

Proposed reforms to the National Planning Policy Framework and other changes to the planning system

Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?
N/A
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?
N/A
Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?
N/A
Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?
N/A
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?
We do not have a view on the design codes themselves but wish to highlight the importance of considering the impact of the proposed changes on availability and effective use of the subsurface (underground) space to ensure that development is sustainable. For example, densification of habitation comes with additional requirements for subsurface space, e.g. for transportation and utility infrastructure, the development of deep basements and foundations associated with taller buildings, and the installation of net zero technologies such as urban heat networks and ground source heat pumps. Subsurface planning is therefore necessary to reduce risk in subsurface construction, avoid space utilisation conflicts, and maintain and enhance space for green infrastructure. Furthermore, high density developments are typically associated with a significant increase in hard standing and grey cover, and the use of infiltration sustainable drainage systems (SuDS) will be critical to manage surface water and avoid localised surface water flooding. Examples of critical intersections for subsurface planning include: • subsurface space utilisation conflicts, particularly between building foundations and basements and buried transportation and utility infrastructure • expansion of urban heat networks and ground source heating systems whilst protecting groundwater resources, existing infrastructure and managing heat balances • opportunities for exploiting mine water heat whilst mitigating ground instability in former mining areas

- use of Sustainable Drainage Systems (SuDS) to manage surface water flooding risks and encourage urban greening whilst preventing the mobilisation of pollutants in the ground and preventing land instability
- sterilisation of subsurface resources (e.g. aggregate and mineral resources) due to surface development

As the subsurface becomes more utilised, we regard consideration of the available three-dimensional underground space and geology essential for delivering a sustainable, resilient spatial vision in local plans.

We would, therefore, welcome the inclusion of subsurface planning guidelines within the NPPF at the local plan-making stage, particular for high-density developments and urban extensions to enable planners to consider subsurface contexts and understand the relationship of subsurface planning to other planning considerations.

There are a range of datasets that provide information about the subsurface, including ground conditions, geological hazards and resources. These include geological maps (www.bgs.ac.uk/datasets/bgs-geology/), the [National Geotechnical Properties Database](http://www.bgs.ac.uk/geological-research/science-facilities/engineering-geotechnical-capability/national-geotechnical-properties-database/) (www.bgs.ac.uk/geological-research/science-facilities/engineering-geotechnical-capability/national-geotechnical-properties-database/), geochemical data sets for soils and stream sediments (<https://www.bgs.ac.uk/geology-projects/applied-geochemistry/g-base/>), ground stability/ shallow geohazard susceptibility maps (www.bgs.ac.uk/datasets/geosure/), a suite of maps of engineering properties and considerations (www.bgs.ac.uk/download/bgs-civils-user-guide/), maps highlighting potential for Sustainable Drainage Systems (www.bgs.ac.uk/datasets/infiltration-suds-map/), as well as a [Brownfield Risk Calculator](http://www.bgs.ac.uk/geology-projects/brownfield-ground-risk-calculator/) (www.bgs.ac.uk/geology-projects/brownfield-ground-risk-calculator/) that integrates a range of these datasets to better inform local authorities and developers of the potential risk and cost of redevelopment on specific brownfield sites.

Furthermore, we would like to highlight the outcomes of the recent Government Office for Science 'Future of the Subsurface' Foresight Project (www.gov.uk/government/publications/future-of-the-subsurface/future-of-the-subsurface) which demonstrates the role of the subsurface for sustainable development, climate action, and future economies. Improving coordination and regulation of the subsurface through planning and investment in tools to support decision-making are key recommendations of the project. The report is expected to be published later this year.

We would also welcome a stronger (legislated) obligations on developers and their applicants to submit their data (e.g. site investigation information with reusable geological and hydrological data relating to the sub-surface) to a curated data centre e.g. the National Geoscience Data Centre (NGDC) (<https://www.bgs.ac.uk/geological-data/national-geoscience-data-centre/>).

Inclusion of this data in the national database would allow for wider use and could enable considerable cost savings by reducing the need for additional, costly site investigation and risk assessments as well as by decreasing the risk of encountering unforeseen ground conditions. Several studies of a range of different construction projects suggest that ground failure and unforeseen ground are on average responsible for cost overruns of at least 10%.

Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?
We partly agree. In our view, decisions to grant planning permission for housing on land outside of a local plan should also consider the community benefits that existing land use and land cover bring (e.g. in terms of biodiversity and geodiversity) and what additional services these provide, such as protection from soil erosion, enhancement of soil health, etc. Not considering these aspects would risk losing such benefits and services e.g. a former coal mining area that is used regularly for recreation and supports biodiversity.
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?
N/A
Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?
N/A
Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?
N/A
Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?
N/A
Question 11: Do you agree with the removal of policy on Annual Position Statements?
N/A
Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?
N/A
Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?
N/A
Question 14: Do you have any other suggestions relating to the proposals in this chapter?
N/A
Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?
N/A
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?
N/A
Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?

N/A
Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?
N/A
Question 19: Do you have any additional comments on the proposed method for assessing housing needs?
N/A
Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?
We agree with the default position of 'yes' to brownfield land redevelopment/ brownfield first. However, we would recommend that existing planning practice guidance on land stability and land contamination are reviewed and updated. For example, it would be helpful to incorporate links to the latest data from BGS and other suppliers, relevant databases where site investigation data can be submitted made available for public access and professional forums such as the National Brownfield Forum (https://claire.co.uk/projects-and-initiatives/land-forum). This would ensure that the guidance is up to date, written to highlight the importance of good quality, early-stage assessment of potential hazards (shrink swell clay, landslides, solution feature/sink holes, and other unforeseen ground conditions) and risks to people, environment and property. Guidance could recommend the use of spatial decision making tools (https://doi.org/10.1016/, https://www.groundsure.com/products/groundscreen/, https://www.silc.org.uk/webinars/maximising-natural-capital-benefits-for-brownfield-and-sustainable-development/). Updated guidance could also be used as a route to highlight the opportunities development provides, such as enhancing natural capital, particularly geosystem (subsurface) services such as good groundwater quality and health soil provide, and to encourage contributions from developers. Where ecosystem services are referred to in the NPPF (180,ii) we would recommend extending it to include geosystem services and to broaden the scope to assets, benefits and values from geological resources e.g. subsurface heat, clean and secure groundwater, urban drainage and infiltration.
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?
Yes, subject to material considerations being accounted for in the same way as other new planning applications including but not limited to land stability and land contamination hazards and risks. See also Q20 response.
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?
N/A
Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?
N/A
Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

The multifunctionality and value of all land within the green belt should be considered and assessed as a means of protecting high performing land. Assessments should be set in the context to the ecosystem and geosystem (subsurface) services provided by natural capital.

There is a current knowledge gap on how subsurface natural capital provides societal, environmental and economic benefits that contribute to sustainable development e.g. groundwater security, minerals security, geothermal, soil health, land contamination, to mention a few. Developed degraded land can improve these services. The Environment Agency commissioned British Geological Survey (BGS) and Jacobs (www.jacobs.com) in 2022-2023 to conduct some preliminary research on this area. The results of this research showed that there is a need for evidence (and a tool) that can be used to measure the value of the wider societal benefits to remediating brownfield sites. The result of the research are largely unpublished but can be made available to the Ministry of Housing Communities and Local Government (MHCLG) on request. The BGS remains engaged in this area of research and would be open to share further insights on this topic with MHCLG.

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?

N/A

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?

N/A

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?

N/A

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?

Yes, in our view amending the regulations and/or guidance to require Local Planning Authorities to include polygonised data (full spatial extent) with better quality metadata for brownfield land would significantly improve the current system of brownfield land registers to nationally account for this type of land. Currently, brownfield registers are limited to a subset of Strategic Housing and Land Availability Assessments put forward by Local Planning Authorities and maintained by the Ministry of Housing Communities and Local Government (MHCLG). These are point (easting, northing) data, often with poor consistency and accuracy, and which do not allow onward interrogation by Government, professionals and/ or researchers. Greater accuracy in accounting for brownfield land can aid decision making (e.g. as evidenced in the following publications <https://doi.org/10.1016/j.jenvman.2023.119145>, <https://www.groundsure.com/products/groundscreen/>, <https://www.silc.org.uk/webinars/maximising-natural-capital-benefits-for-brownfield-and-sustainable-development/>).

We recommend widening the scope of brownfield registers to include other land types (grey belt, commercial, industrial) that is available and suitable land for housing to be submitted and maintained as spatial data by MHCLG.

We also see an opportunity for increasing the utility of national datasets e.g. those hosted by MHCLG and Local Planning Authorities through, for example, combining datasets and improving their findability, accessibility, interoperability and reuse. The National Underground Assets Register developed by the Geospatial Commission is an excellent example of how disparate data can be brought together to address an economic use case for better data on the subsurface (<https://www.gov.uk/guidance/national-underground-asset-register-nuar>).

Similarly, inclusion of other data and information such as remediation status, remediation costs, known or expected risks and opportunities would enhance the benefits of a brownfield register. This information could link to the proposed brownfield passport policy. We note that the brownfield sector has made much progress in this area already e.g. land condition reporting (<https://www.silc.org.uk/>), national quality mark scheme (<https://claire.co.uk/>), and various digital tools (see above references in this question response).

A recent sector review by the National Brownfield Forum has highlighted a range of barriers and opportunities related to Government policy on brownfields

(<https://claire.co.uk/component/phocadownload/category/26-landforum?download=998:national-brownfield-forum-sector-review-2023-2024-report>).

These include the need for proactive Government policies to support the development of brownfield land in the UK, a need to improve our understanding of the wider social, environmental, and economic values of brownfield development, and sufficient funding of regulatory roles.

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. The multifunctionality and value of all land within the green belt should be considered and assessed as a means of protecting high performing land. Assessments should be set in the context to the ecosystem and geosystem (subsurface) services provided by natural capital. There is a current knowledge gap on how subsurface natural capital provides social, environmental and economic benefit and value that contribute to sustainable development including groundwater security, minerals security, geothermal potential, soil health and remediation of land contamination.

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?

Yes, but this is a complex area where multi-functionality needs to be accounted for and knowledge gaps in and requirements for ecosystem and geosystem services need to be addressed. A recent paper published by Hammond et al (<https://doi.org/10.1016/j.jenvman.2023.119145>) shows how multiple datasets can be combined to answer planning and land use questions using spatial models.

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?

N/A

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

N/A
Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?
N/A
Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?
N/A
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?
N/A
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?
N/A
Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?
N/A
Question 38: How and at what level should Government set benchmark land values?
N/A
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?
N/A
Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?
N/A
Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?
N/A
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?
N/A
Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?
N/A

Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?
N/A
Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?
N/A
Question 46: Do you have any other suggestions relating to the proposals in this chapter?
N/A
Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?
N/A
Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?
N/A
Question 49: Do you agree with removing the minimum 25% First Homes requirement?
N/A
Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?
N/A
Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?
N/A
Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?
N/A
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?
N/A
Question 54: What measures should we consider to better support and increase rural affordable housing?
N/A
Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?
N/A
Question 56: Do you agree with these changes?
N/A
Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?
N/A
Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

N/A
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?
N/A
Question 60: Do you agree with proposed changes to policy for upwards extensions?
N/A
Question 61: Do you have any other suggestions relating to the proposals in this chapter?
N/A
Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?
N/A
Question 63: Are there other sectors you think need particular support via these changes? What are they and why?
N/A
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?
N/A
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?
N/A
Question 66: Do you have any other suggestions relating to the proposals in this chapter?
N/A
Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?
N/A
Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?
N/A
Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?
N/A
Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?
N/A
Question 71: Do you have any other suggestions relating to the proposals in this chapter?
N/A
Question 72: Do you agree that large onshore wind projects should be reintegrated into the s NSIP regime?

N/A

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

N/A

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?

The BGS provides a national coverage of peatlands, derived as part of its national remit for geological mapping (<https://mapapps2.bgs.ac.uk/ukso/home.html?layer=PeatCover>). This mapping has contributed to an all-encompassing Peaty soils map by Natural England (<https://naturalengland-defra.opendata.arcgis.com/datasets/45c40ddecc8d42ea95c6d0a77e74f442/explore>).

It would be prudent for Peatlands to be classed as unsuitable until research clarifies the impacts on Peat from the various renewable technologies utilising the landscape. For example, the Greenhouse Emissions Inventory for UK Peatlands concluded that peatlands are such a significant greenhouse gas emission source that peat soils are unlikely to be offset by other compensatory methods and suggested that prioritising peatland management ensured lower levels of greenhouse gas emissions, because of their role in carbon sequestration (https://uk-air.defra.gov.uk/assets/documents/reports/cat07/1904111135_UK_peatland_GHG_emissions.pdf)

In terms of other habitats where Peat deposits can be found, notably areas of 'peaty soils' and 'buried peats', there are further considerations as to how these areas should be used if part of a green/grey belt land use strategy or renewables project.

Peat and peat-bearing deposits are structurally weak, with highly compressive/swelling characteristics; it creates an acidic and corrosive groundwater environment and is a prolific source of greenhouse gases such as methane/CO₂. These characteristics require construction projects of all kinds (and at every stage of construction) to be mindful of the presence of peat/'peaty' materials at surface and foundation depth. This is particularly so when installing infrastructure (or buildings) due to potential problems with foundation stability, corrosion, gas migration.

Renewable projects for solar and wind need to factor in additional engineering for foundation resilience. Housing schemes need to be particularly aware of the challenges of peaty soils in terms of ground stability, and gas ingress (there is guidance from British Standards Institution (BSI), Contaminated Land: Applications in Real Environments (CL:AIRE) and National House-Building Council (NHBC) on building in such circumstances).

In addition, there are concerns related to damaging sensitive habitats, causing habitat loss and increased greenhouse gas release.

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?

N/A

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?

N/A

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

N/A

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

Shrink–swell, typically reported as subsidence, is one of the most damaging geohazards in Britain today, costing the economy an estimated £3 billion over the past decade. These costs include increased insurance premiums, depressed house prices and, in some cases, engineering works to stabilise land or property. Properties and infrastructure located on clay-rich soils are more likely to experience subsidence associated with clay shrinkage. Other shallow geohazard processes—such as compressible deposits, collapsible deposits, running sands and karst sinkholes—can also cause subsidence and are related to a range of different soil and rock types including peat, silt, sand, limestone, chalk, halite, gypsum and anhydrite. Significant ground instability and failure can also be caused by coastal erosion and landslides. Climate change is expected to increase these hazards in the UK, and hence we recommend that expert assessments of these hazards are included in national planning policy decision making.

The British Geological Survey (BGS) GeoClimate model (www.bgs.ac.uk/datasets/geoclimateukcp18-open/) shows that approximately **3%** (~1 million) of properties in Great Britain were likely or extremely likely to be affected by subsidence in 1990. Assuming property numbers remain the same as in 1990, this rises to **7%** (~2.4m) by 2030, and to **11%** (~4m) by 2070 due to climate change-driven alterations to ground conditions across the UK, typically driven by changes in rainfall and soil moisture properties of the ground. Locally, this problem is more pronounced. For example, much of the greater London region lies above the London Clay formation, which is particularly prone to subsidence. The BGS GeoClimate model shows that approximately **20%** (~0.8m properties) of properties were likely or extremely likely to be affected by subsidence in 1990. This rises to **57%** (~2.4m) by 2070.

Our specific recommendations for national planning policy are that:

- Due consideration is given for shallow geohazards in all planning applications for current and future climate scenarios. These include adaptation measures for shallow earth processes that cause subsidence, such as clay shrinkage, and soluble rocks, as well as other geohazard process that cause major ground instability issues, such as landslides and coastal erosion
- Specific guidance is made available to developers and planners on how to mitigate unintended consequences of issues arising from building/construction activities such as increased landslide hazard and altered groundwater dynamics.
- Stress tests are requested for particularly vulnerable infrastructure assets for low likelihood-high impact hazard conditions, considering multi-hazards (cascading) effects: e.g., storm inducing floods, extreme coastal erosion and landslides.

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?

N/A

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

Implementation of Sustainable Urban Drainage Schemes (SuDS) is an important adaptation measure to mitigate effects of increased rainfall and higher rainfall intensity resulting from climate change through managing surface water discharge and mitigating risk of surface water flooding. SuDS can also provide multiple benefits through associations with green- and blue-infrastructure and habitats for improving biodiversity.

Planning of SuDS schemes requires good knowledge of ground conditions to ensure that the schemes operate effectively and that increasing infiltration does not have detrimental effects such as increased risk of groundwater flooding, reduction in water quality or ground instability. Geological considerations are particularly pertinent in view of increasing rainfall volumes and intensities associated with climate change which may affect the benefits and risks involved in implementation of infiltration SuDS.

Access to and consideration of appropriate geological information at the planning stage is therefore critical for ensuring the effectiveness of SuDS as an adaptation measure.

In densely populated areas, the impact of SuDS needs to be considered at the regional scale to account for cumulative effects on the above and below ground environment and water systems. This requires knowledge of where SuDS schemes are located.

Improvements in the recording of the location and type of these schemes is therefore critical to enable effective assessment of benefits and risks.

Our specific recommendations are that:

- NPPF provisions are updated to include consideration of increased risks of groundwater flooding or effects on ground stability. The current NPPF provisions refer to adoption of SuDS for major developments “unless there is clear evidence this would be inappropriate”. The planning practise guidance for “Flooding and coastal change” identifies risk of pollution of potable groundwater bodies as situations where SuDS may be inappropriate but does not highlight potential for increased risk of groundwater flooding or effects on ground stability (Paragraph 056, Reference ID 7-056-20220825).
- The British Geological Survey is named as a potential source of expertise, data, advice and information in relation to infiltration, groundwater systems, groundwater flooding and SuDS – Planning Practise Guidance, “Flooding and coastal change”, Paragraph 057, Reference ID 7-057-20220825.
- Planning provisions are updated to clarify that plans should consider the cumulative impacts of all schemes in the area when assessing risks of groundwater flooding and SuDS, rather than only looking at impact from individual sites (cf. section 4.2 ‘Planning’ in the National Adaptation Plan). This may also be evaluated as part of climate change risk assessments and sustainability appraisals for Local Plans.

- Planning Practise Guidance is provided on the evaluation of multiple-benefits approaches to highlight the interacting roles of, and potential for co-design of, SuDS, green- and blue-infrastructure, and biodiversity schemes, in delivering sustainable nature-based solutions and climate adaptation.
- The location and type of SuDS schemes are recorded in a centrally available database. This could be achieved through expanding remit of the newly commissioned [National Underground Asset Register](http://www.gov.uk/guidance/national-underground-asset-register-nuar) (www.gov.uk/guidance/national-underground-asset-register-nuar) to also record the location and type of SuDS schemes that have been installed through planning.

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

We would further recommend that

- Expert assessments of current and future shallow geohazards are included in national planning policy decision making, e.g. through an obligation to seek expert advice and provide an assessment of shallow geohazard as part of planning application. This could include a requirement for developers to review and assess previous site investigation records on, and in close proximity to, a development site alongside national-scale natural hazard/geohazard datasets.
- Guidance is developed for existing site investigation best practice to include a more detailed assessment of artificial ground/anthropogenic deposits (nora.nerc.ac.uk/id/eprint/533956/) that could complicate shallow earth processes and can dramatically exacerbate climate-induced geohazard processes.
- Guidance is developed for, and a requirement for developers to, consider the role of the ground in supporting climate change mitigation and adaptation measures. This could include for example opportunities for ground-source heat and infiltration SUD's.
- Guidance is developed for applicants and planners on all ground conditions and shallow earth processes that could impact building and infrastructure projects (with and without climate impacts) and should be considered as part of the planning process. Specific issues should include landslides, mining hazards (all commodities not just coal), soluble rocks (sinkholes), radon, etc.
- Consideration is given to including obligations for depositing geological data (such as site investigation data) with the National Geoscience Data Centre (NGDC) (<https://www.bgs.ac.uk/geological-data/national-geoscience-data-centre/>) as part of the planning permission – specifically where data are collected using public/ government funding. Such geological data and information are essential to improve decision making and have potential for supporting considerable cost savings – e.g. by saving revenue losses from avoided unforeseen ground conditions.

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

N/A

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

N/A

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?

Water infrastructure (i.e. pipework and connecting controls, sources and outlets) are all subject to geohazards failures from natural perils derived from geohazards and human factors such as demand management measures (i.e., mains pressures, new connections). Different asset materials, aggressive soils and changing demand (having to increase connections or operational pressures) can shorten asset lifespans, and require increased interventions. We suggest including a recommendation/ requirement for more predictive analysis of geohazards and engineering risks for buried infrastructure (supply side) as a provision in the Planning Act. In addition, a better understanding of asset lifecycles and areas where current network resilience is not being met or can be improved/made more sustainable is required. Understanding whether new planned networks are resilient to their environment (and extensible), or how current infrastructure networks are resilient to change within our landscape; will ensure more resilience across networks. Appropriate increases in capacity/demand where viable (can be better managed), and there will be a reduced need for unplanned interventions for repairs.

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?

N/A

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

N/A

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

N/A

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

N/A

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

N/A

Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.

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

N/A

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

Yes

No – it should be higher than £528

No – it should be lower than £528

no - there should be no fee increase

Don't know If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.
N/A
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.
N/A
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.
N/A
Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee? Please give your reasons in the text box below.
N/A
Question 95: What would be your preferred model for localisation of planning fees? Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee. Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally. Neither Don't Know Please give your reasons in the text box below.
N/A
Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services? If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?
N/A
Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?
N/A
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?
N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

Question 104: Do you agree with the proposed transitional arrangements?

N/A

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

N/A

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

N/A