



MINISTRY OF HOUSING, COMMUNITIES & LOCAL GOVERNMENT

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

PUBLIC CONSULTATION: 30 JULY TO 24 SEPTEMBER 2024

The Builders Merchants' Federation is the trade association for businesses in the building materials' supply chain in the UK & Ireland. Since 1908, it has represented builders, plumbing & heating and other merchants and manufacturers who make and deliver building materials, home improvement products and civils & drainage systems. The BMF's 1,000 members have combined annual sales over £50 billion and employ nearly 203,000 people in all 4 home nations.

### OVERVIEW

The BMF represents a major supply chain that has existed for centuries. Our members perform a vital national function in distributing primary materials and value-added products from quarries, brickworks, sawmills and factories to where they are used, indoors & outdoors, all year round.

Merchants are the most efficient route-to-market. They expertly manage the delivery of small, mixed or repeat loads and provide the 'last-mile' link in our long-established supply chain. The majority of merchants' customers are SME builders & allied trades, contractors or installers.

We welcome the chance to contribute given our unique position - namely that buildings (especially housing) are not erected - nor are properties (especially homes) repaired maintained or improved - without the materials & products that our members make and deliver on a daily basis.

The BMF is an economic trade association that does not stray far into social policy. Apart from general remarks, the BMF confines itself to what it knows best. Not all questions answered. We are not a technical organisation but can support contributions that other industry colleagues will make.

### 1. INTRODUCTION

The BMF published its own industry manifesto called "**Building a Better Britain**" in time for the General Election on 4 July 2024. We want to see housing at the top of policy priorities. Unrelenting determination at all levels of government is urgently required to have millions more quality homes of all types and tenures completed. If not, intergenerational unfairness becomes an even more pressing issue than it is today among the electorate, young and old, urban and rural.

We recognise fresh impetus is being applied by the Labour Government to deliver many more desperately-needed homes that are built faster, to higher standards, where they are most needed and that people can afford to buy or rent. If these proposals lead to a real increase in housing delivery, the BMF will play its part in providing the necessary materials & products.

The involvement of smaller firms is critically important to get anywhere near 300,000. Ministers should use all available powers to foster a diverse, functioning market. Encouraging SMEs back into this market to do what they do best - build a few homes, in many locations, to a high standard, in keeping with local surroundings, that people want to buy - is our preferred solution. Under more

favourable conditions, we also see scope for medium-sized regional house-builders to grow and increase their contribution as another way to boost the number of new homes of all types.

Local authorities and housing associations have their part to play. The BMF wants to see a major expansion of new council houses and affordable & social housing under this government. An urgent priority is to determine funding for the Affordable Housing Programme from 2026 onwards.

## 2. POLICY OBJECTIVES

The policy objectives set out are comprehensive and there is much to applaud in this consultation. We agree that the case to boost affordable housing to deliver the biggest increase in social & affordable homes is compelling. The BMF regards it as wholly unacceptable that local planning authorities do not have an agreed local plan in force today.

During the consultation period, the BMF conducted a survey of its members on those aspects of most relevance to them. We refer to the findings of that survey throughout this formal response.

## 3. PLANNING FOR THE HOMES WE NEED

### **Importance of planning to meet housing needs**

We note Labour ministers want to act swiftly and aim to reverse most (if not all) of the previous changes introduced by Michael Gove, the Conservative Secretary of State, on 19 December 2023.

### **Advisory starting point and alternative approaches**

These proposals are logical and the BMF notes that the MHCLG wants to see little or no deviation from using the Standard Method of Assessing Housing Need.

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

On balance, yes.

**Q.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 ?

On balance, yes.

### **Urban uplift**

If urban centres are required to work together within regions to build new homes, it is logical for directly-elected metro-mayors to take the lead and be the focal point.

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

On balance, yes.

### **Character and density**

No-one wants a repeat of bad high-rise housing from the past. But the BMF believes urban density can be improved by builder taller buildings. During this consultation period, prominent voices have been arguing for apartment or mansion blocks that are not too tall - but if designed & built properly - provide good homes in pleasant surroundings that residents like to live in.

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

Yes.

**Q.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 ?

No strong preference.

### **Strengthening and reforming the presumption in favour of sustainable development**

The BMF is a firm believer in the concept of “sustainable development” - and strongly supports “permission in principle” to de-risk sites (esp. for SMEs) and offer reassurance to banks and other lenders of project or operating finance. But as the consultation document implies, this presumption cannot lead to the building of “rabbit hutch” homes - namely the cramped design and internal layout of new homes that are unsuitable and undesirable.

In our latest survey (August 2024), BMF members agreed that - in the absence of a Local Plan - there should be a presumption in favour of approving housing development: strongly agree= 45% and agree = 36%.

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

Yes.

### **Restoring the 5-Year Housing Land Supply**

We are not sufficiently competent to respond but can support contributions by industry colleagues.

**Q.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 ?

Yes.

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

Question not answered.

### **Restoring the 5% buffer**

We are not sufficiently competent to respond but can support contributions by industry colleagues.

**Q.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 ?

Question not answered.

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

Question not answered

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

Question not answered.

### **Maintaining effective co-operation and the move to strategic planning**

The Duty to Co-operate looked to us a sensible idea. We note the intention to give directly-elected metro-mayors the responsibility to formulate & adopt Spatial Development Strategies.

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

On balance, yes.

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

Question not answered.

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

Question not answered.

## **4. A NEW STANDARD METHOD FOR ASSESING HOUSING NEEDS**

The BMF is not technically or professionally qualified to comment. We can support contributions made by other associations & federations that represent the customers of our members - namely house-builders & property developers.

### **The current standard method for assessing local housing need**

In our latest survey (August 2024), BMF members agreed that local authorities in England should have mandatory housing targets set centrally, by Whitehall, according to the Standard Method of Assessing Housing Need: strongly agree= 26% and agree = 61%.

### **The Government's proposed approach**

It is sensible to restrict the ability of a local planning authority to plan or budget for a lower number of homes to where they can demonstrate hard constraints to the Planning Inspectorate.

### **Setting a new headline target**

We applaud moves to boost housing delivery by setting higher targets than before.

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

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

Question not answered.

**Q.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 ?

Question not answered.

### **Result of the revised standard method**

London: the decision to cut the target by 20,000 for new homes to be built by the Mayor of London is a retrograde step. London is where homes are needed the most to ease pressure on prices & rents and to improve living conditions.

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

Question not answered.

## **5. BROWNFIELD, GREY BELT AND THE GREEN BELT**

In the drive towards build more homes, the presumption in planning policy to use previously-developed land inevitably means industrial or employment land - notably old factories, railway premises, bus garages and wharves. Policy to shift more freight from road to rail - especially for delivery into urban areas via low- or zero-emission 'last mile' deliveries is a laudable aim. But as distributive professionals, this causes tension between existing Whitehall policy objectives.

The BMF is concerned that well-intentioned planning policy does not give sufficient protection for sites suitable for transfer points vital to the supply of construction materials. The drive to increase housing supply adds to pressure on sites used as merchants' yards and minerals' handling depots.

Our concerns are:

- the interruption in supply of aggregates, stone, pre-cast concrete, steel, timber, etc, into towns & cities that today comes as rail freight, rather than by road.
- if more of this class of land is lost, freight is pushed further out from town & city centres - meaning more deliveries by road, not rail, increasing congestion and CO<sub>2</sub> and NO<sub>2</sub> emissions.
- insufficient weight is given to make sure enough land is allocated for storage & distribution floorspace in edge-of-town locations, typically near a motorway junction or other road intersection, for our supply chain to function properly.

Care is required in seeking to balance modal shift (Department for Transport) and encouraging better use of brownfield land for housing (MHCLG). In addition, we are unconvinced that local councils maintain a register of local brownfield land for housing that they are legally required to do.

### **Being clear that brownfield development is acceptable in principle**

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

Question not answered. The document does not explain what is meant by 'brownfield passports'.

## Making it easier to develop Previously Developed Land

In our latest survey (August 2024), BMF members agreed with our long-held view that well-intentioned planning policy does not give sufficient protection for merchants' yards or aggregate handling depots: strongly agree= 26% and agree = 61%.

Ministers have put forward the idea of allowing new housing on Grey Belt land within the current Green Belt. That is to say, brownfield or previously-developed land, which is of little or no ecological value. For example: old petrol stations and redundant horticultural premises.

The BMF wants to see sufficient Grey Belt land retained and earmarked as industrial or employment land - and made available primarily for SME builders, contractors and allied crafts & trades to occupy. For example:

- scaffolding companies to store ladders, poles & planks.
- carpentry or joinery businesses with their own wood-working workshop.
- masonry firms to store stone, rock and cutting tools & equipment.
- tree surgeons to store chainsaws, wood-chippers & stump grinders.
- roofing contractors to store slates/tiles, felt, battens and asphalt/bitumen boilers.

SMEs cannot afford high rents & rates to locate on traditional industrial or trading estates that favour larger companies and national chains. The BMF sees a strong case to foster and encourage clusters of SMEs to co-locate on smaller sites within the Grey Belt. We urge the MHCLG to support such firms by devoting a certain proportion of Grey Belt land to accommodate them.

**Q.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.

**Q.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 ?

## Defining the Grey Belt

In our latest survey (August 2024), BMF members agreed that 'Grey Belt' land within the Green Belt can be considered for development: strongly agree= 56% and agree = 33%.

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

On balance, yes. We suggest that 2 years after of the introduction of this definition, the MHCLG takes another look at it to see (a) if it is being interpreted & implemented correctly and (b) has led to an increase in housing completions.

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

Question not answered.

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

Yes, additional guidance will no doubt be helpful. On balance, we prefer it to be within the NPPF.

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

### **Land release through plan-making**

#### Green Belt reviews

It is logical and desirable to require (every few years) local planning authorities to review the size and scope of their Green Belt.

#### A sequential approach

It is also logical and desirable to develop a sequential test as described.

**Q.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 ?

On balance, yes.

**Q.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 ?

Question not answered.

### **Allowing Development on the Green Belt through Decision Making**

These proposals are logical and worthwhile so long as the criteria described are upheld.

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

On balance, yes.

### **Supporting release of Green Belt land for commercial and other development**

**Q.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. We reiterate our views in favour of SMEs as stated earlier on page 6 at question 21.

### **Planning Policy for Traveller Sites**

The BMF is not technically or professionally qualified to comment on these proposals.

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

### **Golden rules to ensure public benefit**

#### Delivering affordable housing

Residential development in the Green Belt and the Grey Belt will doubtless attract trenchant views from respondents for or against these proposals. Such views may prove difficult to balance.

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

Question not answered.

**Q.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 ?

Question not answered.

#### Delivering improved public access to green space

It is sensible and desirable to provide good-quality green spaces nearby for residents to enjoy.

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

Yes.

#### Green Belt land and Benchmark Land Values

The BMF is not technically or professionally qualified to comment. We can support contributions made by other associations & federations that represent the customers of our members - namely house-builders & property developers.

**Q.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 ?

Question not answered.

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

Question not answered.

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

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

Question not answered.

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

Question not answered.

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

No.

## 6. DELIVERING AFFORDABLE, WELL-DESIGNED HOMES AND PLACES

### **Delivering affordable housing**

In our latest survey (August 2024), BMF members agreed that local authorities should have the ability to prioritise the type & tenure of affordable social homes built within their authority: strongly agree= 21% and agree = 65%.

#### Improving the existing system of developer contributions

The BMF notes the MHCLG's intention to (a) not implement the Infrastructure Levy as introduced in the Levelling-Up & Regeneration Act and (b) to seek to improve existing arrangements instead.

#### Delivering the right mix of affordable housing

The BMF has little to say - we prefer to let the customers of our members respond accordingly.

**Q.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 ?

Question not answered.

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

Question not answered.

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

Question not answered.

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

No.

#### Promoting mixed tenure development

The BMF prefers to see a mix of the type & tenure of homes in housing developments for the societal benefits it can bring. We believe it helps to speed-up the build-out rate for new housing.

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

Yes.

#### Supporting majority affordable housing developments

The BMF understands the point made about circumstances where housing may (occasionally) be predominately or exclusively the same tenure. Ministers and local councillors ought not to be too besotted on this - the most important point is to build more good homes to buy or rent.

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

Question not answered.

**Q.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 ?

Question not answered.

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

Question not answered.

#### Meeting the needs of looked after children

The BMF is not technically or professionally qualified to comment.

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

Question not answered.

### **Delivering a diverse range of homes and high-quality places**

#### Strengthening support for community-led development

It is sensible and desirable to encourage more community-led development to (a) add to the overall number of housing completions and (b) take account of local need as to the type & tenure of new homes in rural, mountainous & coastal communities.

**Q.56** Do you agree with these changes ?

Yes.

**Q.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 ?

No.

#### Making the small site allocation mandatory

**Q.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 ?

Question not answered.

#### Requiring "well designed" development

The BMF notes the recent furore - as reported in the print & broadcast media - about the removal of "beauty" or "beautiful" from this draft revision of the NPPF.

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

No strong preference.

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

On balance, yes. The BMF reminds the MHCLG that the Department (under a different name) and the Mayor of London conducted a joint consultation exercise on building upwards extensions in London between February and April 2016.

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

No.

## 7. BUILDING INFRASTRUCTURE TO GROW THE ECONOMY

In our latest survey (August 2024), BMF members agreed that - for the UK to compete internationally - more must be done to enable commercial development - notably computing data centres and freight & logistics' hubs: strongly agree= 28% and agree = 61%.

The BMF is concerned at the lazy assumption being made of what the term 'logistics' means. The MHCLG assumes this is confined to companies that distribute (among others) parcels & packages, food & drink and consumer electronics - namely Amazon, Booker, Fedex and Currys PC World.

We argue that BMF members ought to be included. For example: larger merchants have their own modern storage & distribution centres from which they serve their key national accounts, support their branch network, and fulfil their online sales often on a next-day delivery schedule. For merchants that operate managed services for local authorities, housing associations and private landlords, it is essential to have such storage & distribution centres close to these clients.

### **Building a modern economy**

#### Changes to the NPPF to support these modern economies

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

Question not answered.

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

Question not answered.

Directing data centres, gigafactories, and laboratories into the NSIP consenting regime process

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

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

No.

## 8. DELIVERING COMMUNITY NEEDS

The BMF is not technically or professionally qualified to comment. We can support contributions made by other associations & federations that represent the customers of our members.

### **Public infrastructure**

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

It is sensible and desirable to seek to boost the workforce to equip them with the necessary knowledge & skills. Increasing the provision of post-16 education places for technical education and vocational skills is therefore to be applauded.

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

Question not answered.

### **A 'vision-led' approach to transport planning**

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

Question not answered.

### **Promoting healthy communities**

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

Question not answered.

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

No.

## 9. SUPPORTING GREEN ENERGY AND THE ENVIRONMENT

The BMF is not technically or professionally qualified to comment on this chapter. That said, house-builders tell us they cannot obtain enough power or have long waits to secure local grid connections for new homes. They are competing with (among others) technology companies and urban transport for electricity. This is most noticeable going from West London along the M4 corridor to Reading and further beyond the Thames Valley. If the outcome of this consultation leads to greater electricity network capacity & capability, that is very welcome indeed.

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

Question not answered.

### **Supporting renewable deployment**

#### Strengthening the NPPF

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

Yes. All efforts to generate, distribute and store renewable and low-carbon energy are welcome.

**Q.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 ?

Question not answered.

### **Setting the NSIP threshold for solar generating stations and onshore wind**

**Q.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 ?

Question not answered.

**Q.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 ?

Question not answered.

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

Question not answered.

### **Tackling climate change**

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

Question not answered.

**Q.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 ?

Question not answered.

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

Question not answered.

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

No.

### **Availability of agricultural land for food production**

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

Question not answered.

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

Question not answered.

### **Supporting water resilience**

#### Improving the current thresholds for water resources developments in the NSIP regime

**Q.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.

**Q.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 ?

Question not answered.

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

No.

## **10. CHANGES TO LOCAL PLAN INTERVENTION CRITERIA**

The BMF is not technically or professionally qualified to comment. We can support contributions made by other associations & federations that represent the customers of our members - namely house-builders & property developers.

That said, in our latest survey (August 2024), BMF members agreed that sanctions should be imposed on local authorities that do not have an up-to-date Local Plan in force: strongly agree= 55% and agree = 32%.

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

Question not answered.

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

Question not answered.

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

The BMF is not convinced that increasing planning application fees necessarily leads to a better and/or speedier service for customers of our members from local planning authorities.

On capability & capacity, under-performing authorities appear to have a 'missing middle'. Near-to-retirement town planners and newly-qualified staff lack experienced middle-ranking colleagues with local knowledge or specialist expertise that delays approvals.

The BMF wants to see trials of Artificial Intelligence to handle un-contentious applications that conform to the rules and are straightforward to approve. This will alleviate workloads to allow colleagues to handle complex or contentious casework. Online services are part of 21<sup>st</sup> century living. A digitally enabled end-to-end service to grant planning permission is the logical next step.

### Changes to planning application fees

#### Proposed fee increase for householder applications

In our latest survey (August 2024), BMF members agreed that raising the householder application fee from £258 to £528 will have a negative effect on the number of local residents who choose to carry out conversions & extensions: strongly agree= 30% and agree = 36%.

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

On balance, no.

**Q.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.

No strong preference.

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

Don't know and question not answered.

### Proposed fee increase for other planning applications

There is a logical and good case to have graduated fees, based on certain thresholds or bands, for the size & complexity of the development being applied for.

**Q.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.

Fees for applications where there is currently no charge

**Q.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.

Question not answered.

Localisation of planning application fees

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

No. Fees ought to be determined nationally and reviewed & revised periodically.

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

If the MHCLG decides it will allow the localisation of fees, we prefer the Local Variation option as described - namely a nationally-set default fee with latitude for local planning authorities to set a higher rate - but any such fee structure must be clearly laid out publicly in advance.

Increasing fees to fund wider planning services

**Q.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 ?

No strong preference - there may be a case to be made - we are not aware of compelling reasons.

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

Question not answered.

**Cost recovery for local authorities related to NSIP**

**Q.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 ?

Question not answered.

**Q.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.

Question not answered.

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

Question not answered.

**Q.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.

Question not answered.

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

Question not answered.

## 12. THE FUTURE OF PLANNING POLICY AND PLAN MAKING

The BMF is not technically or professionally qualified to comment. We can support contributions made by other associations & federations that represent the customers of our members - namely house-builders & property developers.

### **Transitional arrangements for emerging plans in preparation**

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

Question not answered.

### **Further plan-making reforms**

**Q.104** Do you agree with the proposed transitional arrangements ?

Question not answered.

### **Future changes to the NPPF**

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

Question not answered.

## 13. PUBLIC SECTOR EQUALITY DUTY

**Q.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 ?

No.

## CONCLUSION

The BMF welcomes these proposals. Planning ought to be a system where development is enabled and managed, rather than just being about development control. Policy that accelerates the completion of millions more desperately-needed good homes of all types and tenures, throughout England, is very welcome.

Agreed changes should be confirmed and introduced as quickly and smoothly as possible. The customers of merchants can then bring forward and complete un-contentious projects that conform to the rules. But the BMF recognises that ministers will probably have to take time to issue guidance to local authorities, house-builders and property developers.

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