

<b>REPORT TO:</b>	<b>Planning Policy Committee - 18 September 2024</b>
<b>SUBJECT:</b>	<b>Revisions to National Planning Policy Framework (NPPF) 2024 - Proposed Arun DC response to public consultation</b>
<b>LEAD OFFICER:</b>	<b>Zac Ellwood (Interim Head of Planning Policy) Neil Crowther (Group Head of Planning)</b>
<b>LEAD MEMBER:</b>	Councillor Gill Yeates (Chair of Planning Policy Committee)
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b>	
<p>The recommendations supports:</p> <ul style="list-style-type: none"> <li>• Improve the Wellbeing of Arun;</li> <li>• Delivering the right homes in the right places;</li> <li>• Supporting our environment to support us;</li> <li>• Fulfilling Arun’s economic potential.</li> </ul>	
<b>DIRECTORATE POLICY CONTEXT:</b>	
<p>Engagement with this important consultation on significant proposed changes to the National Planning Policy Framework (NPPF), which has potentially far-reaching implications on plan-making, planning decisions and housing supply within Arun, is considered necessary to ensure our concerns can be considered by central government. An effective planning system is necessary to help shape sustainable new communities and places, where new homes meet the needs of current and future generations by reducing their carbon footprint, enhancing biodiversity, promoting active healthy lifestyles through walking and cycling, leisure, arts and culture and through enhancing the quality of heritage, natural and built environments while promoting economic growth, in a sustainable manner.</p>	
<b>FINANCIAL SUMMARY:</b>	
<b>Key Financial Considerations:</b>	
<p>The financial implications arising from the framework will need to form part of the budgeting setting processes and managed within budget constraints.</p>	
<b>Revenue Generation:</b> As part of the consultation, the government are proposing to increase the application fees for householder applications from £258 to £528 which could result in an additional fee income in the region of £150,000/year.	

## 1. PURPOSE OF REPORT

- 1.1 This report is intended to set out the proposed changes to the National Planning Policy Framework (NPPF) published on 30 July 2024 and the key implications for Arun arising from these revisions, and to seek agreement from the Committee to the draft consultation response to the Ministry for Housing Communities and Local Government (MHCLG) on behalf of Arun District Council.

- 1.2 The consultation poses a total of 106 specific questions that the government is seeking views on. In addition to questions around the revisions to the NPPF itself, the consultation includes several questions around further potential changes to planning fees with the aim of enabling local planning authorities to seek to achieve recovery of the real cost of processing applications.
- 1.3 The final deadline to submit comments on the document is **24 September 2024**.
- 1.4 The key changes to the NPPF text and main implications for Arun are summarised in the lists below.

### **Main changes**

- Significant strengthening of the presumption in favour of sustainable development – the ‘tilted balance’.
- Removal of 4-year Housing Land Supply (HLS) requirement for authorities with advanced plans.
- Significantly more difficulty in demonstrating and maintaining a 5-year HLS due to higher required housing numbers.
- Need to demonstrate a 5-year HLS at all times. Removal of any protection for authorities with recently adopted plans.
- 5% buffer re-introduced which would require a 5.25-year HLS to be demonstrated in all cases. 20% buffer re-introduced for past under-supply which would effectively require Arun to demonstrate a 6-year HLS.
- Delivery of infrastructure is supported, but this is not infrastructure that is necessarily related to planning permissions.
- Removal of reference to high density development being out of character.
- Status of Neighbourhood Plans remains unaltered.
- Indication that strategic planning will return, but with limited details.
- Default starting point is that local authorities will produce plans to deliver the Standard Housing numbers. Circumstances that may justify a lower number have effectively been removed.
- Local Plans to set out how this figure will be delivered; not if it will be delivered.
- Substantial increase in housing requirements nationally and across West Sussex.
- Removal of footnote that required the potential for agricultural land to provide food supply be a consideration in determination of applications.
- Increased planning application fees for householder applications.

### **Main implications for Arun**

- Significantly more speculative development on unsuitable sites being granted permission (at appeal).
- The expectation that councils spend hundreds of thousands of pounds to produce a plan that may almost immediately become out of date.
- No protection even in instances where a plan has been adopted with a 5-years HLS.

- No measures proposed to increase housing delivery and implementation once granted planning permission.
- Potentially more negative weight afforded to poorly designed schemes.
- Local authorities will continue to be penalised for matters outside of their control in respect of housing delivery.
- Significantly more difficult to satisfy the duty to cooperate.
- Removal of circumstances where a lower housing requirement figure in a Local Plan might be justified.
- Significantly more difficult to demonstrate and maintain a 5-year HLS.
- Inability to demonstrate or maintain a 5-year HLS result in serious questions around the benefits of producing a Local Plan.

## **2. RECOMMENDATIONS**

2.1 Planning Policy Committee resolves to: -

- i. Consider the proposed revisions to the National Planning Policy Framework (NPPF), taking into account officers' advice; and
- ii. Agree the draft responses to the 106 questions within the consultation as set out in Appendix 2 to this report, for submission to MHCLG as being the formal consultation response on behalf of Arun District Council.

## **3. EXECUTIVE SUMMARY AND BACKGROUND**

- 3.1. The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans can provide for sufficient housing and other development in a sustainable manner. Preparing and maintaining up-to-date plans should be seen as a priority in meeting this objective.
- 3.2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.3. The National Planning Policy Framework (NPPF) must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 3.4. The latest published version of the NPPF dates from December 2023 and was produced by the previous government. On 30 July 2024, the new government initiated a consultation on revisions to the NPPF and other planning reforms. Some of the proposed changes, particularly in respect to housing delivery and required housing numbers are substantial and could have significant and far-reaching implications for Arun, both in terms of plan-making and determining planning applications.

- 3.5 Building on their election manifesto commitments the consultation reaffirms the government's commitment to delivering 1.5million homes in England over the next 5 years and promises to "*get Britain building again*". This is a theme that runs through the consultation. The consultation also proposes reversing many of the changes made to the NPPF by the previous government in December 2023. Perhaps the most crucial of these proposed revisions, as far as Arun is concerned, is making the standard method for calculating housing requirements for local authority areas mandatory again (even though the word 'mandatory' was not in any previous version of the NPPF) and removing wording inserted in the current version of the NPPF that set out limited exceptional circumstances for departing from these numbers. This is what is known as the 'policy off' position when looking at housing requirements. The 'policy on' position is the target figure that is contained in the Local Plan that will be based on consideration of constraints and exceptional circumstances. The consultation is clearly seeking to ensure that it is significantly more difficult to put forward a 'policy on' position substantial different from the starting point.
- 3.6 The revised wording moves away from the previous narrative on the overall aim being to deliver a sufficient supply of homes to "*meet as much of an area's identified housing need as possible*" to one of to "*meet an area's identified housing need.*" The NPPF consultation is accompanied by a spreadsheet showing the outcomes of the proposed revised method for calculating housing numbers and compares these with the housing numbers generated under the current standard method. For many local authorities, including some of our neighbours, the increase in required housing numbers is very stark. In Arun, the revised methodology does still increase this, by around 5%, from 1,342 net new homes per annum, to a new figure of 1,409 (an uplift of 67 dwellings each year over the previous target).
- 3.7 The uplift to housing numbers and other key changes to the NPPF and potential impacts on Arun, which we consider are most important for members to note at this stage, are discussed in the following section of this report.
- 3.8 Accordingly, officers have drafted suggested responses to each of the 106 questions for consideration by the Planning Policy Committee, as set out in Appendix 1 to this report. If endorsed by the Committee at this meeting, these responses will be formally submitted to MHCLG before the deadline. The proposed responses to the questions will be published before the meeting.
- 3.9 The following section of this report will focus on some of the changes as proposed under the revised NPPF draft and will seek to identify the key implications arising from these, with a particular focus on plan-making and decision-making in Arun District. Naturally, the suggested responses to the specific questions within the consultation itself are consistent with the commentary and opinions set out below.

## 4. KEY CHANGES AND IMPACTS

### Strengthening the presumption in favour of sustainable development

- 4.1 A noteworthy revision involves the ‘tilted balance’ specifically paragraph 11(d) which applies where there are no relevant development management policies, or policies are considered to be out-of-date. The updated wording changes the consideration of policies deemed ‘out-of-date’ from those ‘most important for determining the application’ to those ‘for the supply of land.’ Additionally, footnote 8 has been added to clarify what constitutes policies for the supply of land, being those which set an overall requirement and/or make allocations and allowances for windfall sites, while footnote 9 has been streamlined to remove reference to the short-lived ‘four-year supply’ test that was introduced in December 2023 and was applicable in limited specific circumstances for emerging plans that had been submitted or had reached the Regulation 18 or 19 consultation stage, including both a policies map and proposed allocations towards meeting housing need.
- 4.2 The definition of development plan policies being considered out of date still includes those situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, or where the Housing Delivery Test indicates that the delivery of housing was less than 75% over the housing requirement over the previous three years, albeit the new wording does introduce the word “substantially” to this particular consideration.
- 4.3 Both scenarios currently apply to Arun, in that we are unable to demonstrate a five-year housing supply (the figure in the last published Annual Monitoring Report (AMR) being 4.17 years supply). Arun’s performance against the national Housing Delivery Test is also below 75% (the last published figure being 61%). Whether this performance would be deemed to be “substantially” below the target figure of 75% would be a matter for the decision maker, but developers would almost certainly argue that it is on appeal. This is a moot point at present, in any case, given we cannot demonstrate a five-year Housing Land Supply (HLS).
- 4.4 The inclusion of new text in paragraph 11(d)(ii) now requires specific consideration of policies within the NPPF related to the location and design of development (chapters 9 and 12) and the securing of affordable homes. The government are clearly expecting that significant number of what would be described as ‘speculative developments’ to be granted permission in the immediate future by stating:

*“Introducing more demanding targets and reinstating the requirement to demonstrate a 5-year housing land supply at all times is likely to bring more local planning authorities into the scope of the presumption in the short-term. This is necessary to ensure that we urgently address the issue of chronic undersupply of land that has underpinned the housing crisis and support our drive to deliver 1.5 million new homes over the next five years.”*

It is noteworthy that this is not a 'reinstatement' of a previous requirement to demonstrate a "5-year housing land supply at all times". It is a new proposal. Previous versions of the NPPF afforded protection for recently adopted plan and latterly plans adopted less than 5 years ago and there was not a requirement to demonstrate a 5-year HLS 'at all times.'

- 4.5 The proposed changes outlined below will affect the application of the tilted balance when determining planning applications and result in it being even more difficult to demonstrate a 5-year HLS. It is apparent that the intention is to make it a lot harder for councils to resist speculative development that is contrary to out-of-date development plans. We have all seen multiple examples of poor development in unsuitable locations being allowed at appeal in recent times where an Inspector has given significant weight to the absence of a 5-year HLS that, in their opinion, outweighs the harm and other impacts. It is clear that these kinds of decisions will almost certainly further increase rather than decrease as a result of the governments proposed changes.

In response to questions raised at a Ministry of Housing, Communities and Local Government webinar on the proposals, a written response on this matter simply stated.

*'Where housing delivery lags behind local need, it is right that developers can bring new homes forward outside the plan.'*

- 4.6 There is now, however, also a greater emphasis on specific policies within the NPPF during the planning balance, particularly those related to development location, design, and affordable housing. Consequently, planning applications and appeals will need to demonstrate more thoroughly how these policies have been adhered to within a 'tilted balance' framework.

### **Maintaining a Housing Land Supply (HLS)**

- 4.7 Significant changes involve the removal of text added by the previous Government in the NPPF updates of September and December 2023. This includes removing wording that allowed authorities to reduce their housing provision compared to their housing need. The document accompanying the NPPF consultation notes that the government proposes reversing the changes introduced in the 2023 version and re-establishing the requirement for all local planning authorities, regardless of their Local Plan status, to continually demonstrate 5 years of specific, deliverable sites for housing. As previously stated, the proposals do not re-establish this requirement as it was not there previously; this is a new proposal. These changes are intended as 'pro-supply' measures, ensuring a pipeline of deliverable sites is maintained.

- 4.8 Proposed changes would remove the protection that adopted Local Plans had from the requirement to demonstrate a 5-year HLS of deliverable sites from the date of adoption. Para 76 sets out the requirement for LPAs to demonstrate a five-year housing land supply (5-year HLS) at all times, even in scenarios where an adopted plan is less than five years old. This results in the situation where a council could spend hundreds of thousands of pounds producing a Local Plan over many years and it could be challenged within days/months of adoption and be found to be out of date through no fault of the council. As soon as it is deemed to be out of date, the exceptionally permissive presumption in favour of sustainable development is triggered.
- 4.9 If a council has produced a positive plan that demonstrates a deliverable supply of 5-years (as it is required to do), then there should be faith in that system and that council should be afforded certainty by protecting it against challenges to the land supply position through matters that are completely outside of their control (developers not building at the rates required by government). Without this protection, the incentive to spend enormous amounts of money and time to produce a plan will be significantly reduced and the plan-led system that this consultation is advocating will not be achieved. The opposite will likely be the outcome; speculative development in inappropriate locations not included with any development plan document. The proposed changes will create a system where the chances of the council maintaining a plan-led planning system will be minimal.
- 4.10 One seemingly small, but potentially important, change proposed under Chapter 11 'Making Effective use of land' is the deletion, in its entirety, of paragraph 130 from the December 2023 version, which currently states:

*"In applying paragraphs 129a and b above to existing urban areas, significant uplifts in the average density of residential development may be inappropriate if the resulting built form would be wholly out of character with the existing area. Such circumstances should be evidenced through an authority-wide design code which is adopted or will be adopted as part of the development plan."*

The deletion of this wording will potentially make it more challenging for local authorities to object to planning applications proposing significantly higher densities than their surroundings, within urban areas. In Arun we already seek to ensure that development proposals to make efficient use of land within the Built Up Area Boundary but we would seek to resist development that would be significantly out of character. This change suggests that this issue will be given less weight in determining appeals than the number of new homes proposed, which is likely to result in schemes of a lower design quality.

- 4.11 The status of Neighbourhood Development Plans (NDPs) remains largely unaffected, with no changes being proposed to the wording of paragraph 14 of the NPPF as amended in the December 2023 version. Paragraph 14 states:

*"14. In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

*a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*

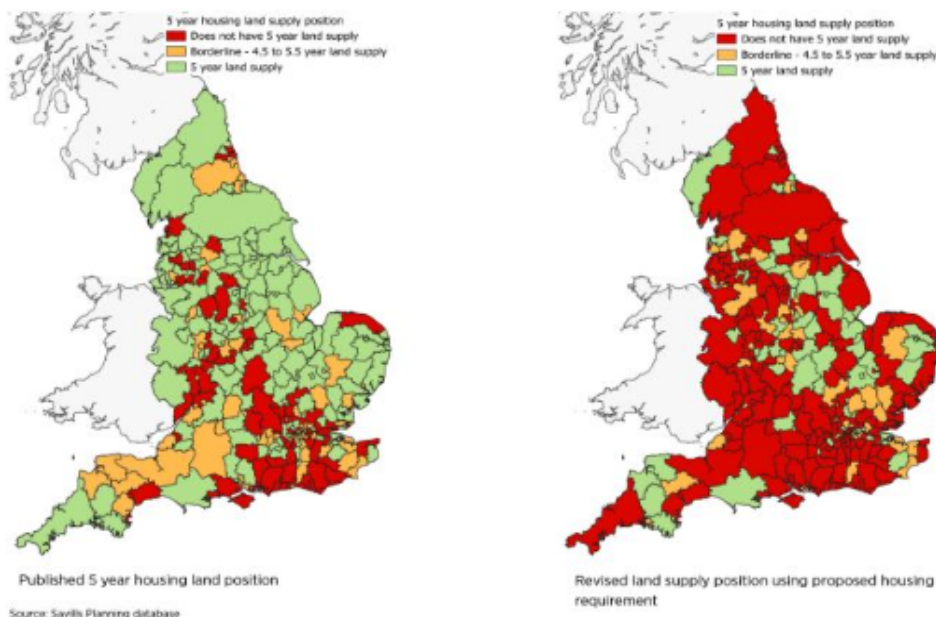
*b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.”*

- 4.12 The requirements under (a) are binary (i.e. Y/N), but in terms of criterion (b) this is somewhat more nuanced and, inevitably, developers will seek to challenge whether ‘identified housing requirements’ are met in NDPs, particularly given the published new mandatory housing targets for each authority and the requirement for LPAs to demonstrate a 5YHLS, ‘at all times.’ It is also important to note that paragraph 14 does not give NDPs less than five years old an absolute protection against development that does not accord with its policies and provisions, merely that, as a material consideration, they will be afforded significant weight.
- 4.13 Whilst the potential changes could be considered subtle, they significantly strengthen the ‘presumption’. The proposed changes will significantly reduce the status of development plans and their carefully considered allocations as the starting point for decision-making because it will be incredibly difficult for authorities such as Arun to be able to demonstrate and maintain a 5-year HLS. This will lead to an increase in speculative housing proposals in unsuitable areas or where the local infrastructure is not able to cope with the demands from additional population growth.
- 4.14 Prior to December 2023, authorities were required to include a 5% buffer to their 5-year housing land supply. This requirement was removed in the December 2023 (current) version of the NPPF, but this new consultation proposes to reintroduce the buffer, ensuring choice and competition in the market. The requirement to include a 20% buffer over and above the identified housing figure is also re-introduced for councils where supply is below 85% in the Housing Delivery Test. This is applicable to Arun and will, unfortunately, mean it will be even more difficult for the authority to meet its already unattainable housing requirements and to be able to demonstrate a 5-year HLS.
- 4.15 The Written Ministerial Statement that accompanied the launch of this consultation continues to use language such as ‘local authorities underperforming’ on housing delivery and local authorities ‘failing to deliver enough homes.’ This consultation is another set of proposed changes that fail to make any attempt to avoid penalising local authorities for matters that are beyond their control (the development industry not delivering the required numbers at the required rates when there are no barriers to this). This will be discussed below.
- 4.16 These changes do not only impact Arun; they are likely to lead to many more authorities failing to meet this requirement and engaging the tilted balance, thereby facilitating more windfall sites through applications and appeals. This is starkly illustrated by the image below (Figure 1), based on research by Savills, which identifies in red, those authorities unable to demonstrate a 5-year HLS on the basis of their current published 5-year housing land supply position (left), and after applying the numbers arising from the new housing methodology (right).



Figure 1 – Housing Land Supply Position in England

## Land Supply Position



### Plan Making and cross boundary cooperation

- 4.17 The proposed changes nod towards the potential return of strategic planning, after many years absent since the dissolution of the Regional Development Agencies in 2010. The consultation refers to Spatial Development Strategies (SDSs) which would be developed as sub-regional plans to cover functional economic areas and would encourage partnership working. This may become a role for any combined authority in the future which is, in itself, bound up with the passage of the devolution proposals. The overall aim would be to maintain effective co-operation on planning matters through the SDS. Further consultation on SDSs is envisaged and will be brought to Members attention when available.
- 4.18 Amendments to paragraph 24 reinforce the necessity for effective strategic planning across local planning authority boundaries and the section relating to effective cooperation for plan-making receives the most amount of new text (outside of the Green Belt and Annex 1: Implementation), thereby emphasising the renewed emphasis on the value of strategic planning in national policy. A new paragraph 27 further emphasises this requirement, ensuring that once collaborative matters are identified, policies should align with other bodies where a strategic relationship exists, albeit at this stage the overarching mechanism for strategic planning, other than spatial development strategies, is notably absent from the draft NPPF.

- 4.19 Issues such as meeting housing need (including unmet needs from neighbouring authorities), strategic infrastructure and climate resilience are all identified as areas that should be expressly addressed through the so-called 'duty to cooperate'. The consultation is clear that although the duty to co-operate will be revoked under the Levelling Up and Regeneration Act 2023 it will remain a legal requirement under the current local plans system and will continue to apply to local plans progressed under the current system. The 'duty' is also intended to be strengthened under paragraph 27, requiring policies to be consistent with bodies where a strategic relationship exists unless there is a clear justification to the contrary.
- 4.20 Additional text within the NPPF clarifies that strategic policy makers and inspectors should make informed decisions based on available information rather than waiting for full evidence from other authorities, in the context of plans coming forward at different times. The NPPF maintains the direction that 'soundness' should be based on "*strategic matters that have been dealt with rather than deferred*" (new para 36). These changes could, therefore, result in plans being found unsound if effective strategic planning is not demonstrated, potentially complicating plan adoption. This issue was previously experienced in a number of authorities when the duty to cooperate was first introduced. It remains to be seen if further detail on how strategic planning can be evidenced will come forward. If it does, the Planning Policy Committee will be updated at the appropriate time.
- 4.21 In Arun's experience, the duty to cooperate has never really been very effective in increasing housing delivery locally. Local authorities in the South-East of England have often struggled simply to meet their own housing targets, let alone being in a position to absorb unmet housing need from neighbouring authorities – albeit the 2018 Arun Local Plan did take some unmet housing need from neighbours within the same Housing Market Area, including Chichester.
- 4.22 The vastly increased housing numbers across the county/region as now proposed under the new, non-discretionary, 'standard method' targets will make it even less likely that authorities will be able to help each other out through the duty and it may, consequently, result in many more plans being found not to be 'sound' at the Examination stage, leading to costly abortive work in planning departments that are already resource-stretched. Accordingly, if the government is committed to bringing back effective strategic planning, this will not be achieved through the duty to cooperate alone.

### **Calculating Housing Supply**

- 4.23 The government has opined we are in the middle of the most acute housing crisis in living memory. Home ownership is out of reach for too many; the shortage of houses drives high rents; and too many are left without access to a safe and secure home. In response to this crisis, they have committed to building 1.5 million homes over the next 5 years. Interestingly, this is effectively the same as the ambition for 300,000 new homes annually as set out in the 2021 White Paper 'Planning for the Future'.

- 4.24 It is clear from the rhetoric surrounding the consultation on the updated NPPF the government considers the planning system is both the blocker to delivery, and the key to unlocking new homes. In the NPPF December 2023, it stated that the outcome of the standard methodology was (emphasis author's) "*...an advisory starting point for establishing a housing requirement for the area*". To achieve this ambitious commitment, the proposed changes are now mandating that the standard method is used as the basis for determining local authorities' housing requirements in all circumstances. They are also updating the way the standard method is calculated and raising the overall level of these targets – from a total of around 300,000 to approximately 370,000 net new homes per annum nationally.
- 4.25 The Written Ministerial Statement published on the same day that the consultation on the new NPPF refers to the need for 'turbocharged growth'. The Statement and letter to Chief Planning Officers states that local authorities will be expected to make every effort to allocate land in line with their housing need as per the standard method, and that they will need to demonstrate that they have done so at examination of their plan.
- 4.26 Further, the consultation states that Local Plans should spell out where development will and won't take place. The government believe that this will bring certainty to all parties. The documentation states that decisions on where to build should reflect local views but that this about how to deliver; not whether we do deliver. In Arun, the government is expecting 'local views' to be submitted that will tell us how and where to deliver well over 1,400 homes/year. The proposals will only 'bring certainty' if councils have a realistic prospect of being able to demonstrate and maintain a 5-year HLS (as that is the only way that plans will have any weight in decision making). In Arun, being able to demonstrate or maintain this supply will be incredibly challenging. Consequently, plans are likely to become out of date immediately and there will be no certainty for any party.
- 4.27 The document that accompanies the consultation says that local planning authorities should use the standard method to assess housing needs, by removing the previous reference to possible exceptional circumstances, such as the particular demographic characteristics of an area, in which the use of alternative approaches to assess housing need may be appropriate. The government argues that removing these opt outs will stop debates about the right number of homes to plan for and support authorities to get on with plan making.

- 4.28 However, simply seeking to apply a standard figure to an area without taking into account any important local constraints to delivery (such as market forces and environmental factors) does not appear to represent good planning. The letter from the Deputy Prime Minister (30 July 2024) did note it could be possible to justify a lower housing requirement than the figure the method sets based on local constraints such as flood risk or protected habitats. However, these words are not contained within the revised consultation draft NPPF document and the stated criteria are exceptionally limited, so it remains to be seen how this plays out at Examinations in Public where councils propose delivering lower housing numbers than required under the new standard method. Further, the previous reference to demographics and market signals has been removed. Our response to the consultation is that the government need to accept that there are numerous reasons why a ‘policy on’ position will be different to the standard requirement, and these cannot be confined to such narrow criteria. Also, the wording in the NPPF needs to reflect the comments by ministers on this subject.
- 4.29 The standard method provides the basis for plan making, not the final housing requirement. But, as set out above, the government has made it absolutely clear that authorities may justify planning for a lower number only where they can evidence hard constraints to the Planning Inspectorate. This now appears to be a very high bar to overcome and will likely result in arguments that additional housing allocations will be required, even in those locations that are less desirable from a planning and sustainability perspective.
- 4.30 The annual housing targets for each of second-tier local authorities in West Sussex, as currently apply, and as proposed under the new standard method for calculating need are set out in the table at Figure 2 (below).

Figure 2 - Comparison Table for West Sussex Authority Housing Targets

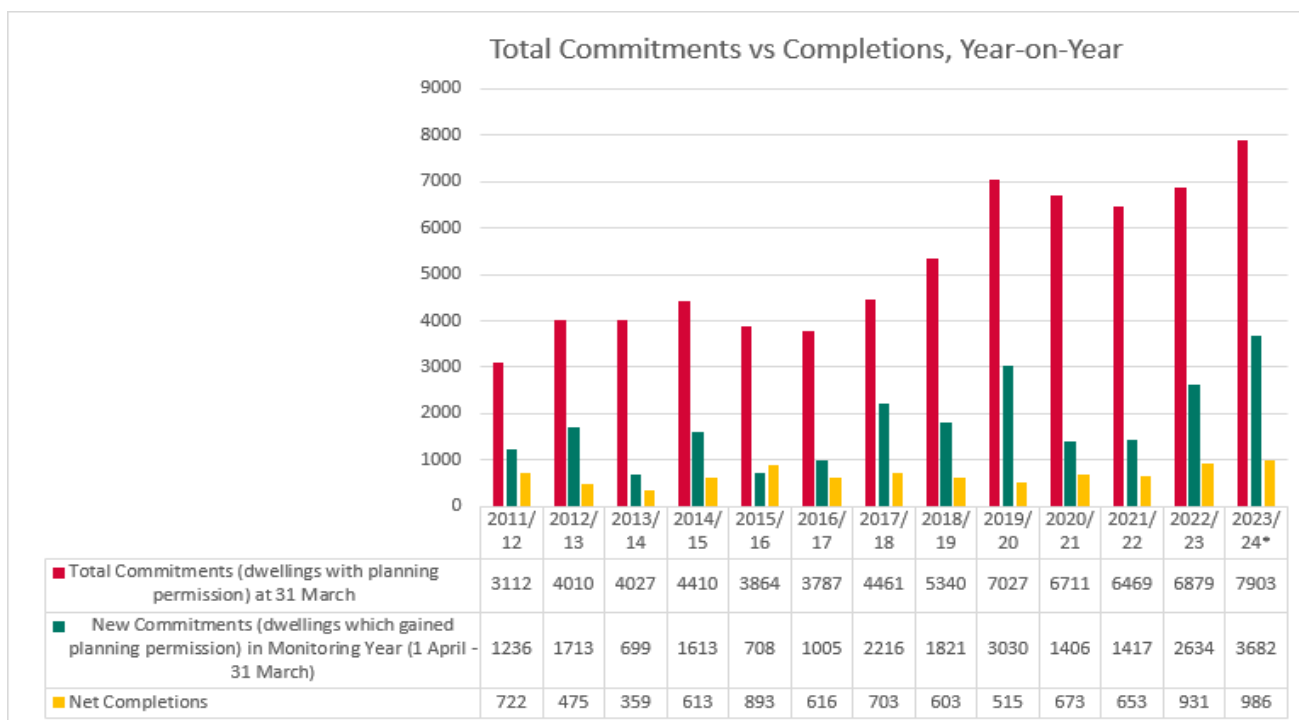
	Old	New	% increase	Most recent Local Plan Housing No.	Average p/a delivery over past 5 years
Adur	449	545	+21%	177	107
Arun	1,342	1,409	+5%	1,000	675
Chichester	760	1,206	+59%	575	647
Crawley	476	661	+39%	340	451
Horsham	917	1,294	+41%	777	829
Mid Sussex	1,039	1,276	+23%	1,090	1,004
Worthing	322	862	+167%	230	262
	<b>4,856</b>	<b>6,708</b>	<b>+38%</b>	4,189	3,975

- 4.31 It is notable that the new housing figures are higher for all seven authorities, equating to an overall percentage increase of 38% across the County, which will be extremely challenging (to put it mildly) to achieve. Whilst at 5% Arun District is proposed to be subject to the lowest percentage uplift in its annual housing target (equating to 67 additional dwellings per annum), the fact is that the current housing target for Arun is already significantly higher than any of the other six West Sussex authorities (over 300 higher than the second highest at present) and the existing target has proven to be unattainable, despite the best efforts of the council to seek to meet as much of its identified housing need as possible through strategic allocations and planning permissions. Regrettably, whilst it may be a relatively modest increase, Arun's housing requirements go from one very large figure that has proven to be unattainable to an even larger figure. Officers believe that Arun has the highest current housing requirement of any non-metropolitan district/borough in the country.
- 4.32 These increases across the board in West Sussex are likely to create massive pressure in the area for neighbouring authorities to seek help meeting their housing need under the duty to cooperate and make it even more difficult for us to seek help meeting our own housing need.
- 4.33 The council is already doing what it can to deliver more housing of all tenures across Arun and to now simply expect the council to find even more precious land for new homes within the district with its various environmental, landscape, and infrastructure constraints (even taking into account the government's proposed focus on increasing housing densities in urban areas), is not likely to be able to be achieved and will therefore not lead to the outcomes that the consultation and Ministerial Statement seek to achieve. Instead, Arun is likely to fall further behind in meeting the arbitrary housing targets, resulting in a continued inability to demonstrate a 5-year supply of housing land and poor performance against the annual Housing Delivery Test.
- 4.34 This will, in turn, mean that the Council will be further penalised through the requirement to add a 20% buffer to its already artificially high housing numbers and the presumption in favour of sustainable development (the 'tilted balance') will continue to apply, leading to more speculative planning applications and costly and time-consuming appeals and, potentially, the wrong housing in the wrong places. Anecdotally, since the consultation on the NPPF began, officers have already been approached about potential housing development on a countryside site where planning permission was previously refused for being an unsuitable location and the subsequent appeal was roundly dismissed by the Planning Inspectorate. The agent representing the landowner believes that, in light of the changes proposed in the new NPPF it is now worth making another application, which in itself speaks volumes about how the proposals appear to be heavily weighted towards the development industry and housebuilders.

- 4.35 Taking on board the additional pressures being placed on local planning authorities to significantly increase the numbers of housing allocations made in their development plans, the one thing that is very noticeable in complete absence from both the draft new NPPF and associated recent communications from central government concerning the topic is the lack of any reference to the crucial role that the development industry, national housebuilders, and large landowners have to play in addressing the housing crisis.
- 4.36 There is no comment or proposal anywhere within the lengthy consultation document, the 106 consultation questions, the draft NPPF, the Chief Planner's letter or the Ministerial Statement that makes an attempt to address the significant issue for a large number of councils, in that they are doing all they can to boost supply and meet housing targets through plans and planning permissions. However, the development industry is not building at the rates required for this to be achieved. This is completely out of the control of local authorities but, under these proposals, they are to be penalised for this.
- 4.37 The inaugural [Planning Portal Market Index](#) has found that more than a million homes granted planning permission since 2015 (for the period up to May 2024) have not yet been built. This equates to around a third of the total given the green light over the period. The report acknowledges that time lag between permission and implementation/occupation but the figures cast doubt on the near-exclusive focus on boosting housebuilding numbers through changes to the planning system alone and the sole focus being on simply upping housing numbers in the hope that the development industry will deliver them.
- 4.38 The report says that planning applications over the first five months of 2024 were at their lowest level since 2020 and have been decreasing nationally. This evidence tallies with our experience at Arun where the total number of planning submissions has been falling fairly substantially in recent years and has not had the anticipated strong 'bounce-back' following the end of the Covid-19 pandemic. This further calls into question the scope for housebuilding numbers to recover in the coming years to meet the government's ambitious target of delivering 1.5 million new homes over the next five years, which would require performance far outstripping that experienced over recent years.
- 4.39 The data in the Planning Portal report suggests that, had all homes granted planning permission ultimately been built, the previous government's target of building 300,000 new homes a year would have been achieved in eight of the last 10 years. The figures would appear to indicate that only focusing on the planning system in the political debate around housing is misplaced, because, until recently, planning permission was being granted by local authorities across England and Wales for a sufficient new homes to meet the government's housing targets. The data suggests policymakers need to look more widely at the factors impacting on the commencement and completion of homes for which planning permission has been granted. If there are going to be no proposals to ensure that housing is delivered at the required rates by the development industry where there are no constraints to doing so, then housing targets for local authorities must be realistic and achievable within the powers they have.

- 4.40 The number of residential planning permissions being granted, whilst clearly an important factor, is only one part of the picture and it is considered the other barriers to delivering new homes need to be properly recognised and addressed. It must be accepted that simply granting permission for more dwellings is not in itself a 'silver bullet' and as there can be no guarantees that these permissions will be built out at the speed required to meet the target of 1.5 million new homes over the next five years. The clear evidence points to the contrary.
- 4.41 In Arun, the evidence seems to follow the national picture. Whilst we must acknowledge that the council has been unable to either meet the annual Housing Delivery Test or demonstrate a 5-year housing land supply against our high target for a number of years, the data indicates that the main problem lies not in the amount of planning permissions, but rather the pace at which permissions are being built out within the district. This is illustrated in the table below (Figure 3), which has been updated from Figure 5.4 (page 70) included in the Icen Housing Market Absorption Study 2022.

Figure 3 - Commitments and Annual Residential Permissions vs Completions, Year-on-Year



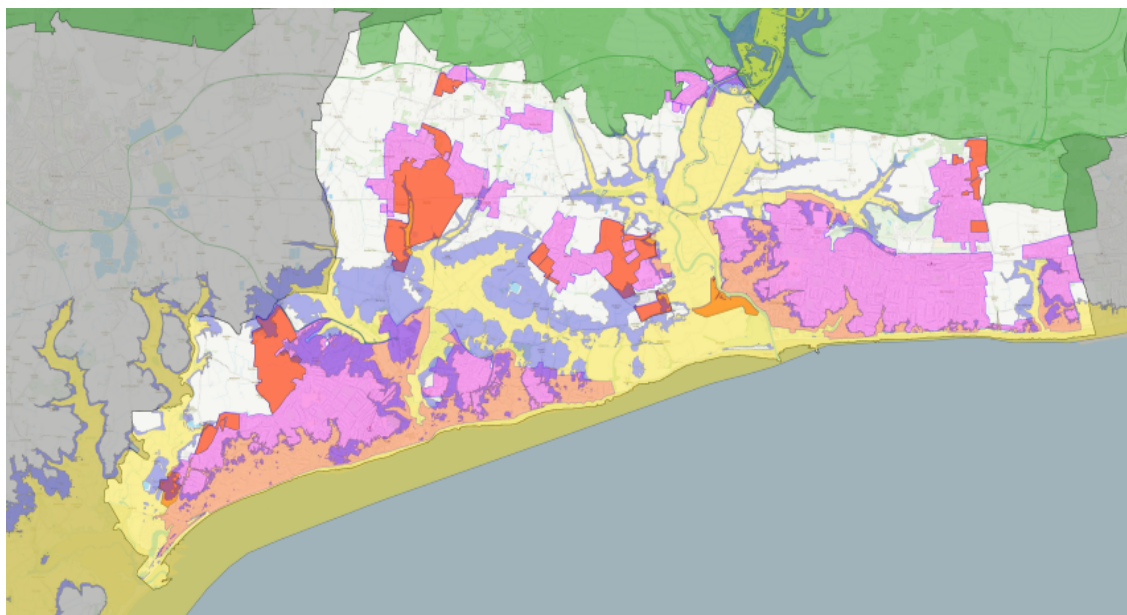
\*2023/24 figures are preliminary only and potentially subject to change

- 4.42 The table at Figure 3 clearly demonstrates that net housing completions in Arun have, by some considerable margin, failed to keep pace with the number of planning permissions and commitments for residential development. Despite a recent slight increase in the number of new homes being delivered over the past two years, the number of 'live' permissions within Arun far outstrips the ability (or desire) of the development industry to build these approved schemes out. This demonstrates that the problem does not lie with the number of planning permissions being granted by the council and that the council is more than playing its part in seeking to ensure delivery of the requisite numbers of dwellings.

- 4.43 In terms of demonstrating a 5-year housing supply of deliverable sites, we are already being asked to find another 67 new homes per annum within the district under the new standard method (1,409). Plus under the new NPPF all authorities will now be required to apply a 5% uplift to this number (1,479) to promote choice and competition in the market for land, or for those authorities where there has been significant under delivery over the past three years (which category includes Arun), the new NPPF reintroduces the requirement for a buffer of 20% to be added to the five-year housing land supply (5YHLS) figure, to compensate for not having previously met delivery targets. Adding 20% to the 5-year HLS figure effectively means Arun having to demonstrate a deliverable housing supply of **six years** ( $1,409 \times 6 = 8,454$ ). This equates to an equivalent of 1,691 net new homes per annum (in terms of applying the 5-year HLS test) and is a scale of growth that is almost certainly unachievable, particularly in view of our infrastructure challenges surrounding such issues as education, transport and wastewater.
- 4.44 As seen in Figure 2, our average delivery performance over the past five years has been well under half at 675 per annum, which equates to just 48% of the new draft housing figure (1,409) under the standard method and even less than the new expected 5-year HLS number (1,691). The highest annual delivery over the past five years has been 931. Simply increasing the required housing figure by this significant margin will not, by itself, magically lead to housebuilding accelerating to the level necessary. The problem is more complex than that and there are many other factors, including market forces, which need to be taken into account and addressed through meaningful interventions. Developers will not build a product at a volume where the value of their product is going to decrease. Expecting developers to do this is unrealistic.
- 4.45 The map at Figure 4 indicates the scale of the issue in Arun. This shows the existing built-up areas (pink), the current strategic housing allocations in the adopted Local Plan (orange), the National Park boundaries (green), and future Flood Zones 3a and 3b (blue and yellow) – this being the land at highest risk of flooding and, therefore, not suitable for new housing. Putting aside the comments on delivery, this clearly demonstrates that there are stark choices that are going to be presented around how we can accommodate such high housing numbers and what the impact will be of delivering this. The map shows the very limited areas that can be considered for development in the future, and if we take a 10-year requirement from the new housing requirement figures as an indication of the scale required (approximately 15,000 dwellings) and we compare the site areas of the current allocations, we can clearly see what impact this is going to have on the district. For example, we would need to identify six more strategic allocations of around the same size as the current west of Bersted allocation.



Figure 4 – High-level constraints map of Arun



**It should be noted that the map has been included for illustrative purposes only to highlight the scale of this issue described. It does not show all the potential constraints to development in the district, and it is not included with the intention of identifying future areas for any development.**

- 4.46 The proposed changes are likely to lead to more low-quality developments in the wrong places being allowed on appeal as local planning authorities' weapons for resisting this are blunted. This further stresses the need for the government not to simply focus on the planning system as the root cause of the housing crisis, but to also look at meaningful ways to accelerate housebuilding through effective measures directed at landowners, developers and the construction industry.

### **Affordable Housing**

- 4.47 There are also proposals to amend the policy on housing mix. Paragraph 63 in the revised NPPF notes that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, with specific, new, references to social rent and looked after children now included. Paragraph 64 strengthens the requirement to deliver a proportion of new affordable homes for social rent and re-emphasises that this should be provided on-site, as a starting point. It would be a requirement under the revised NPPF that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required (including the minimum proportion of Social Rent homes required).

4.48 The revised NPPF proposes removing the requirement to deliver at least 10% of the total number of homes on major sites as affordable home ownership, as set out in paragraph 66 of the current NPPF. The paragraph is simplified to now say that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across both affordable housing for rent and affordable home ownership tenures. The government also proposes to remove the current requirement that a minimum of 25% of affordable housing units secured through developer contributions should be delivered as 'First Homes' and the previous reference in the Framework to 'Starter Homes' has been deleted from the glossary. It is positive that there is far more flexibility on affordable housing delivery. However, councils could not just begin to impose new requirements immediately. There are going to be different viability issues that need to be tested and consulted upon before a bespoke local policy on housing mix can be adopted.

4.49 These proposed revisions are broadly supported as it is agreed that the delivery of affordable homes should be based upon local need rather than nationally set requirements and that there is an identifiable and demonstrated need for homes for Social Rent. Furthermore, First Homes are not an affordable product for most residents within the Arun District and this initiative requiring 25% may have displaced the delivery of more traditional forms of affordable housing within the district. Therefore, the removal of the First Homes requirement is broadly supported, as it provides greater flexibility to be able to meet local needs.

4.50 Having said this, it is disappointing that the NPPF contains no policies to seek to address known issues within the housing market that are currently stifling the delivery of affordable housing on many new sites in the South-East as developers have struggled to find Registered Providers (RPs) to take on Section 106 affordable housing on both small and larger sites, due to issues such as financial constraints, lack of grant funding, and existing housing stock refurbishment.

4.51 The Written Ministerial Statement set out that the aim of the NPPF changes would result in an increasing supply of affordable housing. However, there are no substantial proposals to do this other than the massive increase in overall housing numbers and allowing increased flexibility in the mix of affordable housing to be provided (which we already have). The Chief Planners letter states

*'The Government will also bring forward details of future Government investment in social and affordable housing at the Spending Review, so that social housing providers can plan for the future and help deliver the biggest increase in affordable housebuilding in a generation.'*

4.52 The Group Head of Housing & Wellbeing has commented as follows.

*"The overall emphasis that is being placed on the provision of social rented and affordable housing is welcomed with a more targeted approach with the housing being provided on site wherever possible."*

*To enable the provision of social rented housing the government will need to support providers of this tenure with long term funding. This funding will need to include grant for S106 social housing properties. The existing S106 requirements to provide affordable housing on development sites with planning permission cannot be met by Registered Social Landlords in Arun and until this issue is addressed developments will stall.*

*The proposed removal of the requirement for 25% First Homes is supported but First Homes and Shared Ownership schemes do contribute to a mixed tenure development and help to meet an existing housing need in Arun where property prices continue to be unaffordable for many aspiring homeowners. Shared ownership properties have also been used to assist in cross subsidising the provision of affordable rented housing.*

*A balance in terms of social rented and home ownership products will continue to be necessary to encourage investment by RLS's in S106 schemes and in maintaining viability for developers."*

## **Economy**

- 4.53 Other than the suggested introduction of Spatial Development Strategies, as discussed earlier, there are no dramatic changes to the policies on economic growth, However, new text within the NPPF clarifies the need to identify sites for modern economy needs, including laboratories, gigafactories, data centres, digital infrastructure, freight, and logistics (all undefined in policy). Policies and decisions must now make provisions for new, expanded, and upgraded facilities and infrastructure to support high-tech industries, efficient goods handling, and the modernization of other crucial industries.
- 4.54 It is specifically these matters that the NPPF consultation refers to when it talks about improving the delivery of infrastructure and the proposed changes aim to support modern businesses, recognising the shift toward tech-based industries and the expansion of the logistics sector. However, this doesn't relate to what many of us would naturally term as being essential infrastructure associated with planning applications, for example education, health, leisure, transport enhancements, etc.
- 4.55 In response to questions raised at a Ministry of Housing, Communities and Local Government webinar on the proposals, a written response on this matter simply stated

*We are 'introducing a wider set of growth-focused interventions that will help us build more homes in the places that people want to live in, supported by the right infrastructure like schools and GP surgeries.'*

There are no proposals published that would help ensure that developments are supported by this type of infrastructure.

## **Efficient Use of Land**

- 4.56 A notable addition to former paragraph 124 (c), now 122 (c), confirms that proposals on suitable brownfield land within settlements for homes should be regarded as acceptable in principle. This strengthens the policy requirement to use such land effectively, however in reality we already give significant positive weight in the overall planning balance in decision-making where previously developed land is concerned, so it remains to be seen whether this proposed change will have any significant positive impacts for Arun. In addition, our evidence base work through the Housing and Economic Land Availability Assessment (HELAA) has identified very little available previously developed land (PDL) in the district, in any case. Accordingly, the proposed revision to the focus of the NPPF in this regard will not be meaningful in the context of Arun.

## **Green Belt**

- 4.57 Revisions to Green Belt policy now allow boundary alterations only where exceptional circumstances are present, such as an inability to meet housing or development needs. Changes include the introduction of what the government is calling "Grey Belt" land, comprising previously developed land and areas that make limited contributions to purposes of that land being included within the Green Belt.
- 4.58 Paragraph 155 outlines conditions for releasing Green Belt land, such as a need for a 50% affordable housing provision (subject to viability), necessary infrastructure improvements, and the creation or enhancement of green spaces. A new paragraph 152 introduces an exception for utilizing Grey Belt land in sustainable locations under certain conditions. It is very unlikely that these levels of affordable housing on brownfield sites will be able to be achieved due to viability issues.
- 4.59 These land use changes are, arguably, the most significant at the national level since the NPPF's first introduction in 2012. They are likely to enable the progression of sites previously deemed inappropriate, especially Grey Belt land, under conditions of housing supply shortfall or established need, whereas previously Green Belt was offered a very significant level of protection and could only be developed for specific identified purposes, or where very special circumstances applied.
- 4.60 The above, notwithstanding, officers do not propose to respond in any great detail to the questions relating to Green Belt within the consultation, on the basis that none of the district's land is designated as such and is unlikely to be at any time in the foreseeable future.

## Other Matters in changes to the NPPF text

- 4.61 The term 'beautiful' is proposed to be removed from policy matters concerning design and character (albeit it is noted the word beautiful still appears in new paragraph 128 – this presumably being a drafting oversight/error). In reality, the deletion of this particular word is not considered anything more than semantics, as the revised NPPF still, rightly, notes that the creation of high quality and sustainable buildings and places is fundamental to what the planning and development process should achieve. The term was initially introduced within the NPPF following the setting up of the (now defunct) Building Better, Building Beautiful Commission, which convened to advise government on how to promote and increase the use of high-quality design for new build homes and neighbourhoods and produced their final report 'Living with Beauty'. Proposed developments in the district have not been noticeably more beautiful over the period since the word was introduced to the NPPF and its removal will not have any meaningful effect.
- 4.62 In terms of where significant development on agricultural land is deemed to be necessary, the footnote previously added to the 2023 NPPF has been amended to remove reference to the availability of agricultural land used for food production needing to be considered alongside other policies in the Framework, when deciding what sites are most appropriate for development. The footnote does still, however, confirm that areas of poorer quality land should be preferred to those of a higher quality.
- 4.63 This amendment does not materially impact on Arun as Policy SO DM1 of the adopted Arun Local Plan (ALP) already requires that (unless designated by the ALP or a Neighbourhood Development Plan) the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term. Grades 1, 2 and 3a are recognised as being Best and Most Versatile Agricultural Land (BMVAL). Whilst this change is not significant, it does indicate the government's overall approach to the loss of BMVAL as part of an aim to deliver substantial housing growth. It is disappointing that the new draft NPPF has not sought to strengthen the protection for high grade agricultural land in agricultural use. Doing so could have given the need to ensure national food security significantly more weight in the planning process.
- 4.64 Chapter 12 of the consultation 'The Future of Plan Making' sets out how local planning authorities should prepare local plans in response to the revised NPPF. It makes it clear that "*Local planning authorities should continue to progress their plans to adoption under the existing system without delay. Authorities without an up-to-date plan should not stop work on a plan with the intention of preparing a plan under the new system.*" The consultation stresses that the government wants to achieve complete coverage of up-to-date plans as soon as possible.

- 4.65 The consultation sets out transitional arrangements to help to maintain the progress of plans at more advanced stages of production. These transitional arrangements for emerging plans reference the new local housing need figures, ensuring that plans with significant shortfalls in housing numbers will be required to be promptly updated. It is of note that both Chichester and Horsham Councils have recently submitted draft Local Plans for examination under Regulation 22 proposing housing numbers that fall well short of the new draft housing targets.
- 4.66 The revised NPPF makes it clear that authorities with Local Plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.
- 4.67 As the previous protection for Plans made within the last five years will cease to apply (see earlier section on 'Housing Land Supply'), there is a real risk these Plans may be considered out-of-date immediately as they are adopted, unless the authorities involved are able to demonstrate a five-year supply of deliverable homes against the revised housing targets, which will be challenging.
- 4.68 There may, therefore, be further pressure placed on Arun in the future to help meet any unmet need under the duty to cooperate. This is in spite of the already very high housing figure apportioned to the district under the new standard method and the fact Arun already has the highest annual target figure of any authority in the county.

### **Planning Fees**

- 4.69 The government recognises that delivering on the ambitions set out within the consultation will demand much from local planning authorities and that capacity is strained. They state they want to see planning services put on a more sustainable footing such that administering the system better reflects local costs and reduces financial pressures on local authority budgets.
- 4.70 In response to this, the consultation includes questions around whether to use the Planning and Infrastructure Bill to allow local authorities to set their own fees and also proposals to increase planning fees for householder applications and the potential to introduce fees for some other applications, such as those relating to listed buildings, conservation areas and protected trees, or even increasing planning fees beyond cost recovery to fund wider planning services, such as plan-making, enforcement, and heritage/design input.
- 4.71 Through this consultation, views are sought on two possible models for localisation of planning fees.

*Model 1 - Full Localisation – This assumes that fees would no longer be set nationally. Instead, all local planning authorities would have to set their own planning fees, within the existing fee categories and exemptions set by the Secretary of State. This would allow local planning authorities to set their own fee levels to achieve, but not exceed, cost recovery.*

*Model 2 – Local Variation – This would maintain a nationally set default fee but give local planning authorities the option to vary the fees within prescribed limits where they consider the nationally set fee does not meet their actual costs. Unlike full localisation, this model would not place a mandatory duty on all local planning authorities to set their own fees if they are content that the nationally-set fee will cover their costs.*

- 4.72 It is of note that national planning fees were increased from 1 April 2024 by 35% for applications for major development and 25% for all other applications. An indexation of planning applications fees, capped at 10%, will also apply from 1 April 2025 and the fee exemption for repeat applications (the so-called ‘free-go’) has now been withdrawn.
- 4.73 The householder application fee was increased to £258. The consultation estimates that, to meet broad cost recovery levels, householder application fees should be increased to £528. In 2023/24 there were 546 householder applications made to Arun. Applying this figure as a general guide, the proposed fee increase, up to £528, would have generated almost an additional £150,000. There is no reason why applications for householder developments should not be charged at a rate commensurate with the cost to the local planning authority of processing them and the proposed measure is fully supported. Given the relatively low cost of the planning process as a proportion of overall development costs, we consider the fee increase should be applied fully at £528, albeit any meaningful level of increase in application fees would be welcomed.

### **Climate Change**

- 4.74 The Government has set an ambitious goal of reaching zero carbon electricity generation by 2030. The draft NPPF does go some way towards addressing this issue with its support for renewable energy schemes and streamlining the planning process for such projects. This includes the proposed removal of the former footnotes 57 and 58, that had previously placed additional tests on onshore wind schemes.
- 4.75 The consultation proposes amendments to the NPPF to give greater weight to the benefits of renewable and low carbon energy generation, including directing decision-makers to give significant weight to renewable energy benefits and setting stronger expectations for local authorities to identify sites for renewable development. The consultation also seeks views on how planning policy can better address climate change mitigation and adaptation, including managing flood risk. However, specific proposals are not outlined in the consultation.

- 4.76 One area that is notable by its absence is any reference at all to how the climate change impacts arising from delivering all this new housing will be mitigated through ensuring sustainable design is achieved. Up until 2015, local authorities could influence this through planning policies requiring adherence to the Code for Sustainable Homes. The CSH was removed at that time, on the basis that stricter controls over sustainable construction were to be introduced under the national Building Regulations. However, the requirements of Part L have failed to keep up with advances in technology and have lagged-behind where we need to be. Local planning authorities are no longer able to set more exacting sustainable construction standards and requirements for renewables through planning policies and conditions on permissions and it seems to be a real lost opportunity that the new NPPF has not sought to fully address this crucial issue.
- 4.77 Further, the consultation is broadly silent on matters such as active travel, reducing the need to travel by car, achieving net-zero, water standards, requiring renewables to be implemented on new dwellings, etc.

## **5. SUMMARY AND CONCLUSIONS**

- 5.1 With almost no exceptions, every amendment to the NPPF is 'pro-supply' for development. The government are clearly intent on coming forward with an even more permissive planning system than we currently have, and the proposals will create substantial issues for Arun, including, amongst others:
- How to accommodate the exceptional scale of housing requirements that are imposed on the district.
  - How West Sussex authorities, as a whole, can accommodate the enormous housing numbers imposed (a 38% uplift overall) and comply with the duty to cooperate in a meaningful way.
  - How we can possibly plan for and maintain what the government require us to do in terms of what they consider to be an 'adequate supply' tested through the 5-year housing land supply measures and Housing Delivery Test.
  - How we can secure the infrastructure that will be required to support such significant growth in an already constrained area.
  - How we can protect ourselves against inappropriate and poor-quality speculative development in the wrong places.
  - Without any 'carrot' or 'stick' for housebuilders and the construction industry from central government, how can we possibly ensure that developers to implement the developments that we allocate in our Local and Neighbourhood Plans and grant planning permission for - noting current housing commitments in the district of some 8,000 homes, against an annual build out rate of less than 1,000 and a new target of providing for over 1,400 net additional homes per year.
  - The cost of producing a Local Plan is enormous and is a huge financial and time commitment for any council. But the Plan will be a relatively inconsequential document and, in view of the need to demonstrate a 5-year HLS 'at all times' (including a buffer), it could become out of date almost immediately because of the proposed changes in the consultation.



- 5.2 If we are to work together to address the shared problems, the current narrative that the planning system is solely to blame for the housing crisis and for the chronic under delivery of new homes must stop and meaningful and effective measures need to be introduced in parallel, to ensure housebuilders deliver the new homes they have planning permission for, including affordable homes, in a timely manner. Otherwise, regrettably, the housing targets set under the new standard method will be entirely meaningless.

## **6. FURTHER ANTICIPATED STEPS AT THE NATIONAL LEVEL**

- 6.1 The government has announced it will bring forward details of future investment in social and affordable housing at the Spending Review, so that social housing providers can plan for the future and help deliver what they suggest will be the biggest increase in affordable housebuilding in a generation. The government have stated that this will help deliver the biggest increase in affordable housebuilding in a generation.
- 6.2 It is proposed to introduce a Planning and Infrastructure Bill later in the first session, which the government says will: modernise Planning Committees by introducing a national scheme of delegation that focuses their efforts on the applications that really matter and, in their view, places more trust in skilled professional planners to do the rest; and enable local authorities to put their planning departments on a sustainable footing.
- 6.3 The government have also said they will consult on the right approach to strategic planning, including providing more detail of Spatial Development Strategies.
- 6.4 Further information on the above will be brought to Members' attention when available.

## **7. NEXT STEPS**

- 7.1 The proposed responses on behalf of Arun District Council to the 106 questions asked in the consultation are set out in Appendix 1 and reflect the broad comments and views expressed in this report. It is likely that many other authorities will be raising the same, or similar, concerns and it is hoped that these be taken on board in the final, published version of the National Planning Policy Framework, anticipated sometime around the end of the calendar year.

## **8. CONSULTATION**

- 8.1 A virtual briefing session on the proposed changes to the NPPF to which all Ward Councillors were invited was held on 9 September 2024. The session was recorded and made available for viewing online by those members that were unable to attend via Teams on the day.

## **9. OPTIONS/ALTERNATIVES CONSIDERED**

- 9.1 To decide not to respond to this consultation. The National Planning Policy Framework (NPPF) has far-reaching implications for Arun and our residents, and it was, therefore, considered far preferable to engage fully with the consultation process so that the views of the Council can be taken into consideration in the final, published Framework.
- 9.2 No other options or alternatives were considered.

## **10. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER**

- 10.1 The financial implications arising from this framework will need to form part of the budget setting process and managed within budget constraints. In addition, the increase of application fees by the government for householder applications from £258 to £528 could result in an additional fee income to the council in the region of £150,000.

## **11. RISK ASSESSMENT CONSIDERATIONS**

- 11.1 N/a

## **12. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER**

- 12.1 The relevant legal considerations are all set out within the body of this report. The NPPF is a material consideration, and will prevail over Arun's policies, which will have an impact on Affordable Housing triggers, in particular, as the new approach is brought in.

## **13. HUMAN RESOURCES IMPACT**

- 13.1. N/a.

## **14. HEALTH & SAFETY IMPACT**

- 14.1. N/a.

## **15. PROPERTY & ESTATES IMPACT**

- 15.1. N/a.

## **16. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE**

- 16.1. N/a.

## **17. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE**

- 17.1. The recommendations do not have direct implications climate change arising from this report, although the proposed increased housing numbers for Arun will, inevitably, result in climate change and environmental impacts.

**18. CRIME AND DISORDER REDUCTION IMPACT**

18.1. There are no direct adverse implications for crime and disorder.

**19. HUMAN RIGHTS IMPACT**

19.1. N/a.

**20. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS**

20.1. N/a.

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**BACKGROUND DOCUMENTS:**

NPPF Consultation (showing tracked changes from the currently adopted December 2023 version)

[National Planning Policy Framework: draft text for consultation \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/consultations/nppf-consultation)

Appendix 1: Consultation Response Summary Table – to follow