**Seaford Town Council’s response to proposed**

**changes to the NPPF**

Q1

**Do you agree that we should reverse the December 2023 changes made to paragraph 61?**

The Council’s concerns are unaffected by the method of calculation as any method adopted would take into account the ‘hard constraints’ as described in the proposed amendments when arriving at an appropriate requirement. These constraints in Seaford and the Lewes District are the fact that so much of the District is taken up by the designated South Downs National Park in the south and the High Weald AONB in the north. Any new development in these areas should be restricted. Also the necessary infrastructure for housing growth through the entire District, particularly the highway network, is seriously deficient.

Due to these constraints Lewes District has, understandably, never been able to achieve the various targets set based on housing need however these are calculated. The option of forming a new settlement to accommodate the significant need which is having to be adopted by many other Districts throughout the country has been discarded in the Lewes District. Any location for such a settlement in the narrow band of undesignated land in the centre of the District would be seriously prejudicial to the character and setting of the adjoining specially designated areas.

The ’constraints’ in question are not therefore based on a reluctance by the LPA to plan for the housing delivery targets set or on public objections but on valid justifiable environmental and amenity concerns and the need to protect the character and settings of specially designated areas.

There would also be less pressure on ‘targets’ if there were more pressure on developers to release sites with planning consent which have been ‘banked’ The LGA has calculated that 1.1 million (over 3 years-worth) of land is in this category

Q2

**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?**

The *method* of calculation is not strictly relevant to the Council’s concerns, The target set would always be unachievable in practice due to the constraints referred to above in the response to Q1.

Q3

**Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?**

It is agreed that urban areas should provide the additional housing required wherever possible due to their existing infrastructure and the need to protect specially designated and rural areas

Q4

**Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130**

No

Para 130 was never intended to prevent, for instance, a small development of new homes being allowed in a village just because it had a different density to other parts of a community. It might however have had the benefit of reducing pressure to significantly increase density in or around parts of a larger settlement which have a particular character. Seaford in a case in point.

It is a larger settlement sandwiched between the South Downs National Park to the north and the sea to the south with only one major road giving access/egress from and to the east and west. It is largely developed with an acknowledged deficiency of green spaces for its 27,000 population. There is therefore pressure to release the few undeveloped ‘greenfield’ sites for development and to apply appropriate densities. The major hurdle is that these sites tend to adjoin the National Park boundary and therefore should be treated as being within the NP The principles in Para 130 should retained.

In such cases the emphasis should be in basing decisions on the impact on the open land beyond the proposed development rather than looking back to the urban area to assess the appropriate density

Q5

**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?**

Yes We agree

Q6

**Do you agree that the presumption in favour of sustainable development should be amended as proposed?**

Yes We agree

Q7

**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?**

No certainly not , for the reasons stated in the answer to Q1 above.

The modifications introduced by the December 2023 amendments making the targets a ‘starting point’ were welcomed by the Council as they went a small way towards acknowledging the constraints on development in the Council’s area and the areas adjoining.

Although the 5 years supply issue is not directly related to the housing delivery target it contributes to the pressure to identify sites in the Local Plan and this in turn could lead to pressure to release sites for development within or adjacent to specially designated areas

Q8

**Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?**

Yes we agree

Q9

**Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?**

No we do not. The 5% figure is arbitrary It takes no account of ‘hard constraints’ and for reasons stated in the answer to Q1 above it is strongly opposed

Q10

**If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?**

No. See previous answer

Q11

**Do you agree with the removal of policy on Annual Position Statements?**

No specific comment

Q12

**Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?**

Yes. Many District boundaries are arbitrary and do not take into account close connections between neighbouring towns and areas. Cross boundary planning makes sense

Q13

**Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?**

Yes. The tests should ensure that co-operation between LPAs is given more emphasis when plans are examined as per the response to Q12

Q14

**Do you have any other suggestions relating to the proposals in this chapter?**

We have given some general comments on housing delivery specific to our District in the response to Q1.

Q15

**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?**

If the aim of a policy is to more accurately reflect housing need in an area there is a good case for using the existing stock as a baseline rather than household projections.

Q16

**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?**

The change appears sensible

Q17

**Do you agree that affordability is given an appropriate weighting within the proposed standard method?**

Seaford and the Lewes District are areas where house prices outstrip average income There is an acute need for affordable housing but this must be balanced against the ‘hard constraints’ already referred to. Figures derived from the standard method have to be given due weight but have to be set against previous housing delivery figures achieved and the reasons for the shortfall.

Q18

**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?**

The level of local rents should also be taken into account especially in areas such as Seaford where rents are artificially high due to many potential rentals being used for holiday accommodation. The Government should devise a formula based on national mean rental levels for the various categories of accommodation

Q19

**Do you have any additional comments on the proposed method for assessing housing needs?**

No

Q20

**Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?**

Yes

Q21

**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?**

There is no designated Green Belt close to our area so any policy changes would not have any direct effect but the principle of the policy is supported.

Q22

**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?**

No specific comment

Q23

**Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend**?

The release of some Green Belt land is necessary, and that it is possible and useful to create such a distinction.

Q24

**Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?**

No specific comment

Q25

**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?**

No specific comment

Q26

**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?**

No specific comment

Q27

**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**?

Green Belt land which has an important role (or potential role) in promoting biodiversity should receive a higher level of protection

Q28

**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**?

Yes

Q29

**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**?

Yes

Q30

**Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend**?

No specific comment

Q31

**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**-

No specific comment

Q32

**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?**

No specific comment

Q33

**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?**

No specific comment

Q34

**Do you agree with our proposed approach to the affordable housing tenure mix?**

No specific comment

Q35

**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**

It is noted that developers have claimed that a 50% requirement would make most if not all schemes unviable so an element of flexibility in the targets set may be beneficial

Q36

**Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs**?

Yes

Q37

**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**?

No comment

Q38

**How and at what level should Government set benchmark land values**?

No specific comment

Q39

**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?**

No specific comment

Q40

**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?**

Agree

Q41

**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?**

Agree

Q42

**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 Green Belt?**

No specific comment

Q43

**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?**

No specific comment

Q44

**Do you have any comments on the proposed wording for the NPPF (Annex 4)?**

No specific comment

Q45

**Do you have any comments on the proposed approach set out in paragraphs 31 and 32?**

No specific comment

Q46

**Do you have any other suggestions relating to the proposals in this chapter?**

No

Q47

**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?**

Yes. All forms of affordable housing should be considered. It should be a requirement rather than a mere expectation.

Q48

**Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?**

Yes LPAs should be free to determine a local priority for the number and nature of the affordable housing provided on a site.

Q49

**Do you agree with removing the minimum 25% First Homes requirement?**

Agree as it will increase flexibility and local choice.

Q50

**Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?**

It should be retained

Q51

**Do you agree with introducing a policy to promote developments that have a mix of tenures and types?**

There should be the flexibility in policy to have a mix of tenures and types

Q52

**What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?**

No specific comment

Q53

**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?**

No specific comment

Q54

**What measures should we consider to better support and increase rural affordable housing?**

No specific comment

Q55

**Do you agree with the changes proposed to paragraph 63 of the existing NPPF?**

Yes , in principle as ‘Looked After Children’ would benefit from being part of the community but issues such as additional parking requirements would have to be addressed

Q56

**Do you agree with these changes?**

Agree

Q57

**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?**

The definition should be extended to include small community-led organisations

Q58

**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?**

No specific comment

Q59

**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. ‘Beauty’ is too subjective to have any real meaning in a planning system. What the policy should be saying is that good design should be a priority rather than an assumption for all proposed developments. **In relation to this, planning policy should encourage the adoption and use of detailed design guidelines for towns and villages either as part of a neighbourhood plan or as a stand-alone local policy document.**

Q60

**Do you agree with proposed changes to policy for upwards extensions?**

Agree. The proposed change is minimal i.e the removal of the reference to mansard roofs as an example and this makes sense. There is concern about the general policy but it is acknowledged that this remains unchanged.

Q61

**Do you have any other suggestions relating to the proposals in this chapter?**

No

Q62

**Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?**

The area this Council covers would not normally be considered as a suitable location for this class of development

Q63

**Are there other sectors you think need particular support via these changes? What are they and why?**

No specific comment

Q64

**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?**

No specific comment

Q65

**If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?**

No specific comment

Q66

**Do you have any other suggestions relating to the proposals in this chapter?**

No

Q67

**Do you agree with the changes proposed to paragraph 100 of the existing NPPF?**

No specific comment

Q68

**Do you agree with the changes proposed to paragraph 99 of the existing NPPF?**

Yes

Q69

**Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?**

Traffic issues are an important consideration on all major developments in this area in view of the deficient highway network and infrastructure. Any changes to policy in this area of development would need to be realistic and practical rather than fanciful . It is not clear what is meant by a ‘vision-led approach’.

Q70

**How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?**

Encourage for the provision of ‘trim trails’ and exercise apparatus for adults and teenagers in the play areas and green spaces required in major developments through s.106 Agreements.

Q71

**Do you have any other suggestions relating to the proposals in this chapter?**

No further comments

Q72

**Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?**

No. Decisions should remain with LPAs

**Q73**

**Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?**

Agree in principle but subject to ensuring that that installations do not harm irreplaceable habitats.

Q74

**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

Q75

**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?**

Decisions should be made by LPAs

Q76

**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 Decisions should remain with LPAs where feasible

Q77

**If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?**

No specific comment

Q78

**In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?**

There needs to be more support given to the upgrading of housing stock to reduce carbon footprint and to encourage specific ‘green infrastructure measures in new developments (e.g water harvesting)

Q79

**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?**

There is a need to provide tools for accurate carbon accounting

Q80

**Are any changes needed to policy for managing flood risk to improve its effectiveness?**

Seaford has areas subject to flood risk at the highest risk level. Policies appear to work reasonably well in conjunction with the Environment Agency.

Q81

**Do you have any other comments on actions that can be taken through planning to address climate change?**

No

Q82

**Do you agree with removal of this text from the footnote?**

As this question is tied to Q83 and relates primarily to food production its relevance to the local area is limited. The importance of retaining agricultural land in the Seaford area is that it often acts as a buffer between the built area and open Downland. In most cases however it already has protection through designation as part of the National Park

Q83

**Are there other ways in which we can ensure that development supports and does not compromise food production?**

See answer to Q82 above.

Q84

**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?**

The importance of improvement of the current water supply infrastructure could justify bringing more projects within the NSIP regime

Q85

**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?**

No specific comments

Q86

**Do you have any other suggestions relating to the proposals in this chapter?**

No

Q87

**Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?**

Intervention , if it is to be retained , should be a remedy of last resort. The Government should concentrate on providing sufficient funding to LPAs to enable them to obtain the necessary specialist input to LPs and to retain the staff necessary to keep the process moving forward efficiently rather than considering sanctions.

Q88

**Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?**

See answer to Q87 above. If intervention is to be retained the criteria should be clearly published

Q89

**Do you agree with the proposal to increase householder application fees to meet cost recovery?**

Planning is a core service of District Councils but it can be argued that as the applicant is bound to benefit from an application (if granted) then they should cover the costs of providing the service. Care should be taken to ensure however that the system does not develop into an alternative method of raising funds. Any increase should phased

Q90

**If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.**

The full costs should be covered but current discounts and concessions should be retained

Q91

**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?**

**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**

**If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.**

Agree with the estimate

Q92

**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.**

No specific comments

Q93

**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**.

No specific comments

Q94

**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**.

Yes it should be considered. There is an argument that , as the costs of employing and retaining adequate qualified planning staff fluctuates from region to region the fee structure should be more flexible.

Q95

**What would be your preferred model for localisation of planning fees?**

Simple reflection of the costs of processing and determining the particular type of application with the breakdown of the costs published for transparency.

The level of the fee would be an average of the actual costs of an appropriate number of previously decided applications in that category. Figures and calculations would be made available to the public

Q96

**Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?**

Not generally although it could be reasonable to add a small proportion of the costs of drawing up a Local Plan to application fees.

Q97

**What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?**

See above Also the cost of pursuing enforcement prior to a retrospective application under section 73A being submitted could be added to the normal fee for the application. If standard fees are used there should be a supplement added to s.73A fees

Q98

**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?**

No specific comment

Q99

**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**.

No specific comment

Q100

**What limitations, if any, should be set in regulations or through guidance in relation to local authorities’ ability to recover costs?**

No specific comment

Q101

**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. See above This is probably a question only an LPA or applicant is able to answer in any detail, but you might wish to make general observations if you have experience of a DCO process.**

No specific comment

Q102

**Do you have any other suggestions relating to the proposals in this chapter?**

No specific comment

Q103

**Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?**

The transitional arrangements would require the emerging Lewes District Local Plan to be reviewed immediately thus delaying the process and continuing a period of uncertainty in the consideration of major applications. If however the Government is determined to apply the revised Standard Method in any event it is as well that the issue is tested sooner rather than later

Q104

**Do you agree with the proposed transitional arrangements?**

Primarily for LPAs and developers/landowners to comment but the long-term uncertainty over the changes to local plan procedures is not helping the general public and Town /Parish Councils to engage with the process

Q105

**Do you have any other suggestions relating to the proposals in this chapter?**

No further comments

Q106

**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?**

There are two issues the Town Council needs to address under this question

Firstly, local infrastructure and in particular, health service provision. There is widespread public concern locally over the current state of primary care provision in the town. This concern is emphasised by the number of objections submitted to applications for ‘major’ developments. Para 74 of the NPPF refers to the need for improvements in local infrastructure to meet the demands of new ‘large’ developments (e.g new settlements) but there is a clear need for planning policy to acknowledge that in areas such as Seaford, services are under so much pressure that *any* significant new residential development is likely to have an adverse impact. Unless there is a fair balance between housing growth and the improvements of essential services, faith of the general public in the planning system will continue to decline.

Secondly, the provision of affordable housing. In this town and district the application of the financial viability test has severely restricted the provision of affordable housing. The Local Plan policy requires a provision of 40% on all developments of over 10 units but in reality very little affordable housing has been provided in the life of the current plan. In most cases where ‘major’ developments have been granted consent there has been, at most, a token financial contribution from the developer. Also, several schemes have been modified to ensure they fall just below the 10-unit threshold.

The acute need for affordable housing in the area and the impact it causes needs to be dealt with. The viability test needs to be modified to ensure a proper balance between the acute need on one side and the need for a fair return for the developer.

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