



THE NATIONAL ORGANISATION OF RESIDENTS ASSOCIATIONS

Response to the Draft National Planning Policy Framework

Introduction

NORA members, now representing nearly two million residents in England and Wales, have a major interest in planning matters, which has resulted in a large number of concerns from members all contributing to this response from this national organisation. All their views have been included in this document.

The concern, that the planning process had become so complex that development was being stifled so vividly expressed initially in the Kate Barker Report of 2006, is fully recognised in this draft national planning policy framework. To have reduced the thousands of words in numerous documents to just fifty-two pages is to be commended. To aspire to reducing the time it takes for planning applications to be assessed and determined is fully supported by NORA members. That the government has taken the opportunity to seek the views of those interested in the planning process is to be welcomed.

However, there is a risk that the removal of so much material will leave too many uncertainties both for the plan maker and for the decision maker when determining planning applications. In general whilst the objective of slimming down the guidance is understood and to be welcomed, it appears that the proposed approach is too drastic. Our concern is with what the guidance does not contain, as much as with what it does contain. Some key principles, which have been established for many years, will be lost, seriously undermining the planning system that has developed over six decades. It is worrying that many of the concepts are so broadly written that it will lead to more appeals and legal challenges, resulting in a slowing down of processes rather than improving efficiency.

NORA's members are well-used to involvement in the planning process, and have long appreciated the value given by most local planning authorities (LPA) and councillors sitting on development control committees to the views expressed by residents, their associations and groups. They know that in most instances a fair and equal value is given to those views when making judgements and taking decisions to grant or to refuse planning consents.

Over 90% of current planning applications are decided within six to thirteen weeks, but some of the remaining applications take an unduly long time to resolve. NORA members agree that this merits attention, and in its view the appropriate solution for speeding up the process is for applicants to undertake adequate pre-application consultations with all the parties that might be affected by the planning proposals. This is already mandatory for nationally important developments, and the Framework should make it necessary for all applicants to consider this measure in order to speed up the planning process.

Access to appeals is another key element of the planning regime that lengthens the process. What became of the proposal to restrict appeals to the Planning Inspectorate to only those planning decisions that conflict with planning policies or involve maladministration? There was also the suggestion that objectors should be entitled to such appeals on the same grounds, again making the process equally fair to all parties. This would eliminate those appeals, which are just a re-run of LPA's decisions. Unless LPA decisions are in conflict

with planning policies or the subject of possible maladministration, they are surely local decisions that should be final. They are local decisions made by local people with local knowledge, a key principle of the localism agenda promoted by the government.

Whilst much of the Framework simplifies the principles upon which such judgements are to be made, certain elements of the Framework have attracted cogent criticism. This stems from the mantra figured in much of government thinking, that planning must now have a ‘presumption in favour of sustainable development’. It is NORA’s members’ understanding that the prime function of LPAs in the planning process is to approve all planning applications unless there are cogent reasons for mediation or refusal, so ‘presumption’ is currently implicit in the regime. Planning policies – local, regional and national – and the concerns of relevant parties are the source of such cogent reasons, and the decisions are only taken after appropriate discussion and argument with due weight given to all the evidence. It is this fairness and transparent debate, essential features in the planning process, which ensures the support of both the community and applicants.

NORA members have grave concerns with the use of certain terms designed to disturb the essential balance, which currently exists between applicants and other parties. Terms, that are ill-defined and open to legal argument on what they actually mean in individual examples, such as ‘growth’, ‘out of date’, ‘up-to-date’, ‘significantly’ and ‘demonstrably’, are used with the intent of changing the balance between developer and community so as to favour the developer. It can be correctly described as a ‘developers’ charter’. This cannot be right in a true democracy. NORA members seek a removal of the unfair bias in favour of developers and against the interests of the community. It is not needed to ensure quicker decisions on planning applications.

The last government introduced legislation governing the licensing of alcohol sales in which the licensed trade were similarly granted a presumption that licences would be granted in favour of applicants while the community’s concerns were down-graded. The result has been a social disaster for numerous communities especially in town centres. This problem was one of the precipitating factors in inaugurating this organisation in 2003. NORA members foresee a similar disaster, this time in the general environment, if the balance is weighted in favour of the developer.

Accordingly we welcome much of the Framework, but reject the swing to the developer at the expense of the community’s interests. It is difficult to reconcile the government’s approach to the planning system with its concern for the Big Society and the ethos behind the Localism agenda. To diminish the value of the community’s involvement in the planning regime must be in conflict with this government policy and is surely a move away from vital democratic principles fundamental to this country’s ethos.

September 2011

Alan B Shrank – NORA chairman

National Planning Policy Framework

Consultation questions

(a) About you

(i) Your details

Name:	Dr Alan B Shrank FRCP
Position:	Chairman
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Address:	
Email Address:	chairman@nora-uk.co.uk
Telephone number:	

(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response x
Personal views

(iii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group.

Yes x
No

Name of group:

National Organisation of Residents Associations

(iv) Please tick the *one* box which best describes you or your organisation:

- | | |
|--|-------------------------------------|
| Private developer or house builder | <input type="checkbox"/> |
| Housing association or RSL | <input type="checkbox"/> |
| Land owner | <input type="checkbox"/> |
| Voluntary sector or charitable organisation | <input type="checkbox"/> |
| Business, consultant, professional advisor | <input type="checkbox"/> |
| National representative body | <input checked="" type="checkbox"/> |
| Professional body | <input type="checkbox"/> |
| Parish council | <input type="checkbox"/> |
| Local government (i.e. district, borough, county, unitary, etc.) | <input type="checkbox"/> |
| Other public body (please state) | <input type="checkbox"/> |
| Other (please state) | <input type="checkbox"/> |

(v) Would you be happy for us to contact you again in relation to this consultation?

- | | |
|-----|-------------------------------------|
| Yes | <input checked="" type="checkbox"/> |
| No | <input type="checkbox"/> |

(b) Consultation questions

Delivering Sustainable Development

The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.

1(a) – Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

1(b) Do you have comments? (please begin with relevant paragraph number)

9-10 The three basic principles of the planning regime stated in these paragraphs are fully supported. Since the three aims are not always easily compatible, striking a fair balance between them needs to be the key role of local planning authorities.

13 The assumption here appears to be that the current planning system is not positive and that it is an impediment to sustainable economic growth. This view is not reflected in reality; the vast majority of planning applications are approved within the current time targets, and the uncommon refusal is a result of recognising that planning does have an environmental role. The use of the term 'significant' is unhelpful, because it appears that decisions are not to be made on a fair balance of the three basic aims. Please delete the last sentence in this paragraph or amend it to read 'placed on the need to support sustainable economic growth.'

The term growth is not defined, so the presumption is that it means an increase in size of whatever is the class of the development. But growth, economic or otherwise, is only one aspect of development and the great majority of planning applications are for changes that do not involve growth. Nor do changes of use necessarily result in growth, but, where they do, there is always the attendant loss of the current use. To state that 'without growth, a sustainable future cannot be achieved' is not proved, and this view, if taken by everyone on this planet, will inevitably lead to collapse of the environment as we know it, Furthermore such global growth would not be 'sustainable', another key concept in the government's agenda.

14 NORA members view the first and third bullet points with alarm.

(1) The requirement that Local Authorities should 'prepare Local Plans on the basis that objectively assessed development needs should be met' is a minefield and an opportunity for clever lawyers. In the spirit of Localism this should instead read:

'prepare Local Plans on the basis that their reasonable

assessments of development needs should be met’.

(3) The presumption, that ‘where the plan is absent, silent, indeterminate’ permission is granted, clearly denies the third aim expressed in para. 10. This sentence continues to include ‘where policies are out of date’, which will leave the issue open to legal argument and to the efficiency of LPAs in up-dating Local Plans. Please delete this part of the sentence, because it is our strong view that policies are only out of date when they are replaced by new ones, and this should remain so.

16 NORA does not understand why the Birds & Habitats Directives are the only ones that are proscriptive. Surely Areas of Outstanding Beauty, World Heritage Sites, Listed Buildings, National Parks, Conservation Areas and the Green Belt merit comparable protection.

17 The government cannot have it both ways. If the localism agenda is to take off, local communities will also use their newly-acquired powers to protect the built and natural environment in their areas. Therefore please add a fourth bullet point

‘identify opportunities to protect features of the built and natural environment which are of importance in their community.’

The suggestion that ‘neighbourhoods have the power to promote more development that is set out in the strategic policies of the Local Plan’ is also stated in para. 50. Surely neighbourhoods wishing to take advantage of this should seek to have the Local Plan amended to include the extra development so that any conflict is avoided.

18 The second sentence needs strengthening to say that:

‘development should only be permitted where it is of good design and appropriately located’.

19 In our view the key to facilitating planning approval for development is adequate pre-application consultation and mediation with all interested parties. This is just as true for householder proposals as it is for large schemes proposed by developers. Provided proposals for development are compatible with relevant planning policies, appropriate consultation should hasten approval.

It is only when proposals conflict with relevant planning policies will householders and developers encounter problems and face the likelihood of refusal regardless whether or not the proposals would enhance economic growth.

No reference is made anywhere in the draft to using previously developed (brownfield) land for new development in preference to greenfield. This will inevitably lead to pressure for development on open countryside and Green Belt as it is cheaper and easier to build on for maximum profit. The Framework should state a clear preference for brownfield over greenfield development.

Bullet point 4 needs clarification to ensure adequate assessments, and this could be covered by inserting after 'potential quality' the following clause:

'including a full evaluation of consequential impacts'

There is no mention anywhere in the Draft Framework document of the place of enforcement in the planning process. A section in the Framework needs to explain the problem of the wilful breach of planning law and how it undermines public acceptance of the development control system. PPG18 (1991) lists as enforcement measures available to LPAs 'planning contravention notice', 'breach of condition notice', 'the ability to seek injunctions in High Court or County Court', 'power to serve a stop notice', 'powers of entry' and the risk of financial penalties. It also includes guidance on which type of enforcement action is relevant to which breach, and this should also be included in the Framework.

Plan-making

The Framework has clarified the tests of soundness, and introduces a useful additional test to ensure local plans are positively prepared to meet objectively assessed need and infrastructure requirements.

2(a) Do you agree?

Strongly agree



- Agree
- Neither agree or Disagree
- Disagree
- Strongly Disagree

2(b) Do you have comments? (please begin with relevant paragraph number)

20 This paragraph aims to destroy the balance that exists in the current planning regime. The balance between the benefits of a development and the adverse effects must be fair and equal. To respect the community's point of view it could be argued that it is just as important for any development to be shown to 'significantly and demonstrably outweigh' the adverse impacts when adverse impacts are recognised. In order to maintain the fairness of the planning regime, we reject the proposal to weight the scales in favour of developers, just as we would reject a proposal to weight the scales in favour of objectors.

21 The direction on Local Authorities neither to "introduce additional development plan documents" unless "clearly justified", nor "Supplementary planning documents" unless their "production can help to bring forward sustainable development at an accelerated rate, and must not be used to add to the financial burdens on development" is deeply worrying. Most Local Plans contain no supplementary guidance in order to avoid duplication of that issued as National policy. This Framework sweeps away a swathe of such National policies (around 47?), many of which contain hard-won and crucial guidance and direction. NORA suggests the insertion of a transitional statement to give cover until Local Authorities can negotiate substitutes based on those policies needed in their localities, and amend the Local Plan accordingly.

24 To the list of aims in Local Plans should be added another bullet point to the effect that they should

'identify areas and buildings where changes of use to housing is supported'.

25 We welcome the wide consultation with local communities, and expect that residents associations will

be fully involved, particularly in un-parished areas.

26 Whilst we accept that Local Plans ought to be up to date and consistent with the Framework, where they are not, planning applications will need to be determined in accordance with previous plans. If developers or others want the Local Plans updated, they, like everyone else, must argue for this through the local democratic process. Local Plans in the process of approval should not be relevant until approved.

28 After 'economic viability of land' in the second bullet point should be added 'and existing buildings', because there is a clear need to remind developers of the need to convert existing properties for housing.

30 Missing from this list of assessment of business requirements is the need for LPAs

'to assess critically the effect of growth of out-of-town retail and office development on town centre vitality and viability and consider the effect on roads and traffic in the immediate area'.

35 Much emphasis must be made on the value to be given to the advice and opinion of outside agencies such as the Environment Agency and English Heritage, since their concerns should be given serious consideration when considering the environmental impact of development.

37 LPAs should normally maintain a historic environment record, but exceptionally they could delegate this task to another qualified organisation in a transparent fashion.

39 It is not clear whether the assessment of the likely profit includes the compulsory funding of any infrastructure that would be needed. For large residential developments this should include not only essential services such as water, electricity and sewage facilities but also the cost of schools and health services, which should not have to fall on the community. Furthermore what might be an 'acceptable return' to some landowners might not be for others.

To approve bad development because of the high cost of making it acceptable is surely undesirable and likely to

make the development unsustainable. Furthermore developers would seek to reduce any affordable housing in order to maximise profits.

41 The phrase ‘the cumulative impact of these standards and policies should not put implantation of the development plan at serious risk’ is a totally unacceptable approach. It undermines the validity of the three principles defined in para. 3.

43 The phasing of large developments does require considerable liaison with statutory undertakers, but problems with funding can wreck havoc with such development. The burden of ensuring delivery in ‘timely fashion’ is not one that should fall on LPAs.

The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively.

2(c) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input checked="" type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

2(d) Do you have comments? (please begin with relevant paragraph number)

46 Neighbouring LPAs should be required to cooperate on cross-boundary issues. [For example on transport, there is good cooperation between the four councils in the West of England, but poor cooperation with Wiltshire.]

Decision taking

In the policies on development management, the level of detail is appropriate.

3(a) Do you agree

- | | |
|---------------------------|--------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | |
| Disagree | x |
| Strongly Disagree | <input type="checkbox"/> |

3(b) Do you have comments? (please begin with relevant paragraph number)

53 That the planning regime is seen as possibly enabled to 'hinder or prevent development', implies that those involved in development management, whether officers or the community, can act improperly. Some objectors may try to hinder or prevent development, but without appropriate evidence their aim should be defeated. Many objectors only wish to modify development in an attempt to prevent damage to the environment.

The planning system is designed to grant consent where appropriate and refuse it where appropriate. It is the propriety of the decision that is relevant, and to suggest otherwise is to offend the participants.

This sentence should be modified :

'The primary objective of development management is to ensure that decisions are made in accordance with published principles.'

56-58 NORA supports strongly the emphasis on adequate pre-application consultation with LPAs, the community and any relevant bodies likely to have views on the planning proposals. Statutory bodies should not be the only relevant parties in commenting on planning proposals. Developers should be required and not just encouraged to engage with local residents at the pre-application stage.

64 The decision to use Article 4 Directions and Local Development Orders is not taken lightly by LPAs in view of the costs and time involved. They are only considered because of a serious local problem, so there is no need to add central guidance on these measures. This paragraph

should be deleted.

70 The draft Framework drops the national target on how much housing development should happen on land that has been previously developed land – also called brownfield land” (see 12-page easier-to-read summary). This seems a most unfortunate change, especially as (a) there is no evidence that this regulation alone prevents development and (b) it makes town centre developments less likely, in contravention of para 76. NORA urges its deletion.

Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government.

4(a) Do you agree

Strongly agree	<input type="checkbox"/>
Agree	
Neither agree or Disagree	x
Disagree	<input type="checkbox"/>
Strongly Disagree	<input type="checkbox"/>

4(b) What should any separate guidance cover and who is best placed to provide it?

Business and economic development

The 'planning for business policies' will encourage economic activity and give business the certainty and confidence to invest.

5(a) Do you agree?

Strongly agree	<input type="checkbox"/>
Agree	
Neither agree or Disagree	<input type="checkbox"/>
Disagree	x

Strongly Disagree



5(b) Do you have comments? (please begin with relevant paragraph number)

73-75 The planning policies and LPAs have not discouraged economic development. Most councils have allocated, if not over-allocated, land for commercial development and most applications are dealt with quickly. LPAs are flexible. It is economic uncertainty and the lack of markets which are the main issues that need addressing and not the weakening of the planning system.

76 The proposals in this paragraph are fully accepted except for the sentence in the fifth bullet point: 'It is important that retail and leisure needs are met in full and are not compromised by limited site ability.' This is a physical impossibility for many town centres, and expansion may also be impossible, so allocation is not appropriate. It may be appropriate to identify those areas in town centres with specific uses, so that conflict between leisure activities, commercial enterprise and residents will be minimised. This bullet point needs revision.

5(c) What market signals could be most useful in plan making and decisions, and how could such information be best used to inform decisions?

76 The vitality and viability of town centre retail and commercial business can be measured by the proportion of empty premises, the average rentals being sought by property owners and by the footfall in the various shopping streets and malls. In towns where there is a night economy the incidence of 'adverse events' recorded by the police and the environmental health department merits attention.

Distance already travelled to work, shops and leisure facilities is another factor that should be used to inform decisions. A reduction in travel (with associated congestion and pollution) is an important contributor to sustainability.

The town centre policies will enable communities to encourage retail, business and leisure development in the right locations and protect the vitality and viability of town centres.

6(a) Do you agree?

- | | |
|---------------------------|--------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | x |
| Strongly Disagree | <input type="checkbox"/> |

6(b) Do you have comments? (please begin with relevant paragraph number)

77-80 NORA members are opposed to the exclusion of office development from the sequential test for suitability, since the presence of office accommodation is just as important to ensure vitality and viability of town centres as are residential, retail and leisure facilities. It should also reduce the need for car journeys and the carbon footprint of office development.

In 78 the word 'prefer' should be replaced by the word 'require'.

Transport

The policy on planning for transport takes the right approach.

7(a) Do you agree?

- | | |
|---------------------------|--------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | x |
| Strongly Disagree | <input type="checkbox"/> |

7(b) Do you have comments? (please begin with relevant paragraph number)

83 Add at the end:

'... and reduces the need for transport, particularly by

private car'.

86 NORA has concerns that this paragraph in using the word 'severe' to describe 'residual impacts' could lead to developments in areas where noise and nuisance so damage the environment that living and working conditions were unacceptable and undesirable. NORA suggests 'are severe' should be replaced by 'would result in unacceptable and undesirable conditions for those living and working in the area'.

Communications infrastructure

Policy on communications infrastructure is adequate to allow effective communications development and technological advances.

8(a) Do you agree?

- | | |
|---------------------------|--------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | x |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

8(b) Do you have comments? (please begin with relevant paragraph number)

96 It is important for the siting and style of telecommunication masts to be sympathetic to the built environment especially in Conservation Areas and adjacent to listed buildings. This should be added to this paragraph.

Minerals

The policies on minerals planning adopt the right approach.

9(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

9(b) Do you have comments? (please begin with relevant paragraph number)

106. Surely the presumption in favour of sustainable development will ensure that damage from coal extraction is avoided?

Housing

The policies on housing will enable communities to deliver a wide choice of high quality homes, in the right location, to meet local demand.

10(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

10(b) Do you have comments? (please begin with relevant paragraph number)

107 Whilst supporting the objective 'to increase significantly the delivery of new homes', NORA considers that the current inadequate production of dwellings is not due to a shortage of planning consents for housing developments but due to the collapse of the housing market. Developers will not implement planning consents if there would be no buyers or tenants for their properties.

Accordingly there is no need to change the assessment of new planning applications for housing development, since most LPAs already have spare capacity in their allocation of suitable sites for development.

The major problem of the shortage of affordable housing can only be solved by providing local and central government funding for building on sites already identified for dwellings.

109 The first bullet point says Local Planning Authorities should “use an evidence base to ensure that their Local Plan meets the full requirements for market and affordable housing.....”

Whilst this might be desirable it is impractical given the level of need within England and the current mechanisms of supply (through Section 106 agreements and on sites developed by Registered Social Landlords) and the funding regime, which has seen a significant reduction in recent months.

This bullet point should be amended as follows:

‘Local Planning Authorities should use an evidence base to ensure that their Local Plan meets the full requirements for market housing and seeks to maximise the supply of affordable housing including key sites, which are critical to the delivery of the housing strategy over the plan period’.

In consequence of this policy, there is no need to be more specific, so bullet points 3, 4 and 5 are superfluous and should be omitted.

In their place a bullet point should refer to the need to include brownfield sites as the most desirable sites to be considered for development in preference to all other sites. It is regretted that the draft Framework drops the national target on how much housing development should happen on previously developed land. This seems a most unfortunate omission especially as there is no evidence that this preference prevents development and its omission makes town centre developments less likely in contravention of para 76.

If the second bullet point is adding an extra 20% to the total Local Plan then it places an unnecessary additional burden on LPAs, particularly in the South-East where additional land is not readily available, On the other hand this would not be a problem if it is intended just to bring forward land already include the Local Plan. This should be made clear.

110 The terms, 'out of date' and 'up-to-date', are undefined, and the last sentence should be removed. Otherwise this paragraph could be used by developers to obtain consent for residential development without any opportunity for the community to comment.

113. The last bullet point should be deleted. There is no justification for wealthy individuals with luxury mansions to be able to flout the general principles of development.

Planning for schools

The policy on planning for schools takes the right approach.

11(a) Do you agree?

- | | |
|---------------------------|--------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | x |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

11(b) Do you have comments? (please begin with relevant paragraph number)

127 The absence of the terms 'significantly and demonstrably' from the third bullet point is to be welcomed.

Design

The policy on planning and design is appropriate and useful.

12(a) Do you agree?

- | | |
|---------------------------|--------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | x |

Disagree

Strongly Disagree

12(b) Do you have comments? (please begin with relevant paragraph number)

117 To the list of qualities needed in any design guide for buildings, ‘and compatible with’ should be added after ‘relation to’ in order to avoid unacceptable intrusions in Conservation Areas and near listed buildings.

However, elsewhere, this paragraph is too prescriptive. Wording after “detail” could be:

‘In non-conservation areas and those without listed buildings, planning control is not intended to impede landowners’ expression of personal taste in the development of their property. However, our built environment affects all of us, and, except where the architectural merits of a particular proposal are outstanding, the effect of a proposal on the streetscape, and its harmony and/or rhythm of design with its surroundings, will always be a material consideration in development control.’

122. Developers should be required, not just expected, to work with local people to evolve good design proposals.

123 Advertisements on listed buildings, in Conservation Areas and in open countryside need to be respectful to their environment, so LPAs should consider guidelines for those seeking outdoor advertisements in such situations. Illumination of signage should cease when premises are closed.

Green Belt

The policy on planning and the Green Belt gives a strong clear message on Green Belt protection.

13(a) Do you agree?

Strongly Agree

Agree

- Neither Agree or Disagree
- Disagree
- Strongly Disagree

13(b) Do you have comments? (please begin with relevant paragraph number)

**135 To encourage outdoor sport and recreational facilities can involve buildings and changes to the scene, so this advice needs qualification. It might read after ‘recreation’ :

‘though changes to the environment with buildings and golf courses will require careful assessment.’**

139 This paragraph appears to open the door to ‘sustainable development’ in the Green Belt and accordingly it should be deleted.

142-146 These paragraphs appear to allow ‘very special circumstances’ with a list of possible exceptions, all to breach the Green Belt. Opening the door to the possibility of developments listed in these paragraphs will inevitably lead to planning applications for development, and they should be resisted. There is no need to open this door, so these paragraphs should be deleted.

Climate change, flooding and coastal change

The policy relating to climate change takes the right approach.

14(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

14(b) Do you have comments? (please begin with relevant paragraph number)

151 Although this section presumably refers only to proposals that support cuts to ‘greenhouse gas

emissions', it appears to remove protection from all sites except 'designated heritage asset'. This could result in many familiar and well-loved areas not being designated heritage assets being wrecked by wholly unsuitable developments. We urge the Government to apply its principles of Localism and leave such matters to LPAs without such centralised prescription.

152 That land-based turbines have a finite life needs to be recognised, so that developers are obliged to provide funds and facilities to dismantle or replace them when that life expires.

153 Some reference needs to be made to minimising transport problems of installing land-based wind turbines and the associated power lines they require especially in protected areas.

The policy on renewable energy will support the delivery of renewable and low carbon energy.

14(c) Do you agree?

- | | |
|---------------------------|--------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | x |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

14(d) Do you have comments? (please begin with relevant paragraph number)

The draft Framework sets out clear and workable proposals for plan-making and development management for renewable and low carbon energy, including the test for developments proposed outside of opportunity areas identified by local authorities.

14(e) Do you agree?

- | | |
|----------------|--------------------------|
| Strongly Agree | <input type="checkbox"/> |
|----------------|--------------------------|

- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

14(f) Do you have comments? (please begin with relevant paragraph number)

The policy on flooding and coastal change provides the right level of protection.

14(g) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

14(h) Do you have comments? (please begin with relevant paragraph number)

155-158 NORA members with experience of developments in flood plains express their concern that this section is not sufficiently proscriptive. NORA considers that planning consent should rarely be granted for new dwellings in the flood plain.

Natural and local Environment

Policy relating to the natural and local environment provides the appropriate framework to protect and enhance the environment.

15(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree

Disagree x
Strongly Disagree

15(b) Do you have comments? (please begin with relevant paragraph number)

165 NORA has concern that to allow development on 'land with the least environmental or amenity value' will inevitably lead to some landowners allowing degradation of their rural land to occur in order to acquire that designation.

Paragraph 140 advises LPAs to define 'safeguarded land', which might include 'land with the least environmental or amenity value' giving rise to conflict in planning policies.

The use of the terms, 'significantly and demonstrably', are again considered inappropriate, introduce an unacceptable bias and should be removed.

167 This sets out guidance for protecting valued landscape, but makes no mention of protecting the countryside for its own sake.

'Local authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of landscapes, heritage and wildlife, the wealth of its natural resources including soil and food production capacity, and ensure it enjoyed by all. This should be the first bullet point.'

Historic Environment

This policy provides the right level of protection for heritage assets.

16(a) Do you agree?

Strongly Agree
Agree
Neither Agree or Disagree
Disagree x
Strongly Disagree

16(b) Do you have comments? (please begin with relevant paragraph number)

176-191 Whilst agreeing the sentiments and proposals in this important section of the Framework, we are concerned that, in the overall desire to speed up the planning process, the time to implement them might not be available. To ensure that wise and appropriate decisions are taken on planning applications involving the Historic Environment, adequate time for study and discussion is essential.

Provided the need for close cooperation between Conservation Units and Archaeological Departments with the LPA is recognised and accepted, undue delays in making planning decisions should be avoidable. This would be facilitated were adequate pre-application consultations to take place with the various interested parties. This could best be ensured if it were included in paragraph 180 in this Section as follows.

'Delay in taking planning decisions could be avoided if adequate pre-application discussions take place with interested parties such as Conservation Units, Archaeological Departments, Civic Societies, English Heritage, Victorian Society, Georgian Group, etc., where appropriate.'