



12 September 2024

The South Hams Society Interest

For the last 60 years, the South Hams Society has been stimulating public interest and care for the beauty, history and character of the South Hams. We encourage high standards of planning and architecture that respect the character of the area. We aim to secure the protection and improvement of the landscape, features of historic interest and public amenity and to promote the conservation of the South Hams as a living, working environment. We take the South Devon Area of Outstanding Natural Beauty very seriously and work hard to increase people's knowledge and appreciation of our precious environment. We support the right development - in the right places - and oppose inappropriate development.

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

1. **Do you agree that we should reverse the December 2023 changes made to paragraph 61?**
No. •
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?**
No – currently paragraph 61 permits the Local Planning Authority to take in to account not only the minimum number of homes as determined using the standard method in national planning guidance but also, amongst other factors, whether that number is less than or in excess of likely future need and/or demand. Removing the option is to impose a 'one size fits all' approach that makes no allowance for individual circumstance.

Local Planning Authorities should be able to provide evidence should their local market not be able to successfully absorb additional stock at current prices, for example – see the answer to Question 19 for further explanation. •
3. **Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?**
No – for many reasons cities and urban centres almost invariably provide the most sustainable locations for additional housing and reducing the target in, for example, London by 20,000 dwellings would alone equate to 5.4% of the Government's annual target, a number that will have to be made up in many less sustainable locations elsewhere. •
4. **Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?**
No – paragraph 130 should remain. Development should reflect and respect the local vernacular rather than risk resulting in an alien intrusion being injected into and incoherently imposed upon an existing community and landscape.

Take for example Applegate Park, a development imposed on previously green fields immediately to the north of Kingsbridge. No fewer than 94 houses have been shoe horned in to this 9.56 acre site giving a density of almost 10 dwellings per acre. This has led to surface

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water drainage problems in a critical drainage area and caused significant visual damage to the setting of the South Devon National Landscape. The before and after photos below show the change in view that greets those now driving in to Kingsbridge along the A379 from the west.



The photo above was taken in 2014, that below this year from slightly further down the road



Consequently it is hard to argue with the assessment of the National Landscape (AONB) Unit as quoted by the Landscape Specialist in paragraph 143 of the Stage 16 consultation:

It is clear from the evidence base and the professional expertise of the AONB Unit that development at this site will have significant effects on the AONB, in terms of adverse effects on the AONB arising from the impacts of development in its setting.

And, as a consequence of the density of development, little or no space remains for wildlife, biodiversity and trees. Trees require room to root and grow. High density developments such as Applegate ensure trees will never grow to a size sufficient to break up the built mass. •



5. **Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?**
- Yes – in the case of large new communities but not if in clear conflict with the existing local vernacular. •
6. **Do you agree that the presumption in favour of sustainable development should be amended as proposed?**
- No – not unless local planning authorities that are now unable to demonstrate a 5 year supply purely as a consequence of the proposed changes to the standard method fail to produce a new Plan within the specified time period.
- To do otherwise will almost certainly result in sites coming forward that would otherwise not be included in any new Local Plan, an outcome that would be in direct conflict with the Government’s own statement (Chapter 3, 1.):
- The Government believes that decisions about what to build and where should reflect local views while Chapter 2 – Policy objectives (2.5) makes the point:
- Local plans clearly spell out to developers and communities where development will and will not take place, bringing certainty to all parties. They are also the mechanism through which local communities can have their say in how homes are built.
- It surely cannot be the Government’s intention to penalise those communities and local planning authorities who have previously delivered all that was asked of them?
- If the concern is simply to ensure that 1.5 million new homes are delivered over the next five years then the Government could require any shortfall in the revised standard method targets in years one and two to be made up in years three, four and five, during which the new Local Plan should be in place. •
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?**
- No – the New Standard Method states:
- We propose 0.8% of existing housing stock in each local planning authority as the baseline starting point. The most robust data source of stock levels is the annually published Dwelling stock estimates by local authority districts and the most recent data published at the time should be used.
- while it is intended to re-establish:
- the requirement for all local planning authorities, regardless of local plan status, to continually demonstrate 5 years of specific, deliverable sites for housing.
- In the South Hams, and using the most up to date data, the New Standard Method will require the Local Planning Authority to find land for 875 new dwellings in year one in addition to the existing all dwellings total of 47,662.
- As a result, and if all 875 new dwellings are built and there is no change in the adjustment for affordability, at the end of Year One when calculating the requirement for Year Six the all dwellings total will have increased to 48,537 and the LPA will consequently have to find land for 891 new dwellings.
- Were this process to continue for the remaining 13-year life of a 20-year Local Plan then, in Year 20, the Local Planning Authority would have to find land for no fewer than 1,149 new homes while the all dwellings total for the area would have increased by no less than 31.37% to 62,613.

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With Paragraph 180 I) of the NPPF stating that ‘Planning policies and decisions should contribute to and enhance the natural and local environment by:

preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

and with many of the sewage treatment works in the South Hams already incapable of coping with existing demands and consequently regularly polluting our waterways – a problem replicated in many other parts of the country – and with South West Water’s latest five year plan offering little suggestion of any imminent improvement, it is difficult to see where the necessary additional sites can be located without coming in to conflict with Paragraph 180 I).

Water supply shortages are also a problem replicated both here in the South Hams and in many other parts of the country which, following the 2022/23 drought, resulted in South West Water suggesting an expensive desalination plant to help mitigate the problem.



Water is a precious resource. We rely on the natural water cycle to capture, treat, process and store it to ensure we can provide clean, safe drinking water to our customers.

Climate change and an increasing population in our region has made water resources more in demand than ever. The Environment Agency is also predicting a growing shortfall of water in the coming years, leading to a deficit of almost 5 billion litres of water a day by 2050.

This tells us, and we know, that we have work to do to ensure we provide a resilient water supply across our area. This has already seen us repurposing disused quarries and investing in desalination in Cornwall for the first time whilst continuing to find and fix more leaks than ever before. This will boost the region’s resources in Cornwall by around 45% and in Devon by around 30% by 2025.

However, any water we take from the natural environment comes at a cost – to the planet and people.

Therefore, we need to make sure we only take the water we need, and to do that we need your help. We’re working hard to help our customers use less water in their day-to-day lives, and we’re working hard to continue to ensure resilient water supplies.

Through the Water is Precious campaign, we’re asking customers to use water more efficiently, and we’re playing our part by investing £125 million to increase water resources.

To bring the scale the problem in to focus, in 1971 the population of Cornwall stood at 381,672, by 2021 it had grown to 570,000. Similarly in Devon, over those 50 years, the population increased from 898,409 to 1,186,000. In combination that was an increase of 45%. by comparison, over the same period, the population only grew by 23%.

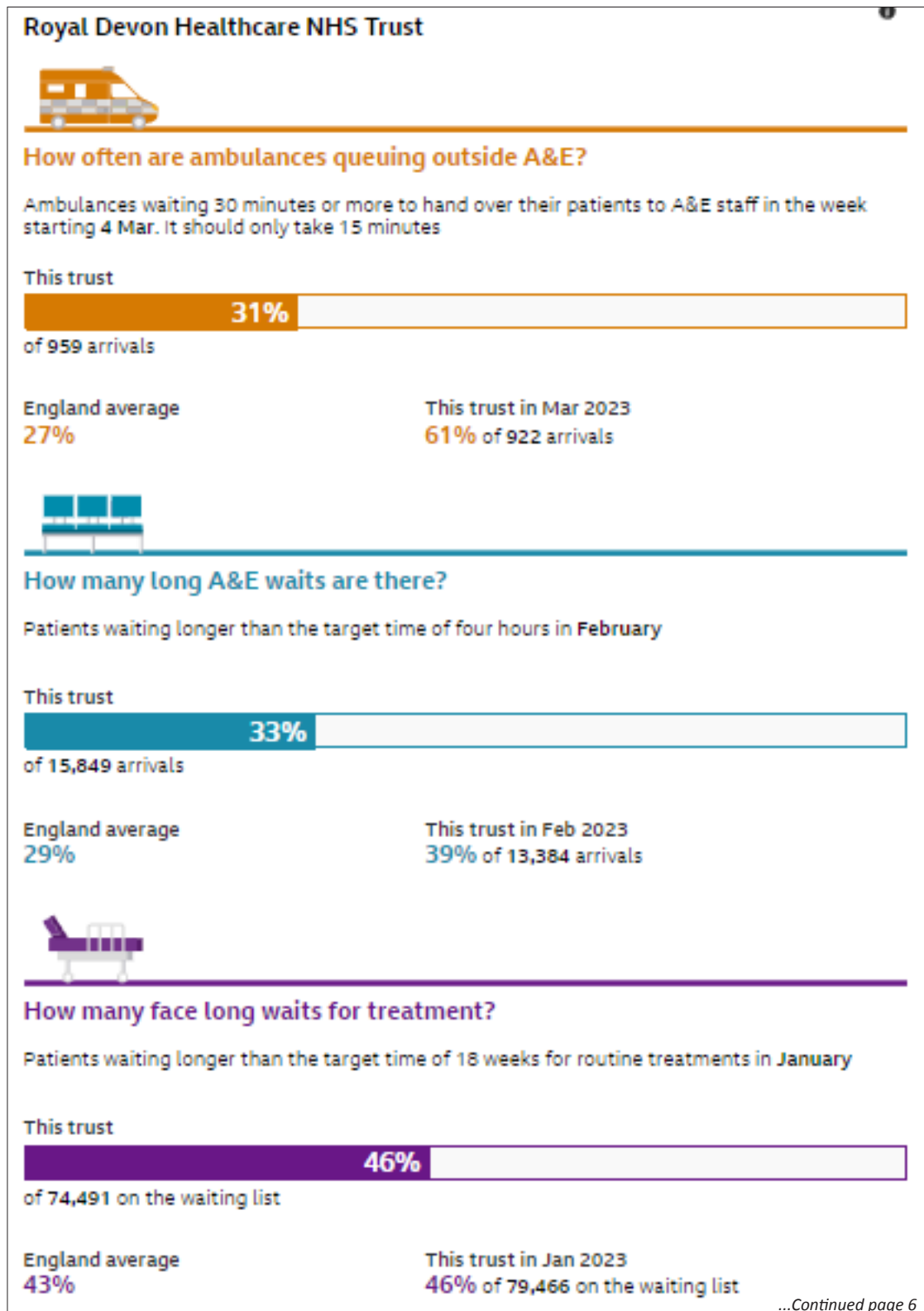
With water supply currently being sourced from captured rainfall this growth, coupled with the increases in tourism, is already unsustainable. And that is before matters are made still worse by building yet more homes across the two counties.

Health services are also under considerable pressure. Derriford has already declared five

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critical incidents this year, Torbay one. GP appointments are often hard to get. NHS dentists impossible to find.



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The South Hams also has existing Air Quality Management Areas and large areas of protected landscapes with which to contend.

The glossary of the National Planning Policy Framework goes on to define what can be counted as deliverable sites – namely those that are available now, offer a suitable location for development now, and those that will be achievable with a realistic prospect that housing will be delivered on the site within five years.

However a combination of the constraints imposed by other Policies, the fact that protected landscapes occupy as much as 57.5% of the total land area of the South Hams – with much of the remaining local terrain unsuitable for development on any scale, when coupled with both the question of whether the increased supply will continue to ensure existing levels of developer profitability combined with the need for developers to be able to recruit the additional skilled workers they need to deliver against the new targets, all make it doubtful that even if the sites can be identified the additional housing called for can realistically be delivered within five years.



The grey (beige) area is the Dartmoor National Park, the light green area is the South Devon National Landscape. Only the yellow area is not protected while the yellow area east of Avonwick is hilly and not suited to large-scale housing development

To quote from page 9 of the Persimmon Annual Report 2023:

The UK construction industry faces labour shortages due to an ageing workforce, post-Brexit immigration restrictions, skills gaps, and negative industry perceptions. These factors limit the availability of skilled workers, hindering productivity and exacerbating challenges in meeting demand for construction projects.

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And during 2023 according to Savills (see the response to Question 19) only 231,100 new homes were delivered across the country, while following on from the increase in interest rates in that time in the first quarter of this year the number of new homes built was down 30% year on year. Were that to remain the case a mere 150,000 new homes will be built in 2024.

The Government is now requiring the total built nationally in 2023 to increase by almost a third, to 300,000 – and in the South Hams by 70%, from 515 to 875. The question is, where will the additional skilled workers that are suddenly going to be needed going to be found?

For the South Hams, along possibly with other Local Planning Authorities elsewhere, being able to continually demonstrate an ever-increasing five year supply of specific, deliverable sites for decision making purposes may simply not be possible.

Before the Government imposes new targets it might like to suggest how they will realistically be achieved. •

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

No – the proposal in paragraph 20 of the Consultation to remove the wording on past oversupply in paragraph 77, which was introduced to set out that previous over-supply could be set against upcoming supply, is unacceptable. Local planning authorities should not now be punished and have the presumption in favour of sustainable development imposed upon them and effectively lose control over development in their areas when they have previously delivered all that was asked of them and more. •

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?

No – As our response to Question 7 demonstrates, given that all other factors continue to apply, over a 20 year period the number of homes in the South Hams will have increased by 14,951. By comparison, in the ten years between 2014 and 2023 the number only grew by 4,910 or 11.48%, from 42,752 to 47,662.

Without any commitment by the Government to ensure any necessary infrastructure improvements are in place to enable communities to sustainably absorb such exponential increases in both house numbers and residents, not only in the South Hams but throughout the country, the damage to both the environment, the economy and the existing quality of life will be considerable. •

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

If the Local Planning Authority has consistently met or exceeded its housing targets and continues to do so, no additional buffer should be necessary. •

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

Yes. •

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

Few would disagree that the existing Joint Local Plan drawn up by Plymouth, the South Hams and West Devon has facilitated effective co-operation on cross boundary and strategic planning matters.

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And as Paragraph 1 Chapter 3 – *Planning for the homes we need* makes clear:

The Government believes that decisions about what to build and where should reflect local views, and planning should be about how to deliver the housing an area needs - not whether to do so at all.

Yet were the Government to include the three aforementioned local planning authorities as part of a Spatial Development Strategy overseen by the Devon and Torbay Combined County Authority based in Exeter, and of which Plymouth is not currently a member, decisions about what to build and where – and how best to deliver the housing the area needs, would in future be less reflective of local views.

Consequently, were the Government to impose a Spatial Development Strategy, it would almost certainly detrimentally delay the development of the now required new Local Plan, which may also be required to accommodate the needs of Torbay. Undesirable as that delay would be for the reasons already stated, where it can be demonstrated effective co-operation already exists no amendment should be necessary. •

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

Yes. •

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

The one size fits all approach being proposed, often failing to make any allowance for local circumstance, when combined with the other factors detailed elsewhere in this response, is likely to conflict with the Government’s professed Chapter 2 – Policy objectives (5.):

Local plans clearly spell out to developers and communities where development will and will not take place, bringing certainty to all parties. They are also the mechanism through which local communities can have their say in how homes are built.

Imposing Spatial Development Strategies runs the risk of making decisions about local housing needs and what to build and where less reflective of the views of local communities.

Requiring the five-year housing land supply to be updated annually using the latest available data will in all probability require yet more land to be found and set aside for development each year, with no support to ensure any necessary infrastructure is in place, to the detriment of community sustainability.

In addition, assuming housebuilders will now start building not to maximise profitability but instead meet housing need without the Government first making major legislative changes might at best be thought naive.

And removing Paragraph 30 from the NPPF will simply facilitate the imposition of more bland architecture from anywhere, to the detriment of existing community character and identity.

It is also worth noting the conclusion to the Competition and Markets Authority’s housebuilding market study, published in February this year:

Around 60% of all houses built in 2021 to 2022 were delivered by speculative private development, which is when builders obtain land, secure planning permission, and construct homes without knowing in advance who will buy them or for how much. This way of building homes has given builders flexibility to respond to changes in the market. However, the country’s reliance on this model has seen the gap widen considerably between what the market will deliver and what communities need.

Making matters worse many of those houses being built are not fit for purpose. On 28 August the BBC website reported on ‘*Hellway – the new-build estate with no end of snags*’ (<https://www.bbc.com/news/health-57484444>)

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www.bbc.co.uk/news/articles/c3ej5v1ney1o#comments):

For some in this new build community, the name of the developer - Bellway - has become a dirty word.

We call it "Hellway," one homeowner tells me, after what residents describe as more than two years of chaos and no end of snags - the industry term for defects.

Homeowners also complain of an uphill battle to arrange repairs, the report continued, which they claim are often inadequate and create even more problems.

And according to Samantha Curling, chairwoman of the National Association of Professional Snagging Inspectors, these are sadly not isolated cases, something with which the vast majority of the thousands who commented on the report agreed. As one wrote:

The UK is a housing nightmare and it's going to get worse if we build the thousands of homes we need without the skills to do it properly. Developers cram 100+ houses into cul-de-sac mazes and built with poor foundations and paper-thin walls and sell them for £300K+ each. Whether its the land vendors or the developers, someone is making too much money for selling crap to the end user.

Consequently before imposing housing targets which the currently insufficient and clearly in some cases incapable workforce will not have the numbers to build, the Government should first take steps to ensure all houses being built are actually fit for purpose.

There is little to suggest that, as they stand, the proposals as being presented will succeed in delivering homes of a standard that many communities both need and deserve, or that their existing residents can afford. •

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?

According to the Government 'the new method must:

achieve a more balanced distribution of homes across the country, by directing homes to where they are most needed and least affordable, and ensure that all areas contribute to meeting the country's housing needs, rather than radically undershooting local ambition in some areas of the country;

as well as

support the Government's ambition to deliver 1.5 million new homes over the next five years;

While both of these objectives are clearly both sensible and desirable the means being proposed by which they will be achieved are open to question.

By definition housing stock is more stable, as once homes have been built their numbers are known, and given that the Government can, as it is doing in this instance, dictate how many more should be built, numbers are also more predictable.

However by removing household projections from the equation any consideration as to whether demand will continue to increase in direct proportion to the planned increase in stock, or whether the housing mix will correlate to the future need, will be ignored.

This could prevent the Government achieving its ambition as, if there are not buyers for the houses being built at the prices developers are demanding, the houses will not be built, or at least not at the speed Government aspirations require (see the response to Question 19).

It might therefore make sense – if household projections are to no longer play a role, to factor in time taken to sell in to the new standard method, updated each year, to help ensure development is directed to where it is most needed.

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It seems only logical to assume that if houses are selling quickly, and asking prices are being achieved or exceeded, demand is strong and developers will want to build out quickly in order to capitalise.

But even if the Government is able to ensure supply successfully meets demand, without further intervention, affordability is extremely unlikely to improve. •

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?

For the reasons given in the response to Question 19, increasing the significance of affordability while continuing to primarily rely on the volume housebuilders to achieve housing targets is unlikely to make housing any more affordable.

And regardless of the number of sites any Government formula dictates a local Planning Authority will have to make available housebuilders will only build what they know they can sell at whatever price they wish to obtain.

Consequently as it stands all the adjustment for affordability will achieve, provided demand increases in line with availability, will be to provide housebuilders with more opportunity to make more money without providing more people with the houses that they can afford to buy.

In the South Hams median gross annual workplace-based earnings in 2023 averaged £29,410. The median house price was £385,000, or a multiple of 13.1 times annual earnings. Self evidently, very few of those houses will have been bought by those working here.

In its Introduction to this Consultation (3.g) the Government states its intention is to 'deliver affordable, well-designed homes', while Chapter 2 – Policy objectives (4.d) aims to 'bring home ownership into reach, especially for young first-time buyers'.

Simply dictating that more houses must be built will not in itself, certainly in the South Hams, achieve either of those objectives. As is noted in the response to Question 19, instead of building houses as quickly as possible, housebuilders tend to build them at the rate at which those houses can be sold without the need to reduce prices.

Even were the Government to legislate to say that undeveloped land required for housing, rather than commanding a price of say £1 million per acre, would have a benchmark existing use value and a proportionate premium of no more than £20,000, then at a built density of 10 houses per acre, that would only reduce the median price of a house in the South Hams to £287,000, or still almost 10 times annual earnings.

Merely adjusting for affordability alone will not deliver the affordable, well-designed homes that the Government desires, nor bring home ownership into reach, especially for young first-time buyers, in many parts of the country. •

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

For the reasons stated previously and again in response to Question 19, it is hard to see how the proposed changes to the standard method will deliver the number of homes the nation needs at prices people can afford in the places where they are wanted. •



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?

In the South West the demand for holiday lets and AirBnBs distorts the market, with the increase in rental dwellings changing from long-term to (very) short-term tenancies significantly impacting upon both supply and affordability.

Crucially, local planning authorities should be able to manage such changes through the planning system, including having the option to impose primary-residence requirements (whether for sale or rental) on all new developments. •

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

The assumption that requiring local authorities to provide more land will ensure more houses will be built and that, as a consequence, house prices will fall is, in itself, unlikely to deliver the desired outcome.

At the end of October last year Anthony Codling, managing director for equity research at RBC Capital Markets, pointed out:

UK housebuilders are slowing the rate at which they build homes to protect house prices. The number of new build homes for sale and the number of sites coming soon is falling as housebuilders slow build to protect price.

His comments echoed the findings of the 2018 Letwin Review, which looked in detail at how developers deliberately build slowly to control the balance of supply and demand rather than bring down house prices in the area.

And it was noticeable that at the time Mr Codling made his comments builders Berkeley, Bellway, Taylor Wimpey and Barratt Developments were just a few of those announcing cutbacks. As a result, according to Savills' English Housing Supply Update Q4 2023:

Delivery of new homes was 9% lower in 2023 than in 2022, with annual completions falling to 231,100 homes. This marks the fifth consecutive quarter of falling annual delivery. Meanwhile ONS figures for construction output for housebuilding were at 82% of 2019 levels in November 2023, suggesting an increase in delivery in the near-term is unlikely.

Similarly, as the Competition and Markets Authority concluded in Paragraph 43 of their February 2024 Housebuilding market study final report summary:

In terms of how quickly housing is built and the price at which it is sold, instead of building houses as quickly as possible, a range of evidence shows housebuilders tend to build them at a rate that is consistent with the local absorption rates, ie, the rate at which houses can be sold without needing to reduce their prices.

Currently a developer can obtain outline planning permission for a major development and simply "bank" it. That site will only be considered deliverable when there is clear evidence that housing completions will begin on site within five years.

Consequently unless the Government not only legislates and provides the funding necessary to ensure that once a planning application is brought forward it both can and must be determined within a specified period but that also, once consented, the development must be built out, again within a predetermined time scale, there can be no guarantee that developers will not continue to build at whatever pace proves most profitable, with the result that Government targets will not be met.

It therefore begs the question as to whether adopting the proposed standard method will do anything to noticeably improve the number of new homes being built or their affordability, certainly within the immediate future. •



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

No – any use of suitable brownfield land within settlements for homes and other identified needs should be judged purely on their merits and against existing Plan policies, and not be automatically regarded as being acceptable in principle. •

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?

No – although development on previously developed land should be encouraged it should not be permitted to have a greater impact on the openness of the Green Belt, except where it would contribute to meeting an identified need for genuinely affordable housing within the area of the local planning authority. •

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?

Provided the glasshouses are no longer being used for horticultural production and the land they occupy is not sold for housing at a value 20% greater than could be achieved on the basis of the existing use value, and subject to the previous response to Question 21, then it is hard to object to the definition being expanded. However it is important to ensure that the glasshouses are actually redundant and that their owners cannot noticeably profit by taking them out of production.

Similarly any hardstanding that was originally permitted on a temporary basis for whatever purpose or that has only been in existence for less than 10 years should not be considered previously developed land. •

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

No – not as it stands. b.i should clarify what is considered substantial – whether it is the proportion of the land already occupied by built development, or whether it is the scale of the impact of the built development on the land or, even if it is fully enclosed by built form, whether the land is of amenity value to local residents.

Similarly land that makes any contribution to preventing neighbouring towns from merging into one another, no matter how marginal, remains important as a means of helping to maintain community identity. •

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

Where there is any evidence of land having been degraded for any reason or purpose in the ten years prior to an application coming forward it should be refused, unless the benefits of granting permission would significantly and demonstrably outweigh that refusal. The requirement for a local planning authority to meet its identified housing, commercial or other need should not be a material consideration in such circumstances.

Substantial weight should also be given to emphasise the need for food security and the importance of keeping land in agricultural production. •



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?**
 Although greater clarity would be welcome, in reality such decisions should be taken at a local level and based on local knowledge and understanding of all relevant considerations. •
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?**
 Many will consider the five purposes of the Green Belt itemised in paragraph 143 of the NPPF are sufficient considerations in themselves. Should land self-evidently fail against those purposes then it fails against those purposes. •
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?**
 – •
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?**
 No – Green Belt land that satisfies the requirements set out in paragraph 143 of the NPPF makes an invaluable and irreplaceable contribution to the perception, character and wellbeing of the nation. To require local planning authorities to undertake a review where an authority cannot meet its identified housing, commercial or other need without altering Green Belt boundaries is not sustainable. •
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?**
 No – because land that satisfies the requirements set out in paragraph 143 of the NPPF should not be released. •
30. **Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?**
 Unless land considered Grey Belt is limited to purely that land that fails to satisfy the requirements set out in paragraph 143 of the NPPF, then No.
 By changing the standard model and ensuring many local planning authorities will no longer have an existing Local Plan in place and saying, in under certain circumstances, ‘development on the Green Belt will not be considered inappropriate’, the Government is effectively extending the presumption in favour of sustainable development to the Green Belt. •
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?**
 Yes – provided land considered Grey Belt is limited to purely that land that fails to satisfy the requirements set out in paragraph 143 of the NPPF. •



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?

Land in the Green Belt should not be released if it continues to satisfy the requirements set out in paragraph 143 of the NPPF. •

33. 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?

If an assessment has yet been undertaken it should be undertaken to establish whether there is any Green Belt land that fails to satisfy the requirements set out in paragraph 143 of the NPPF that would provide suitable traveller sites. •

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

Yes, provided the affordable housing is genuinely affordable - see response to Question 46. •

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?

If the definition of 'affordable' is to remain at 80% of open-market value then in those areas where house prices are above the national average the target should be proportionately increased above 50%, and the local planning authority should undertake a viability assessment to determine what that percentage should be.

In low land value areas the local planning authority should undertake the same exercise to determine whether it is appropriate that the target should be reduced.

In either instance, if the Government remains determined to release land from the Green Belt, a location where new housing is likely to be highly sought after, housebuilders should be required to accept a reduced level of profitability in return for the lower risks and likely faster sales. •

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

No – Nature will almost certainly benefit more if land satisfying the requirements set out in paragraph 143 of the NPPF is not released for development. •

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?

Yes – but not only in the case of the Green Belt but of any land that can deliver more genuinely affordable housing, infrastructure and environmental contributions.

To do so the Government should legislate to reverse the decision of the Lands Tribunal on 4th December, 1972, to allow the appeal of Bernard Myers against the Milton Keynes Development Corporation that he was entitled to the 'hope value' of his land.

Land speculation in the hope that planning consent can be obtained provides no obvious benefit to the wider community, and there can be little justification for allowing it to continue.

There is also the danger that by benchmarking Green Belt land values while continuing to allow other land to benefit from 'hope value' developers would be able to acquire land inside the

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Green Belt at a lower cost than land outside, so incentivising the acquisition and development of Green Belt sites that, if such sites are to be developed at all, should only be permitted as a last resort. •

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

At a premium of no more than 50% of the existing use value. •

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?

Disagree, for the reasons set out in the response to Question 35. •

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?

Given the need, the local planning authority should take every opportunity to maximise the delivery of genuinely affordable housing and should therefore evaluate each application on a case-by-case basis. •

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?

Yes. The establishment of a body independent of both Government and construction industry control and influence and able to undertake authoritative, informed and up to date viability assessments. •

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?

No. •

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?

It depends what if any changes the Government might make as a consequence of responses to previous questions. •

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

Disagree with the wording of 3) for the reason given in response to question 40.

As for 4), given that the local planning authority has set the benchmark correctly, and on the basis that the Government is only proposing Annex 4 should apply in relation to Green Belt release, provided the land in question continues to satisfy the requirements set out in paragraph 143 of the NPPF, then if the developer cannot deliver policy-compliant development priority should be given to preserving the Green Belt and planning permission should be refused. •



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

Paragraph 23 states that when land is released through plans or individual planning decisions the golden rules to ensure public benefit will require:

necessary improvements to local or national infrastructure, including delivery of new schools, GP surgeries, transport links, care homes and nursery places, to deliver well-designed, connected places, recognising that local leaders are best placed to identify the infrastructure that their communities need;

Yet without significant legislative changes there is no evidence to suggest that releasing land from the Green Belt, whether reclassified as 'Grey Belt' or not, will actually deliver both the affordable housing or any of the necessary additional infrastructure that might be required. The Government is not proposing to pay for any of it. The local planning authority will not have the funds. And the costs will simply make any development financially unviable.

Consequently, without evidence to demonstrate the necessary improvements will be made, and within a reasonable time scale, it will not be impossible for the land to be released. •

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

In many parts of the country, not least the South Hams, a discount of 20% below open market value or open market rental is far from making the property 'affordable' in any meaningful sense of the word. Instead the definition of what is 'affordable' should be adjusted by each local planning authority so that the 'affordable' cost of a three-bedroom house should be set at no more than four times gross annual workplace-based earnings, which in the South Hams would equate to £117,640.

Similarly, if the popular rule of thumb is to spend 30% of gross income on rent then, in the South Hams, with gross monthly workplace-base earnings equating to £2,450.83, then rents should not exceed £735, with an 'affordable rent' being 20% less, or £588 per month.

For those on the minimum wage, many of whom will be fortunate to earn as much as £1,985 per month, a Social Rent should be correspondingly less.

The Government argues its proposed changes to the NPPF are necessary to ensure economic growth. Yet in the South Hams more than a third of all jobs are dependent on tourism and hospitality, with visitors attracted by our beaches, the architecture and ambience of our market towns, and the beauty and tranquility of our countryside. Few, if any, come to view the ever-growing number of identikit and characterless housing estates being built purely for profit that now smother previously green fields, destroying biodiversity, and doing nothing to meet the needs of the local community.

And significantly the economic growth of many of those tourism and hospitality businesses has been and continues to be constrained by their inability to find staff as a consequence of the lack of genuinely affordable housing proving somewhere they can afford to live. It is difficult to see how any of the proposals being presented, not only in this chapter but elsewhere, will change matters.

Instead, more and more highly-priced houses will continue to be built, many needing to be bought as second homes to ensure they can be sold at the prices being asked, creating communities largely uninhabited in winter yet overcrowded and congested in summer. This is a problem, not only in the South Hams but also in other parts of the country.

The government should allow the local planning authority to specify the level of discount against local market value that should be applied for housing to be considered affordable and, at the same time, undertake an economic viability test to establish the percentage of any

...Continued page 17



development that it should require to be delivered as 'affordable'.

But as the proposal being presented stand, the Government is simply going to exacerbate existing problems. •

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?**
Yes. •
48. **Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?**
Yes. •
49. **Do you agree with removing the minimum 25% First Homes requirement?**
No. •
50. **Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?**
Exception sites should be rental only. •
51. **Do you agree with introducing a policy to promote developments that have a mix of tenures and types?**
No, this should be controlled through Local Plan policies. •
52. **What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?**
Build to house those already working or coming to work in the immediate area and/or those with immediate family links. Their arrival is more likely to be supported by existing residents and, if they are being employed locally, they will also be seen to be helping to ensure the future economic sustainability of the community.
Ideally such developments should also be built by Community Land Trusts, so they are perceived as coming from the community rather than as being imposed upon the community, or through Housing Association control. •
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?**
Smaller sites, of say five to ten dwellings, are also likely to be less problematic than larger estates, while ensuring the architecture corresponds to the existing local vernacular would make their impact less intrusively objectionable. •
54. **What measures should we consider to better support and increase rural affordable housing?**
Incentivise land owners who donate land for the purpose to offset 200% of the EUV against either income or inheritance tax. •



55. **Do you agree with the changes proposed to paragraph 63 of the existing NPPF?**
Yes. •
56. **Do you agree with these changes?**
Yes. •
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?**
Almshouses should also be included and the Framework amended to ensure the rent set is actually ‘affordable’, in other words 30% of gross monthly workplace-base earnings in the local authority’s area less 20%. In many parts of the country, including the South Hams, local market rents are seldom affordable.
Social rents should be lower still, applying the same discounts to those earning the minimum wage. •
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?**
Where local authorities with insufficient planning resources are being required to build a large number of houses, and rather than delay the development of the Local Plan resulting in the imposition of the presumption in favour of sustainable development, it may be more expedient to identify a comparatively limited number of larger sites to meet the targets the Government is choosing to impose, rather than spend more time trying to identify and bring forward many more smaller sites.
But where small sites are found, certainly in the South Hams, they seldom provide homes for the local community but are instead sold as high-priced second homes. Imposing a principal residence requirement in perpetuity could again help to gain community support for such developments.
It also seems absurd that where it is accepted there are current strong reasons why the local planning authority cannot achieve the 10% small site allocation those reasons should simply be declared not to exist. Wishing it so will not make it so. •
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 National Planning Policy Framework contains 10 references to ‘beauty’. Eight refer to National Parks and National Landscapes and are a legal definition and should not be removed. Of the remainder, one relates to the heritage coast and one to the countryside. Both are well used and widely understood and again should not be removed.
One of the reasons why there is often so much resistance to proposed development, even in otherwise sustainable locations, is that the bland characterless architecture from anywhere that is being imposed upon the community has little if anything in common with its surroundings, and is often dominated by parked vehicles, hard surfaces and a lack of natural environmental and biodiversity features. •



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

No. The changes being proposed remove any requirement for architectural coherence to the almost certain detriment of the built environment.

Raising the heights of building can also have consequences on the wellbeing of neighbours and, at the same time, harming nature by increasing shade and causing temperature change while removing the benefit of solar radiant heating on adjacent properties. Safeguards would be necessary.

A further consequence could be an increase in 'right to light' disputes between neighbours. Should you have a 'right to light' that will be or has been infringed it is possible to apply to the courts for an injunction to either prevent the proposed neighbouring development being built or, if it has been built, to sometimes be demolished or reduced in size. Alternatively, rather than grant an injunction, the court may award damages, depending on the circumstances and the conduct of the parties. •

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

Paragraph 3 of Chapter 6 declares:

We want to deliver the much-needed affordable housing local communities need and the wider infrastructure that will mitigate the impacts of new development. We believe the best way to achieve this will be to focus on improving the existing system of developer contributions.

Admirable as this ambition might be and for the reasons previously stated, the proposals as they stand in many parts of the country will fail to deliver housing that is affordable by any stretch of the imagination.

Similarly the sums that will be raised from developer contributions will be totally insufficient to pay for the wider infrastructure necessary to mitigate the impacts of new development.

It is ridiculous to pretend otherwise.

Separately Section A of the building regulations deals with structural safety, building height and wind loadings. However there is a tendency to ignore building regulations and just use the planning consent to proceed. There should therefore be safeguards built in to the planning system when structural changes to existing buildings are being proposed. •

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

Paragraph 86b should make it clear the sites must be sustainable.

For example, data centres in particular require a lot of water for cooling purposes. Is there sufficient extra capacity already available? New freight and logistics centres are likely to add to traffic volumes. Similarly has the local highway network the capacity to cope and will the impact on air quality be acceptable?

When identifying sites strategic and other local policies should be required to provide satisfactory answers to these questions.

Those policies should also specify who will pay for any of the new, expanded or upgraded facilities and infrastructure that might be needed. •

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

– •



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?**
No. •
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?**
– •
66. **Do you have any other suggestions relating to the proposals in this chapter?**
The proposals are not supported. •
67. **Do you agree with the changes proposed to paragraph 100 of the existing NPPF?**
Yes – subject to the proposals not being in direct conflict with other local plan policies. •
68. **Do you agree with the changes proposed to paragraph 99 of the existing NPPF?**
Yes. •
69. **Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?**
No – even though hoped-for outcomes may be desirable conclusive evidence that they will be achievable will be lacking. This is particularly true in areas such as the South Hams where residents often have to drive many miles to schools, shops and places of employment. For example, simply providing an hourly bus service that may or may not get people to work or school before 9:00am or which requires people to return before 6:00pm, and will not necessarily deliver them ‘door-to-door’ and may well not run at weekends, is highly unlikely to guarantee no automatic traffic growth.

Again adding the words ‘in all tested scenarios’ to the wording of Paragraph 115 will in all probability only make it more likely that the outcomes that the Policy is intended to prevent will occur.

That said, it would be helpful were the text of the proposed changes to be provided. •
70. **How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?**
Ensure adequate open space and all-weather sporting facilities are included as part of all new developments of 500 homes or more and promote the improvement of the walking and cycling environment.

In the South Hams increased development has led to a noticeable growth in traffic volumes, much of it on single lane roads, making many progressively less safe for walkers and cyclists. •
71. **Do you have any other suggestions relating to the proposals in this chapter?**
– •



- 72. Do you agree that large onshore wind projects should be reintegrated into the s NSIP regime?**
- No – fundamentally disagree with removing control on whether and where onshore wind projects should be located from local authority and community control. Here in the South Hams, and in many of the other National Parks and Landscapes, tourism and hospitality are critical contributors to the local economy. There is no evidence to suggest many visitors will consider the imposition of tall turbines, inevitably visible for many miles around, in to otherwise pristine and unspoilt countryside, attractive, desirable and provide further reason to visit. Indeed there is every possibility it may cause them not to come.
- However resistance to imposing onshore wind on the countryside might be reduced were the Government to first place tall turbines on such sites as Hampstead Heath, Primrose Hill, Alexandra Palace and directly to the south-east of the Round Pond in Kensington Gardens, in immediate proximity to where power is most likely to be needed (and many members of the Government live). •
- 73. Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?**
- No – the Government may make the case that onshore wind and solar are cheap and that (eventually) they will reduce energy bills. But that takes no account of the either the financial or the environmental cost of connecting such projects to the Grid.
- Conversely small modular nuclear reactors, located on the sites of redundant coal fired power stations or in other places where grid connections already exist, could be connected at significantly less cost. Such reactors would also satisfy base load requirements, something that renewables cannot do on those occasions when the wind doesn't blow or the sun doesn't shine. In the process they would also make gas-fired generation unnecessary. That in turn would make a significant and possibly greater contribution to reducing emissions.
- The Government should also reconsider its decision to erase Paragraph 161 from the NPPF as community-led initiatives for renewable and low carbon energy are those most likely to enjoy local support.
- In addition the changes being propose to Paragraph 164 and Footnotes 59 and 60 effectively emasculate the involvement of local communities and in deciding what is appropriate both for and in their area in the belief that the need for renewables outweighs any other consideration. The Government may like to think it knows best. Experience dictates that has not always been the case. •
- 74. Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?**
- Yes. •
- 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?**
- No – not if their promoters are currently encouraged to restrict the size of their projects so limiting their environmental and other impacts. •



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?

No – not if their promoters are currently encouraged to restrict the size of their projects so limiting their environmental and other impacts.

It is also worth noting that large solar farms have the potential to cause a ‘heat island’ (PVHI) warming surrounding areas and potentially impacting wildlife habitat, ecosystem in wildlands, human health, and even home values in residential areas. A 2016 study ‘The photovoltaic heat island effect: Larger solar power plants increase local temperatures’ (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-004697-Dr Edmund Fordham - 2 of 3 - ISH2 - Annex EF36.pdf>) included the following:

At each site, we monitored air temperature continuously for over one year using aspirated temperature probes 2.5 m above the soil surface. Average annual temperature was 22.7 +0.5 °C in the PV installation, while the nearby desert ecosystem was only 20.3 +0.5 °C, indicating a PVHI effect. Temperature differences between areas varied significantly depending on time of day and month of the year (Fig. 2), but the PV installation was always greater than or equal in temperature to other sites. As is the case with the UHI effect in dryland regions, the PVHI effect delayed the cooling of ambient temperatures in the evening, yielding the most significant difference in overnight temperatures across all seasons. Annual average midnight temperatures were 19.3 +0.6 °C in the PV installation, while the nearby desert ecosystem was only 15.8 +0.

6 °C. This PVHI effect was more significant in terms of actual degrees of warming (+ 3.5 °C) in warm months.

Before the Government mandates any change it should first establish the likely immediate and ongoing effects of large scale solar farms in the countryside on climate, ecology and biodiversity. •

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

Lower than they are at present to mitigate as much as possible the industrialisation of the countryside. •

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

See the answer to Question 73 with respect to small modular nuclear reactors, their benefits, and where they might best be most economically located.

Planning Polices should also require the roofs of all new housing, agricultural buildings, hospitals, supermarkets and other appropriate locations to have solar tiles or panels fitted. •

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?

– •

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

Development should not be permitted on any site that has flooded at any time in the previous ten years unless it can be clearly demonstrated that no future risk exists, either to the site in question or elsewhere. •



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

Stop building housing in places where there are no local employment opportunities, services and/or amenities, so making it either impossible or impractical to live without a car. •

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

No – Footnote 64 makes clear that ensuring land is available for food production should remain a material consideration, alongside the other policies in the Framework, when deciding what sites are most appropriate for development.

Given we already have to import much of our food, food security should be a critical consideration as a consequence of both the impact of climate change on agricultural production in countries such as Spain as well as conflicts in other parts of Europe and the world.

Indeed, such is that threat it is arguable the definition of best and most versatile agricultural land should now encompass grades 1 to 3b, given that 3b land is more than capable of producing moderate yields of crops such as cereals and high yields of grass, important for grazing and milk production. •

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

The 2023 NPPF gave 'greater protection to agricultural land through additional reference to the need to address food production, maintaining the emphasis on best and most versatile (BMV) land'.

Inevitably all green field development, especially Solar Farms with their large land take, is likely to adversely effect food production.

Given increased geopolitical insecurity and the impacts of climate change the Government should first prioritise being able to feed and supply water for the nation's population from within its own natural resources (basic sustainability requirement). •

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?

Yes – currently water supplies are provided and planned by the regional water companies. At the same time population movement and growth is creating supply shortages and metering has failed to reduce public demand as was hoped.

The consequences of climate change also differ from region to region and rainfall is increasingly unpredictable.

In Devon and Cornwall South West Water is now talking of introducing desalination plants after failing to correlate its natural resources with increasing demand. As a redacted email reproduced at the top of the next page illustrates:

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From: [REDACTED] <[REDACTED]@environment-agency.gov.uk>
 Sent: 21 July 2023 11:24
 To: [REDACTED] <[REDACTED]@ofwat.gov.uk>
 Cc: [REDACTED] <[REDACTED]@ofwat.gov.uk>; [REDACTED] <[REDACTED]@environment-agency.gov.uk>; [REDACTED] <[REDACTED]@environment-agency.gov.uk>; [REDACTED] <[REDACTED]@environment-agency.gov.uk>; [REDACTED] <[REDACTED]@environment-agency.gov.uk>; [REDACTED] <[REDACTED]@environment-agency.gov.uk>; [REDACTED] <[REDACTED]@environment-agency.gov.uk>; [REDACTED] <[REDACTED]@environment-agency.gov.uk>
 Subject: RE: SWW's drought resilience

Hi [REDACTED]

After talking it through with colleagues we are all in agreement that SWW were not well prepared for drought, and a lack of resilience in their supply was exposed by the dry, hot weather in 2022. We wanted to highlight the reasons below for this view.

I hope that's helpful,

[REDACTED]

- The SWW Drought Plan was found to be not 'drought-ready' which led to drought permits and a range of options for new supply sources having to be considered, applied for and permitted during the drought instead of planned in advance.
- The current Water Resources Management Plan did not reflect the reality of the demand and supply options required.
- The supply was found to be too reliant on strategic reservoirs recharged with winter pumping from rivers. Pumping was limited by the existing abstraction licences which SWW could have applied to increase in previous years as demand rose. By failing to do so they were not prepared and pumping was restricted until pumping quantities could be increased through their application for drought permits. In addition pumping can only occur when rivers are high enough and technical issues occurred when operating the system. [REDACTED]
 [REDACTED]
 [REDACTED]
- SWW acted too late which presented a genuine risk of loss of supply in West Cornwall.
- SWW were not honest, open and transparent with regulators about their drought projections and potential risks to security of supply.
- [REDACTED]
 [REDACTED]
- SWW had not adequately managed consistently increasing demand in the years prior to drought.
- Accountability for water resources management was poor. This has now improved with recent recruitment and we hope to see that maintained.

...Continued page 25



Unfortunately it is not immediately obvious what the Environment Agency Drought Briefing revealed:

Environment Agency Drought Briefing
Background

[Redacted text block]

[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]

[Redacted text block]

[Redacted text block]

...Continued page 26



Drought Permits

- Water Companies can apply for drought permits if they can demonstrate that there has been an exceptional shortage of rain which has significantly affected their ability to store and supply water. The EA determines drought permit applications and is required to consider any objections received to the proposal. The EA plays a key role in this robust process to balance the needs of water users, while ensuring there is enough to support the environment.
- SWW were not ready to use drought permits and had none pre-prepared. SWW are aiming to be drought permit-ready this year. In 2022/23 we issued 7 drought permits to SWW.
- Some of these drought permit applications were highly contentious. We received the majority of objections from the fisheries community highlighting their concerns about significant environmental damage of removing more water from the environment when river flows were already low. They also questioned SWW's lack of resilience and the company not following their Drought Plan options.
- All applications for drought permits, new abstraction licenses and changes to existing abstraction licences are robustly assessed in line with the EA's strict criteria and processes to ensure that they are environmentally sustainable, do not adversely impact other lawful water-users, and are an efficient and proper use of water resources.

Water Demand

Water demand in Devon and Cornwall has been steadily increasing year-on-year and has exceeded historic levels in parts of the Colliford and Roadford zones this year. SWW need to demonstrate greater commitment to reducing demand, using initiatives backed by strong evidence and track the results closely.

Behavioural change in the way that the public value and use water in the UK is a fundamental building block in tackling drought now and in the future. This will require individual, community and institutional change, underpinned by integrated policies across all sectors including water, tourism, construction and town planning. There are huge opportunities for government to support policy change and increased water efficiency messaging to encourage the behavioural change needed.

Water security

As a statutory consultee, the EA reviews all Water Resources Management Plans (WRMP) submitted by water companies. The EA believes that South West Water's current draft WRMP is not fit for purpose. The EA does not have confidence that this plan could be used to provide a secure supply of water that sufficiently protects the environment over the next 25 years and has strongly recommended that South West Water produces a new, better and more resilient plan and due to the material change of circumstances, publicly consults again.

The quality of SWW's WRMP will also impact on the southwest Regional Water Resources Management Plan which sets out how water companies and other water-users will work together to manage water resources effectively and efficiently over at least the next 25 years.

Future scenarios for climate change and levels of environmental protection have shown that an overall reduction in abstraction of between 1,200 million litres per day and 2,200 million litres per day may be needed by 2050 in the UK. We are already experiencing wetter winters and drier summers due to climate change and increasing the ability to store water when the rain falls is critical along with water efficiency. Strategic Resource Options are lacking and urgently needed in Devon and Cornwall.

But it is certainly worth noting the last paragraph under the 'Water security' heading. The water companies from their own resources are unlikely to have the money to take both the action necessary to guarantee future supply and largely eliminate pollution from our waterways. And rather than leaving the problem for future administrations to solve, the Government should explain why building many more houses, data centres and the suchlike will not simply exacerbate matters. •



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?**
– •
86. **Do you have any other suggestions relating to the proposals in this chapter?**
– •
87. **Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?**
No – if the Secretary of State can demonstrate that a local planning authority is failing or omitting to do anything it is necessary for it to do in connection with the preparation, revision, or adoption of a development plan document as a consequence of its own actions or lack thereof, then it is only proper the Secretary of State should intervene.
However, if the Secretary of State is unable to do so, no intervention should be thought necessary. •
88. **Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?**
No. •
89. **Do you agree with the proposal to increase householder application fees to meet cost recovery?**
Yes. •
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.**
– •
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?**
If the estimate is correct, then Yes. •
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.**
Local planning authorities are best placed to answer this. •
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.**
– •



94. **Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?**
Yes. •
95. **What would be your preferred model for localisation of planning fees?**
– •
96. **Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?**
Fees for major developments should be increased to reflect the cost to the local planning authority of their determination and subsequent monitoring necessary to ensure compliance with planning conditions. •
97. **What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?**
Monitoring of compliance of planning conditions, investigating non-compliance complaints and ensuring biodiversity gains are achieved. •
98. **Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?**
Yes. •
99. **If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.**
– •
100. **What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?**
– •
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.**
– •
102. **Do you have any other suggestions relating to the proposals in this chapter?**
– •



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

Yes – but only if the presumption in favour of sustainable development does not apply to those local planning authorities who now find themselves, through no fault of their own and who have previously met or exceeded their existing local plan targets – provided that their new plan is in place no later than December 2026. •

104. Do you agree with the proposed transitional arrangements?

Yes. •

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

– •

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?

– •