

## Response ID ANON-SNQ4-R52G-6

Submitted to Proposed reforms to the National Planning Policy Framework and other changes to the planning system  
Submitted on 2024-09-24 19:13:25

### Scope of consultation

### Respondent details

a What is your name?

Name:  
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b What is your email address?

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c What is your organisation?

Organisation:  
Chartered Institute for Archaeologists

d What type of organisation are you representing?

Professional body

If you answered "other", please provide further details:

### Chapter 1 – Introduction

### Chapter 2 – Policy objectives

### Chapter 3 – Planning for the homes we need

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

Not Answered

Please explain your answer:

2 Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

No

Please explain your answer:

No. We support the retention of a specific reference to the potential impacts of densification on the character of existing urban areas.

While we do not wish to limit the potential for sustainable densification in areas that can accommodate it, we support the existence of national policy which emphasises that existing character and design should be a consideration within area-based character assessments, design guides and codes and may be a reason to limit certain options for densification in specific places. Any revised paragraph 130 should reflect on where densification could harm existing historic significance or character. This will be particularly sensitive in Article 2(3) land, but also applied to other historic character areas and rural villages. Local codes should reflect this important consideration for appropriate design that reflects local character and distinctiveness.

5 Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

Yes

Please explain your answer:

We would support any plans which aim deliver the greatest sustainable density for a given area, however, spatial visions should specifically reference the heritage significance of existing areas and promote clear localised design approaches that respect and complement existing communities.

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

Not Answered

Please explain your answer:

7 Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer if you believe a different % buffer should be used:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Please provide any other suggestions relating to the proposals in this chapter. :

#### Chapter 4 – A new Standard Method for assessing housing needs

15 Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?

Not Answered

Please explain your answer:

16 Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

18 Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?

Not Answered

Please explain your answer:

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

Please provide any additional comments on the proposed method for assessing housing needs.:

## Chapter 5 – Brownfield, grey belt and the Green Belt

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

Yes

Please explain your answer:

Yes, with the caveat that brownfield policy and guidance must recognise that brownfield sites, or previously-developed land can include heritage assets (designated and undesignated) – either buildings which may be re-usable or other heritage assets with archaeological interest. The implementation of the Levelling-up and Regeneration Act's provision for Statutory HERs would provide some assurance that suitable information on such assets will be available to be fed into the process of assessing Green Belt land for release, and that historic environment advisory services will be expected to input into these local reviews.

The "acceptable in principle" proposal should therefore include provision for archaeological evaluation of both standing and below-ground heritage assets to be undertaken before a decision about 'acceptable in principle' is taken. It should also include safeguards against the unnecessary and wasteful demolition of serviceable existing structures that could have heritage significance.

We would also support policy that supports the environmentally sustainable re-use of existing buildings both as a method of embodied carbon retention and also to support the conservation and enhancement of the historic environment.

We note that there is extremely little information in the public domain about 'brownfield passports' and they are not described within this consultation. With regards to this policy being the 'first step towards brownfield passports' we are supportive in principle, provided that brownfield passports come with expectations of impact evaluation as part of the process of greenlighting development in principle. Some previous government attempts to encourage brownfield first have implied the cutting of so called 'red tape', which in practice would likely mean reducing safeguards for the historic environment, and other areas of regulation designed to ensure sustainable development, such as ecological safeguards, which apply to other forms of consent. We would not support any such approach that allowed decisions to be made before appropriate assessment has been undertaken.

21 Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

Yes

Please explain your answer:

Yes. However, we note that 'Previously Developed Land' (PDL), in some cases, will include types of structures which are either (a) of heritage value in and of themselves, or (b) of a type which will have had limited impact on below ground remains – for example agricultural structures, horticultural greenhouses, or industrial sheds. Because of this limited ground disturbance, these existing structures may have preserved below ground archaeological deposits. Such brownfield sites are comparatively likely to contain remains of previous layers of industrial heritage, in exceptional cases these may both complex and of heritage significance.

Any provision for building on PDL should require archaeological evaluation of both standing structures and below-ground remains, where necessary, and include safeguards against the unnecessary and wasteful demolition of serviceable existing structures that could have heritage significance and could be reused.

22 Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?

Please provide any further views:

As above, we note that 'Previously Developed Land' (PDL), in some cases, will include types of structures which are either (a) of heritage value in and of themselves, or (b) of a type which will have had limited impact on below ground remains – for example agricultural structures, horticultural greenhouses, or industrial sheds. These existing buildings may have protected below ground archaeological deposits by virtue of limited foundations, when compared to residential development.

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

No

Please explain your answer:

We are pleased that Footnote 7 assets are proposed to be excluded from land available to release from Green Belt. We would recommend adding Footnote 73 sites (i.e. sites with heritage assets with historic and archaeological interest of demonstrably equivalent significance to Scheduled sites) to this exemption.

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

Yes

Please explain your answer:

We would support robust guidance on Green Belt release to ensure that local approaches are consistent and in-line with national safeguards for high performing land. The implementation of the Levelling-up and Regeneration Act's provision for Statutory HERs would also provide some assurance that processes for Green Belt release will be appropriately checked against information recorded about the historic environment and subject to advice from specialist archaeology and conservation officers. Supporting guidance to local authorities to ensure that review processes include checks of the HER and historic environment advice would be warmly welcomed.

25 Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?

Yes and it should be contained within PPG

Please explain your answer:

Yes. Guidance to help authorities interpret definitions like 'limited contribution' could be helpful. Factors such as the preservation of below ground archaeological remains, or the protection of the character of historic landscapes, should also be recognised in guidance, as de-facto effects of green belt designation. However, it may be notable that agricultural uses for land that require deep ploughing may be more damaging to some buried archaeological deposits than development which could do more to preserve the most sensitive parts of a site. Such nuance could be articulated through case studies and guidance for local authorities.

As stated above, we also note that the implementation of the Levelling-up and Regeneration Act's provision for Statutory HERs would provide some assurance that processes for Green Belt release will be appropriately checked against information recorded about the historic environment and subject to advice from specialist archaeology and conservation officers. Supporting guidance to local authorities to ensure that review processes include checks of the HER and historic environment advice would be warmly welcomed.

26 Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

Not Answered

Please explain your answer:

27 Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?

Not Answered

Please explain your answer:

28 Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

Yes

Please explain your answer:

Broadly agree, subject to: (a) Safeguards for archaeological sites with heritage assets with historic and archaeological interest of demonstrably equivalent significance to Scheduled sites (i.e. footnote 73 sites) and policy which promotes the re-use of existing buildings over demolition; And (b) the implementation of the Levelling-up and Regeneration Act's provision for Statutory HERs, which would provide some assurance that land released will have been checked against information recorded about the historic environment and subject to advice from specialist archaeology and conservation officers.

29 Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

Not Answered

Please explain your answer:

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

Not Answered

If not, what changes would you recommend?:

31 Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

Not Answered

Please explain your answer:

32 Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?

Not Answered

Please explain your answer:

33 Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

We support the introduction of golden rules and especially welcome opportunities to utilise heritage assets within provision for, or improvement to, local green spaces and amenity facilities within a short walk. Heritage assets are prime resources for such amenity benefits, and we strongly support innovative offsetting/design solutions for development which will create additional benefits on top of the provision of affordable homes.

35 Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?

Not Answered

Please explain your answer:

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

No

Please explain your answer:

We would welcome the addition of 'heritage' as a third principle of the approach to securing public benefits where Green Belt release occurs. New housing which is located on released green belt has a potential to be located in, on, or close to heritage assets and we would welcome recognition that these assets provide a potential to yield public benefits akin to those envisioned for nature and green spaces.

37 Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

Not Answered

Please explain your answer:

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

Please explain your answer:

39 To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

Not Answered

Please explain your answer:

40 It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

Please explain your views on this approach:

41 Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

Not Answered

Please explain your answer, including what support you consider local authorities would require to use late-stage viability reviews effectively:

42 Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?

Not Answered

Please explain your answer:

43 Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

## Chapter 6 – Delivering affordable, well-designed homes and places

47 Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please provide any further comments:

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

Not Answered

Please explain your answer:

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

Please explain your answer:

53 What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?

Please explain your answer:

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

Please explain your answer:

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

Not Answered

Please explain your answer:

56 Do you agree with these changes?

Not Answered

Please explain your answer:

57 Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?

Not Answered

If Yes, what changes would you recommend?:

58 Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

Not Answered

Please explain your answer :

59 Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

## Chapter 7 – Building infrastructure to grow the economy

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

64 Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?

Not Answered

Please explain your answer:

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

Not Answered

If Yes, what would be an appropriate scale? :

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

Not Answered

Please explain your answer:

## Chapter 8 – Delivering community needs

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Please explain your answer:

We strongly support strengthening national policies that promote wellbeing as a planning outcome. In the London Plan, such policies have enabled a positive utilisation of heritage resources to generate public wellbeing benefits. In other places, while the potential for similar good practice exists, without an explicit policy provision, creative benefits are often not sought. For example, we are keen to ensure that applicants and their archaeological contractors are encouraged to work with LPA advisors to ensure that works to offset historic environment impacts have the greatest achievable tangible benefit for people – e.g. through the designing of schemes which promote access to preserved heritage assets on site, or recognising (and maximising)



the wellbeing benefits of other heritage interventions, such as ensuring public engagement components are built into excavation and research programmes.

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

Not Answered

Please explain your answer:

## Chapter 9 – Supporting green energy and the environment

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

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

Yes. However, it is important that any processes for the local identification of sites suitable for renewable energy development are robust and include appropriate screening – for example – for the setting of heritage assets, as well as below-ground archaeological sensitivity. To this end, the implementation of the Levelling-up and Regeneration Act's provision for Statutory HERs, would provide some assurance that land identified as suitable for renewable and low carbon energy will have been checked against information recorded about the historic environment that meets quality standards and subject to advice from specialist archaeology and conservation officers.

74 Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

Yes

Please explain your answer:

Such sites/habitats should be protected - compensatory mechanisms are unlikely to be as environmentally beneficial. It is also useful to highlight that although some habitat may be directly replaceable, peat deposits often preserve high quality and rare types of archaeological remains and paleoenvironmental data. This historic significance cannot be directly compensated in the same way as habitat. Peatland sites' importance also extends to carbon sequestration. While impacts may be mitigated through archaeological investigative works, the policy should recognise that preservation is often going to be the better course of action.

75 Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

Not Answered

Please explain your answer:

76 Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?

Not Answered

Please explain your answer:

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

Please explain your answer:

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

Please explain your answer:

79 What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?

Please explain your answer:

The archaeological sector is in the process of developing sector-wide carbon calculation tools, with some companies already utilising their own calculators. Clearer national policy may act as a pull factor to the industry and provide a clearer framework for requirements.

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

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

Demolition of existing buildings and rebuilding are carbon intensive processes. The current VAT regime encourages the demolition of standing buildings through the zero-rating on new development, compared to the higher VAT rate on repair and maintenance. We support calls made by the Heritage Alliance, and others, to look again at this tax anomaly that appears to go against climate goals.

We note that Government is currently conducting a survey exploring the potential to support the retention and reuse of existing buildings. We would support a policy on retention and reuse as it delivers a dual outcome of contributing to net-zero goals, and would protect many historic buildings/historic character of areas.

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

84 Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

Not Answered

Please explain your answer:

85 Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

## Chapter 10 – Changes to local plan intervention criteria

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

## Chapter 11 – Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects

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

Yes

Please explain your answer:

It has been widely accepted for some time that planning authorities are underfunded and that the provision of services suffers as a result. The most common view from our members is that it is not the policy which is problematic, but the level of resource able to be put towards good and timely decision-making. We are therefore keen to support measures to address some of this underfunding through the increasing of fees, where there is a proportionate scope for such action.

As we note below, the planning fee should be expected to contribute to funding of all aspects of the planning decision-making process, including specialist advice necessary to the fulfilment of NPPF policy, such as on archaeology, ecology, highways, flooding, etc. The way that these specialist services are funded varies, but because of this, these services sometime appear more vulnerable to cuts where there is no obvious fee income directly tied to provision. We would welcome regulation or guidance which explicitly included performance criteria related to the acceptable provision of services such as archaeological and conservation advice, regardless of whether such services are directly funded by LPAs, or by upper tier authorities, or third parties like Historic England (who fund the Greater London Archaeological Advisory Service).

90 If you answered No to question 89, 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.

Not Answered

If Yes, please explain in the text box what you consider an appropriate fee increase would be. :

91 If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

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.:

92 Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.

Not Answered

Please explain your answer:

93 Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.

Yes

Please explain your reasons and provide evidence on what you consider the correct fee should be:

Our members have differing views on the potential for charging in relation to Listed Building Consents. These are a time consuming and resource intensive element of planning which require the input of specialist advisors. We accept that owners of Listed Buildings cannot opt out of the designation as the consultation suggests, and as such there is some risk that if charges were to apply, this would increase the potential that some owners would neglect necessary repairs. However, we are not convinced by this argument.

The opposite argument is that it is concerning that the additional local authority burdens of determining LBC applications are not recognised by a fee. Any fee could reflect Permitted Development rights – not being charged for proposals which would normally be Permitted Development were the building not Listed. This would be likely to exempt small repairs and maintenance for which the fee would be a proportionately greater part of the expense of the works.

We do, however, support a fee for applications for demolition of buildings in a conservation area, except in instances related to emergency health and safety interventions.

94 Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?

Yes

Please explain your answer:

We respect that there may be reasons why different services choose not to charge for certain advice or service, and other reasons why some services attempt to make some services (such as pre-application advice) a requirement as a way of ensuring fee income, in some situations. We would welcome guidance on fee rationale which sought to encourage improving capacity and performance via the application of proportionate fees as its core aim. We would support local fee setting and localisation that operated within a set of such structure/principles.

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

Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.

Please give your reasons in the text box below:

We respect that there may be reasons why different services choose not to charge for certain advice or service, and other reasons why some services attempt to make some services (such as pre-application advice) a requirement as a way of ensuring fee income, in some situations. We would welcome guidance on fee rationale which sought to encourage improving capacity and performance via the application of proportionate fees as its core aim. We would support local fee setting and localisation that operated within a set of such structure/principles.

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

Yes

If Yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development? :

We are concerned by the definition of 'wider planning services'. We judge that historic environment services such as archaeological and conservation advice must be considered to be core planning services, even where they are delivered by specialist officers, sometimes located outside of planning teams. Some models for the provision of archaeological (as well as other specialist planning services) are provided by upper tier (e.g. County) authorities and funded in varying ways. Some such services are funded by the upper tier authorities who provide them, or share costs with LPAs with terms agreed via Service Level Agreement (SLA). Other services are delivered directly by the LPA and funded as a core planning service.

We are keen to ensure that funding of these services is not seen as an 'additional' cost, as they provide core planning services necessary for the implementation of NPPF policies. At present, many of these services may already be more vulnerable to budget cuts due to unique arrangements and a lack of clarity over the responsibility for funding. We would support any changes to the NPPF which made it clearer that these services are not additional or discretionary, and that their operating costs should be considered to be covered by the core planning fee - increased if necessary.

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

Please explain your answer:

Heritage advisory services including conservation and archaeology officers. As stated, the funding agreements for such services are variable. Clearer guidance which specified that these are core planning services would be helpful. Beyond this, it is possible that additional fees could be levied in some situations with the goal of securing capacity and improving performance - which is the key ambition of our expert members (whether they are commercial contractors employed by applicants, or advisors employed by local authorities).

We are content that full cost recovery from applicants may not be appropriate, however additional fees for certain situations could be considered as a recognition of the significant specialist investment required on some applications. Such consideration, however, would require a more thorough consultation with specialists and we recognise that there are different views held within our membership and by other archaeological and heritage organisations.

98 Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?

Yes

99 If Yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.

Please explain your answer:

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

Please explain your answer:

101 Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.

Please explain your answer :

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

Not Answered

Please explain your answer.:

Chapter 12 – The future of planning policy and plan making

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

Not Answered

Please explain your answer:

104 Do you agree with the proposed transitional arrangements?

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

We have a number of suggested improvements to the existing NPPF that we have communicated with MHCLG, mostly to Chapter 16 on conserving and enhancing the historic environment. We recognise that these do not form part of the current proposals but we are keen to ensure that we have opportunities to discuss these and other suggestions for improvements with MHCLG. We invite MHCLG to set up a roundtable discussion with the heritage sector in due course. Some examples of suggested changes are as follows:

1. Changes to improve clarity in the wording of Paragraph 200, which would better articulate existing practice for the requirement for impact assessments to be provided by applicants. In the current wording there is a weakness in policy and potential for exploitation if an applicant withholds its analysis of impact and requires the LPA to undertake their own impact assessment. It correctly puts the onus on applicants to establish significance and minimise impact on it. Remove onus from LPAs, as exists in para 195 (now 201).
2. We also recommend a small change to Paragraph 211 which would make explicit the range of activities that can be requested as a condition for planning permission. This has the intent of explicitly outlining activities which are current good practice for maximising public benefit outcomes, which we believe would help encourage more recognition of creative opportunities for public benefit as a result of archaeological work in more cases.
3. Additionally, we would welcome an additional paragraph that would replicate provision from NPS EN-1 (5.9.13) adding a specific reference to archaeological archives funding into the NPPF, plus a reference to opportunities for synthetic research. This would be valuable additional detail for NPPG, as it articulates options for maximising benefit / delivering interesting.
4. We also have several suggestions relating to minimising the potential for NDMPs to cause issues for local plan heritage policies, if NDMPs were taken forward by the Government.

## Chapter 13 – Public Sector Equality Duty

106 Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

Please explain your answer:

## Chapter 14 – Table of questions

## Chapter 15 – About this consultation