

Irby, Thurstaston & Pensby Amenity Society (ITPAS) Responses to 2024 Consultation on Proposed Changes to the NPPF & the Planning System

Name: John Heath
Email Address: Planning@ITPAS.org
Organisation: ITPAS (Irby, Thurstaston & Pensby Amenity Society)
Type: Interest Group or voluntary organisation
Position: Planning Rep.
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This Response has been produced by ITPAS with inputs from colleagues in fellow Groups comprising WGSA (Wirral Green Space Alliance) collaborating over the Wirral Local Plan which is now in its final Examination stages. Special mention is made of the Heswall Society for the framework used and various response extracts; also, to CPRE (Campaign for Protection of Rural England) and 'Wirral Wildlife', whose responses accord with many of our own thoughts, and we wish to be taken as being parts of this overall Consultation Response (although we have not included direct text extracts). Where there are differences in emphasis, for this Response the following text and answers to the 106 Questions takes precedence.

We also make particular mention of the extraordinary inputs to understanding of the figures, data, methodologies and the logical and statistical background to issues provided by Prof. David Gregg, and especially the proper 'Local Assessment of Housing Need' and critique of the Government's current proposals for Changes to the Planning System (see the Prof's separate Responses and communications). Again, we wish his Responses to be taken as part of this overall Response: his 2 documents are attached to our covering email. It should be noted that Prof Gregg's work, explanations and appraisals have been supported by the eminent Prof of Population Studies (and past Government Adviser) Prof Ludi Simpson, and by the OSR (Office of Statistics Regulation – the ONS's Regulator).

Our overall conclusion is that the Government Proposals are a right 'curate's egg', fundamentally flawed and likely to fail in the methodology of the mandated use of an illogical, statistically unsupportable and damaging Standard Method and excessive and arbitrarily-allocated Housing Targets. There is little credit given for past efforts and achievements but there are many sensible suggestions which hopefully will bear fruit. Sadly though, the lasting impression is of a 'Developers' Charter' wherein the footprints of developers are crystal clear, self-serving and potentially very harmful.

Our overall Response includes comments on the Consultation's extensive opening Chapters before addressing the 106 Questions and their accompanying statements.

ITPAS is a Wirral local community Group of over 500 Members concerned with the Environment, Planning, History and Community Life in its Area, comprising Irby, Thurstaston, Pensby, Thingwall and parts of Barnston. It is also a Founding Group Member of Wirral Green Space Alliance (WGSA) involved for many years in work assisting Wirral Council to prepare, have approved and adopted a Local Plan, the first for over 20 years. The emerging Local Plan has the unanimous support of all Political Parties on the Council and the vast majority of Wirral Residents, gained through many open meetings, questionnaires, surveys and correspondence. It is now in the final stages of its Examination with the Inspectors having stated it can be found to be 'sound'.

ITPAS would ask for this Response to be recorded as being from more than a single Responder in view of the number and unanimity of views expressed by its Members.

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Consultation Chapters, Notes & Questions	Response
Chapter 1 - Introduction	
1. The Government has made clear that sustained economic growth is the only route to improving the prosperity of our country and the living standards of working people.	We agree in principle but the benefit should not be limited to just “working people”.
2 and 3b. The December 2023 changes to the National Planning Policy Framework (NPPF) – should be replaced.	We do not accept this premise.
3. These changes ...are vital to deliver the Government’s commitments to achieve economic growth and build 1.5 million new homes	These changes will not deliver on the specified Aims – see Responses to relevant Questions later in Table of our Responses.
3a. make the standard method for assessing housing needs mandatory	The proposed Standard Method (SM) simply will not work; and making it and Housing Targets mandatory is against best practice and Human Rights, will lead to failure and discord, may be subject to legal challenges, conflicts with stated (and legally-required) increased community involvement, will not deliver what communities (like Wirral) want and have repeatedly stated, will reduce the autonomy of Local Councils, will have negative effects on Climate Change, Ecology, local character, wellbeing, Green Belt and Greenspace, and is plain wrong.
3c. implement a new standard method and calculation	We supported a promised improved SM and calculation, notably through the requirement to use best and up-to-date procedures and Data, specifically following up on the statistical improvements demanded by the Office of Statistics Regulation (OSR) and now in train at the Office of National Statistics (ONS). The proposed SM fails in logical terms, fails to employ best practice and most-relevant Data, fails to base delivery upon assessed NEED (especially Locally Assessed Need), fails to take ‘exceptional circumstances’ into account, will locate housing of the wrong type and number in the wrong locations increasing commuting to employment, car usage and sickness and death through pollution.
3d. broaden the existing definition of brownfield land, set a strengthened expectation that applications on brownfield land will be approved and that plans should promote an uplift in density in urban areas;	We are in broad agreement although (i) the Definition of ‘brownfield land’ (Previously Developed Land) is unchanged in the Glossary; (ii) applications on brownfield land should not be approvable per se but should be subject to appropriateness, ‘good design’, local character, overdevelopment, etc., scrutiny; and (iii) uplift in Density should not in itself be a reason for Refusal but neither should the lack of uplift or meeting Density standards preclude an approval – each on its merits. And so, our agreement is conditional.
3e. identify grey belt land within the Green Belt, to be brought forward into the planning system through both plan and decision-making to meet development needs;	The Definition of ‘Grey Belt Land’ (a nonsensical title as the sites would not be ‘belts’ in the way Green Belt is) is far too loose and open to interpretation and abuse, particularly through the non-legally-defined term ‘poorly performing Green Belt’, where we are already witnessing farmed and open Green Belt being unfarmed and deliberately left unmanaged and unkempt in order to argue the sites are unsightly and would be less of an eyesore if used for (generally truly unaffordable but profitable) housing. See later.

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Consultation Chapters, Notes & Questions	Response
3f. 'the presumption' in favour of sustainable development	We are wary of this proposed change as developers already argue that 'presumption' outweighs most other factors when the present balance is generally correct. Where it represents the lowering of standards to increase delivery, we are generally opposed.
3g and 3h. affordable, well-designed homes with 'golden rules' for land released in the GB – 'public interest test'.	'Affordable' needs redefinition to include truly affordable and to remove the 'viability loopholes' which lead to partial delivery of generally unaffordable homes at best. We agree that most references to "Beauty" should be replaced with 'Good Design' as the former is highly subjective and varies with fashion and time in ways and degrees that 'good design' does not. For comments on 'Golden Rules', see relevant later Responses.
3i. support ... gigafactories, datacentres, digital economies and freight and logistics – given their importance to our economic future;	We are in broad agreement although they should be subject to appropriateness, 'good design', local character, overdevelopment, etc., scrutiny; and so, our agreement is conditional. See relevant later Responses.
3j. deliver community needs to support society and the creation of healthy places;	Agree in principle.
3k. support clean energy and the environment, including through support for onshore wind and renewables.	Agree in principle but support for 'onshore' developments is conditional on reasonable Planning factors and scrutiny applying.
4. The Government will respond to this consultation and publish NPPF revisions before the end of the year	This process needs to be genuine, thorough and 'transparent'.
5a. Nationally Significant Infrastructure Projects (NSIP) regime applying to projects in 3k above.	See 3k Response above and later ones on NSIP.
5b. Re: Government Intervention.	This should be a 'last resort' measure with a 'high bar'. Over-ruling decisions by LAs and Local Population decisive wishes should not be (seen as) a threat or means to force Delivery based on failing to meet targets.
5c. Re: Increase in Planning Fees.	Agree in principle.
6. Re: Every LA to have a rapidly created Local Plan.	We accept all LAs should have a Local Plan, updated each 5yrs, but "rapidly" suggests an 'at all costs' approach with shortcuts rather than a thorough but timely process. In Wirral's case (our case), it was unacceptable for the Community to have had to wait for over two decades for a Local Plan. However, now that there is a Regeneration-led Local Plan with all-Party and public support virtually through the Examination Stage and close to Adoption, the ability to progress and operate the Local Plan on the current basis (as allowable under the proposed measures) should be afforded the Council (and Community) without undue pressure from the MHC&LG or through Inspectors at Appeal. Further, it only makes sense for the Council with its limited financial and skilled human resources to be allowed some time to prioritise Delivery of the Local Plan 'Deliverables' before commencing its Plan Review, especially as the Local Plan to be adopted incorporates an 'Early Review' provision required by the Examination Inspectors, having been proposed by us and Wirral Green Space Alliance (WGSA).

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Consultation Chapters, Notes & Questions	Response
Chapter 2 – Policy objectives	
1. New homes create jobs and investment in construction and ensure people can afford to live where they wish and access high-quality, productive jobs.	<p>“New homes create jobs and investment in construction” is true but those jobs are short term and the situation is only sustainable where there is separate, longer-term employment existing or incoming. The Developer mantra of “houses create jobs” is pure nonsense (and Government has been misled) beyond the short-term construction stage, except where the additional burden on infrastructure and public services to cater for the additional Unemployed is actually met along with the higher Benefits costs, which is NOT the norm.</p> <p>Creating new homes alone does NOT “ensure people can afford to live where they wish” – that is unrelated; and, “ensure people can ... access high-quality, productive jobs” is pure fantasy away from areas like London where there is a real ‘crisis’ of Employment availability with insufficient dwellings. This is NOT the case in most areas, and applying such flawed logic would only make a difficult situation worse for the many but Developers and Landowners richer.</p>
2. Re: planning system delays.	We accept that appropriate action is required to improve the flow.
3. 1.5 million homes in England over the next five years	Not only are the proposed Planning Changes very unlikely to deliver on the number, there is no explanation as to the source of that demand and its consequences, or even whether or what is to be done to address the constantly-rising, unsustainable Need.
4a. get Britain building again	See Response to Chapter 2, Item 1 above.
4b. take a brownfield first approach.	A ‘brownfield first’ approach is supported but this should be a ‘brownfield only’ approach where possible, where sufficient new homes can be created in suitable, undeveloped, ecologically-poor PDL (including in Green Belt) and through conversions and suitable ‘Densification’ in existing urban areas. ‘Grey Belt’ capacity is limited and possibly even just ‘marginal’ without excessive and unjustified use being made of the spurious term ‘poorly performing Green Belt’, generally used to avoid proper assessment.
4c. boost affordable housing	The benefit of providing ‘Affordable Housing’ at 80% of market value or market rent is overstated and misunderstood, and that is where it is actually delivered in full or part and ‘viability loopholes’ are not employed and accepted by the LA, which is the general case. What is required in addition (or instead) are truly affordable homes, notably a considerable quantity of Social Housing.
4d. bring home ownership into reach especially for young first-time buyers;	Fully supported aim.
4e. extract more public value from development	Fully supported aim.
4f. ensure communities continue to shape housebuilding in their areas	Whilst stressing the importance of communities being involved (and to a greater extent) and their wishes taken into account in determining the content of their Local Plan, sizing Housing Targets centrally without any Local Assessment of Need, and making the adherence and delivery mandatory is contradictory and dictatorial. Adding a level of threat is unacceptable.

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Consultation Chapters, Notes & Questions	Response
4g. strengthening cross-boundary collaboration	Agree in principle to strengthened cross-boundary collaboration but have concerns at the further use of the term “mandatory”. In our case, Wirral is part of the Liverpool City Region (LCR) and it appears that Local Plan production and delivery of infrastructure and services has been adversely affected rather than assisted by combined working. This needs effective overview from MHC&LG.
4h.	Words without clarity of meaning or purpose.
4i. unlock new sources of clean energy	Agree in principle with appropriate safeguards.
5. Re: It is unacceptable for LPAs to not make a local plan.	Fully agree.
6. Those plans need to be suitably ambitious to build 1.5 million new homes	<p>The overall target remaining at 1.5 million new homes or above within 5 years is not explained or justified, and these proposed changes will not deliver anyway. Steps which should be taken immediately, which would assist Delivery but are absent from the proposed changes include measures to have:</p> <ul style="list-style-type: none"> (i) the majority of the 1.1 million homes with extant plus former Planning Approval (but are not built-out or imminent) brought forward by the owning party or through transfer to another, willing party – possibly with a regime of financial penalties; (ii) the nearly 700,000 homes in England that are unfurnished and standing empty with over 261,000 of these classed as 'long-term empty' returned to occupied homes. When we add in holiday short-lets and second homes, total vacancy sits at over 1 million homes, meaning that across England, 1 in every 25 homes is empty. Further, addressing these categories should be allowable as part of Local Plan Delivery and NOT excluded for being on the Housing Stock Register despite not being a current dwelling; (iii) curbs put on homes for investment by foreign individuals and companies located abroad; and (iv) an apportionment of new Social Housing for each LA, funded by Government.
7. We will empower authorities to release PDL and low quality grey belt sites to ensure enough land is made available for new homes – while continuing to ensure that brownfield development is prioritised and that development is in sustainable locations.	Dependent on the definition of “low quality grey belt” (surely Green Belt) and there being a firm ‘sequential approach’ to sites being classed as ‘available’ for housing development, with sites being ‘sustainable’ not bypassing the ‘sequential approach’ test, we can accept this statement; but regrettably other statements and measures within the Proposed Changes adversely conflict with these Para 7 statements.
8. We must deliver more affordable, well-designed homes quickly ...implementing golden rules to ensure development in the Green Belt is in the public interest.	<p>We commented above on differences between ‘Affordable Homes’ and truly affordable homes. The real shortage is in the latter. Government needs to fund Social Housing especially on Wirral.</p> <p>We support the emphasis on ‘good design’ and ‘well-designed homes’ but the quickness of delivery should be subservient.</p> <p>The release of Green Belt should NOT be based upon a skewed calculation of ‘the public interest’ based upon the spurious term of ‘weakly performing Green Belt’.</p>

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Consultation Chapters, Notes & Questions	Response
9. We must grow the economy and support green energy.	Agree in principle with appropriate safeguards. We need details of the support outlined by the Government.
10. Re: Local Plan Intervention and increased Planning Fees.	Comments on Intervention are given to 5b above and later below. Comment on Planning Fees is given to 5c above and later below.
11. We will act swiftly to implement these reforms to bring stability and certainty to the sector.	December 2023 Reforms to Planning Policy were NOT damaging to housing supply. The “certainty” many of the proposed Changes will deliver is failure of Delivery and loss of Green Belt.
12. We expect immediate action.	We are comfortable with improving Delivery through an enhanced Planning System (given safeguards) and with early progress provided there is proper, thorough consultation and analysis. The statement, “we expect ...reviews of Green Belt boundaries where necessary to meet housing need ” beggars the question as to whether and how ‘housing need’ is assessed, calculated or just imposed based upon central diktat which ignores best practice and best and up-to-date Data produced by the ONS and LAs.
Chapter 3 – Planning for the homes we need.	
Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?	<p>NO.</p> <p>December 2023 Reforms to Planning Policy were NOT damaging to housing supply per se; they made the process more reasonable. True, developers and some landowners were not happy as their ability to cherry-pick especially Greenspace sites meant less easily made gains and profits, and they would have, quite properly, to develop more challenging but more appropriate sites. Were Government to provide more support and funding, developers would be keener to build upon PDL and Brownfield sites, where the Need is greatest, with the twin beneficial consequences of long-awaited Regeneration AND more homes being created in the right places (provided Employment is encouraged and supported, too).</p> <p>Changing from ‘mandatory’ (but with a difficult path to using an ‘Alternative Method’) to ‘advisory’ had addressed some of the excesses of having to use the vastly out-of-date and wrong 2014 ONS Population Data and Trends. It also facilitated the acceptance of genuine ‘Exceptional Circumstances’, something these diktat-type Proposals wrongly seek to exclude.</p> <p>Removing the Dec2023 Reforms solely helps Landowners and Developers, who will find it simpler to cherry-pick the most profitable Green Belt sites, land-bank others, ignore brownfield sites and consequently fail to deliver the homes needed or have the most deserving, deprived and run-down areas regenerated.</p> <p>These proposals stem from advice from consultants who make most of their fees from advancing the interests of landowners and developers. Has the Government been misled?</p> <p>These proposals would be disastrous for Wirral and its decades-long-awaited Local Plan which is close to adoption and has all-Party and Public support and majors on nationally-significant Regeneration of areas of very high deprivation index and where life-expectance is 12 years less than in areas just 5 miles across the Peninsula.</p>

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<p>Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?</p>	<p>NO.</p> <p>In fact, where the Standard Method, as in these proposals, produces excessively high and distorted Housing Targets that are so clearly inappropriate and conflict highly with the ‘Locally Assessed Need’ or are undeliverable owing to particular and/or ‘exceptional’ local constraints or circumstances (including demographic characteristics, lack of Employment Opportunity, geographical constraints, etc.), it is against natural justice, against best practice, and against logic to deny such practical flexibility in the Rules and fail to apply the latest official Data and Trends.</p> <p>Mandated Targets, illogically based on existing LA Housing Stock levels, cannot comfortably co-exist with the maintained requirement for LAs and their Local Plans to take into account ‘Locally Assessed Need’, unless the intention is to define ‘Locally Assessed Need’ as the unquestioning agreement to a centrally-imposed Target which has no basis in ‘assessed need’, indeed is not ‘assessed’ at all, except to the extent of deciding on a global figure (mainly to cope with uncontrolled migration) and working backwards with apportionment moderated by perceived difficulty and political expediency.</p> <p>In Wirral’s case, not only are there physical constraints from the geography being a narrow Peninsula with internationally important, protected coastal and functionally-linked Green Belt interior areas but the figures and ‘exceptional circumstances’ (belatedly supported by the LA’s Population and Statistical Advisers) are so stark as to beggar belief that bespoke consideration should not apply. Some facts and figures should illustrate the point:</p> <p>Wirral is a physically-constrained Peninsula with protected coastal areas functionally-linked to much of its ‘green’ interior. It has areas of longterm decline and high Deprivation Index rating a few miles from affluent areas. Employment Opportunities, especially of well-remunerated jobs, are very low with nearly 40% of working Residents already having to commute off-Peninsula for their employment (with poor environmental and social consequences). It has an aging population. Merseyside CC and its successor, the Liverpool City Region, have maintained unanimous agreement of all its LAs to Wirral needing its Green Belt Boundaries tightly drawn around existing urban areas in order to finally focus upon and effectively address by Regeneration the long-term deprivation of Birkenhead and other areas. And:</p> <p>417 is Wirral Population increase between 2011 and 2021 (not pa); 4,500 is the generally-accepted ‘locally assessed housing need’; 14,000 is the ‘Housing Requirement’ in the emerging Local Plan; 28,080 is the Government’s proposed Target for new Homes; 12,000+ of these would have to be on high quality Green Belt land; 60,000+ would be additional Population in 16 years or +20%. Surely the above illustrates there needs to remain the flexibility of ‘exceptional circumstances’ and ‘alternative method’ in extremis cases such as Wirral’s.</p>

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<p>Consultation Chapters, Notes & Questions</p>	<p>Response</p>
<p>Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?</p>	<p>NO.</p> <p>We do not agree to reduction of Targets for those cities and urban areas - where Infrastructure and Employment already exist at scale and can most easily be extended, and where there is a ‘Housing Crisis’ of inadequate numbers - down to figures below the ‘Locally Assessed Need’, especially when those Targets are clearly being reduced for reasons of perceived difficulty and political expediency, and unrealistic Targets in other areas are further inflated by redirection of numbers to communities with low Employment Opportunities and inadequate Government support, and have been classed as not having “Higher Housing Pressure”, such as Wirral.</p> <p>The “growth” referred to in Chapter 3 Para 9, “First, the method we are consulting on ... more appropriately distributes growth to a wider range of urban areas without the need for a specific urban adjustment.”, is in reality growth just in arbitrary numbers and not distributed sustained “economic growth” which depends mainly on the amount and success of Employment enterprises and not short-term housebuilding.</p> <p>Further, the following second and third points made I Para 9 bear no close, logical link to this proposed measure, and are unhelpful.</p>
<p>Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?</p>	<p>NO but Para 130 needs to be modified.</p> <p>We agree that urban Density needs to increase but the safeguards within Para 130 should be retained as it still has flexibility.</p> <p>The proposal to go for “localised design codes” as distinct entities rather than hoping such localism would be contained within ‘authority wide design codes’ is acceptable. So too would be the idea of promoting rather than just permitting ‘flagship’ and prominent buildings especially within Regeneration zones such as Wirral’s Regeneration areas of low-grade housing, redundant Dockland and Waterfront, each with huge potential.</p>
<p>Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?</p>	<p>YES and NO to different parts of Question & Text.</p> <p>YES, we agree Design Codes should support spatial visions in local plans, provided decisions are made by LPAs and Local Residents.</p> <p>NO, we do not agree to the pursuit of greater densities where this would be wholly out of character from the existing character where Local Residents have determined it to be of lasting value.</p> <p>NO, we do not agree to ‘urban extensions’ where these constitute Sprawl or significantly reduce the distinctiveness of neighbouring communities or towns, most particularly where these breach Green Belt boundaries or valued Greenspace listed within a Local Plan.</p> <p>In the case of Wirral, most potential ‘urban extensions’ would involve loss of Green Belt land including high quality farmland and would be unacceptable per se. Sites forwarded by Leverhulme Estates across their 7 Appeals/Inquiry and the Local Plan Examination both of 2023 were ruled to be unacceptable and should remain as such.</p>

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	<p>Further, as our response to Q2 pointed out, Merseyside CC and its successor, the Liverpool City Region, have maintained unanimous agreement of all its LAs to Wirral needing its Green Belt Boundaries tightly drawn around existing urban areas in order to finally focus upon and effectively address through Regeneration the long-term deprivation of Birkenhead and other areas.</p> <p>YES, we accept that there is a case for large new communities provided they are well separated from other communities and complete with Infrastructure and Public Services from the outset and designed to facilitate gradual expansion. In the case of Wirral, the Regeneration-led emerging Local Plan could and should be seen, promoted and supported as a sizeable 'New Town' within an 'Old Town' (greater Birkenhead). Indeed, the Local Plan 'ticks the boxes' of many of the Government's aspirations and values.</p>
<p>Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?</p>	<p>NO, not without modification.</p> <p>The applicable measures and their weightings need to vary for the different stages at which Local Plans will be when considering applying '<i>the presumption</i>'. Chapter 3 Para 15 is particularly disturbing and unacceptable as it clearly demonstrates an acceptance of approving sites that a LA may have deemed unsuitable for inclusion in its developing Local Plan, frustrating expensive and thorough reviews of potential sites. Some mitigation of the adverse and unintended consequences of the '<i>presumption in favour of sustainable development</i>' would be gained by giving weight to such Evidence Documents and recent, up-to-date relevant Local Plan site reviews and the like.</p> <p>The sequential approach to site selection (particularly important where a 'brownfield-first' policy exists, such as in Wirral's Local Plan) should remain applicable and given weight before any sites protected by NPPF Footnote 7 (notably Green Belt and Local Green Space) are considered for release and development.</p> <p>Before applying '<i>the presumption</i>', possible additions to the amount of land available for development (before including Footnote 7 protected land and sites) should take into account any prepared, on-going or short-term studies of additional potential supply which are generally in line with Local Plan policies including but not limited to: change-of-use to Housing from Employment, Retail or other where surplus or of less significance in the medium term; and permitted conversions, height (and thus capacity) of buildings, and Density. Further, it would seem reasonable to also take into account new evidence of assessed 'Housing Need' where the difference from that in a local plan is substantial and does or would affect the Housing Need Test Target.</p> <p>We support Para 17 safeguard, "<i>We are clear that the presumption cannot offer a route to creating poor quality places, and so we are proposing changes to the presumption to add explicit reference to the need to consider locational and design policies, as well as policies relating to the delivery of affordable housing, when the presumption is engaged.</i>" However, this needs specific detail.</p>

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Consultation Chapters, Notes & Questions	Response
<p>Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?</p>	<p>YES and NO to different parts of Question & Text.</p> <p>The “concerns” stated as being “heard” in Para 19 regarding the 4-year Supply for advanced (and some other) local plans, presumably come from landowners, developers and consultants (who serve their own interests) rather than from LAs or the Public. The preference is for the 4-year provisions to remain.</p> <p>In any event, where a local plan has a ‘Stepped Trajectory’ of Housing Supply, this should remain acceptable and not be replaced with an annual average of the local plan total Delivery. A ‘Stepped Trajectory’ is especially relevant and usually essential where Regeneration is a major feature of a local plan as this reflects the normal nature of gradually increasing ‘market confidence’ and successful development of major regeneration sites across this Country and abroad. This is particularly relevant and important to the ambitious but complex plans on Wirral, which are already progressing and ‘tick the boxes’ of many of the Government Aims.</p>
<p>Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?</p>	<p>NO but the Para + linked ones need to be modified.</p> <p>We agree with penalising significant ‘undersupply’ as measured by the HDT provisions by having a ‘buffer’ added to the annual target figure brought forward from later years of a local plan period but this should go hand-in-hand with the ability of a LA to evidence a significant error or reassessment of the ‘Housing Need’ (at any time) and thus the HDT Target that should apply.</p> <p>We do NOT agree the over-supply in any year is to be disregarded as the nature of development, particularly of larger schemes and certainly any Regeneration, is far from an even progression in Supply terms, and it is illogical to penalise ‘undersupply’ but not to balance this with allowing any ‘oversupply’ to be carried forward.</p>
<p>Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?</p>	<p>NO.</p> <p>We do not agree: if the Government’s promised Target of 1.5million new homes in 5 years is to be honoured, there are no grounds to increase this. The arbitrary and flawed proposed Standard Method exceeds the 1.5million figure considerably without justification. To add a further, arbitrary buffer makes no sense as it adds contingency upon contingency, not to mention the arbitrary reallocations from areas in most ‘Housing Need’ to those of lesser need and even official statements of no “higher housing pressure” being applicable, when doing so would increase local unemployment beyond the short term of construction and run against stated ambitions to counter Climate Change, reduce car dependency and commuting with its associated harms to family and community life, health and wellbeing.</p> <p>CPRE (Campaign for Protection of Rural England) have compiled extensive evidence of planning appeal cases showing that large builders will use such a policy to frustrate both the preparation and implementation of local plans by swamping local authorities with speculative proposals in locations seen locally as unsuitable.</p>
<p>Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?</p>	<p>NO.</p> <p>No ‘Buffer’ or arbitrary addition should apply. See Response to Q9.</p>

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Consultation Chapters, Notes & Questions	Response
<p>Question 11: Do you agree with the removal of policy on Annual Position Statements?</p>	<p>YES but. But only as the existing system is over-complex in this regard.</p>
<p>Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?</p>	<p>YES but. We accept that more effective cross-boundary co-operation is required but the implications of Paras 24 to 28 are much wider than the simple enquiry of Q12. For instance, we would not accept this if it equates to yet another 'one size fits all' policy; and there need to be safeguards to the wishes, plans and preservation of valued distinct character of individual communities; and we oppose any rule by diktat.</p>
<p>Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?</p>	<p>YES but. This is not giving carte blanche to Government in framing its absent "firm proposal". Consultation on the detail developed here and in connection with all other sections is required.</p>
<p>Question 14: Do you have any other suggestions relating to the proposals in this chapter?</p>	<p>YES. Please read and take into account in your recording of our overall Consultation Response our comments to the individual paragraphs and issues raised in Chapters 1 and 2, given at the start of this overall Response.</p>
<p>Chapter 4 – A new Standard Method for assessing housing needs.</p>	
<p>Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?</p>	<p>NO, absolutely NOT. Although the current Standard Method (SM) is not ideal, it does use official local Data which provide a much more accurate estimate of actual 'Housing Need' than the proposed use of an arbitrary national average uplift of a LA's existing 'Housing Stock', with politically-based reapportionments from difficult but well-located (for Employment and Infrastructure particularly) Housing Crisis 'hot-spots', and other illogical factors that bear no relation to the proper (and retained in a term only) 'locally assessed housing need'. The use of a base of 'Housing Stock' takes no account of the nature of the Stock: i.e. how the Stock relates in terms of number, location, type or quality to the local 'Need' – for instance, were 'Need' already satisfied or Infrastructure and Public Services at their limits, how is expecting homes to be built for which there is no need nor capacity, or possibly locally-available Employment, justified? Or, how much of the Stock is new or in need of replacement; Or, how much of the Stock is 'Empty' and thus not functioning as homes (despite in most cases such 'Empty Homes Brought Back into Use', adding positively to both the number of in-use dwellings and improving the local environment and appearance, but are illogically not counted as 'new homes', even where the upgraded properties are converted into additional living units). The use of a base of 'Housing Stock' is thus and otherwise 'not fit for purpose', except as a 'Developers' Charter'.</p>

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	<p>The proposed SM completely ignores <i>any</i> local data about recent population and/or household growth (including the gold standard Census Data) and includes <i>no objective</i> estimates of future need growth from any source. Thus, the proposed SM completely ignores Section 3 Para 23 and other parts of the NPPF that require use of “objectively assessed needs over the plan period”.</p> <p>We particularly disagree with the elements of the proposed new SM which simplistically equate increasing the ‘Affordability’ of housing with increasing planned levels of supply in a given area. Given the dominance of the big six housebuilders and their control over the rate at which suitable housing land is developed, this assumption is fundamentally flawed and has been patently ineffective in the ten years or so since it has been established in planning policy. Further, the contention that increasing the supply of homes reduces price escalation and thus improves ‘affordability’ has been proved wrong by actual events and research. However, the ill-informed and those with a set agenda hold to this simplistic mantra and effect great harm. Further, too often LAs allow developers to use the ‘Viability Loopholes’ to avoid their stated or conditioned commitments.</p> <p>Basing the SM on existing housing stock is “overly simplistic” and does not target homes where they are needed or where employment is available. Also, London, which has the worst housing crisis in the UK, will see its Target drop by 18,000 and its true ‘need’ reallocated. Such example (amongst many others) would encourage polluting commuting, harming the environment, and more.</p> <p>Basing the SM on existing housing stock would not deliver homes where they are ACTUALLY needed but would increase the likelihood of building on Green Belt causing massive, irreversible, environmental damage at a time of Climate and Ecological Emergency.</p> <p>Basing the SM on existing housing stock would allow Developers to target food producing farmland which will be needed to grow food, particularly as climate change accelerates and foreign sources of food become scarce and more expensive. This land is also needed to mitigate against floods and drought, and to provide carbon sinks.</p> <p>We believe any Standard Method should be ‘advisory’ and not ‘mandatory’ but with a high bar for justification.</p> <p>The proposed Standard Method, based arbitrarily on LA existing Housing Stock, might be less illogical and fundamentally flawed were it to factor in against Housing Stock, Local Population, Population Growth and recent years birth rates with or without migration figures, or the number of Bedrooms or the various categories on the Waiting List, or almost anything else of which one can think.</p> <p>We are pleased to see the out-of-date and inaccurate 2014 ONS Data and Projections removed as the basis of inputs to the Standard Method but these proposals equate to ‘throwing the baby out with the bathwater’; they are illogical, fundamentally flawed and will fail to deliver the required homes in the right places but do great harm to communities, life-chances, wellbeing and the ecological and environmental sphere, particularly Green Belt.</p>

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<p>Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?</p>	<p>NO.</p> <p>The smoothed affordability ratio is a sensible starting point but the affordability formula itself is arbitrary and purely designed to achieve the Government's desire to build 1.5million homes over the next 5 years. The weighting factor of 0.6 replaces 0.25 purely to give the right answer starting with the equally arbitrary stock calculation.</p> <p>Our Responses to Affordability and the proposed Standard Method are to be taken as incorporating the Responses sent separately by Prof David Gregg, who is a fellow Member of WGSAA (Wirral Green Space Alliance).</p>
<p>Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?</p>	<p>NO.</p> <p>The weighting factor of 0.6 replaces 0.25 purely to give the right answer starting with the equally arbitrary Housing Stock calculation. As such it is a political decision and is not objectively assessed as it is required to be.</p> <p>Further, we repeat, the contention that increasing the supply of homes reduces price escalation and thus improves 'affordability' has been proved wrong by actual events and research. However, the ill-informed and those with a set agenda hold to this simplistic mantra and effect great harm. Additionally, too often LAs allow developers to use the 'Viability Loopholes' to avoid their stated or conditioned commitments.</p>
<p>Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?</p>	<p>YES but.</p> <p>We agree in principle depending upon how it would be done. It needs to be based on an objective assessment based on up-to-date local data.</p> <p>Only once a formula has been proposed for assessment can this question then be answered.</p>
<p>Question 19: Do you have any additional comments on the proposed method for assessing housing needs?</p>	<p>YES, expanding on earlier points.</p> <p>The current proposed changes to the Standard Method (SM) are fundamentally flawed (as they will not achieve their stated objectives nationally or locally) and are particularly disastrous for Wirral.</p> <p>Specifically, a much greater role needs to be played by local authorities in ascertaining the level of genuine need for social and other forms of housing in their area, and a greater emphasis in planning policy on making sure this genuine need is met. The need to use up-to-date local data to establish 'Housing Need' is clearly stated in Paras 11a, 11b, 61 and others of the NPPF.</p> <p>The proposed revised SM would result in London, where there is a massive housing crisis, having their target reduced from 100,000 to 80,000 and many Local Authorities across the country, such as Wirral Borough Council, having a huge increase in housing targets and thus now seeing their essential and functionally-linked Green Belt targeted in the middle of a climate and ecological crisis, for homes that are in the wrong place and not needed.</p>

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	<p>For example, using average household sizes, this would mean a total population increase in Wirral Borough of approx. 62,000 people, an unsustainable rise of 20%. This is perverse. Such a population increase could only come from an influx of people from outside the Wirral without employment opportunities, and put already over-stretched infrastructure and public services past their breaking point.</p> <p>Wirral has a fully up-to-date Local Plan in the final stages of its Examination, close to Adoption. This Local Plan has the support of the entire Council, including Councillors of every political persuasion, and the vast majority of Wirral Residents. It focuses house building where Regeneration is most needed in our Borough, effectively creating a sizable New Town within an old town (with a great history and major potential). In addition, the extent of homes in existing urban areas is planned to be sensitively but significantly increased through appropriate densification, taller buildings, some change-of-use from surplus Employment to Residential, conversions and more.</p> <p>The Inspectors have confirmed the appropriateness of the Spatial Strategy and that there is consequently no need to release land for development within the Green Belt (apart from appropriate PDL), which is fitting at this time of a climate and ecological emergency.</p> <p>Rather than supporting the Council’s Regeneration-led policy utilising brownfield land, the proposed Planning System Changes and new Standard Method would force the needless release of Green Belt for housing. And, this housing would be for prime and not affordable or social housing, and would only serve to enrich landowners and developers (and their advisers and consultants), whilst at the same time at best stalling but probably halting the badly-needed and long-awaited Regeneration in the north and east of the Borough where the unacceptable disparity is reflected in the average life-expectancy now being 12 years less than in the more affluent areas just 5 miles away.</p>
<p>Chapter 5 – Brownfield, grey belt and the Green Belt</p>	
<p>Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?</p> <p>Note: Above should read paragraph 122c on the marked-up NPPF: 124c relates to the current NPPF.</p>	<p>YES, but there are parallel opportunities.</p> <p>We agree with the continuation of a sequential approach to releasing sites for development starting with ‘brownfield’, prioritising the development of previously developed land (PDL). New housing developments should be directed to brownfield sites first, with research from CPRE demonstrating there is sufficient brownfield capacity to deliver 1.2 million homes nationally.</p> <p>This said, particularly close by existing urban areas with little open green space, some brownfield sites will have been rewilded and attained a high degree of environmental value where vacant for years and become valued by local residents and nature. Such sites should not necessarily have a presumption for development approval but need to be considered on their merits on a case-by-case basis.</p>

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	<p>We are also supportive of the re-use of PDL or brownfield land within Green Belt, where sites are in sustainable locations: e.g. near to public transport, existing settlements, infrastructure and services.</p> <p>Consideration also needs to be given to ‘Empty Homes’ in England which number over 700,000, of which just over 261,000 are long term. To this high number can be added ‘second homes’ and ‘investment homes’ deliberately left but not registered as ‘empty’. The situation and justification being:</p> <p>Presently, the situation is that Empty Homes are included as positive units in a LA’s Housing Stock (same as if occupied), and those brought back into use and change from NOT being a home to becoming a home are, however, NOT counted against the LA’s ‘Housing Need’ Target, in most cases even where the number of units is increased through conversion. This is not logical and a missed opportunity, as councils have no real incentive to support bringing such former homes back into working elements of a community, thereby enhancing both the character and cohesion of those communities and the amount and quality of the Housing Stock.</p> <p>Wirral Council supports a programme of ‘Empty Homes back into Use’ and has for more than a decade seen a consistent supply of over 250 long-term ‘Empty Homes’ brought back into use each year, has several thousand such empty former homes waiting attention, but NONE of these actual deliveries NOR ANY of the potential has been allowed to count towards its addressing of ‘Housing Need’ in its Local Plan or annual HDT.</p> <p>Now that the proposed Target for Wirral has reached such a high figure, it makes more sense than ever to permit, even encourage, LAs to support such programmes and allow the positive results to count towards their Housing Delivery.</p> <p>For information and completeness, we would repeat the background figures of Wirral’s case:</p> <p>417 is Wirral Population increase between 2011 and 2021 (not pa); 4,500 is the generally-accepted ‘locally assessed housing need’; 14,000 is the ‘Housing Requirement’ in the emerging Local Plan; 28,080 is the Government’s proposed Target for new Homes; 12,000+ of these would have to be on high quality Green Belt land; 60,000+ would be additional Population in 16 years or +20%.</p>
<p>Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?</p>	<p>YES but.</p> <p>Agree to more flexible development of PDL in Green Belt but too many proposed changes of text are undefined/unquantified, including new 151g “substantial harm”; 152b “demonstrable need for land to be released for development of local .. importance”; 155 “contributions” – how much, 100% of costs? 155a “subject to viability” – unacceptable usual ‘viability loophole’ for developers to get out of commitments and Conditions; 155c “within a short walk” – how far? And 155c “offsite spaces” – how remote and of what character?</p>
<p>Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?</p>	<p>NO view but.</p> <p>Glasshouses for horticultural production and horticultural Nurseries (as opposed to Garden Centres) must remain under ‘agricultural use’ and NOT be classed as PDL.</p>

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<p>Consultation Chapters, Notes & Questions</p>	<p>Response</p>
<p>Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?</p>	<p>NO.</p> <p>‘Grey Belt’ is a misnomer as it is unlikely to be a ‘belt’ (in the way Green Belt (GB) encircles a built-up area); instead, a limited area either isolated or as an attachment to a built-up area.</p> <p>The definition is much too broad and does not provide sufficient guidance, particularly beyond that for PDL, to be workable. As such, ‘Grey Belt’ could include any land adjacent to a road, station, other Infrastructure or alongside any existing built-up area. Whether or not deliberate, this is both wrong and flawed.</p> <p>We agree, any new development must not fundamentally undermine the function of the GB as a whole; however, as currently worded, it is difficult to see how an individual development could adversely affect an entire Metropolitan Green Belt such as Wirral’s, most of which is high quality farmland and/or functionally-linked to protected coastal regions of national and international significance.</p> <p>The “contribution to Green Belt purposes” should include local effect(s) rather than just the effect on the full extent of GB in a large area. Developers have already argued at Appeal/Inquiry that relatively small sites developed within a large GB area would not have a dramatically adverse effect upon the whole GB area, and they ignored or played down any local effect.</p> <p>The term, “low performing site” may well be to miss its significance or high value for appearance, view/vistas, separation, local access, etc. And, who is to determine on, “limited contribution to the Green Belt purposes”? For instance, the 5th purpose in Wirral’s case – the tightly drawing of GB boundaries around existing urban areas – had and still has a ‘special’, ‘exceptional’ and specific purpose (proposed originally by MCC and still supported unanimously by LAs within the LCR) namely to direct development AWAY from other areas and towards Regeneration of the decades-long declining and run-down parts of Birkenhead and other communities mainly in the east and north of the Peninsula, areas of very high Deprivation Index rating, high unemployment and extensive poor housing.</p> <p>Alarmingly and inappropriately, a Wirral Green Belt Review undertaken by a consultant with little local knowledge a few years ago determined all references to the 5th purpose could be discounted as all GB sites have this purpose, which is akin to a doctor classing everyone with a cough as having lung cancer.</p> <p>Regarding the proposed Glossary definition of ‘Grey Belt’, who is to determine and by what measure(s) “whether land makes a ‘limited contribution’ to the Green Belt purposes”? Guidance is silent.</p> <p>Regarding Consultation Chapter 3 Para 10:</p> <p>item b) i “Land ... which is fully enclosed by built form”, needs to be qualified by its size (overall area and dimensions across), protected features or zones present, public access, views, openness and character (e.g. rural), etc.</p>

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	<p>item b) ii for the absence of doubt, “towns” in the clause, “preventing neighbouring towns from merging into one another”, should be classified as “a mid-sized settlement of between 1,000 and 100,000 people” or another definition that includes distinct communities of some size.</p> <p>item b) iii “dominated by existing land uses”, should not include just having urban land uses around a site’s/area’s boundary – see b) i.</p> <p>Regarding additional exclusions, they ARE necessary including “areas identified in draft or published LNRS”.</p>
<p>Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?</p>	<p>YES.</p> <p>Provide better definition(s) to remove ambiguity and add more clarity and certainty. Add strong protection measures to prevent deliberate degradation of Green Belt land which is already advancing at pace, having accelerated both locally (on Wirral) and nationally since the likelihood of so-called ‘Grey Belt’ coming into existence and operation became more certain. Great harm is being caused now as landowners and developers prepare for an ‘onslaught’.</p>
<p>Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?</p>	<p>YES.</p> <p>Additional guidance IS VERY necessary, preferably within the NPPF in order to clarify points made above to Q23 and Q24 particularly.</p>
<p>Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?</p>	<p>YES, proposed Guidance is flawed and inadequate.</p> <p>Additional guidance is vital, necessary. As currently worded, any part of the Green Belt can be challenged as being ‘weakly or poorly performing’. See Responses to Q23, Q24 and Q25.</p>
<p>Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?</p>	<p>No Informed Views.</p> <p>However, relevant views expressed in ‘Wirral Wildlife’ Responses are supported.</p>
<p>Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?</p>	<p>NO, definitely not.</p> <p>Whilst we support the release of brownfield first, followed by PDL in GB, and there is a limited case for some ‘Grey Belt’, we believe there should be no relaxation of current ‘exceptional circumstances’ for the release of GB land; and that the ‘marginal effect’ of introducing the concept of ‘Grey Belt’ as per the statements of intent but so poorly defined and where not under the control of a fixed (agreed) list akin to a Brownfield Register, this would lead to confusion, abuse, controversy, conflict and an unnecessary plethora of legal cases.</p>

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<p>Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?</p>	<p>YES, to the stated intent but NO to the effect. Blanket implementation of the proposed new Standard Method would fundamentally undermine the function and purposes of Green Belt.</p> <p>More particularly, as said in response to Q23, we agree, any new development must not fundamentally undermine the function of the GB as a whole; however, as currently worded, it is difficult to see how an individual development could adversely affect an entire Green Belt area such as Wirral’s, most of which is high quality farmland and/or functionally-linked to protected coastal regions of national and international significance.</p> <p>The “contribution to Green Belt purposes” should include local effect(s) rather than just the effect on the full extent of GB in a large area. Developers have already argued (quite wrongly) at Appeal / Inquiry that relatively small sites developed within a large GB area would not have a dramatically adverse effect upon the whole GB area, and ignored or played down any local effect.</p> <p>Were the latter argument to be accepted, this would lead to the nibbling away or pock-marking large GB areas with small developments, against the existing GB purposes.</p>
<p>Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?</p>	<p>NO.</p> <p>We strongly disagree. As proposed, this would pre-empt or displace the local democratic decision-making processes. Release of GB should only be through a local plan making process, managed by enforced but reasonable deadlines, except where ‘exceptional circumstances’ apply such as a significant regional or national need which truly could not be accommodated elsewhere, outside of GB.</p>
<p>Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?</p>	<p>YES.</p> <p>This Question relates to ‘Grey Belt’ only whereas the related text in Para 21 relates to ‘Green Belt’. Were ‘Grey Belt’ to exist, but under a more limited and controlled definition and set of rules, it would be reasonable for some development to take place, with the triggers being such as: not being able to be located on a brownfield or other PDL site; essential functionality of location; or true regional or national interest.</p> <p>Throughout this Consultation, there seem to be repeated attempts to introduce housing (+ other uses) within Green Belt, being classed as ‘NOT inappropriate’ under different guises, even disguises. There is a lack of candour which smacks of disingenuity and using the form of words more usually associated with landowners and developers.</p>
<p>Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?</p>	<p>YES.</p> <p>In principle and to the extent possible, Travellers should be treated and covered by the same rules as the rest of the public, including the sequential test.</p>

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<p>Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?</p>	<p>YES.</p> <p>Again, in principle and to the extent possible, Travellers should be treated and covered by the same rules as the rest of the public, including the sequential test. So far as Green Belt Reviews are concerned, LAs should continue to decide when and whether a Green Belt Review (of all or part(s) of its Green Belt) should occur.</p>
<p>Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?</p>	<p>YES but.</p> <p>The 10% requirement on all sites should be expanded to include a mix of tenures, rather than being removed altogether. Without a clear impetus to provide a minimum number of affordable homes, developers will simply not provide them.</p> <p>In addition, the definition of affordable housing needs to be fundamentally changed or extended so that the cost of new 'affordable housing' for sale or rent is directly linked to average local incomes, more particularly to the 'ability to pay' or afford by the 'target groups'. In most cases, this will require financial support or delivery by Government agencies and/or charitable organisations. Otherwise, developers will build homes where 80% of the value remains totally outside the means of those in need of affordable housing.</p> <p>See also published reports on 'Affordability' by Prof David Gregg, produced in relation to Wirral's emerging Local Plan.</p>
<p>Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?</p>	<p>YES but.</p> <p>We are fully behind the target to achieve 50% 'affordable housing' on sites released for housing development; however, this should be a fixed firm requirement, and we have severe reservations about the practicality of inclusion of a 'viability' exclusion and on the ease of developers satisfying the viability tests resulting in fewer or none of the promised or conditioned Affordable Housing actually being delivered, which so often happens at present.</p>
<p>Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?</p>	<p>YES if, but NO unless.</p> <p>If GB Release is permitted, there should be 2 levels of concurrent provision. Firstly, a full range of provision related to any proposed development as if it were not within GB, when Natural England's Green Infrastructure Framework, the National Model Design Code and/or other local or generic guidance could be useful. Secondly, in addition, compensatory provisions and increased public access for the loss of Green Belt, where applicable including SANG(s).</p> <p>There should be no bartering as (is felt) was tried on Wirral whereby some increased public access (not 24/7) was on offer provided Green Belt sites were granted in principle for development, when some of the discussed access routes were already in use (and could qualify as deemed public RoWs) and historic routes had been closed. Public access (the 'Right to Roam' with due care) should in any event be enhanced in England, akin to the situation in Scotland.</p>

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<p>Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?</p>	<p>Not universally as our preference is for nil release of Green Belt and no 'viability negotiation' but we recognise these do occur (although too frequently and without due justification) and so it could have a place. Thus, we welcome tightening of allowable rules and circumstances. But, in some areas (including Wirral) the case against ANY GB Release is so overwhelming as to deserve a binding executive order precluding it without MHC&LG intervention. This would direct development firmly to brownfield and Regeneration sites and help bring about certainty and real and necessary 'structural change'.</p>
<p>Question 38: How and at what level should Government set benchmark land values?</p>	<p>Not known but presumably it should take into account distinct local factors and local exceptional circumstances moderating any national (across-the-board) factors/rules.</p> <p>The hope value will rise as a direct consequence of these (flawed) proposals.</p>
<p>Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?</p>	<p>YES.</p> <p>If 'viability negotiation' has to occur (and we consider it only should in exceptional and extremis cases), this would seem to be a sensible measure.</p>
<p>Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?</p>	<p>YES.</p> <p>Seems reasonable.</p>
<p>Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?</p>	<p>YES.</p> <p>We would also support 'late stage reviews', preferably to capture any upward values and profits. One possible measure would be 'open book' developer project records which (outside of a formal dispute situation) should remain commercially confidential (as done with tendering council contracts, etc.)</p> <p>Viability negotiation almost invariably leads to increased developer profit and less 'Affordable' delivery.</p>
<p>Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the GB?</p>	<p>Nothing specific.</p> <p>Other Questions' comments relate.</p>

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<p>Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?</p>	<p>Nothing specific.</p> <p>The general principle when introducing new legislation or rules is that they should not be retrospective. It might be an incentive to progressing build-out and Delivery to set a 'grace period' for the commencement of approved schemes after which the new rules and restrictions apply also to them.</p>
<p>Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?</p>	<p>We welcome the prevention of developers using viability arguments to avoid the Golden Rule of 50% affordable housing where they have paid above the BLV for Green Belt sites. However, this does not address the fundamental issues of 50% affordable housing being unlikely to be financially viable on any GB sites without government funding or that such properties would not be truly 'affordable' for those in need of such housing. There needs to be more clarity on how BLV will be calculated and the weight given to local factors.</p> <p>Para 2) text, "subject to other material considerations" is not explained or defined. As such, we are wary.</p>
<p>Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?</p>	<p>Assuming Paras 31 and 32 relate to the Consultation Document Chapter 5 and not the NPPF (current or marked-up):</p> <p>Clause 31 could force farmers off their productive land which should not happen given the importance of expanding the UK's extent of Food self-sufficiency, vital as accessible world supplies dwindle through Climate Change and expanding World demand.</p> <p>Further, the pressure on farmers on Wirral has already increased, and a well-supported Council Policy is that no 'productive farmland' should be released for development. Wirral Residents have repeatedly confirmed their support for farmers and the protection of 'productive farmland'. Such wishes should be honoured, especially as the extent of brownfield land is of nationally-significant proportions.</p>
<p>Question 46: Do you have any other suggestions relating to the proposals in this chapter?</p>	<p>NONE OTHER THAN TWO: firstly, those in Responses above that also cover further points arising from the Consultation Documents' text where these are additional to the limited scope of the Questions. Please take note of them, too.</p> <p>Secondly, LAs should be able to "fall short" of delivering the 'Housing Need' Target if no PDL or genuine low quality GB land is available and the 'Locally Assessed Housing Need' using up-to-date LA official data and ONS Census Data has been delivered. i.e. where Local Need is satisfied.</p>
<p>Chapter 6 – Delivering affordable, well-designed homes and places</p>	
<p>Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?</p>	<p>YES</p>

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Consultation Chapters, Notes & Questions	Response
<p>Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?</p>	<p>YES but.</p> <p>We agree that the requirement on all sites should be expanded to include a mix of tenures whilst still encouraging home-ownership where it is possible. However, there must remain a clear impetus to provide a minimum number of affordable homes, otherwise developers will simply not provide them. And we have previously stressed our opposition to the current level of ‘viability negotiation’ and failure to meet commitments and Conditions.</p> <p>In addition, the definition of affordable housing needs to be changed so that the cost of new ‘affordable housing’ for sale or rent is directly linked to average local incomes and truly affordable for those in the target groups. Otherwise, developers will build homes where 80% of the value remains totally outside the means of those in need of affordable housing and away from Regeneration areas, for instance.</p>
<p>Question 49: Do you agree with removing the minimum 25% First Homes requirement?</p>	<p>YES but.</p> <p>We agree that LAs should determine the mix of affordable homes derived from their Locally Assessed Housing Need; and that First Homes remains a category within ‘affordable homes’.</p>
<p>Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?</p>	<p>YES.</p> <p>As for Q49. In addition, we consider there should not be a requirement for LAs to include ‘exception sites’ in Local Plans. Wirral, for example, has assessed that sufficient opportunities exist not to identify exception sites.</p>
<p>Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?</p>	<p>YES but.</p> <p>We agree with the ‘promotion’ of such a mix, even strong encouragement but not enforced ‘expectation’.</p>
<p>Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?</p>	<p>In our opinion, possibly the best way would be by making their provision through direct Government funding or increased targeted support to Housing Associations (RPs).</p>
<p>Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?</p>	<p>One possible safeguard would be to limit size to that of successful / popular communities within an LA’s area. Another would be to undertake research into the successes and failures of similar LAs.</p> <p>Churchill quote: The further I look back, the further forward I can see.</p>
<p>Question 54: What measures should we consider to better support and increase rural affordable housing?</p>	<p>Where the intention is to tie such housing to ‘rural/agricultural use’, which should be ‘lasting’, consideration should be given to allowing functionally-linked dwellings to be built for local rural/agricultural residents close by larger farm buildings such that the predominance of agricultural buildings and rural character are retained, openness of GB is not materially affected, and the whole is ‘sustainable’.</p>

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Consultation Chapters, Notes & Questions	Response
Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?	YES.
Question 56: Do you agree with these changes?	YES. Those of Consultation Document, Chapter 6 Paras 12 and 13.
Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?	YES. A change in the definition is required to include the principle of extending the categories of providers of affordable housing, given appropriate safeguards to residents and the Councils, and rigorous initial appraisal of applicant organisations.
Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?	YES. (i) Where extensive infill has already occurred; (ii) Some locations have large minimum plot sizes where the local 'rule' could be relaxed and plot size reduced but local character maintained. An example could be the required use of similar scale, form, materials and prominent details in the replacement or remodelled buildings that include more than a single residence horizontally and/or vertically; (iii) Where the 'gentle change' of local character is resisted or not permitted; and (iv) Where conversion is arbitrarily resisted.
Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?	YES but. Almost all references to "beauty" should be removed in favour of 'good design'. There are aspects or elements of Design which affect the Eye and Brain to produce feelings of calm, delight or agitation, and degrees of aesthetic pleasure or displeasure. Some of these aspects, such as order, repetition, symmetry, simple proportions, resonate with higher proportions of people than others (such as asymmetry) and lead to extensive shared feelings of aesthetic pleasure which have lasting impact over time. This can lead to the interpretation or conclusion of something being 'beautiful' (see 'Proportions of the Eye' by J.N. Heath, 1972/73); but essentially 'Beauty' is a personal conclusion and neither universal at a point in time or constant over time – fashions change and what is beautiful to one person may well not be to another. 'Timeless beauty' stems from good design principles applying.
Question 60: Do you agree with proposed changes to policy for upwards extensions?	YES
Question 61: Do you have any other suggestions relating to the proposals in this chapter?	NO.

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Consultation Chapters, Notes & Questions	Response
<p>Chapter 7 – Building infrastructure to grow the economy</p>	
<p>Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?</p>	<p>YES, very much so.</p> <p>Wirral, with its nationally-significant amount of Brownfield land and Regeneration-led Local Plan at the end of its Examination stage, has much to offer the Government and Country in achieving its economic growth ambitions, and at pace.</p>
<p>Question 63: Are there other sectors you think need particular support via these changes? What are they and why?</p>	<p>YES.</p> <p>Support is required to accelerate natural progress and growth, and to compete with other countries who do give extensive support.</p> <p>Additional growing sectors, which are ‘new’ industries with great potential (rather than struggling ‘old’ technologies – which are still important and worthy) include: Pharma, Industrial Farming including vertical and indoor production, the Gaming Industry, and the Energy sector including Rolls Royce SMRs (Small Modular Reactors) where we should stop mucking about with tendering internationally and factor in both the direct benefits of a ‘home researcher / supplier / operator’ and indirect ones such as keeping research, production, profits and employment in the UK.</p> <p>Though there is no Question about the proposal in Chapter 7 Para 7, to delete the existing NPPF Footnote 44, we regret the absence of the previous mention and support for AI, future mobility, and catering for an ageing society – the benefit aims, as stated, are mainly for “working people” who are becoming a reducing proportion.</p>
<p>Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?</p>	<p>Partially.</p> <p>Such new developments, especially large ones, must be sited in suitable locations and be considered at the strategic level and not at the individual Local Authority level, although it would probably be better to get on and make quick locational decisions (based on reasonable due diligence) rather than spending years wrangling between competing LAs whilst foreign competitors get on with it.</p> <p>With respect to moving planning scrutiny about these large infrastructure projects into the NSIP process, this is a concern as the process is very opaque and difficult for the public to engage with. The NSIP regime does not function in a way which is open to challenge.</p>
<p>Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?</p>	<p>Probably.</p> <p>Scale is a significant factor but ‘effect’ and importance are too, possibly more so.</p>
<p>Question 66: Do you have any other suggestions relating to the proposals in this chapter?</p>	<p>NO.</p>

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Consultation Chapters, Notes & Questions	Response
Chapter 8 – Delivering community needs	
Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?	<p>YES but.</p> <p>Provided this does not lead to a presumption that such facilities can be located on or significantly affect Green Belt land or boundaries without full appraisal and sequential priority of brownfield land and PDL.</p>
Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?	<p>YES, strongly support.</p>
Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?	<p>YES but.</p> <p>‘Active Travel’ (“fully or partially people-powered, irrespective of the purpose of the journey, includes walking, people using wheelchairs, cycling (including e-bikes) to name a few”) is now a given and top priority especially for new developments. Whilst this is laudable and should help with general health, fitness and reducing obesity, it is not necessarily an option for many in society including many elderly people, the infirm or incapacitated, those with heavy shopping, with youngsters in tow, during inclement weather or dark nights, in challenging communities, and so on. And so, travel systems also need to be designed to cater for this huge section of the population.</p> <p>This is especially relevant in view of the growing incidence of developers arguing that ‘active travel’ can validate the development of sites further remote from bus, train and car routes and especially places of employment, retail and healthcare which must be seen as dangerous nonsense. It would be good to see wording within the updated NPPF recognising this issue and including safeguarding measures.</p>
Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?	<p>National Planning Policy is NOT the ‘vehicle’.</p> <p>Measures in the NPPF are already sufficient to facilitate the appropriate Infrastructure, Active Travel modes, Sporting and Outdoor pursuits needed, provided Local Plans actually include them and LAs manage to deliver them, supported by Government funding rather than Government control. Also, the NPPF should NOT be changed such that the protection of Green Belt, Local Greenspace and other Open Spaces is reduced (as looks likely).</p> <p>Rather than proscribing the number or proximity of fast-food outlets near schools or increasing tax on problem foods and drinks, do simpler things like reintroduce Domestic Science for all pupils in schools to make preparing food interesting and the norm again. It is also much cheaper. That sort of remedy is an approach more likely to be successful and less inflationary.</p>
Question 71: Do you have any other suggestions relating to the proposals in this chapter?	<p>NO.</p>

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Consultation Chapters, Notes & Questions	Response
Chapter 9 – Supporting green energy and the environment	
Question 72: Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?	YES, probably but insufficient knowledge.
Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?	NO, not all. Whilst supporting greater support for renewable and low carbon energy, (building on the major advances of previous Governments), we are opposed to having the decision on sites for Onshore Wind particularly removed entirely from Local Plans and from Public scrutiny and contribution to decisions. Local Plan-makers should have a duty to consult with the NSIP body (and others) in including suitable ‘broad locations’ within the Plans. The proposed levels of mandates, central control and diktat appear excessive and contrary to the statements of increased public and community participation.
Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?	YES. There should be additional protections for such sensitive sites but not limited to those with a role in carbon sequestration but include also (for example) sites with an ecological or environmental significance and high value. In all but very exceptional circumstances, the presumption should be protection and not compensation.
Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?	YES, on balance from limited information. From the limited information provided by proponents and nothing on opposing views, judging from what is presented, the proposal appears to be reasonable on balance. However, we regret the lack of any summaries of opposing views throughout this Consultation.
Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?	YES, on balance from limited information. From the limited information provided by proponents and nothing from any with opposing views, judging from what is presented, the proposal appears to be reasonable on balance. However, we regret the lack of summaries of opposing views within this Consultation.
Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?	N/A.
Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?	See Responses from colleagues in ‘Wirral Wildlife’ and CPRE for this and other mainly environmental Questions. The Environment Agency are consulted on planning applications and often initially object on the basis of flood risk. Many of these issues are resolved before a final planning decision is made by the LPA. For MAJOR developments which are the subject of a sustained EA objection on flood risk grounds, but where the authority is minded to

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	<p>grant permission, the authority must notify the Secretary of State, prior to the granting of any planning permission, to provide them with an opportunity to call the application in for their own determination. However, NON-MAJOR developments have different requirements and there are significant numbers of applications where permission is granted against EA Advice. Thus, we suggest, all applications should be notified to the Secretary of State if the EA objects. Just because the development is deemed 'non-major' does not mean it could not have a significant impact on flood risk.</p>
<p>Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?</p>	<p>See Responses from colleagues in 'Wirral Wildlife' and CPRE for this and other mainly environmental Questions.</p>
<p>Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?</p>	<p>YES.</p> <p>As per Q78 above, objections to planning applications by the Environment Agency because of flood risk must be referred to the Secretary of State and greater weight given to the Environment Agencies advice (regardless of the size of the development).</p> <p>Design storms and flood risk information used to classify flood zones (1,2 and 3) and inform Flood Risk Assessments, and the design of Sustainable Drainage Systems, etc. are clearly out-of-date and have been overtaken by Climate Change. A nominal allowance for Climate Change added to a 1 in 100-year (fluvial) design storm (or 1 in 200-year design storm) is clearly no longer sufficient when undertaking flood risk assessments. 1 in 100-year storms are now occurring much more regularly and the frequency will only increase. There needs to be a complete overhaul of flood risk assessments with much higher design standards. Far too often new housing estates (etc.) are built (complying with current policy on flood risk) only to flood just a few years later - the current system of flood risk assessments is clearly not working.</p> <p>There needs to be an integrated approach to modelling flood risk including integrated modelling of fluvial, tidal, surface water and ground water, etc. Environment Agency Flood Maps often focus on one type of flooding only and are not detailed enough to illustrate linked or combined flooding mechanisms. Fully integrated catchment models (involving all stakeholders' assets: e.g. EA, Water Utility Companies, LA Drainage Department, etc.) which consider the combined effects of river flooding, sewerage flooding, surface water drainage, overland flow and ground water should be developed.</p> <p>Currently planning applications are being approved based on overly simplistic single mechanism models which do not provide the full and comprehensive understanding of the hydrological processes that are taking place, particularly with the effects of climate change.</p>
<p>Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?</p>	<p>See Responses from colleagues in 'Wirral Wildlife' and CPRE for this and other mainly environmental Questions.</p>

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<p>Question 82: Do you agree with removal of this text from the footnote?</p>	<p>NO, definitely not.</p> <p>Clause 31 could force farmers off their productive land which should not happen given the importance of expanding the UK's extent of Food self-sufficiency, vital as accessible world supplies dwindle through Climate Change and expanding World demand.</p> <p>Further, the pressure on farmers on Wirral has already increased, and a well-supported Council Policy is that no 'productive farmland' should be released for development. Wirral Residents have repeatedly confirmed their support for farmers and the protection of 'productive farmland'. Such wishes should be honoured, especially as the extent of brownfield land is of nationally-significant extent.</p>
<p>Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?</p>	<p>YES.</p> <p>Best & Most Versatile agricultural land should not be developed except in truly exceptional circumstances of regional or national significance.</p> <p>In Wirral's case, the Council's Policy of NO Release of 'Productive Farmland' should prevail.</p>
<p>Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?</p>	<p>YES.</p> <p>Continue to improve means (especially natural) of holding up the flow from heavy downpours to better regulate and fill reservoir levels and increase levels of water in reservoirs where tested safe to do so.</p> <p>Continue to press and support where necessary water companies to reduce leakage from old pipework, whilst still permitting reasonable returns to shareholders, and increase the coverage of water meters.</p> <p>Increase the coverage of separate foul water pipework to improve lake and river water quality and extraction rates with lower cost treatment. Use better collection of foul waste to increase production of natural fertiliser to replace chemical applications.</p>
<p>Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?</p>	<p>See Response to Q84.</p>
<p>Question 86: Do you have any other suggestions relating to the proposals in this chapter?</p>	<p>NO.</p>
<p>Chapter 10 – Changes to local plan intervention criteria</p>	
<p>Question 87: Do you agree that we should [we] replace the existing intervention policy criteria with the revised criteria set out in this consultation?</p>	<p>NO.</p> <p>Not enough detail or explanation to determine any benefit. The Intervention policy has been there since introduced by the last Labour Government. The last Government only brought it into the 2017 Housing White Paper for mainly legislative convenience. It was effectively used "on several occasions over the past seven years" without calls for change. None is probably required now.</p>

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<p>Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?</p>	<p>NO.</p> <p>Not enough detail or explanation available to determine any benefit. The Intervention policy has been there since introduced by the last Labour Government. The last Government only brought it into the 2017 Housing White Paper for mainly legislative convenience. It was effectively used “on several occasions over the past seven years” without calls for change. None is probably required now, especially putting more powers in the hands of Ministers.</p>
<p>Chapter 11 – planning application fees and cost recovery for LAs related to NSIPs</p>	
<p>Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?</p>	<p>YES, but.</p> <p>The benefits of householders making improvements, enlargements and additions to Housing Stock go beyond the current householder. They also benefit the Council by addressing part of the required Housing Delivery and improved quality of occupied Stock. Thus, the householder is due a service for performing a service. And so, in principle we consider Recovery should not be 100% of cost. Whilst Councils need to improve their efficiency in service delivery year on year (and there is room for improvement), many are in a poor state of insufficient human resources and skills and making this up to an acceptable level would cost funding which is generally not available. And so, it probably can only fall to the service user to pay for this, which could provide justification for Recovery to equate to 100%.</p>
<p>Question 90: If no, do you support increasing the fee by a smaller amount ...</p>	<p>N/A.</p>
<p>Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?</p>	<p>YES, but.</p> <p>The large uplift in charges should be stepped up across, say, 4 years from 100% of existing to 125%, 150%, 175%, 200% but increased each year also by an Inflation Index figure.</p>
<p>Yes No – it should be higher than £528 No – it should be lower than £528 no - there should be no fee increase Don't know</p>	<p>See Q91 box above.</p>
<p>If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.</p>	<p>See Q91 box above.</p>
<p>Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.</p>	<p>YES.</p> <p>Applications include those where deciding factors are marginal, where Case Officers are inexperienced, where Case Officer suggests changes to become approvable, where they need escalation to Senior Officers, where withdrawn and resubmitted, etc.</p> <p>Evidence is my experience over 50 years in the industry.</p>

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<p>Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.</p>	<p>YES.</p> <p>There should be a fee for all requested consideration and decisions by Planning Officers, including those listed in Chapter 11 Para 12 of the Consultation Document and for Permitted Development.</p> <p>There should be a charge for appeals equivalent to the original application fee, refundable if the appeal is upheld. Higher fees should be applicable where appeals are not by 'written representations'.</p>
<p>Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee? Please give your reasons in the text box below.</p>	<p>NO.</p> <p>Base Level Fees should be charged at National Rates for different categories of Applications and Services but weighting could apply: for London certainly; probably for major cities; and possibly where exceptional circumstances are present. Weightings could be agreed as lump sums or percentages set, say, every 3 years.</p> <p>Assessment of planning applications will vary regionally and it may be necessary to use incentives where recruitment is difficult and expensive agency staff are used.</p>
<p>Question 95: What would be your preferred model for localisation of planning fees?</p>	<p>See Q94 Response.</p>
<p>Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee. Local Variation – Maintain a nationally-set default local planning authorities the fee and giving option to set all or some fees locally. Neither Don't Know</p>	<p>Neither - See Q94 Response.</p>
<p>Please give your reasons in the text box below.</p>	<p>See Q94 Response.</p>
<p>Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?</p>	<p>NO.</p> <p>It is assumed that wider planning services have occurred in the past and are not additional new services. As such, unless advised otherwise, the funding for these services is already with councils from Council Tax and/or Annual Settlements from Government.</p> <p>Were they to have been unfunded, councils would have been under an effective duty not to supply them FoC. Hence, it would seem unnecessary to provide additional funding for this service. Our opinion might change, given further details of duties and funding.</p> <p>For all Responses to Questions regarding Planning Fee Levels, the Consultation contains insufficient information for non-experts in the relevant field(s) to propose Fee Levels and mechanisms.</p>
<p>If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?</p>	<p>N/A.</p>

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<p>Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?</p>	<p>NONE, given the information provided. Our opinion might change, given further details of duties and funding.</p>
<p>Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?</p>	<p>YES conditionally. Only if such services are presently unfunded or the amount of such services has risen or will rise beyond the funding that already occurs should fee charging be increased or introduced.</p>
<p>Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.</p>	<p>Not able to make an informed response.</p>
<p>Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?</p>	<p>Not able to make an informed response.</p>
<p>Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.</p>	<p>Not able to make an informed response.</p>
<p>Question 102: Do you have any other suggestions relating to the proposals in this chapter?</p>	<p>NO.</p>
<p>Chapter 12 – The future of planning policy and plan making</p>	
<p>Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?</p>	<p>Not completely, and YES. Considerable thought has been given to Transitional Arrangements. However, given the substantial resources required by LAs, interest groups and the public to prepare and agree a Local Plan and then go through the Examination stage, the requirement for LAs currently at the Examination stage and showing deviation of more than 200 dpa below the Local Housing Need figure (according to the revised Standard Method and Target) to “at the earliest opportunity” after Plan Adoption embark on a new Plan is unjustified and unworkable. The requirement to commence a new Plan would be more practical and work smoother given starting this process at an ‘Early Review’ of the Local Plan, allowing a grace period of at least two years for this to happen to take account of the huge workload involved in ‘bedding-in’ a newly Adopted Plan, ensuring all planned Outputs are resolved and put in train, and the expected increased workload of applications designed to test or get around new restrictions in the Plan are effectively addressed.</p>

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	N.B. There appears confusion of terms ‘Housing Need’ and ‘Housing Requirement’, which LGA Guidance stresses are NOT the same by definition or content but can have the same figure but not normally.
<p>Question 104: Do you agree with the proposed transitional arrangements?</p>	<p>Not completely. See Response to Question 103.</p>
<p>Question 105: Do you have any other suggestions relating to the proposals in this chapter?</p>	<p>NO.</p>
<p>Chapter 13 – Public Sector Equality Duty</p>	
<p>Question 106: 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? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?</p>	<p>YES.</p> <p>I know from calls, correspondence and meetings with my personal Contacts (100+), from colleagues and Members of ITPAS (Irby, Thurstaston & Pensby Amenity Society) where I am the Planning Rep on the Committee, and from colleagues and Members of WGSA (Wirral Green Space Alliance) – comprising over 30 community, leisure, historical and ecological Groups – where I am the Convenor, that there is a scale of disbelief, disagreement with the principle, content and lack of genuine public involvement of these Proposals to Change the Planning System and impose such arbitrary, illogical, locally- and nationally-unsuitable and unworkable mandatory Standard Methodology and Targets, which serves to hide some potentially useful points, that is unprecedented even for a grouping that generated over 25,000 Responses to an earlier Wirral Consultation and achieved an Appeal Inspector’s Public Meeting with over 500 attendees.</p> <p>Such is the scale of dismay and rising anger with the likelihood of years of hard work and collaboration with our Council (resulting in total political unanimity over the Regeneration-led, Brownfield-only Wirral Local Plan) coming to nought, with its locally, nationally and even internationally recognised beauty and ecologically important Green Belt (functionally linked to extensive protected coastal zones) likely to be released for thousands of unwanted and unnecessary housing of the wrong type, built in the wrong places; and meanwhile the planned Regeneration of areas of nationally-significant Need, Deprivation, poor Housing and Environment, and great Disparity across a narrow Peninsula could be doomed to decades further decline before another such exciting and worthy opportunity arises.</p> <p>This is going to cause great distress, adversely affect wellbeing, including mental health, and why – simply because the time and effort have not been taken to ensure that the Local Needs are being Assessed and lead the process, and Local Efforts and Opinions are to be ignored. Brilliant.</p> <p>We all seem to agree locally that Change is indeed needed, but fundamental change of these developer-driven Proposals which would be unworkable and damaging – except for developers and their mates.</p> <p>Continued overleaf ...</p>

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This Chapter 13 Response ends with copy of a finishing statement from ‘Wirral Wildlife’ that says it all, and very much accords with the above overall Response and its own final paragraph:

For all our sakes, we ask that these awful, poorly-thought-out and arbitrary Proposals - with their mandated, absolute control from the Centre, promising but clearly not intending increased community involvement, and patently using developers’ self-serving rhetoric (we have heard and faced down before), showing no respect whatsoever for the huge amount of professional and volunteer work put in by Councils, Stakeholders and dedicated members of the public around the Country, where lip service but no real regard is paid to the exhaustively-researched **Locally Assessed Housing and other Needs**, and where the statements and deceptive arguments try to inveigle the way to release great swathes of precious Green Belt for development, much of it for unnecessary dwellings of the wrong type in the wrong places – are fundamentally **changed** for the better, building on the work and progress of past administrations, especially as there is no chance whatsoever of these Proposals delivering on the Government’s stated Aims, many of which are shared.

Final response and plea from Wirral Wildlife:

Chapter 13 – Public Sector Equality Duty Question 106

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

Please explain your answer:

These proposals if implemented without better thought could destroy local democracy and the voluntary nature conservation sector in Wirral. We have worked hard to inform and support Wirral’s Local Plan and this will all be wasted if impossible housing targets are imposed in Wirral by national government. We are all volunteers but giving professional level expertise to this. The knowledge of local stakeholders is a vital element of the planning process that helps to minimise damage to the natural environment and make developments more acceptable to communities – helping to reduce delays and costs.

If these targets are imposed, with bad effects on nature in Wirral, why should we ever trust any government or democratic process again? Nature conservation and restoration in England relies on the volunteer time of many expert volunteers. Why should we spend that time only to see an ill-considered policy negate it all? Just think what local government would have to pay for nature conservation advice if there was no voluntary sector.

Any Local Plan that has reached Regulation 19 should be passed asap and revisions considered afterwards. Every effort must be made to reduce delays to Local Plans, including avoiding effects of ill-considered national Government interventions. Taking a blanket approach to housing number is wrong, and should be thought about more carefully and revised to feature local need, geography, income and jobs, population age structure, and other local conditions.

The wrong housing in the wrong place will not address the housing crisis. The planning system must consider, at every stage, the climate and nature crisis, and how best to address it. Nature must be conserved and restored if the human species is to survive.