

# IEMA RESPONSE TO PROPOSED REFORMS TO THE NATIONAL PLANNING POLICY FRAMEWORK AND OTHER CHANGES TO THE PLANNING SYSTEM

## ABOUT IEMA

We are the Institute of Environmental Management and Assessment - the global professional body for anyone working in environment and sustainability. For 25 years, we have been providing resources, tools, networking, knowledge sharing, and high-quality formal training and qualifications in order to meet the needs of members from their first steps on the career ladder, right to the very top. By doing this we raise the bar for professionalism in sustainability.

Our members are a diverse group, whose work ranges from business and industry, to environmental consultancies, and to local government and academia. What they have in common is a passion to make a real difference and a real impact as both a community of environment and sustainability professionals, and as individuals in their workplaces.

We believe that together we're positively changing attitudes to sustainability as a progressive force for good. We are the professional organisation at the centre of the sustainability agenda, connecting business and individuals across industries, sectors and borders.

At IEMA, we take a holistic (or 'big picture') view of sustainability. For us, it includes impact assessment, environmental management and corporate sustainability, and those working to tackle climate change, waste, enhancing social value and biodiversity, as well as driving efficiency and managing risk. We don't underestimate these challenges but we believe that together we have a genuine opportunity to change things for the better.

We believe in the power of sustainability to make a real and positive difference for individuals, businesses, communities, society and ultimately our planet, and there's never been a more important time to focus on sustainability issues. We believe that together we can change perceptions and attitudes about the relevance and vital importance of sustainability as a progressive force for good. Together we're transforming the world to sustainability.

## EXECUTIVE SUMMARY

IEMA has developed this consultation response after engaging with leading Impact Assessment, Biodiversity and Natural Capital, and Climate Change and Energy practitioners and stakeholders drawn from our network of over 22,000 members. The drafting of this response has been led by our Impact Assessment Steering Group, which comprises 16 leading experts in impact assessment from across a range of public, private and Non-Governmental Organisation (NGO) roles. Our review of the National Planning Policy Framework (NPPF) consultation builds on our previous and ongoing engagement with proposed planning reforms over the past four years. In producing this report we have not responded on every question, instead prioritising those where we have insights to offer, based on our expertise.

The key recommendations from IEMA's perspective are as follows:

- Impact assessments (EIA, SEA, SA, HIA, HRA) are essential tools for informed decision-making. IEMA advocates for the use of evidence-based practice to assess and manage environmental and social impacts to guide planning decisions.
- IEMA calls on the government to mandate the use of competent experts to lead these assessments. Furthermore, IEMA reaffirms its previous calls for the creation of a national environmental assessment unit to enhance EIA and SEA delivery and any reforms.
- IEMA supports the return of regional strategic planning to promote sustainable development through integrated decision-making that balances diverse land use needs, informed by strengthened and improved strategic environmental impact assessments.
- IEMA calls on the government to create more meaningful opportunities to improve public participation in the planning system and within the EIA, SEA and EOR process.
- IEMA calls for the NPPF to include health promotion in planning, leveraging long-term opportunities to embed measures that improve people's health to the benefit of both society and the economy, and highlight co-benefits of more sustainable outcomes.
- IEMA advocates for a broader focus on soils, beyond land classification, recognising soils' roles in provisioning, food security, flood management, biodiversity and carbon sequestration.
- IEMA cautions against punitive measures for local authorities failing to meet housing targets, as this can lead to speculative, low-quality development on unsustainable sites, harming communities, landscapes, and the environment. Instead, we request that consideration is given to prioritising revamping our towns and cities, building or refurbishing homes in locations that are not car dependent and will revitalise communities.

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## INTRODUCTION

The “Proposed reforms to the National Planning Policy Framework and other changes to the planning system” consultation opened on 30<sup>th</sup> July 2024, seeking views on a series of wider national planning policy reforms. The stated aims of the reforms are to support the delivery of sustained economic growth through achieving sustainable growth in the planning system and to consider a series of wider policy proposals in relation to increasing planning fees, local plan intervention criteria and appropriate thresholds for certain Nationally Significant Infrastructure Projects.

The changes as proposed aim to:

- A. make the standard method for assessing housing needs mandatory, requiring local authorities to plan for the resulting housing need figure, planning for a lower figure only when they can demonstrate hard constraints and that they have exhausted all other option
- B. reverse other changes to the NPPF made in December 2023 which were detrimental to housing supply;
- C. implement a new standard method and calculation to ensure local plans are ambitious enough to support the Government’s manifesto commitment of 1.5 million new homes in this Parliament;
- D. broaden the existing definition of brownfield land, set a strengthened expectation that applications on brownfield land will be approved and that plans should promote an uplift in density in urban areas;
- E. identify grey belt land within the Green Belt, to be brought forward into the planning system through both plan and decision-making to meet development needs;
- F. improve the operation of ‘the presumption’ in favour of sustainable development, to ensure it acts an effective failsafe to support housing supply, by clarifying the circumstances in which it applies; and, introducing new safeguards, to make clear that its application cannot justify poor quality development;
- G. deliver affordable, well-designed homes, with new “golden rules” for land released in the Green Belt to ensure it delivers in the public interest;
- H. make wider changes to ensure that local planning authorities are able to prioritise the types of affordable homes their communities need on all housing development and that the planning system supports a more diverse housebuilding sector;
- I. support economic growth in key sectors, aligned with the Government’s industrial strategy and future local growth plans, including laboratories, gigafactories, datacentres, digital economies and freight and logistics – given their importance to our economic future;
- J. deliver community needs to support society and the creation of healthy places; and
- K. support clean energy and the environment, including through support for onshore wind and renewables.

The consultation also calls for views on:

1. whether to reform the way that the Nationally Significant Infrastructure Projects (NSIP) regime applies to onshore wind, solar, data centres, laboratories, gigafactories and water projects, as the first step of the Government's NSIP reform plans;
2. whether the local plan intervention policy criteria should be updated or removed, so the Government can intervene where necessary to ensure housing delivery; and
3. proposals to increase some planning fees, including for householder applications, so that local planning authorities are properly resourced to support a sustained increase in development and improve performance.
4. how and when every local planning authority is expected to rapidly create a clear, ambitious local plan for high quality housebuilding and economic growth.

These proposals relate only to England.

Responses gathered from IEMA members and working groups are given below against each question raised in relation to the proposed changes.

## IEMA RESPONSE TO NPPF CONSULTATION QUESTIONS

### PLANNING FOR THE HOMES WE NEED

#### QUESTION 1: DO YOU AGREE THAT WE SHOULD REVERSE THE DECEMBER 2023 CHANGES MADE TO PARAGRAPH 61?

IEMA members agree that the December 2023 changes should be reversed. However, there needs to be an opportunity to consider constraints, given the variety of contexts that the NPPF is applied to, therefore we would like to see a justification of lower housing requirements, based on local constraints, included in paragraph 62.

#### QUESTION 2: DO YOU AGREE THAT WE SHOULD REMOVE REFERENCE TO THE USE OF ALTERNATIVE APPROACHES TO ASSESSING HOUSING NEED IN PARAGRAPH 61 AND THE GLOSSARY OF THE NPPF?

Yes. However, IEMA would propose that new means of cross boundary strategic planning should be brought into place instead and that these take other elements such as water catchment areas, strategic transport, and landscape-scale nature restoration into account, as opposed to just local authority boundaries.

#### QUESTION 3: DO YOU AGREE THAT WE SHOULD REVERSE THE DECEMBER 2023 CHANGES MADE ON THE URBAN UPLIFT BY DELETING PARAGRAPH 62?

IEMA does not oppose the urban uplift changes. IEMA strongly agrees that universal strategic planning areas are needed to promote sustainable development through integrating environmental, social and economic consideration of growth. Strategic plans should be defined by environmental as well as economic factors taking account of geographic factors such as catchments, landscapes and biodiversity as well as political and administrative boundaries.

#### QUESTION 4: DO YOU AGREE THAT WE SHOULD REVERSE THE DECEMBER 2023 CHANGES MADE ON CHARACTER AND DENSITY AND DELETE PARAGRAPH 130?

IEMA members disagree with this proposal. IEMA believes a strategic level, cross boundary approach is needed to integrate new developments into their setting and that these should incorporate Green Infrastructure and Nature Recovery Networks. The national landscape character areas are an important basis on which sites are allocated and decisions around new developments are made, in compliance with the statutory obligations of the European Landscape Convention. Reversing these changes would be detrimental to our effective use of these character areas in our planning and decision-making processes.

#### QUESTION 5: DO YOU AGREE THAT THE FOCUS OF DESIGN CODES SHOULD MOVE TOWARDS SUPPORTING SPATIAL VISIONS IN LOCAL PLANS AND AREAS THAT PROVIDE

THE GREATEST OPPORTUNITIES FOR CHANGE SUCH AS GREATER DENSITY, IN PARTICULAR THE DEVELOPMENT OF LARGE NEW COMMUNITIES?

IEMA advocates for design guidance to be available for all sizes of scheme and should reference the local area and characteristics. A strategic approach to new communities should take account of the wider landscape and ecosystem, taking account of ecosystem services and natural capital to identify the most sustainable locations and designs.

QUESTION 6: DO YOU AGREE THAT THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT SHOULD BE AMENDED AS PROPOSED?

IEMA members feel that the proposed changes are relatively small, and bring clarity to this section, rather than changing the approach in a material way. Affordable housing is given additional weight through its specific naming. Members have no concerns about this.

Further, IEMA supports the presumption in favour of sustainable development (and not a route to poor quality places) with explicit reference to the need to consider locational and design policies, and local character. The areas to be safeguarded need to be defined precisely, as per Footnote 7 (as recommended to be revised). We would also wish to see explicit reference made to sustainable construction methods and sustainable whole life management (including energy efficiency and climate resilience) being demonstrated.

QUESTION 7: DO YOU AGREE THAT ALL LOCAL PLANNING AUTHORITIES SHOULD BE REQUIRED TO CONTINUALLY DEMONSTRATE 5 YEARS OF SPECIFIC, DELIVERABLE SITES FOR DECISION MAKING PURPOSES, REGARDLESS OF PLAN STATUS?

As set out in section 16 of this consultation, IEMA members have indicated concerns that some developers have used the absence of approved plans to bring forward speculative, low quality and unsustainable developments on non-allocated land. These developments often penalise local communities and can have adverse effects on biodiversity, landscapes and heritage, due to the failings of the plan making process. Therefore, any additional requirements should not result in punitive system that brings forward poor quality developments on unsustainable sites.

QUESTION 12: DO YOU AGREE THAT THE NPPF SHOULD BE AMENDED TO FURTHER SUPPORT EFFECTIVE CO-OPERATION ON CROSS BOUNDARY AND STRATEGIC PLANNING MATTERS?

Yes, IEMA members support strategic, cross boundary approaches to planning. To create long term benefits, and avoid future costs to the society and environment, the focus of planning should be on bringing forward sustainable developments. Developments, and in particular new large settlements need to incorporate the necessary economic and social infrastructure, promote sustainable transport, green infrastructure, access to green space and the environment alongside growth.

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**QUESTION 13: SHOULD THE TESTS OF SOUNDNESS BE AMENDED TO BETTER ASSESS THE SOUNDNESS OF STRATEGIC SCALE PLANS OR PROPOSALS?**

The tests of soundness should always take into account environmental and social issues, in line with strategic environmental assessment guidance and principles, to inform development. Any large developments, or new settlements, need to demonstrate soundness in relation to their provision of, and integration with, wider strategic plans such as education, transport, water, and environmental recovery.

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**QUESTION 14: DO YOU HAVE ANY OTHER SUGGESTIONS RELATING TO THE PROPOSALS IN THIS CHAPTER?**

IEMA members believe that designated areas (Footnote 7) should be excluded from housing targets and reference made to candidate or proposed designated areas considered, to avoid development against protected area boundaries. IEMA believes that a local authorities' housing and employment targets should be based on local need, taking into account the proportion of land in the area excluded from the targets for these reasons.

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**A NEW STANDARD METHOD FOR ASSESSING HOUSING NEEDS**

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**QUESTION 16: DO YOU AGREE THAT USING THE WORKPLACE-BASED MEDIAN HOUSE PRICE TO MEDIAN EARNINGS RATIO, AVERAGED OVER THE MOST RECENT 3 YEAR PERIOD FOR WHICH DATA IS AVAILABLE TO ADJUST THE STANDARD METHOD'S BASELINE, IS APPROPRIATE?**

While IEMA agrees that housing should be affordable, and as far as possible, directed to the areas most in need, this should not come at a significant cost to either the quality of the developments, the environment in which they are created, or the quality of life to those inhabiting them.

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**BROWNFIELD, GREY BELT AND THE GREEN BELT**

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**QUESTION 20: DO YOU AGREE THAT WE SHOULD MAKE THE PROPOSED CHANGE SET OUT IN PARAGRAPH 124C, AS A FIRST STEP TOWARDS BROWNFIELD PASSPORTS?**

IEMA does not completely support the presumption of approval for development on Brownfield land. At a simplistic level, brownfield land may on average be better for development than a greenfield site, however this is not always the case. Each brownfield site is different, with some consisting of sites of high environmental and/or social value, requiring individualised assessment. There will be situations where you may have a high biodiversity brownfield site, adjacent to a low biodiversity agricultural field for example, and it is not accurate to say that developing the brownfield site in this scenario is necessarily superior.

Furthermore, with regard to biodiversity and nature recovery, brownfield sites may be part of important nature corridor for species. Local Nature Recovery Strategies (LNRS) must be part of consideration of the use of brownfield sites and developers must demonstrate how a



development fits within an LNRS. Consider buffers in relation to sites classified as 'grey belt' that are next to designated sites, this would mitigate impact of land next door to a particular designation having an impact on the designated area.

IEMA believes that planning needs to be site specific and consider the most optimal use of the land considered in any development. Strategic planning could assist in considering if a previously industrialised site might offer greater benefits to the country as a whole, if developed with a future industrial purpose in mind, (for example data centres or gigafactories, which may have limited future potential locations) than if given over to housing. This can be particularly important when considering larger landscape scale projects, such as water management, nature restoration, or linear infrastructure, which may require land in strategic locations to not be developed for housing to leave the space for these other projects.

**QUESTION 21: DO YOU AGREE WITH THE PROPOSED CHANGE TO PARAGRAPH 154G OF THE CURRENT NPPF TO BETTER SUPPORT THE DEVELOPMENT OF PDL IN THE GREEN BELT?**

IEMA members feel that further clarity is required in the definition of previously developed land (PDL). While we agree in principle with the development of PDL, this should only be enabled where impact assessment has identified that doing so will not cause unmitigated significant effects on the environment, biodiversity, society, local area and people.

Yes, to a) – there is a benefit here to using land that has already been developed, bearing in mind comments in answers to Q 20 and Q22 – that there is a need to ensure that any land is not part of a nature corridor or that biodiversity or community use will not be significantly reduced as a result. Measures must be stringent enough to avoid green belt land becoming uses for development.

More generally, it might be better that economic policy encourages business and housing to develop in areas where encroachment on the green belt land is not necessary for example.

No to b) – this seems open to abuse where an easy solution for a council under pressure might be to release green belt rather than create opportunities elsewhere. 'Demonstrable' is not strong enough and if this paragraph were to be inserted then there must be more mandatory actions to control green belt use in paragraph 155. See also comment above re. economic policy.

Grey Belt, urban fringe Green Belt and wider rural Green Belt areas can be functionally linked habitat for qualifying bird species associated with national and internationally designated sites. An increase of Brownfield/Grey Belt locations in the Green Belt is likely to have disturbance impacts on wintering birds using farmland areas to feed and roost. The likely consequence of this for planning is, an increased number of Habitats Regulations Assessment and potential need for development of such sites to be informed by wintering bird survey. Therefore, the practicalities of developing some Grey Belt locations may not be straight forward and could require detailed ecological assessment.

There must be additional protections for protected/vulnerable species that have encroached on the area since its abandonment i.e., nesting bird species and other habitat. Potential additional checks must be undertaken on brownfield land to ensure suitability.

**QUESTION 22: DO YOU HAVE ANY VIEWS ON EXPANDING THE DEFINITION OF PDL, WHILE ENSURING THAT THE DEVELOPMENT AND MAINTENANCE OF GLASSHOUSES FOR HORTICULTURAL PRODUCTION IS MAINTAINED?**

The IEMA view is that any changes need to be considered carefully to avoid unintended consequences on topics such as food security and biodiversity.

*Food Security* - For example, glasshouses are a critical component of England's food security plan, and should be retained to support food production wherever possible, this policy change could therefore jeopardise food security plans by promoting conversion of sites. Where these sites cannot be retained in their existing state, they should be repurposed where possible, for growing less technical crops. Horticultural nursery areas should be excluded from any definition of PDL.

IEMA members believe that any proposals to redevelop glasshouse sites with non-horticultural developments should be required to robustly demonstrate that it is possible to do so without significant environmental or economic impacts, which could be addressed in an options appraisal or appropriate environmental assessment (for example, EIA for a site, but also SEA in terms of strategic planning for similar areas).

*Biodiversity* - Whilst we recognise the value of a PDL/Brownfield first approach, we have concerns around how this may limit the availability of potential Open Mosaic Habitat on Previously Developed Land (OMHPDL) sites available for BNG offset purposes. There is already a shortage of these 'gain sites' which is recognised nationally as a major issue for BNG delivery.

Further, development of PDL sites in Green Belt presents a risk of fragmentation and less functional nature corridors which are under development through Local Nature Recovery Strategies (LNRS). Guidance states Responsible Authorities should actively seek to target areas that could become of particular importance inside the Green Belt.

**QUESTION 23: DO YOU AGREE WITH OUR PROPOSED DEFINITION OF GREY BELT LAND? IF NOT, WHAT CHANGES WOULD YOU RECOMMEND?**

IEMA agrees with this definition in principle but would expect impact assessment methodology to be used in identifying and developing sustainable sites and integrating them into their surroundings. Footnote 7 Excluded / Protected Areas should be extended to include candidate sites and wider settings and with appropriate buffer zones implemented. It is also important that high quality environmental net-gain over and above standard biodiversity net gain targets, must be achievable from development of any land re-designated as "Grey Belt". Again, we have specific concerns regarding agriculture and biodiversity.

*Agriculture* - IEMA members feel that farmland, whether BMV or not, provides much of the character and attractiveness of the Green Belt, delivering vital services in an anthropocentric ecosystem, including purification of water and air, recreational opportunities, nutrient cycling and

provisioning, rather than the “limited contribution” described. The existing NPPF in para 142 states “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.” Much of this is due to farming, irrespective of ALC grade.

However, members agree that “Grey Belt”, when defined as “Green Belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes”, will help steer development away from BMV agricultural land, and in this way is useful.

The current guidance and policy regarding BMV land was designed to assist decision makers to balance the benefits of two or more competing sites in development ‘contests’. It has not been used to place a value on the capacity of the land to support food production in a wider context and thus ensure food security. The ALC system is based on a system of non-transient physical criteria found at points within a site. This straightforward approach was developed at a time when there were insufficient data to bring actual land use, management and productivity into the assessment. This information is now readily available at little cost and would provide more information to decision makers to help place a site into a wider context encompassing land use and management, soil health and productivity.

*Biodiversity* – In addition to the matters raised in response to question 21, a definition is required for limited contribution. Current definitions do not specifically include reference to biodiverse sites and this needs to account for sites that could be part of the grey belt but have been encroached on the area since its abandonment i.e., nesting bird species and other habitat.

There must be potential consideration for flood risk in development of grey belt sites i.e. will development affect flood risk from increased runoff/decreased permeability etc. This should be part of a grey belt assessment.

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#### QUESTION 24: ARE ANY ADDITIONAL MEASURES NEEDED TO ENSURE THAT HIGH PERFORMING GREEN BELT LAND IS NOT DEGRADED TO MEET GREY BELT CRITERIA?

IEMA support preserving protections for environmentally designated land to promote positive improvements. This involves clearly defining and reinforcing boundaries and buffer zones, preventing further encroachment or degradation of valuable Green Belt areas. The Guidelines for Landscape and Visual Impact Assessment (GLVIA) are key to assessing value, impact, and character, and in establishing boundaries. See also our response to question 21.

The setting of designated and proposed areas is also important. A landscape-led approach to siting, layout, and design can benefit land released from the Green Belt. Local Plans should reference green infrastructure and allocate sites for nature to conserve, restore, and enhance the environment. Integrating these with housing and infrastructure projects supports local nature restoration strategies.

While Footnote 28 has been removed following the deletion of Paragraph 62, its emphasis on prioritizing sustainable development on Brownfield sites and setting key housing criteria should be reinstated in the revised NPPF.

It is crucial to safeguard Green Belt uses by exploring sustainable management options rather than automatically assuming underused areas are suitable for development. Restoration should be prioritized to enhance ecosystem services. Clarity is needed on how land allocation decisions are made and the baseline data used.

IEMA members believe that protections should be made of open, agricultural landscapes, and on land already safeguarded by existing environmental designations, irrespective of land quality.

Finally, there should be a focus on achieving biodiversity net gain (BNG) and broader Environmental Net Gain to benefit biodiversity and society, particularly through natural assets like soil health and conservation. A holistic landscape approach can lead to better development outcomes.

It would be beneficial to define the specific criteria for 'limited use/value' and to develop a habitat type or species checklist. There are concerns that currently all considerations are social or built environment considerations, and to avoid biodiversity impacts considerations should also include habitat/ecosystem type and wider role in LNRS.

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**QUESTION 25: DO YOU AGREE THAT ADDITIONAL GUIDANCE TO ASSIST IN IDENTIFYING LAND WHICH MAKES A LIMITED CONTRIBUTION OF GREEN BELT PURPOSES WOULD BE HELPFUL? IF SO, IS THIS BEST CONTAINED IN THE NPPF ITSELF OR IN PLANNING PRACTICE GUIDANCE?**

Yes, IEMA agrees that additional guidance is needed within the NPPF, cross referencing to detailed guidelines and approaches. Some examples would also be useful considering different scenarios, such as when land may function as nature corridors, or regarding species encroachment and retention. Not only guidelines, but also some requirements should be in place to ensure that Grey Belt, and especially Green Belt, are used as a last resort.

Furthermore, local planning authorities should adopt local design guidance, based on character assessments and local context and recognising current and future needs, working with other adjacent LPAs where needed or appropriate. In identifying land for potential development, a holistic view of the whole Green Belt area and cumulative effects of development should be considered.

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**QUESTION 26: DO YOU HAVE ANY VIEWS ON WHETHER OUR PROPOSED GUIDANCE SETS OUT APPROPRIATE CONSIDERATIONS FOR DETERMINING WHETHER LAND MAKES A LIMITED CONTRIBUTION TO GREEN BELT PURPOSES?**

IEMA advocates the use of impact assessment to consider individual projects based on the local context. IEMA, along with the Landscape Institute, has long established guidance on Landscape and Visual Impact Assessment (GLVIA), which should be used to assess the impact, value and character, and to test whether changes cause substantial harm. Furthermore, although nature has some protection through existing planning policy, nature protection and recovery should be explicitly referenced in the guidance to highlight and reinforce its importance.

**QUESTION 27: DO YOU HAVE ANY VIEWS ON THE ROLE THAT LOCAL NATURE RECOVERY STRATEGIES COULD PLAY IN IDENTIFYING AREAS OF GREEN BELT WHICH CAN BE ENHANCED?**

All developments should actively support and enhance green infrastructure strategies in measurable ways, such as expanding tree canopy, improving water management, and creating dedicated spaces for nature. Local plans should ensure efficient land use and balanced densification, aligning with climate goals. This involves promoting strong local design guides based on area character assessments and following the National Design Code.

Local Nature Recovery (LNRS) Strategies, which identify local biodiversity priorities, should be considered in planning decisions and can support Biodiversity Net Gain (BNG) when developing Green or Grey Belt areas. This includes existing habitats and designated sites (statutory and non-statutory) and creation of new habitat to support nature recovery and provide wider benefits for people. Green Belt areas add another layer of protection to strategically important ecological assets some as river corridors, functionally linked habitat, peat/bog, unimproved grassland and long-established woodland. They are therefore arguably the most important areas for LNRS to target for landscape ecological recovery.

As stated in question 21, development of PDL sites in Green Belt presents a risk of fragmentation and less functional nature corridors which are under development through LNRS. Guidance states Responsible Authorities should actively seek to target areas that could become of particular importance inside the Green Belt.

In addition, land use assessments should extend beyond biodiversity to include the broader ecosystem services provided by these areas, such as regulating water flows, carbon sequestration, nutrient cycling, wastewater treatment, and recreational opportunities.

A coordinated planning approach between authorities across local boundaries is crucial to ensure high-quality outcomes and prevent land degradation from becoming a justification for development.

**QUESTION 28: DO YOU AGREE THAT OUR PROPOSALS SUPPORT THE RELEASE OF LAND IN THE RIGHT PLACES, WITH PREVIOUSLY DEVELOPED AND GREY BELT LAND IDENTIFIED FIRST, WHILE ALLOWING LOCAL PLANNING AUTHORITIES TO PRIORITISE THE MOST SUSTAINABLE DEVELOPMENT LOCATIONS?**

IEMA is concerned with the current wording and believe the wording needs to be strengthened with regard to nature and biodiversity protection, along with assurance that the use of Green Belt land would not be open to abuse (see also answers to previous questions on this topic above).

IEMA members would only agree with this sequential approach to the release of land, where a careful, detailed and holistic and strategic assessment has been made of areas designated for reallocation of Green Belt land to Brownfield, PDL or Grey Belt. This should take into account the current Green Belt uses, the sustainability of the proposal and how it would comply with environmental standards, nature recovery and biodiversity and ecological targets, including for example retaining green and blue infrastructure links and protecting areas of high biodiversity, as well as any mitigations that would be required for significant adverse effects.

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QUESTION 29: DO YOU AGREE WITH OUR PROPOSAL TO MAKE CLEAR THAT THE RELEASE OF LAND SHOULD NOT FUNDAMENTALLY UNDERMINE THE FUNCTION OF THE GREEN BELT ACROSS THE AREA OF THE PLAN AS A WHOLE?

Yes. IEMA members strongly agree with this. Where Green Belt land is released, this must be tied into improvements in the quality, functionality and aesthetics of the remaining Green Belt Land and its support of both communities and ecosystem services. See answers to Questions 10-27 above.

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QUESTION 30: DO YOU AGREE WITH OUR APPROACH TO ALLOWING DEVELOPMENT ON GREEN BELT LAND THROUGH DECISION MAKING? IF NOT, WHAT CHANGES WOULD YOU RECOMMEND?

IEMA members believe that IROPI (Imperative Reasons of Over-riding Public Interest) tests should be applied together with the comprehensive Sustainability Assessment for any Green Belt decisions outside the Local Plan process. Any such development allowed should incorporate all appropriate high quality infrastructure provision, including Green Infrastructure and appropriate impact mitigation measures.

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QUESTION 31: DO YOU HAVE ANY COMMENTS ON OUR PROPOSALS TO ALLOW THE RELEASE OF GREY BELT LAND TO MEET COMMERCIAL AND OTHER DEVELOPMENT NEEDS THROUGH PLAN-MAKING AND DECISION-MAKING, INCLUDING THE TRIGGERS FOR RELEASE?

IEMA members believe that where Grey Belt Land is released to meet commercial and other development needs that this should incorporate adding additional environmental value to sites.

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QUESTION 34: DO YOU AGREE WITH OUR PROPOSED APPROACH TO THE AFFORDABLE HOUSING TENURE MIX?

IEMA members agree with the approach to affordable housing tenure mix – as local authorities will have a better idea of actual need in the area. However, we would recommend that rules are put in place such that social rent homes are not negotiated out of s106 deals simply to improve profits.

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QUESTION 35: SHOULD THE 50 PER CENT TARGET APPLY TO ALL GREEN BELT AREAS (INCLUDING PREVIOUSLY DEVELOPED LAND IN THE GREEN BELT), OR SHOULD THE GOVERNMENT OR LOCAL PLANNING AUTHORITIES BE ABLE TO SET LOWER TARGETS IN LOW LAND VALUE AREAS?

IEMA members feel that 50% is an arbitrary number. Good quality homes are a basic need for people and so the figure should be based on actual needs of people. We would therefore encourage Government to gain data to inform this % to align with actual demand in the area .

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QUESTION 36: DO YOU AGREE WITH THE PROPOSED APPROACH TO SECURING BENEFITS FOR NATURE AND PUBLIC ACCESS TO GREEN SPACE WHERE GREEN BELT RELEASE OCCURS?

IEMA members agree with this approach in principle but with the caveats set out in response to Q21 above with regard to ecological considerations. Green Infrastructure should be referred to under the essential provision of Infrastructure. In addition, new development proposals should incorporate proposals for tangible contributions to the Government's Environmental Improvement Plan and other policy commitments on energy, carbon and water and deliver overall Environmental Net Gain.

Please note that a site can still be of value where the public has limited access e.g. areas for important species, the presumption on access may damage this. There is potential to increase green spaces by defining a hierarchy of land uses where no policies are in-place. On this matter, see also our response to question 27.

**QUESTION 39: TO SUPPORT THE DELIVERY OF THE GOLDEN RULES, THE GOVERNMENT IS EXPLORING A REDUCTION IN THE SCOPE OF VIABILITY NEGOTIATION BY SETTING OUT THAT SUCH NEGOTIATION SHOULD NOT OCCUR WHEN LAND WILL TRANSACT ABOVE THE BENCHMARK LAND VALUE. DO YOU HAVE ANY VIEWS ON THIS APPROACH?**

Viability valuations are often contentious and are sometimes used to justify not meeting environmental or social goals or contributions. Therefore, IEMA's position is that the Government should make use of independent expert advice when undertaking assessments of viability combined with information from actual returns on housebuilding to ensure evidence-based practice is followed.

**QUESTION 42: DO YOU HAVE A VIEW ON HOW GOLDEN RULES MIGHT APPLY TO NON-RESIDENTIAL DEVELOPMENT, INCLUDING COMMERCIAL DEVELOPMENT, TRAVELLERS SITES AND TYPES OF DEVELOPMENT ALREADY CONSIDERED 'NOT INAPPROPRIATE' IN THE GREEN BELT?**

Non-residential development should take into account high quality environmental net-gain along with good design standards.

**QUESTION 46: DO YOU HAVE ANY OTHER SUGGESTIONS RELATING TO THE PROPOSALS IN THIS CHAPTER?**

IEMA members consider that LPAs should not be required to release additional Green Belt land where low housing delivery is due to constraints outside of their control such as sewerage or developer delay.

In addition, Questions 34 and 35 come at the end of proposals for Golden Rules for public benefit but there are no consultation questions for this public benefit. Therefore, we add comments to address those proposals.

- We would certainly agree with the proposal for more infrastructure such as GP, schools etc – we would add centres for community groups to meet, shopping for basic provisions, places of work and public transport hubs.
- Green Spaces –the proposals discuss the provision of access to green spaces, including access to existing ones. Data suggests that this improves wellbeing of people so will



generally serve public benefit. It was also mentioned in the Social Housing White Paper<sup>1</sup>. However, even more public benefit will come from actually creating these green spaces, not just relying on existing ones.

- The green spaces themselves should be biodiverse areas that are part of green corridors. This will help combat the species decline in the UK. The Biodiversity Net Gain target should be a minimum requirement, and developments should include green corridors.
- There is no specific mention of the Future Homes Standard for energy efficient homes, nor is there mention of net zero homes. Given the urgency of tackling climate change there should be building standards included. It is not clear whether the NPPF will be relying on current building standards or whether local authorities can make their own requirements to suit their own climate emergency declarations.
- In a similar vein, there is no mention of water efficiency. We have heard accounts of new developments being refused planning permissions because of the lack of water availability. Water is a basic human need and so it is therefore of public benefit to have effective water efficiency standards. Part G of the current building regulations does have these, but IEMA members report that they have visited several recently built homes which have inefficient water fittings. There have been previous calls to improve water efficiency targets, but there seems no progress on this in England (Wales has done this via WHQS), so perhaps these new proposals can be used to do drive water efficiency. There should also be a regime in place to ensure that post-construction checks are made to ensure water efficient fittings are installed.
- The proposals make no mention of overheating or heat waves even though the Met Office projections are for more of this type of climate<sup>2</sup>. There will be public benefit from by addressing overheating. There should be provision to ensure that homes and other buildings are not at risk from overheating. The recent addition of Part O to building regulations may make a difference but have not been truly tested yet. In addition, given the experience of ignoring Part G for water efficiency, perhaps a regime of post-construction checks can be instituted via these new proposals. Provision of green spaces and trees will certainly contribute to summer cooling.

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**QUESTION 53: WHAT SAFEGUARDS WOULD BE REQUIRED TO ENSURE THAT THERE ARE NOT UNINTENDED CONSEQUENCES? FOR EXAMPLE, IS THERE A MAXIMUM SITE SIZE WHERE DEVELOPMENT OF THIS NATURE IS APPROPRIATE?**

IEMA members agree that high quality external space with communal facilities would be important, together with management of the site to encourage social interaction and community.

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**QUESTION 55: DO YOU AGREE WITH THE CHANGES PROPOSED TO PARAGRAPH 63 OF THE EXISTING NPPF?**

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<sup>1</sup> <https://www.gov.uk/government/publications/the-charter-for-social-housing-residents-social-housing-white-paper/the-charter-for-social-housing-residents-social-housing-white-paper#chapter-6-to-have-a-good-quality-home-and-neighbourhood-to-live-in>

<sup>2</sup> <https://www.metoffice.gov.uk/weather/climate-change/effects-of-climate-change>



The inclusion of “looked after children” in the delivery of a sufficient supply of homes is greatly welcomed. There is a lack of children’s homes across the country, and an over dependence on external placement, which severs family and social networks, and typically forms the most significant Local Authority overspend. The inclusion of children’s homes as part of sufficiency test, and signposting to the Local Authority’s Children’s Social Care Sufficiency Strategy to inform, rationalise and justify capital provision as part of the affordable housing mix could fundamentally change current demand challenges, but also improve living and working conditions, improve energy efficiency and reduce maintenance costs. This is an excellent example of how planning can be applied to address current and looming social care and public health challenges.

**QUESTION 59: DO YOU AGREE WITH THE PROPOSALS TO RETAIN REFERENCES TO WELL-DESIGNED BUILDINGS AND PLACES, BUT REMOVE REFERENCES TO ‘BEAUTY’ AND ‘BEAUTIFUL’ AND TO AMEND PARAGRAPH 138 OF THE EXISTING FRAMEWORK?**

The IEMA and LI Guidelines (GLVIA) should be taken into account here for the promotion of impact assessment and good design both in the buildings themselves and in the spaces they are in. The high-quality design must reflect the local character, be sustainable, health promoting, energy efficient, climate resilient, uses local materials and be attractive to investment and people.

**QUESTION 60: DO YOU AGREE WITH PROPOSED CHANGES TO POLICY FOR UPWARDS EXTENSIONS?**

Building design must incorporate more green space and green elements as it increases in height and density.

**QUESTION 61: DO YOU HAVE ANY OTHER SUGGESTIONS RELATING TO THE PROPOSALS IN THIS CHAPTER?**

IEMA would like to see references in this chapter to the landscape design being incorporated into buildings from the outset.

## **BUILDING INFRASTRUCTURE TO GROW THE ECONOMY**

**QUESTION 62: DO YOU AGREE WITH THE CHANGES PROPOSED TO PARAGRAPHS 86 B) AND 87 OF THE EXISTING NPPF?**

IEMA members feel that the decentralisation and development of integrated resilient and sustainable supply chains is imperative and that policy changes to support these changes should be supported. In addition, this is highly relevant to food security and loss of UK food production means added food miles from imported replacements.

Existing para 86 (under ‘Building a strong, competitive economy’), includes an addition to 86b that clarifies the existing para by naming the types of development for which criteria should be set and sites identified. This is helpful.

IEMA agrees with the proposed changes where the developments are sustainable, taking environmental considerations into account and incorporate green spaces and green infrastructure by design, as well as considering potential for contributions to solar power generation.

QUESTION 63: ARE THERE OTHER SECTORS YOU THINK NEED PARTICULAR SUPPORT VIA THESE CHANGES? WHAT ARE THEY AND WHY?

IEMA members recommend that research and development facilities are specifically named, rather than just laboratories, as this covers a wider set of uses under the innovation banner.

QUESTION 64: WOULD YOU SUPPORT THE PRESCRIPTION OF DATA CENTRES, GIGAFACTORIES, AND/OR LABORATORIES AS TYPES OF BUSINESS AND COMMERCIAL DEVELOPMENT WHICH COULD BE CAPABLE (ON REQUEST) OF BEING DIRECTED INTO THE NSIP CONSENTING REGIME?

IEMA members feel that no, there is nothing to suggest that they qualify as NSIPs as singular developments; they are not critical infrastructure in their own right, nor would they tend to be of a scale to merit such consideration. Moreover, this may result in PINS being overstretched in its scope. A better route would be through use of Special Development Orders.

QUESTION 65: IF THE DIRECTION POWER IS EXTENDED TO THESE DEVELOPMENTS, SHOULD IT BE LIMITED BY SCALE, AND WHAT WOULD BE AN APPROPRIATE SCALE IF SO?

See above (Qn 64)

QUESTION 66: DO YOU HAVE ANY OTHER SUGGESTIONS RELATING TO THE PROPOSALS IN THIS CHAPTER?

IEMA members feel that the paragraph that was formerly paragraph 87, should make specific reference to the demands these facilities place on other infrastructure; notably power and water supply given the current changing demands and stresses. It is also important to take the sensitivity of the setting into account.

## DELIVERING COMMUNITY NEEDS

QUESTION 67: DO YOU AGREE WITH THE CHANGES PROPOSED TO PARAGRAPH 100 OF THE EXISTING NPPF?

Yes, providing that when considering proposals for development sustainability, environmental and design requirements continue to be given due consideration and that this approach is not used as a means of reducing the quality, timescale or of the proposed development.

QUESTION 68: DO YOU AGREE WITH THE CHANGES PROPOSED TO PARAGRAPH 99 OF THE EXISTING NPPF?

Yes. IEMA members feel that the inclusion of the words 'early years' and 'post-16 promoters' in the revised policy, is very welcome. It recognises that education is not just about school or school age and that a diverse education system will help us meet the needs of our society and strive towards a fairer, greener economy. Providing sufficient affordable early years childcare is critical for parents seeking to rejoin the workforce. There is evidence that early education and childcare provision has a positive impact on children's development and on parents' (particularly mothers') work decisions and career patterns, therefore this could also help moving towards a more equal society, which has even wider benefits for everyone. If delivered well, this policy could provide a

significant benefit to society, however, it will be important to ensure that it is rolled out in a fair manner, considering who needs this support the most and perhaps targeting these areas for early adoption.

**QUESTION 69: DO YOU AGREE WITH THE CHANGES PROPOSED TO PARAGRAPHS 114 AND 115 OF THE EXISTING NPPF?**

Overall, we view the changes to Paragraphs 114 and 115 as a step in the right direction, in that they reflect an important intention to move away from predict and provide transport planning and towards a vision led approach. We can foresee potential risks, however, in (at best) continued uncertainty over the application of the paragraphs and (at worst) a perpetuation of established methods used to assess transport impacts of new development.

The consultation text which precedes Question 69 recognises that presently assessments follow a simplistic methodology with insufficient regard for the quality of places and the transport infrastructure needed to support them. The text is positive in its explanation of a vision led approach; one which has its foundations in more inclusive engagement, challenges default assumptions and is outcome focussed. It infers that people, their behaviours and the environment all have interrelationships with transport, which is consistent with the approach in the IEMA Environmental Assessment of Traffic and Movement.

We would welcome more of this narrative within the NPPF itself, as the proposed tracked changes could be viewed as retrofitting a buzz word into an otherwise outdated set of policies - aside from weaving “vision led approach” into two sentences, the only other material change is insertion of “in all tested scenarios” at the end of Paragraph 113 (was 115).

The revised NPPF could go further still in its alignment with vision led planning. Whilst the existing NPPF is not explicit in a preferred methodology for transport assessment, it has (alongside other guidance) contributed to engendering an approach which is framed around technical assessment of vehicle access, movements and impacts – planning for cars has resulted in places for cars. In our view, a vision led approach is a complete reimagination of how the planning system appraises the role of transport in peoples’ lives and the places they live in. Chapter 9 would benefit from comprehensive redrafting to reframe towards a holistic assessment of transport and its interactions with health, accessibility, economic growth, safety, air quality and the environment overall, and one which embraces uncertainty and theories of change. It should be more explicit in the need to align with parallel assessments covering these metrics such as Environmental Impact Assessments.

The reference to scenario testing is progressive and may lead to greater consideration of some of these metrics, but again it could be expanded to better reflect vision led planning. With people at the heart of the process, scenario testing should not only consider different levels of impacts but also different times of day, different trip purposes and different modes. The NPPF should be explicit that commuter peak hour - often worst case - vehicle impact scenarios cannot continue to form the basis of assessment, when commuting trips make up less than 15% journeys<sup>3</sup> and are

<sup>3</sup> National Travel Survey 2023

<https://assets.publishing.service.gov.uk/media/66c5c0b6cbe60889bddd278d/nts-2023-factsheet.pdf>

made by a similarly small proportion of people. These are not always the times when the development itself generates the most movements.

Transport (but typically 'highway-focused') model-driven scenario tests of this nature typically yield a 'design for maximum requirement' approach to highway capacity in order to accommodate or enable the delivery of new development sites, rather than focusing on providing a more balanced mix of modes and options that would broaden real-world travel choices for a wider range of people. The model-driven approach is often unrealistically 'accurate' and does not deal well with the impacts of cumulative development, alternative time periods and variable demand / modal shift.

Notwithstanding any of the above, the proposed changes as they are leave room for misinterpretation and uncertainty. They are minimal and, currently, lack context and clarity. The supporting "updated guidance" referenced in the consultation text will be welcome and, if it reflects the above, very useful in shifting the dial towards vision led planning. In our view it should provide more detail on the following:

- The definition of a vision led approach.
- What a vision should consider and who should be consulted on it.
- How a vision should be tested in a transport assessment.
- The metrics of success that transport assessments should consider.
- How transport assessments can better inform and relate to other assessments and studies, for example air and noise assessments, HIA, EQIA and EIA.
- What should scenarios comprise of: what time periods and phases of development are covered, how are they tested and how many are required.
- What can be defined as a 'severe' impact (if the term continues to be used), what metrics does this apply to, and how does it relate to the definition of 'significant' in EIAs.
- How impacts should be mitigated and who should deliver improvements.
- Examples of scenarios where 'design for maximum forecast demand' rather than 'design for desired transport mode split outcomes' are/are not appropriate.
- How all of the above can be undertaken proportionately, reflecting the scale of development being assessed and the likely movements it would generate (by all modes).

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#### QUESTION 70: HOW COULD NATIONAL PLANNING POLICY BETTER SUPPORT LOCAL AUTHORITIES IN (A) PROMOTING HEALTHY COMMUNITIES AND (B) TACKLING CHILDHOOD OBESITY?

Despite health being an underpinning objective for planning and sustainable development, there remains a disconnect, where the definition of health applied remains limited to health protection. Projects that facilitate improvements in Health Promotion and Health Care are often underrepresented and unrewarded in the planning balance. As a result, there is no distinction between projects that embed healthy urban design, and bespoke design solutions that address and reverse local health burdens, and prevent, reduce and delay the need for adult social care, children's services and the need for clinical intervention, from those that don't.

Planning can prevent more disease than the NHS could ever treat, yet planning is not optimised to encourage and realise this.

In response to the question, How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

1. Apply the public health definition as the founding premise to addressing health through planning: The science and art of preventing disease, prolonging life and promoting health through organised efforts of society". (Sir Donald Acheson). This not only helps frame the consideration of health protection, health promotion and health care through planning, but helps reinforce the mutual objective, as it is equally a definition of planning itself.

We need planning to move away from just health risk prevention, and give health promotion and health care weight in the planning balance. Local Plans set local priorities and needs, as do local Health and Wellbeing Strategies and local Joint Strategic Needs Assessments (JSNA). Projects that facilitate the delivery of these bespoke health promotion and care priorities and needs should be recognised and given due weight in the planning balance. This means a greater collaboration towards achieving the mutual objective, but also greater cumulative benefits, where all projects, no matter the scale, are working towards the same goal, and the JSNA can be updated annually to account for changes in local health priorities and needs, to ensure the changing needs are met.

Importantly, the consideration of public health in its fullest sense (health protection, promotion and care) needs to be routinely and consistently applied not just during the planning process to build in positive and enduring health legacies, but during the decision-making process.

Differentiating between projects that address local health burdens and improve health from those that do not will be the fastest and most effective means of driving health urban design, and radically improving health and social care through in-kind capital provision. IEMA have championed this through its efforts to build Health Impact Assessment (HIA) into planning and Environmental Impact Assessment. IEMA has already developed guidance<sup>4</sup> and competency frameworks<sup>5</sup> to drive wider training and professional qualification and accreditation. However, it remains a non-regulatory requirement to the planning process, often only driven by Local Policy and validation requirements. The NPPF needs to go beyond hopes and aspirations, and formalise the requirement of health in the planning and decision making process.

2. Childhood obesity needs to be addressed, but should not be singled out in the NPPF. There are a wide range of current and looming health challenges that differ regionally and locally; and will change again within the life of the NPPF and the Local Plans it will inform. A more flexible approach is required, of which the previous answer already resolved. All Local Plans will set out their pressing health challenges and objectives, and can signpost to the JSNA. These local sources can provide resolution on not only the local public health priorities, but also context appropriate priority health urban design solutions. Such a more joined up approach can inform bespoke age, dementia and neurodiversity friendly design features; can focus capital investment more strategically; can provide healthy urban

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<sup>4</sup> IEMA Guides: [Effective Scoping of Human Health in Environmental Impact Assessment](https://www.iema.net/engage/policy-resource-hub/policy/impact-assessment/practical-guidance/) & [Determining Significance for Human Health in Environmental Impact Assessment](https://www.iema.net/engage/policy-resource-hub/policy/impact-assessment/practical-guidance/), 2022. Available at: <https://www.iema.net/engage/policy-resource-hub/policy/impact-assessment/practical-guidance/>

<sup>5</sup> IEMA Guide: [Competent Expert for Health Impact Assessment](https://www.iema.net/engage/policy-resource-hub/policy/impact-assessment/practical-guidance/) including Health in Environmental Assessments, 2024. Available at: <https://www.iema.net/engage/policy-resource-hub/policy/impact-assessment/practical-guidance/>

design to increase physical activity and reduce poor lifestyle behaviours; and more importantly, consider potential social or behavioural barriers that constrain or limit health improvements, and result in disproportionate impacts and widens health inequality. To optimise the cumulative benefit to all of society, IEMA again recommend the NPPF makes the consideration of health in planning and during decision making a formal requirement (through processes such as HIA). In practical terms, the wording of the NPPF paragraph 96 could be amended from 'Planning policies and decisions should aim to achieve healthy, inclusive and safe places...' to, '*Planning policies and decisions should demonstrate, through processes such as health impact assessment, how they achieve healthy, inclusive and safe places. This includes integrating health promotion, health protection and health and social care service improvements with the aim of preventing disease, prolonging life and promoting health.*'

#### QUESTION 71: DO YOU HAVE ANY OTHER SUGGESTIONS RELATING TO THE PROPOSALS IN THIS CHAPTER?

Adult Social Care and Children's services typically form two thirds of every local authority budget<sup>6</sup>. Demand is increasing, inflation further reduces return and staff are leaving<sup>7</sup>. The cost burden is also a key factor pushing many local authorities into bankruptcy, of which only leads to further cuts to services and amenities that prevent the need for social care.

Greater interface with social care to identify not only capital investment, but age, dementia and neurodiversity friendly design is essential, as are links to Social Value once operational. The NPPF should encourage Local Authorities to frame the need, of which would underpin the rationale and justification needed by proponents to include capital provision and urban design solutions.

The Draft NPPF inclusion of children's homes is a good example of this, where it can not only remove the need for costly external child placement, but helps retain social and environmental connections with far greater life outcomes, while improving living and working conditions, reducing energy costs and maintenance and other factors that are leading to staff leaving the sector.

#### SUPPORTING GREEN ENERGY AND THE ENVIRONMENT

#### QUESTION 72: DO YOU AGREE THAT LARGE ONSHORE WIND PROJECTS SHOULD BE REINTEGRATED INTO THE NSIP REGIME?

IEMA members feel that if the resources are provided for the NSIP system to deal with these additional projects then yes, we agree.

<sup>6</sup> <https://www.local.gov.uk/parliament/briefings-and-responses/briefing-lgas-autumn-budget-2024-and-spending-review-submission>

<sup>7</sup> [Local government workforce summary data - the latest figures | Local Government Association](#)

QUESTION 73: DO YOU AGREE WITH THE PROPOSED CHANGES TO THE NPPF TO GIVE GREATER SUPPORT TO RENEWABLE AND LOW CARBON ENERGY?

IEMA members feel that renewable and low carbon energy should receive greater support, yes.

QUESTION 74: SOME HABITATS, SUCH AS THOSE CONTAINING PEAT SOILS, MIGHT BE CONSIDERED UNSUITABLE FOR RENEWABLE ENERGY DEVELOPMENT DUE TO THEIR ROLE IN CARBON SEQUESTRATION. SHOULD THERE BE ADDITIONAL PROTECTIONS FOR SUCH HABITATS AND/OR COMPENSATORY MECHANISMS PUT IN PLACE?

IEMA members feel that unsuitability should not just be looked at in terms of Carbon sequestration, but in a more broad sense. Generally speaking, sensitive areas (e.g., from an ecology or water point of view) should not be seen as being of lesser importance than low carbon energy. There should be no 'automatic' trade-offs and any (unavoidable) conflict should be considered and assessed in a balanced and transparent manner. Additional (legal) protection isn't necessarily the best way to solve potential conflicts, although it may serve a purpose where other options are limited. Strengthening the environmental assessment regime, in particular at the strategic level is a better way to deal with conflict.

Additional protections are needed to ensure much higher significant benefit in carbon reduction if degrading peat habitat to install wind turbines. Should be a presumption not to use peatland.

QUESTION 75: DO YOU AGREE THAT THE THRESHOLD AT WHICH ONSHORE WIND PROJECTS ARE DEEMED TO BE NATIONALLY SIGNIFICANT AND THEREFORE CONSENTED UNDER THE NSIP REGIME SHOULD BE CHANGED FROM 50 MEGAWATTS (MW) TO 100MW?

IEMA members feel that considering question 72, this is a reasonable proposal.

QUESTION 76: DO YOU AGREE THAT THE THRESHOLD AT WHICH SOLAR PROJECTS ARE DEEMED TO BE NATIONALLY SIGNIFICANT AND THEREFORE CONSENTED UNDER THE NSIP REGIME SHOULD BE CHANGED FROM 50MW TO 150MW?

IEMA members believe that this change could be beneficial, allowing the LPA to take into account local issues and local opinions. It would also protect more land from compulsory purchase (which is allowed for NSIPs)

QUESTION 77: IF YOU THINK THAT ALTERNATIVE THRESHOLDS SHOULD APPLY TO ONSHORE WIND AND/OR SOLAR, WHAT WOULD THESE BE?

A more important question in this context is about the planning procedures that apply to certain developments overall and what the thresholds are for those. This relates in particular to environmental impact assessment (EIA) and (considering question 74) strategic (environmental/impact) assessment.



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**QUESTION 78: IN WHAT SPECIFIC, DELIVERABLE WAYS COULD NATIONAL PLANNING POLICY DO MORE TO ADDRESS CLIMATE CHANGE MITIGATION AND ADAPTATION?**

National planning policy should require low carbon development. This will provide certainty to all parties. The current position is that local authorities have to ‘prove’ that low carbon development is viable in their areas in order to require it. This delays development, as developers and authorities spend time and money coming to an agreement on what is viable before plans and planning applications are approved, and long before shovels go into the ground.

If government wants to speed up development and address climate change and adaptation at the same time, it must make firm rules on what climate change mitigation and adaptation looks like from a development perspective.

In terms of construction, this includes moving quickly on a genuine Future Home Standard (neither option put forward by the last government consultation was satisfactory). IEMA joined other leading environmental organisations in responding to the consultation and putting forward suggestions<sup>8</sup>. This was then put in writing to the new government, and we support the contents of the new letter – reference here: Future Homes Standard response - Good Homes Alliance. Similar requirements should be in place for non-domestic buildings.

In terms of transport, the ‘vision-led’ proposals are difficult to judge without knowing the detail of what constitutes an acceptable ‘vision’. As is, the terminology is too vague and will result in developers and local authorities taking opposing views of what is an acceptable ‘vision’, with the final decision being entirely subjective and on a case-by-case basis. This will delay plans being put in place and planning applications being approved.

Attention should be given to accounting for the impact of disturbance to carbon-rich soils i.e. will development release a significant amount of sequestered carbon or impact future potential for sequestration.

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**QUESTION 79: WHAT IS YOUR VIEW OF THE CURRENT STATE OF TECHNOLOGICAL READINESS AND AVAILABILITY OF TOOLS FOR ACCURATE CARBON ACCOUNTING IN PLAN-MAKING AND PLANNING DECISIONS, AND WHAT ARE THE CHALLENGES TO INCREASING ITS USE?**

In terms of technological readiness and availability of tools, there is not one ‘approved’ toolkit for accurate carbon accounting in plan-making and planning decisions, although several organisations provide guidance on different elements of approaching such a calculation. IEMA's toolkit: Practical Steps for Decarbonising Local Plans<sup>9</sup> provides a comprehensive example. It would probably be helpful to the examiners of local plans if a consistent and auditable methodology were available. It would have to include firm instructions on the scope of activities to be included, with nothing left open to interpretation. This would enable the publication of carbon accounting projections that could be accepted by all parties as a Statement of Common Ground – in turn speeding up the plan examination and decision-making processes.

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<sup>8</sup> <https://www.iema.net/media/wurjoekt/iema-consultation-response-future-homes-standard.pdf>

<sup>9</sup> <https://www.iema.net/watch-again/practical-steps-for-decarbonising-local-plans-iema-toolkit-launch/>  
<https://www.iema.net/media/jvpll3mf/iema-practical-plans-01-26-single-pages-v3-april-2023.pdf>



In terms of challenges, we would then need more trained personnel to use such a tool.

**QUESTION 80: ARE ANY CHANGES NEEDED TO POLICY FOR MANAGING FLOOD RISK TO IMPROVE ITS EFFECTIVENESS?**

More resources are required to upskill planning officers and members of planning committees on understanding the data put forward in flood risk assessments. Without a sound understanding of the data they are given, officers and members are not able to interrogate and appraise the information they are being presented. For example, planning team will need to consider the potential for flood risk in development of grey belt sites i.e. will development affect flood risk from increased runoff/decreased permeability etc.

More resources are additionally required for local authorities to effectively monitor development post-construction to ensure that the flood risk mitigation measures have been correctly installed. While SuDS are now a standard requirement for larger developments, they are generally left in the hands of private management companies, which are often opaque and difficult to interact with. It is entirely likely that problems are being stored up – when the SuDS currently in place reach the end of their lifespans and need replacement or major maintenance, there will be little by way of price or quality control for those obliged to pay into the management company for these works. Future protection for consumers should be a consideration.

**QUESTION 81: DO YOU HAVE ANY OTHER COMMENTS ON ACTIONS THAT CAN BE TAKEN THROUGH PLANNING TO ADDRESS CLIMATE CHANGE?**

The more that can be made mandatory at national level, to be implemented at the point of plan making and making planning decisions, the better. This will provide certainty for developers and local authorities (and by extension their communities). It will speed up plan-making and decision-making, which will support the government's objectives. It will also make national carbon budget setting and planning more effective.

**QUESTION 82: DO YOU AGREE WITH REMOVAL OF THIS TEXT FROM THE FOOTNOTE?**

IEMA members believe the issue of food production should remain within the footnote but could be amended.

While BMV is important to national food security, an important point to note is that BMV land is judged for its versatility, not necessarily its contribution to food production. For example, Grade 3b heavy land in the Midlands and Eastern England is highly productive for autumn sown combinable crops, while 3b and Grade 4 land in higher rainfall areas can produce the best pastures for milk and meat production. The loss of productive land, and especially BMV land, should be built into the options appraisal and the assessment of cumulative effects (national and local).

Regarding paragraph 180 (b) of the NPPF 19Dec23, there is much discussion over what is meant by "...including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland". The meaning of 'economic and other benefits of BMV' should be redefined, or better described, to include food production/security, as well as other soil functions, such as production of fibre (including biofuels and energy crops) and contribution to ecosystem

system services such as water retention (flood risk reduction) carbon sequestration, and biodiversity. Soil health could be a standalone topic for assessment.

**QUESTION 83: ARE THERE OTHER WAYS IN WHICH WE CAN ENSURE THAT DEVELOPMENT SUPPORTS AND DOES NOT COMPROMISE FOOD PRODUCTION?**

Clear guidance on how to integrate land quality with food production referring to a defined structure will provide material benefits in terms of realistic, informed outcomes.

However, IEMA members have significant concerns that the cumulative loss of thousands of hectares of agricultural land will harm food production. For example, the combined loss, alone, of production to Sunnica, Mallards Pass and Gate Burton PVAs of over 3000 ha of farmland is significant. Ours is not a command economy, able to order increased production on other land, so more food will have to be imported with the implications of food miles and carbon output.

In Natural England's 2023 Agri-Environment Evidence Annual Report, a number of different land use scenarios were studied, which found those with the best outcomes for reducing greenhouse gas and increasing bird populations also led to the biggest drops in food production. Under the most ambitious climate change mitigation scenario food production is expected to decline by up to 25%. See [NERR138 Agri-Env Evidence Annual Report 2023 - NERR138 \(naturalengland.org.uk\)](https://www.naturalengland.org.uk/NERR138-Agri-Env-Evidence-Annual-Report-2023)

The NFU raised similar concerns, in relation to the planning system, in August 2024 See <https://www.nfuonline.com/updates-and-information/self-sufficiency-day/>

IEMA's *Land and Soils in EIA* (2022) guidance makes readers aware of the importance of determining and controlling agricultural land loss during the allocation of sites at the development plan stage (and Figure 2 of the IEMA guidelines addresses this), with a view to controlling cumulative losses of land and reducing the volume of soil unsustainably displaced by development. This is because at the strategic level there is more potential for developers to assemble larger sites that can incorporate pdl, reduce the overall proportion of hard development, and ensure the sustainable on-site re-use of displaced soil resources. This approach avoids the often unavoidable permanent (i.e., off-site and often unsustainable) displacement of soil that more frequently occurs on smaller development sites introduced at a later stage in the development process. IEMA soils experts believe that the NPPF could be useful address this point.

**QUESTION 84: DO YOU AGREE THAT WE SHOULD IMPROVE THE CURRENT WATER INFRASTRUCTURE PROVISIONS IN THE PLANNING ACT 2008, AND DO YOU HAVE SPECIFIC SUGGESTIONS FOR HOW BEST TO DO THIS?**

IEMA supports the proposal to expand the range of water infrastructure projects eligible for the NSIP regime planning route.

The proposal to include projects for the intermittent supply of water to address peak demand during drought conditions, water recycling schemes, and schemes for the transfer of treated drinking water between catchments within the scope of the NSIP regime should benefit communities, the economy including agriculture and horticulture, and the natural environment by building resilience to the impacts of a changing climate. There is scope for such projects, if coordinated, to enable an increased rate of housebuilding by contributing to the mitigation of water depletion of both surface and groundwater bodies and reducing the risks of nutrient loading within our most sensitive habitats.

The proposal to extend the opportunity to seek planning permission via the NSIP scheme to third parties working on behalf of water undertakers is welcomed. Such an approach should enable the timely delivery of the water infrastructure schemes required to support the development of environmentally sustainable places and the protection and enhancement of the water environment.

**QUESTION 85: ARE THERE OTHER AREAS OF THE WATER INFRASTRUCTURE PROVISIONS THAT COULD BE IMPROVED? IF SO, CAN YOU EXPLAIN WHAT THOSE ARE, INCLUDING YOUR PROPOSED CHANGES?**

Suggest reducing the thresholds set in S27 of the PA2008 above which dams/reservoirs become eligible for NSIP to bring them into alignment with Schedule 1 (para 15) of the Infrastructure EIA Regs 2018 (storage of 10 million cubic metres of water (EIA, Sch 1) cf. 30 million cubic metres of water (PA 2008)). Would provide greater certainty on the planning route for such facilities, reduce burdens on LPAs, and should improve the timeliness and consistency of planning decisions for such schemes.

#### CHANGES TO LOCAL PLAN INTERVENTION CRITERIA

**QUESTION 87: DO YOU AGREE THAT WE SHOULD WE REPLACE THE EXISTING INTERVENTION POLICY CRITERIA WITH THE REVISED CRITERIA SET OUT IN THIS CONSULTATION?**

Interventions may be justified in certain circumstances. However, those interventions should be held to the same standards and considerations that would have applied for the original decisions. For example, interventions should not overrule or ignore sustainability considerations regarding significant adverse effects on environmental and social factors such as health, ecology, landscape or heritage issues. Likewise, interventions should be held to the same standards of public consultation and should be informed by available assessments such as sustainability appraisals, strategic environment assessments and environmental impact assessments.

#### CHANGES TO PLANNING APPLICATION FEES AND COST RECOVERY FOR LOCAL AUTHORITIES RELATED TO NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

**QUESTION 92: ARE THERE ANY APPLICATIONS FOR WHICH THE CURRENT FEE IS INADEQUATE? PLEASE EXPLAIN YOUR REASONS AND PROVIDE EVIDENCE ON WHAT YOU CONSIDER THE CORRECT FEE SHOULD BE.**

A recent example in which the fee was deemed inadequate is detailed in the following BBC news story about West Suffolk and East Cambridgeshire County Councils in relation to the Sunnica Energy Farm. This legal challenge was brought due to the council finding the fees chargeable by councils for managing the planning process, to be insufficient.  
<https://www.bbc.co.uk/news/articles/cp9r4k87gx5o>

**QUESTION 93: ARE THERE ANY APPLICATION TYPES FOR WHICH FEES ARE NOT CURRENTLY CHARGED BUT WHICH SHOULD REQUIRE A FEE? PLEASE EXPLAIN YOUR**

REASONS AND PROVIDE EVIDENCE ON WHAT YOU CONSIDER THE CORRECT FEE SHOULD BE.

IEMA does not agree with the introduction of fees for protected tree or listed building applications/notification, due to this increasing the risk of unauthorised works and the resulting loss of conservation activities.

QUESTION 98: DO YOU CONSIDER THAT COST RECOVERY FOR RELEVANT SERVICES PROVIDED BY LOCAL AUTHORITIES IN RELATION TO APPLICATIONS FOR DEVELOPMENT CONSENT ORDERS UNDER THE PLANNING ACT 2008, PAYABLE BY APPLICANTS, SHOULD BE INTRODUCED?

## THE FUTURE OF PLANNING POLICY AND PLAN MAKING

QUESTION 103: DO YOU AGREE WITH THE PROPOSED TRANSITIONAL ARRANGEMENTS? ARE THERE ANY ALTERNATIVES YOU THINK WE SHOULD CONSIDER?

IEMA has no specific comments in response to this question. The proposal to provide additional funding to those LPAs needing to undertake further work and additional consultation is welcomed.

QUESTION 104: DO YOU AGREE WITH THE PROPOSED TRANSITIONAL ARRANGEMENTS?

IEMA has no specific comments in response to this question. The opportunity to comment in due course on the Government's proposals for further plan making reform is welcomed.

QUESTION 105: DO YOU HAVE ANY OTHER SUGGESTIONS RELATING TO THE PROPOSALS IN THIS CHAPTER?

The LURA includes proposals for reform of the environmental assessment regime, including plan level strategic environmental assessment (SEA) and sustainability appraisal (SA). At the plan-level a number of other key statutory assessments are also currently required, in particular Habitat Regulations Assessment (HRA) and strategic flood risk assessment (SFRA). IEMA would welcome the opportunity to engage with the Government on the question of environmental assessment reform in support of the proposed wider changes to the plan making system and wider planning reforms. Through its membership IEMA has access to a broad range of expertise and experience that could be drawn on to inform and support the delivery of key aspirations for the planning system, including in areas such as common data standards and the use of digital platforms for information sharing. Clarification would be welcomed as to how the transitional arrangement test proposed in paragraphs 6 and 7 of Chapter 12 of the consultation document should be applied with reference to minerals and/or waste local plans. Such plans, whilst not directly contributing to housing delivery, are essential for ensuring growing communities have adequate access to key material resources (e.g. aggregates and other building materials such as bricks and tiles) and key waste management infrastructure (e.g. wastewater treatment works, household waste management, etc.) and contribute to the broader goal of sustainable development and the shift to a circular economy.

## PREVIOUS SUBMISSIONS

In preparing this consultation response we have consulted IEMA's previous advice, submissions, consultation responses and positions (the IEMA recommendations) and the latest information provided within the NPPF consultation. The IEMA position is based on our previous stated and published recommendations as detailed on the IEMA website (here: [IEMA - Institute of Environmental Management and Assessment](#)) and contained in the following documents, updated with additional consultation based on the latest NPPF consultation information:

1. IEMA's toolkit, "[Practical steps for decarbonising local development plans](#)", (June 2024).
2. IEMA Guide: [Competent Expert for Health Impact Assessment](#) including Health in Environmental Assessments, 2024.
3. [IEMA's response to the Government Consultation on the Future Homes Standard](#), (2023)
4. [IEMA's response to the Nationally Significant Infrastructure Projects \(NSIP\) Consenting Regime as put forwards in the Nationally Significant Infrastructure Projects Reform Action Plan](#) (September 2023);
5. [IEMA Response to the Department for Levelling Up, Housing and Communities consultation on Environmental outcomes Reports](#) (June 2023);
6. [IEMA response \(July 2022\) to the Public Bill Committee: Levelling Up & Regeneration Bill \(LURB\)](#).
7. IEMA response (May 2022) to [Defra's Nature Recovery Green Paper](#);
8. [IEMA response \(April 2022\) to Defra's Environmental Impact Assessment \(EIA\) Regulations: Post Implementation Review- Impact Evaluation Survey](#);
9. IEMA Guide: [Effective Scoping of Human Health in Environmental Impact Assessment](#), (2022)
10. IEMA Guide: [Determining Significance for Human Health in Environmental Impact Assessment](#), (2022)
11. [IEMA response \(March 2021\) to the Housing, Communities and Local Government Committee \(HCLGC\) inquiry: The future of the planning system in England](#);
12. [IEMA response \(October 2020\) to the Ministry of Housing, Communities & Local Government \(MHCLG\) Consultation on 'Planning for the Future'](#);
13. [IEMA 'Levelling up EIA to Build Back Better'](#) report (September 2020) to Defra and MHCLG in September 2020 setting out key recommendations for improvements to EIA;
14. IEMAs '[Delivering Proportionate EIA Strategy](#)' (July 2017);

## FURTHER INFORMATION

For more information on this consultation response please contact:

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