemaking*”. Standards should not seek to cover matters that are already addressed by the Building Regulations (other than accessibility standards or water efficiency). This policy limits the ability to set local standards for energy efficiency.
- 2.14 Finally in the plan-making section, there are a series of draft policies regarding the examination of plans. The revised tests for plan ‘soundness’ include an expectation that SDSs should meet housing need except in exceptional circumstances; and that local plans should positively plan for growth and change, and should be positive, appropriate, realistic, consistent and in conformity with any adopted SDS for the area. The key change in this policy is that existing requirement for plans to be “*justified*” has been replaced with the wording “*appropriate*”, and “*effective*” has been replaced with “*realistic*”. This aims to encourage local planning authorities to take a more proportionate approach to plan-making.

### **Decision-Making Policies**

- 2.15 The stronger focus on proportionality continues in the decision-making paragraphs. There is an expectation (Policy DM1) that proposals for major development should be informed by early pre-engagement with the local community and that planning applications should be accompanied by a “*concise planning statement*” demonstrating consistency with the development plan. This should explain how the

proposals have evolved following pre-application and must set out the proposed use of planning obligations. The consultation also discusses different approaches to information (validation) requirements (Policy DM2).

- 2.16 Policy DM5 expands on the plan-making policies regarding developer contributions, by setting out the circumstances where a viability assessment may be justified. These considerations will inform a local planning authority's assessment of the weight to be given to the viability case.
- 2.17 The NPPF strengthens the enforcement approach that should be taken if unauthorised development is deemed to be "*intentional*". In those circumstances the intent to subvert the planning process should be given "*substantial weight*" when determining a planning application.
- 2.18 Policy DM10 provides more flexibility for removing permitted development rights, where it is necessary to protect the amenity of wellbeing of an area.

### **Achieving Sustainable Development**

- 2.19 This chapter considers sustainable patterns of development and has a greater pro-growth narrative than previous versions of the NPPF. Of particular interest are the revised approaches to the presumption in favour of sustainable development (Policy S3); the principle of development within settlements (Policy S4); and the principle of development outside settlements (Policy S5).
- 2.20 Policy S3 replaces the tilted balance contained in the existing NPPF with more guided locational development advice in S4 and S5. S4 is clear; development proposals within settlements should be approved "*unless the benefits of doing so would be substantially outweighed by any adverse effects*". The policy then provides examples where development might have an unacceptable impact.
- 2.21 Policy S5 takes a new approach to development outside settlements (other than in the Green Belt or on locally designated Open Space, in which case this policy does not apply), but it is still restrictive in terms of the type of development that is suitable. Appropriate types of development would include development for agriculture, outdoor sport and recreation, allotments, burial grounds, mineral and engineering operations and national infrastructure. Additions to the list include development for rural business, where a proposal outside a settlement boundary is considered necessary. There is also a provision that development for housing and mixed-use development within reasonable walking distance of a railway station may be appropriate, and development which would address an evidenced unmet need (such as housing that would help meet a five year supply of deliverable housing sites). This is to assist with the delivery of development in more sustainable locations. However, isolated homes are still not encouraged other than in exceptional cases (set out later in the consultation, at Policy HO11).

### **Meeting the Challenge of Climate Change**

- 2.22 The NPPF describes the positive approach that should be taken towards mitigating and adapting to climate change during plan-making. Development patterns that can radically reduce greenhouse gas emissions are encouraged, as are allocations that avoid increased climate vulnerabilities. Encouragement is provided for the pursuit of opportunities for green infrastructure provision and the delivery of nature-based solutions that can improve carbon storage and support nature recovery.
- 2.23 A set of locational and technical criteria (Policies CC2 and CC3) is provided to guide decision-making and assist with the transition to net zero.

### **Delivering a Sufficient Supply of Homes**

- 2.24 The NPPF is unequivocal in terms of the process that must be followed for assessing the need for homes, the provision of sufficient land and the establishment of a housing requirement figure. Of particular relevance is:
- Policy HO1, which states that SDSs (or a local plan where an SDS is not in place) should be based upon a Housing Needs Assessment; an assessment of permanent and transit site accommodation for travellers; and an understanding of accommodation needs that cannot be met in neighbouring areas;
  - Policy HO2, which says that the SDS should establish a housing requirement and that these figures “*should not* (unless there is a change of circumstances since the figure was produced) *be re-tested as part of local plan preparation*”. The policy continues by saying that Neighbourhood Plans should also have a housing requirement figure, except in circumstances where there is a clear and well-evidenced need for no housing, or the constraints are so substantial to preclude any housing coming forward; and,
  - Policy HO3, which requires local plans to identify a sufficient supply and mix of sites to “*meet or exceed*” their housing requirement figure. Specific deliverable sites should be identified for five years, and a further supply of deliverable sites or broad locations for growth for years 6-10 and, where possible, 11-15.
- 2.25 The identification of sites should include opportunities for large-scale development and mixed use development, and should meet the need of different groups, as well as planning for a diverse mix (scale and siting) of sites.
- 2.26 When making decisions on housing applications, the draft NPPF describes the weight that should be attributed to the benefits of providing housing that would meet the district’s needs as “*substantial*” (Policy HO7). The approach to affordable housing delivery (HO8) contains changes for proposals that meet or exceed the requirements for affordable housing, by permitting more flexibility regarding the size of market homes. The inclusion of military affordable housing is also new. Views are sought on

whether a minimum proportion of social rent housing should be required for major development.

- 2.27 The consultation notes a strong preference for on-site delivery of social and affordable housing; but also recognises the challenges this provides for small and medium (SME) housebuilders. So the consultation explores an alternative approach which could be inserted into Policy HO8 which provides additional flexibility for SME developers by allowing discretion to provide affordable and social housing either on site or via a cash payment for off-site provision.
- 2.28 Criteria-based policies are aimed at supporting delivery of specialist forms of accommodation (Policy HO9), including housing for older people; community-based accommodation; and purpose-built student accommodation. The rural exception site policy is also made clearer in Policy HO10 via the use of more explicit criteria, whilst a similar, more defined approach to traveller sites (Policy HO12) is also proposed.
- 2.29 The circumstances where isolated homes in the countryside are considered acceptable is set out at HO11 and now includes reference to homes that secure the long term reuse of a “*vacant or underused*” listed building.

#### **Building a Strong, Effective Economy**

- 2.30 The most significant changes in these paragraphs include a direction that plans should avoid overly prescriptive requirements on otherwise acceptable business and employment sites (Policy E1) and seek to address potential barriers to investment. There is greater encouragement for a more pragmatic approach to the specific locational requirements of different sectors.
- 2.31 The NPPF takes a more flexible approach to rural business development (Policy E4), explaining that some proposals might be located outside settlements and away from public transport to meet rural business needs.

#### **Ensuring the Vitality of Town Centres**

- 2.32 The increased pragmatism that is evident elsewhere in the draft NPPF is applicable in the paragraphs regarding town centres, where there is greater emphasis on diversifying town centre uses. Policy TC1 supports the use of town centre strategies to inform development plan preparation.
- 2.33 Policy TC3 is important in terms of considering the suitability of main town centre uses located outside town centres. The sequential test (i.e. town centres first) is retained; followed by edge of centre locations and, only if suitable sites are unavailable, out of centre locations.

#### **Supporting High Quality Communications**

- 2.34 There is comparatively little change to the narrative regarding telecommunications development, with a focus on utilising existing infrastructure and minimising the visual effect of masts and other structures, as well as retention of the self-determination

statement ensuring that infrastructure does not exceed International Commission guidelines.

### **Securing Clean Energy and Water**

- 2.35 Policies in this chapter of the draft include encouragement to set requirements for early engagement with utility providers for energy and water infrastructure during the plan making stage (Policy W1). The NPPF also requires local planning authorities to identify areas that are suitable for renewable and low-carbon energy development, and, for the first time, adds ‘*electricity network infrastructure*’ to the wording of the policy (Policy W2). Policy W3 goes beyond existing national policy in attributing “*substantial*” weight should be given to the benefits of energy security, economic development and net zero.

### **Facilitating the Sustainable Use of Minerals**

- 2.36 The consultation acknowledges two key national policy changes. The first is a more restrictive approach to the extraction of coal, oil and gas. This change in policy direction mirrors the announcements by Government in 2024 and 2025 regarding the cessation of new oil and gas licences. Additionally proposals for the extraction of peat at new or extended sites “*should be refused*”. The second change involves updating planning policy to reflect the Government’s recent *Vision 2035: Critical Minerals Strategy*. Critical minerals extraction/processing which supports the growth of the green energy transition and the delivery of net zero (as well as national security and the growth of key sectors set out in the Government’s Industrial Strategy) is given particular importance.
- 2.37 The sterilisation of mineral resources (by allowing non-minerals development in minerals safeguarded areas) is considered at Policy M2. It states that prior extraction should be required “*where practical and environmentally feasible*”.

### **Making Effective Use of Land**

- 2.38 There is an increasing emphasis on developing land at higher densities, both in terms of meeting the need for housing and for non-residential development. Higher density locations can “*create sustainable and well-designed places*”. Policy L1 provides guidance and some suggested tools (such as design guides and design codes) to facilitate the use of brownfield land for development. The use of minimum residential density standards is advocated.
- 2.39 Policy L2 provides examples where the benefits of a development proposals should be given “*substantial weight*”. These include remediating derelict or degraded land; making better use of vacant and under-utilised sites; bringing forward temporary uses of land prior to full redevelopment; and building above existing premises.
- 2.40 The character of an area should be taken into account when achieving “*appropriate*” densities but should “*not preclude development proposals that maximise site potential*” (Policy L3). This policy also introduces density requirements for development near train stations. Lastly in this chapter, Policy R4 provides basic

advice regarding residential extensions. This is intended to complement local design guidance.

### **Protecting Green Belt Land**

- 2.41 The well publicised changes to national Green Belt policy, including the introduction of the Grey Belt, were introduced in December 2024. The further changes in the current consultation aim to provide further clarity. Much of the emphasis of these paragraphs concerns facilitating development around suitable train stations, advising that Green Belt boundaries “*may be altered in order to support (well connected) development opportunities*” on land around such stations.
- 2.42 Policy GB2 establishes how Green Belts should be reviewed and assessed and sets out the roles of SDSs (to include an assessment of the strategic role of the Green Belt) and local plans (to identify any Grey Belt and Green Belt boundary alterations). Policy GB3 explains the process of reviewing the latter, whilst GB4 sets parameters for “*defining*” Green Belt boundaries in the event of proposed alterations or newly designated Green Belts.
- 2.43 The draft decision-making policies affecting Green Belt areas is clarified. Policy GB6 and GB7 are to be read together, with the latter listing development “*which is not inappropriate in the Green Belt*”. The list is considerable, and the key changes are:
- Reference to “*development*” for agricultural uses as opposed to the previous reference to “*buildings*”;
  - Clarity regarding the principle of the reuse, alteration, extension or replacement of buildings;
  - Replacement of the term “*preserves openness*” with wording to the effect that “*certain other forms of development (would not be inappropriate) provided the impact on the openness of the Green Belt is minimised and there would not be significant conflict with the Green Belt purposes*” (the policy then continues by listing examples of types of development);
  - Refers to “*development*” instead of the previous reference to “*housing, commercial or other...*” when describing how development that would utilise grey belt land and would not fundamentally undermine the purposes of the remaining Green Belt would not be inappropriate; and,
  - Introduces a significant new provision indicating that housing and mixed use development on Green Belt land is not inappropriate where it is near a well-connected (train) station.
- 2.44 The December 2024 changes to Green Belt policy introduced so-called ‘Golden Rules’ that are applicable to development on land within (or released from) the Green Belt. These rules aimed to ensure a higher level of social and affordable housing, green space and any necessary infrastructure enhancements. It goes further by setting out

that “*only three circumstances in which a site-specific viability assessment may be justified*” to allow Golden Rules contributions to be adjusted. These circumstances are for development on (i) brownfield land; (ii) for a multi-phase, strategic site; and (iii) for a development model which is of a “*wholly different type to that assumed in the viability assessment that informed the development plan*”.

2.45 The consultation explores the feasibility of testing viability at the plan-making stage, using a standardised national benchmark land value for proposals that involve greenfield, Green Belt land.

### **Achieving Well-Designed Places**

2.46 The draft policies on place-making have recently been accompanied by a separate consultation by MHCLG on new Planning Practice Guidance – Design and Placemaking.<sup>1</sup> Policies DP1 to SP4 supplement this by setting out the strategies and key principles for good design and for delivering well-designed places.

2.47 Policy DP2 is a key change and moves away from the previous legal requirement for the provision of local authority-wide design codes. Instead there would be streamlined principles for the use of design guides, codes and masterplans. There are additional references in Policy DP3 to climate change adaptation and the transition to net zero. The principle that development that is not well-designed “*should be refused*” is retained. At Policy DP4 there is a “*firmer stance on encouraging design review and ensuring its outcomes are taken into account*”.

### **Promoting Sustainable Transport**

2.48 The vision-led approach to transport planning that was a feature of the current NPPF is replicated in the draft. Policy TR1 advocates early engagement during plan-making and makes explicit reference to the Gov.UK Connectivity Tool<sup>2</sup> which aims to visually demonstrate how sustainably located a place is.

2.49 Transport policies go further than the existing NPPF by requiring local parking standards to be included in development plans, rather than this being optional (Policy TR2), and by taking a more “*permissive*” approach to maximum parking standards. Key changes to terminology are evident in Policy TR3 where the term “*significant development*” is replaced by “*significant amount of movement in the context of the area within which they would be situated*”. There is now explicit reference to the needs of older people, children and people with disabilities (Policy TR4).

2.50 When assessing transport impacts (Policy TR6), wording is amended from proposals that “*will*” generate significant amounts of movement is replaced with proposals that “*are likely to...*”. The choice between the submission of a Transport Assessment and a Transport Statement should be “*proportionate to the scale and significance of issues*”. TR6 retains reference to the term “*severe*” adverse impact when assessing whether development proposals should be capable of proceeding (i.e. a severe adverse impact on capacity and congestion, including cumulative impacts).

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<sup>1</sup> [Design and Placemaking Planning Practice Guidance: consultation document - GOV.UK](#)

<sup>2</sup> [Connectivity Tool - GOV.UK](#)

### **Promoting Healthy Communities**

- 2.51 These paragraphs place an emphasis on understanding local communities to determine deficits in the availability of community facilities and public service infrastructure. Policy HC1 provides guidance regarding the expected contributions from development; land allocations; the setting of local standards for the provision of different types of outdoor recreational land (including allotments); and encouraging exploring wider opportunities for the promotion of good health, the prevention of ill-health, and social interaction.
- 2.52 There is a minor change to the wording of Policy HC2 (Local Green Space), which should now be “close” rather than “*reasonably close*” to the community that it serves.
- 2.53 Policy HC3 is important as it specifies the principles regarding the delivery of community facilities and public service infrastructure that should serve new development. This is important where development “*could have a significant impact on the number of people needing those services*”. Policy HC6 seeks to protect existing “*key community facilities and public services*”
- 2.54 The existing NPPF seeks to resist hot food takeaways and fast food outlets close to schools and other places where young people gather. There is a change of wording in this consultation version; “*reasonable*” walking distance is the proposed guidance, to avoid any ambiguity that the policy applies to such uses that are a considerable but “*walkable*” distance away. It is interesting that the consultation asks for views regarding the term “*fast food outlets*”.
- 2.55 Policy HC7 seeks to retain open space, sport and recreation facilities, but has been expanded to include “*other formal and informal play space and allotments*”. The same policy changes the expectations regarding the potential for replacement recreation land where loss of existing land may be acceptable. Instead of the current requirement for equivalent or better provision in terms of both quantity and quality, this has been amended to “*better provision in terms of quantity and/or quality*”. The consultation explains that this change is to provide additional flexibility in how replacement space is delivered, whilst maintaining the “*no net reduction*” in provision.

### **Pollution, Public Protection and Security**

- 2.56 The inclusion of policies seeking to protect public safety and amenity means that these policies need not be repeated in any local plan. The policies include those relating to ground conditions (Policy P2), and living conditions and pollution, including ensuring that proposed developments have adequate daylight, sunlight and are protected from adverse levels of air, noise, artificial light, water, soil and other pollutants (Policy P3).
- 2.57 The so-called ‘agent of change’ principle, which seeks to mitigate the impact of development upon existing activities and uses, is made more explicit at Policy P4. Development proposals should “*be capable of being integrated effectively*” and those existing activities “*should not have unreasonable restrictions placed on their current*

*or permitted operation*". Without suitable mitigation, the proposed development would be considered unacceptable.

- 2.58 A new policy (Policy P5) sets out the provisions for considering safeguarding areas around hazardous installations, nuclear sites and other areas where public safety and security is paramount.

### **Managing Flood Risk and Coastal Change**

- 2.59 The draft policies relating to flood risk are revised, but there are no major changes since the September 2025 updates to the National Planning Practice Guidance regarding the sequential test.
- 2.60 The policies still make it clear that it is important to consider both current and future flood risk (Policy F1); the need for adopting a "*risk-based approach*" when identifying suitable locations for development in plan-making (Policy F2); and the continued need to "*manage*" coastal change by taking into account shoreline management plans and other national resources when considering development in coastal areas (Policy F3). Development in areas that are shown at being at risk on the national coastal erosion map should now be subject to the same tests as development within Coastal Change Management Areas (Policy F9).
- 2.61 Decision-making regarding flood risk assessment is relatively unchanged at Policy F4. However the afore-mentioned September 2025 changes to the sequential test are now incorporated in the draft NPPF at Policy F5, including the clarification that a sequential test is not required for sites where a site-specific flood risk assessment demonstrates that (i) built development would not be at risk of flooding from any source, now and in the future; and (ii) a site is at risk from surface water flooding only, but the proposed "*layout, design and mitigation measures*" ensure that the occupants and users would remain safe from current and future surface water flood risk for the lifetime of the development without increasing flood risk elsewhere.
- 2.62 Other policies in this chapter aims to consolidate details regarding the application of the flood risk exception test (Policy F6) and provides a criteria-based approach to ensuring development is safe from flooding (Policy F7). There is a welcome addition at Policy F8 which requires sustainable drainage systems to be designed in accordance with the national standards, thus providing consistency in approach.
- 2.63 A separate Annex F is proposed to incorporate the current NPPF flood risk policy and national planning practice guidance.

### **Conserving and Enhancing the Natural Environment**

- 2.64 The main changes to the natural environment policies reflect recent legal requirements, including the amended legal duty in the Levelling Up and Regeneration Act 2023 that relevant authorities should "*seek to further*" the purposes of National Landscapes when exercising their functions (Policy N4). Major development within protected landscapes should only be supported in "*exceptional circumstances*".

- 2.65 There are new provisions during plan-making to set standards for green infrastructure, and a change in policy (Policy N1) to limit the circumstances where plans may seek biodiversity net gain (BNG) contributions which exceed the statutory requirements. Higher contributions will only be justified on specific allocated sites and should not apply to development that is exempt from statutory BNG.
- 2.66 The revisions make it explicit that landscape character and existing natural features are matters to be considered, and that a suite of tools ranging from the application of BNG, through the actions deriving from Local Nature Recovery Strategies may be used to secure improvements for nature (Policy N2). The same policy also strengthens the requirement for specific biodiversity features, including swift bricks, mandating that development proposals “*should incorporate*” them into their construction proposals “*unless there are compelling technical reasons which prevent their use, or would make them ineffective*”.
- 2.67 The consultation takes the opportunity to clarify the hierarchy of international, national and local designated sites of biodiversity importance, including irreplaceable habitats. Policy N6 anticipates the introduction of Environmental Delivery Plans, but perhaps its most significant change relates to the introduction of wording clarifying protection for sites of local importance (a matter that is not suitably addressed in the current NPPF).

### **Conserving and Enhancing the Historic Environment**

- 2.68 The final main chapter relates to the historic environment. It is clear from the narrative from Government that the interaction between the special duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the application of heritage policy has become one of the most complex areas and has “*led to heritage becoming a regular ground for legal challenge*”.
- 2.69 The redrafting aims to shift the focus to facilitating the sustainable redevelopment of heritage assets to support growth. Notwithstanding this, the Government poses a question regarding the possibility of extending the ‘special regard’ duties beyond listed buildings and conservation areas, to include other heritage assets (e.g. World Heritage Sites; Registered Parks and Gardens; Scheduled Monuments).
- 2.70 Policy HE4 combines the approach to securing the conservation and enhancement of all heritage assets (i.e. both designed and non-designated heritage assets). Decision making policies on heritage would also include clearer guidance on the “*full range of impacts*” (Policy HE5). This includes rewording of the current NPPF provisions regarding the assessment of the degree of harm. The new NPPF makes it much clearer that proposals should be assessed to identify whether they would have a positive effect on the significance of the asset (including enhancement or the better revealing of the asset); or have no effect; or result in harm to the significance of the asset (where the degree of harm should be identified as ‘substantial’ where the proposal would “*seriously affect a key element of the asset’s significance*”; or cause the total loss of the significance of the heritage asset.

2.71 Other key changes include the removal of the concept of “*optimum viable use*” (Policy HE6). This is because the Government is keen to allow greater flexibility where proposals “*cause harm not considered to be substantial*”. Reference to “*substantial*” weight is consistent across the new NPPF, and in this section it replaces the previous reference to “*great weight*”. Development that causes substantial harm or the total loss of the asset should be refused unless the development is necessary to “*achieve substantial public benefits that outweigh the harm or loss*”, subject to certain criteria.

### **Annexes**

2.72 There are different annexes relating to both main documents that are the subject of this consultation (i.e. the proposed reforms consultation document, and the draft NPPF itself). These annexes are summarised in the table below and overleaf.

	<b>Proposed Reforms Consultation Document</b>	<b>Draft NPPF</b>
<b>Annex A</b>	<b>Data Centres and On-site Energy Generation</b> – consultation questions regarding the existing and proposed consenting regimes for these types of uses.	<b>Implementation</b> – clarity regarding the date when the NPPF would take effect (day of publication) and further guidance regarding decision-making and plan-making. Annex A also contains a list of Written Ministerial Statements and other documents that would be superseded by the NPPF.
<b>Annex B</b>	<b>Viability: Standardised Inputs in Viability Assessment</b> – consultation questions include growth testing (for large, multi-phase development schemes); technical detail regarding expected developer returns; landowner premiums; the value of alternative uses; and benchmark land values.	<b>Glossary</b> – similar to the glossary that exists in the current NPPF.
<b>Annex C</b>	<b>Reforming Site Thresholds</b> – consultation questions that relate to a proposed new ‘medium’ category definition of 10-49 housing units for SME developers and the consequential impact upon other associated regulations. This follows the MHCLG working paper in May 2025 <sup>3</sup>	<b>Information Requirements</b> – this ties in with proposed Policy DM2 and summarises that information that is specified in the draft national decision-making policies.
<b>Annex D</b>	N/A	<b>Housing Calculations and Supply</b> – this sets out how housing need should be calculated using the standard method, and how the Housing Delivery Test should be applied. It is to be read alongside other parts of the NPPF, including Chapters 4 and 6).

<sup>3</sup> [Planning Reform Working Paper: Reforming Site Thresholds - GOV.UK](#)

<b>Annex E</b>	N/A	<b>Green Belt Assessments</b> – this provides guidance regarding the content of GB Assessments and the judgement to be applied when considering whether land is Grey Belt.
<b>Annex F</b>	N/A	<b>Managing Flood Risk and Coastal Change</b> – this includes the definitions of each Flood Zone and the flood risk vulnerability classification.

### 3.0 Key Implications for the Lancaster District

- 3.1 The decision to make decision-making policies in the NPPF non-statutory is, in our view, a missed opportunity. The implications for the Lancaster District are similar to the implications for other local planning authorities and users of the planning system. The use of statutory policies would have removed the requirement for local, bespoke policy production. It would have led to a more consistent and thus predictable national planning system and would have reduced the resource implications for local planning authorities.
- 3.2 However the structural changes to the layout of the NPPF (see paragraph 2.4) are logical and will provide for greater clarity when considering the application of national policies.
- 3.3 The aspirations regarding reviewing Local Plans every 5 years are not considered to be realistic. In practice, this may lead to less certainty regarding development proposals and place increased burdens on under-resourced local planning authorities. Our consultation response advocates for a period of 10 years instead. We have also recommended a similar time period for the new Spatial Development Strategies.
- 3.4 The response also expresses concern regarding the level of evidence that is necessary to support plan-making. The new NPPF represents an ideal opportunity to stipulate the core elements of plan evidence (either as an annex to the NPPF or in planning practice guidance) and reduce unnecessary time and expense from the process.
- 3.5 One of our main disagreements with the proposals relates to the intended removal of local planning authority’s ability to set local standards, such as those for energy efficiency. The Government’s concern is that local policy hampers the industry’s ability to “*adapt*” or deliver “*at scale*” and that these issues are “*matters best left to the market to determine*”. We make the point that this concern is not evidenced, nor has there been an Impact Assessment that suggests that the issue is problematic. We strongly advocate the retention of the opportunity to set local standards where evidence proves that they are (a) desirable; (b) viable, and (c) deliverable.
- 3.6 Generally we consider that the proposals relating to the issue of mitigating and adapting to climate change are not helpful. They broadly support the principle of

climate change mitigation/adaptation, but this is often not reflected in detail. The NPPF could have been far more ambitious in empowering local areas to deliver radical reductions in greenhouse gas emissions. Our responses to questions 18, 42, 43, 44, 47, and 96 provide further specific detail. Some of our responses also highlight the disproportionate impacts of climate change on a range of under-represented groups.

- 3.7 Policies S4 and S5 relate to development within (S4) and outside (S5) settlements and they will be the key policies influencing the distribution of future housing (in particular). We partly agree with the circumstances that are listed in S4 and we believe that these are important to ensure the best and most efficient use of land within settlements. We make the observation that S4 could be strengthened to consider the implications of new development against the existing character and scale of the settlement. However we strongly disagree with the proposed approach to development outside settlements. Whilst some of the categories of development outside settlements are sensible (and reflect existing guidance), the addition of S5(h) relating to proximity to railway stations, and S5(j) relating to development that would satisfy unmet need, would, in our view, lead to damaging impacts on the countryside in our district, including areas of high-value landscape quality. Our concerns mean that we are unable to agree with the proposed revised approach to the presumption in favour of sustainable development (Policy S3).
- 3.8 One of the headlines arising from this consultation is the Government's intended use of distance to a "*well-connected*" railway station as an indicator of potential sustainability (i.e. targeted growth locations). We advocate for a more nuanced set of indicators, including distance to bus stops, relationship with towns and villages and the proximity of schools.
- 3.9 We raise concern that the amended methodology for calculating future housing requirements (which continue to use a stock-based approach for calculations) fails to link with the demographics or economic conditions of the local authority area. This could have implications across the district where need may be unmet in some areas, and lead to an oversupply in other locations. Our response argues that the continued burden of unrealistic housing numbers will likely lead to land having to be allocated where the demographic need for that growth does not exist. Similarly, we are concerned by changes to wording regarding the Housing Delivery Test, particularly the removal of the word 'lower' from the proposed text (i.e. the housing requirement is the *lower* of the adopted housing requirement or the relevant local housing need figure). Annex D is clear in establishing how housing need should be calculated; how land supply should be assessed and how the Housing Delivery Test is applied. For districts like Lancaster, delivering sufficient housing land remains challenging because of the spatial constraints and landscape/environmental designations. It will mean that the Council will need to explore every opportunity to deliver the housing need calculated via the standard method during this new Local Plan. A failure to meet housing need will, under the new plan-making system, likely result in an inability to submit the Local Plan for examination (this is because the outcomes of the final Gateway 3 Local Plan Assessment - which permits submission for examination - are mandatory. If the

recommendations and outcomes of the independent assessor are not adhered to, including regarding housing need, then the Local Plan cannot advance).

- 3.10 The proposals for providing social and affordable homes provide greater discretion for applicants to deliver cash payments in lieu of on-site delivery (on smaller and medium sites). This is justified in the NPPF because small and medium housebuilders “*continue to face challenges in finding buyers for on-site social and affordable housing provision*”. Whilst this flexibility may assist with stalled sites, we articulate the risk that commuted sum payments may be difficult to spend, particularly in some rural areas (the commuted sum will often be less than the value of the affordable housing that should have been provided). We also highlight the previous good use of commuted sums in the district (Question 68). We believe that there is a continuing gap in guidance regarding calculating equivalent value commuted sums.
- 3.11 We highlight the implications for the Lancaster District in relation to requirements for traveller sites if there is no local connection test within policy. The absence of such a test would disproportionately impact our district, which already has the largest number of traveller pitches in the county.
- 3.12 We support the need for more relevant national strategies for economic growth and the allocation of business land, and we consider that the NPPF is sufficiently positive in terms of modernising agricultural operations and agricultural diversification (Policies E2 and E4) and the functioning of rural economies in particular. The introduction of a dedicated freight and logistics policy is positive, but it could go further in addressing the wider transport and environmental impacts associated from freight activity. As is the case with most of the document, the policies should not be read in isolation. Meeting the operational and spatial needs for economic growth should not be at the expense of good place-making principles and climate change mitigation.
- 3.13 In respect of town centres, we consider that the proposals could offer additional clarity on balancing growth and city centre diversification with protecting each centre’s distinctive character (i.e. avoiding clone town-ism). The sequential test (i.e. ensuring that town centre uses involving new development should be located within town centres and if that is not feasible, then on edge of centre locations, before considering out of centre sites as a last resort) should, in our view, be retained. This would serve to protect our existing centres from out of centre development.
- 3.14 The changes to Green Belt and the introduction of the concept of Grey Belt are already enshrined in the existing NPPF and planning practice guidance. The changes proposed via this consultation streamlines the Grey Belt definition which, irrespective of our concerns regarding criteria, should at least make decision-making clearer. We also consider that proximity to accessible public transport should not be at the expense of the protection of the Green Belt. We are pleased to see that “*wider environmental benefits*” may constitute the very special circumstances where renewable and low carbon energy development may be acceptable in the Green Belt.

- 3.15 The NPPF would remove the legal requirement of authority-wide design codes. But we believe that more clarity is required for the development sector regarding the use of design guides, design codes and masterplans. We strongly consider that good quality local engagement regarding plan-making and strategic site delivery should include young adults and children.
- 3.16 In response to question 148 (principles for development proposals and the creation of well-designed places), we provide a set of specific observations that can inform the quality of places. Our message is that design and layout should not treat certain issues as an afterthought in the design process. This often leads to undesirable outcomes.
- 3.17 Question 152 is particularly interesting because it raises the profile of the MHCLG's Connectivity Tool, which we believe could be a useful informant of locational sustainability.
- 3.18 We are encouraged by Policy TR4(1a) prioritising pedestrian and cycle movements within schemes and in neighbouring locations. We believe that there should be additional clarity regarding the use of Transport Assessments and Transport Statements.
- 3.19 Another positive change is the minor wording amendment which requires Local Green Space to be "*close*" to the community it serves, rather than the previous wording of "*reasonably close*". We maintain our view that replacement open space provision should be of a better standard of provision than exists already and be relevant to the local area's open space requirements.
- 3.20 Local planning authorities across the country will welcome the clarification that sustainable urban drainage systems (SuDS) should be designed in accordance with the national standards. We advocate for greater multi-functional benefits from SuDS design, including the protection of soils.
- 3.21 Reference to the National Coastal Erosion Risk Map <sup>4</sup> is also welcome in setting out those areas that are vulnerable to coastal change. This amendment aligns with the existing planning practice guidance.
- 3.22 At questions 179-184, we provide detailed observations regarding planning for the natural environment, including the approaches to biodiversity net gain. Our comments are broken down to assess the individual components of the proposed policies. One of our areas of concern relates to Environmental Delivery Plans. We highlight the district-specific issue of recreational disturbance on the bird populations of the Morecambe Bay and Duddon Estuary Special Protected Area and suggest that the best method to address this is via a system of payments, similar to existing schemes that are operational elsewhere in the country. However we also highlight procedural complications and the lack of resources at Natural England to operate such a scheme.

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<sup>4</sup> [National Coastal Erosion Risk Mapping \(NCERM\) - National \(2024\)](#)

3.23 There are positive changes, in our view, to the sections regarding heritage. Greater guidance (and more explicit reference) to conservation areas is welcome, and the change in approach to considering the impacts upon designated heritage assets (Policy HE6) is logical. We make the point that the existing term “*less than substantial weight*” downplayed harm that was not deemed “*substantial*” and its removal from the NPPF is welcomed. We also believe that replacing the existing “*great weight*” with “*substantial weight*” better reflects the statutory provisions of the duties in the 1990 Act.

3.24 We comment that local lists should incorporate all non-designated heritage assets within the district; and we request additional national guidance regarding the content of heritage impact assessments. The guidance could go further by introducing a standard format for heritage statements, and providing greater guidance regarding design, materials and specifications (which are often relayed across various sections of a planning application/listed building consent application and can conflict with each other).

3.25 All local authorities will need to take account of the changes to the consideration of retrospective planning applications, where there has been a proven intent to circumvent the planning system. We agree with the principle of additional weight being attributed to intentional unauthorised development when making planning decisions.

#### **4.0 Next Steps**

4.1 Officers welcome the input of PPCAG and Planning Regulatory Committee Members prior to submission to MHCLG. Separate consulting arrangements are, at the time of writing, being arranged for Council Business Committee on 19 February 2026.

4.2 The response will be submitted ahead of the consultation deadline.

#### **Appendices**

##### **Appendix A**

Draft response - ‘Questions on proposed reforms to the National Planning Policy Framework and other changes to the planning system’ **(Attached)**

##### **Appendix B**

Link to [National Planning Policy Framework: proposed reforms and other changes to the planning system](#)

##### **Appendix C**

Link to [National Planning Policy Framework: draft text for consultation](#)