

Q. no	Consultation Questions	NEDDC Officer Response
1.	Do you agree that we should reverse the December 2023 changes made to paragraph 61?	Reversal of the changes is a necessary approach if the Government is to achieve it's objectives for increasing housing land supply.
2.	Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?	Yes. The use of a mandatory Standard Method is supported in principle to reduce ambiguity and place all Local Planning Authorities (LPA) on a level playing field. This should help to avoid the protracted arguments that take place around the issue at Local Plan examinations. However, the 'non-binding' nature of the baseline housing need will continue to be a matter of debate and uncertainty for those LPA's that seek to argue an inability to accommodate housing need, along with those neighbouring authorities that are asked to support delivery.
3.	Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?	Not necessarily - whilst this was an arbitrary uplift, its removal leads to other rural authorities such as North East Derbyshire District taking a higher quantum to meet national housing growth targets, which due to Green Belt constraints is likely to push development to less sustainable locations further removed from the sources of demand.
4.	Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?	Yes, this paragraph is unnecessary and runs counter to the proposed changes to the Standard Method.
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, this represents a more meaningful and appropriate use of resources and will focus design codes on the areas where they are needed most in terms of influencing design quality.

6.	Do you agree that the presumption in favour of sustainable development should be amended as proposed?	Yes, the change adds clarity over the relevant policies to be applied and strengthens the requirement for quality development and affordable housing delivery.
7.	Do you agree that all LPAs should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?	<p data-bbox="831 405 1426 703">Yes, in principle. However transitional arrangements should give LPA's sufficient opportunity to adjust to the new elevated targets, to avoid punishing LPA's with up-to-date Local Plans based on the current standard method, particularly for those authorities that are delivering above the results of the current method.</p> <p data-bbox="831 730 1426 994">For North East Derbyshire the changes represent a 178% increase above the current standard method and almost doubles the adopted Local Plan housing target. The changes proposed would immediately render the Council without a 5-year housing land supply.</p> <p data-bbox="831 1021 1426 1240">Furthermore, the Council's resources would be diverted from important plan-making activity to responding to ad hoc application enquiries in areas of open countryside and Green Belt locations, all to the detriment of effective co-ordinated plan making.</p> <p data-bbox="831 1267 1426 1570">This type of circumstance makes communities feel disenfranchised from the process and reluctant to engage in a meaningful way. Having a transitional period would enable Councils to engage local communities in the process whilst stressing the need for plans to be adopted as quickly as possible.</p> <p data-bbox="831 1597 1426 2016">It is therefore recommended that transitional arrangements are expanded to provide some relief for Council's with an up-to-date Plan, but where they can also demonstrate that they have a clear timetable and are making progress to securing a new Local Plan or additional sites to meet the new need figures. A suitable timescale could be mandated. Failure to put such mechanisms in place is at odds with the emphasis the Government places on a plan-led system, particularly</p>

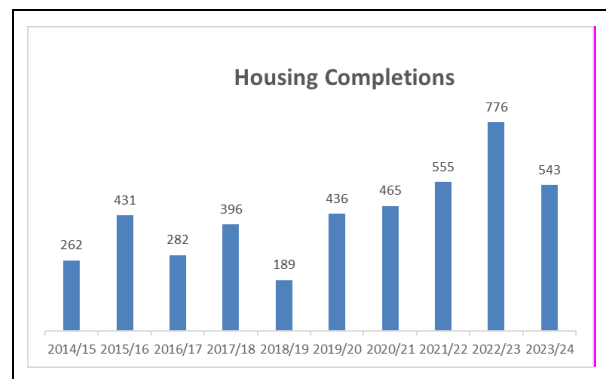
		where the implications have strategic significance in relation to the Green Belt.
8.	Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?	Agree, provided adequate transitional arrangements are put in place as our response to Q. 7
9.	Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?	The principle of including the 5% buffer is supported, it represents good planning, introducing a level of flexibility to housing land supply. However, without appropriate transitional arrangements this will further exacerbate the problems outlined in our response to Q. 7
10.	Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?	5% is appropriate.
11.	Question 11: Do you agree with the removal of policy on Annual Position Statements?	Yes – although this Council never used the facility, the evidence required to support these statements seemed disproportionate.
12.	Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?	<p>Yes - this will bring benefits for areas of high growth and will enable better co-ordination with infrastructure, but only if we operate within a plan-led system that isn't subjected to the constant threat of un-coordinated speculative development.</p> <p>This strategic level also represents the most appropriate level to undertake Green Belt reviews and would enable a more objective approach to this sensitive policy area. However, the mechanisms will not be in place quick enough to enable this to happen before developers start to pick areas off.</p>
13.	Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?	No Comment.
14.	Do you have any other suggestions relating to the proposals in this chapter?	No Comment
15.	Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the Standard Method is housing stock	The problems identified in relation to the use of household projections is acknowledged, however there are also problems with using housing stock as a basis. Whilst it has the

rather than the latest household projections?	benefit of forming a stable basis for long term calculations, that is the only benefit and is not representative of good planning. It merely perpetuates existing patterns of development without consideration of whether this is appropriate in a strategic sense or whether it can be accommodated sustainably.
	Whilst the 'non-binding' nature indicates some flexibility – the argument still has to be made at examination, which places significant uncertainty in the process. LPA's may be less inclined to seek to make such arguments where they are facing development pressure on the back of no 5-year land supply.
	The new Standard Method would result in a 178% increase in housing need for North East Derbyshire District compared to the current standard method. This is the highest increase of any local authority in Derbyshire and more than figures for the East Midlands (32%) and nationally (22%) and would have profound implications for the district affecting decision making in the immediate short term and plan-making in the longer term.
16. Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3-year period for which data is available to adjust the standard method's baseline, is appropriate?	No Comment.
17. Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?	No comment.
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?	No comment.

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

The information on ‘Average Annual Net Housing Additions’ between 2020/21-2022/23 provided as part of the consultation indicates 611 dwellings for North East Derbyshire. Although the Standard Method calculation is not based on this figure, it is provided to imply that the new Standard Method should be achievable.

However, this gives a misleading impression for the situation in North East Derbyshire. The data range used coincides with a period of unprecedented housing delivery in the district. In the 2022/23 monitoring year 776 dwellings were delivered, which was a result of a combination of exceptional circumstances including adoption of the Council’s Local Plan in November 2021 and post-Covid economic recovery which boosted new house building and completion of previously stalled sites. The table below gives a more realistic picture of achievable annual delivery rates.



NEDDC housing delivery 2014 - 2024

Immediate impacts – if the new standard method is implemented later this year along with the reinstated requirement to demonstrate a 5-year supply and in the absence of any transitional arrangements, this Council will be in the position of having to apply the tilted balance in decision making (in line with paragraph 11d of the NPPF). It will also mean that for sites on ‘Grey Belt’ land in sustainable locations developers will not need to overcome the ‘very special

	<p>circumstances' currently required to justify development in the Green Belt.</p> <p>In the longer term the elevated housing need would set a difficult context for plan-making in the district. The most recently adopted Local Plan faced difficulties in finding land for 330 dwellings per year as a result of Green Belt constraints and the need to protect settlement identity elsewhere. A Green Belt review was undertaken which demonstrated that the majority of the Green Belt continued to robustly meet at least one of the five purposes and objectives of the Green Belt. It is therefore unlikely that a subsequent review to identify grey belt land will yield sufficient previously developed land to meet the likely new target.</p>
<p>20. Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?</p>	<p>No objection - this does not materially alter the brownfield first stance.</p> <p>However, a critical element of replacement paragraph 122c) is that it refers to 'suitable' brownfield land. It would be helpful if further explanation of the determinants of what makes brownfield sites 'suitable' could be provided within guidance.</p>
<p>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?</p>	<p>Without very clear definition of the term 'substantial', the proposed changes are ambiguous and likely to cause greater confusion.</p>
<p>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?</p>	<p>It would be important to continue to exclude land associated with agriculture and forestry from the definition of PDL and equally important to clarify that areas of "hardstanding" associated with these uses is excluded.</p> <p>The consideration of including glasshouses in the definition strays into "agricultural" uses which will impact adversely on the incentives to retain such structures for agricultural production as the returns otherwise would be substantial.</p> <p>Furthermore, residential gardens, parks, recreation grounds and allotments outside</p>

		built up areas should also be excluded from the definition of PDL.
23.	Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?	<p>The reference to PDL is clear as this term is fully explained in the glossary. However, the text relating to other parcels and/or areas of Green Belt Land that make a limited contribution to the 5 Green Belt purposes is ambiguous.</p> <p>The terms: “parcel” and “areas” all need clear definitions.</p> <p>This Council has relatively recent experience of undertaking a Green Belt review, which found that the size of land parcel selected had a direct bearing on the result. It is therefore of critical importance that clear expectations are set of the criteria for identifying land parcels and that this is undertaken comprehensively as part of plan-making and not through the development management process.</p> <p>See also response to Q. 25</p>
24.	Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?	A better definition of the ‘high performing’ areas and criteria would help.
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, it is suggested that a policy change of this magnitude should be attributed greater significance in the NPPF and feature as an Annex rather than in the glossary and should be supported by detailed planning practice guidance. This would enable the definition to be expanded and clearly defined using examples to clarify the terminology such as: “limited” “strongly”, “substantial”, “very little” and “little” and of which are currently subjective.
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?	The definition of the term ‘limited contribution to the Green Belt purposes’ is currently too ambiguous and open to interpretation. It is suggested that a policy change of this magnitude should be

	<p>attributed greater significance in the NPPF and feature as a detailed Annex rather than in the glossary. This would enable the definition to be expanded and clearly defined using examples to clarify the terminology. For example, what is meant the term 'limited'?</p> <p>As currently set out the features in criterion b just repeat the five purposes of the Green Belt rather than adding any further explanation. It would also be helpful to clearly prescribe the specific and quantifiable measures for 'substantial built development' referred to at point b)i. if we are to avoid protracted arguments at both application and plan making stages.</p> <p>Also see response to Q.25</p>
<p>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?</p>	<p>Any land identified as a priority area through Local Nature Recovery Strategies should be excluded from the definition of grey belt and instead identified as a suitable receptor for offsetting development on land removed from the Green Belt under the proposed 'Golden Rules'.</p>
<p>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?</p>	<p>This would appear appropriate in principle, provided the release of Green Belt land is wholly plan led for all Councils with an up to date Local Plan or with clear timescales for a plan under review.</p>
<p>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?</p>	<p>Agreed, but as mentioned in response to Q.23 the size of land parcel assessed has a significant bearing on its strategic impact, which could lead to a deliberate piecemeal approach by the development industry if this is undertaken outside the plan making process.</p>
<p>30. Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?</p>	<p>No, as indicated in response to questions 23 and 29, release of land from the Green Belt must be considered on a wider than site basis and in a consistent way. It is only through the plan making process that a truly spatial</p>

		approach can be taken with appropriate consideration of strategic and cumulative impacts.
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?	The requirements for other uses are not given the same emphasis by the Government and are not governed by the same targets and sanctions for under delivery. Whilst it is reasonable that this could be addressed through plan-making on the basis of evidence of need and land availability, it would not be appropriate for Green Belt sites to be released in an ad-hoc way through decision taking.
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?	It would be reasonable to apply the same principles to sites for travellers as for other residential requirements.
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?	<p>The current approach of traveller assessments is flawed. LPA's with a good record of delivery tend to have higher levels of need identified than those that persistently refuse schemes. Traveller needs should be considered at a strategic level to identify sites on non- Green Belt land before releasing Green Belt sites. This is because Travellers tend to look for locations within a wide area, clustered around transport routes rather than aspecific district.</p> <p>It is also this Council's experience that such sites are generally brought forward most successfully through decision making, so there should be the ability for Green Belt sites to be considered.</p>
34.	Do you agree with our proposed approach to the affordable housing tenure mix?	Yes, this should be a matter for LPA's to decide based upon evidence of local need and housing priorities
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	In principle the 50% target should apply across the board due to the need for affordable units and to help justify the release of land from the Green Belt.

<p>authorities be able to set lower targets in low land value areas?</p>	<p>However, it is recognised that this figure is likely to be too high in some lower value areas, such as North East Derbyshire, which would limit the amount of land that would be brought forward. National policy should therefore make provision for LPA's to set lower thresholds based on evidence of viability through the plan making process.</p>
<p>36. Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?</p>	<p>Yes, this would be appropriate.</p>
<p>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?</p>	<p>It is likely that benchmark land values for Green Belt will be set below that of other land. This differential viability approach means a two-tier land market for Green Belt release compared to other areas of land and the risk that if BLVs are set at a level <u>below</u> that which current viability assessments would regard as "the minimum return at which a reasonable landowner would be willing to sell their land" it risks holding back that land being brought forward, and arguably provides an extra complication for plan making and applications.</p>
<p>38. How and at what level should Government set benchmark land values?</p>	<p>No comment.</p>
<p>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?</p>	<p>If there is no issue in respect of delivering at least the social mitigation required there is no need for viability negotiation.</p>
<p>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?</p>	<p>Agreed.</p>

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?	This would be appropriate and in line with current approaches to viability. Information on viability should be the responsibility of the applicant, who should also pay the Council's costs in securing an independent 3 rd party opinion.
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?	Where not inappropriate then these are policy compliant development which should not be subject to the Golden rules. It unlikely that other land uses (other than retail) would yield sufficient margins to provide offsetting equivalent to 50% affordable housing. However, contributions to nature and green spaces would be appropriate.
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?	No comment.
44. Do you have any comments on the proposed wording for the NPPF (Annex 4)?	No comment.
45. Do you have any comments on the proposed approach set out in paragraphs 31 and 32?	No Comment.
46. Do you have any other suggestions relating to the proposals in this chapter?	No Comment.
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?	These changes are supported and will enable the Council to respond to local priorities for affordable housing need, rather than nationally prescribed quotas for home ownership, that included products that are out of reach for many of our district's residents. However, it should be noted that being prescriptive about this

		in policies will have an impact upon viability.
48.	Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?	Yes, this will enable LPA's to focus on delivering to meet local needs identified by local evidence of need rather than prescribed national requirements. Our own evidence identifies that whilst there is a need for some affordable ownership, the need for affordable renting is greater.
49.	Do you agree with removing the minimum 25% First Homes requirement?	Yes, this will enable LPA's to focus on delivering to meet local needs identified by local evidence of need rather than prescribed national requirements. Our own evidence identifies that affordable home ownership is a more appropriate tenure for NEDDC.
50.	Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?	There is not clear reason why first Homes should be singled out for delivery on exception sites.
51.	Do you agree with introducing a policy to promote developments that have a mix of tenures and types?	Changes to encourage mixed tenures on sites is supported in principle, but national policy must provide a firm basis to support the development of locally specific policies to be included in Local Plans.
52.	What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?	Local Plan policies supported by clear evidence of needs.
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?	No comments.
54.	What measures should we consider to better support and increase rural affordable housing?	No Comment.
55.	Do you agree with the changes proposed to paragraph 63 of the existing NPPF?	No Comment.
56.	Do you agree with these changes?	No Comment.

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 Comment.
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?	<p>The allocation of small sites takes a lot of resources relative to the limited additional dwellings that result. This requirement is at odds with the aim of speeding up the plan process.</p> <p>The advancement of digital planning tools may help LPA's develop automated site assessment tools which could help speed up this process. NEDDC is involved in the PropTech Innovation fund focused on improving the efficiency of site assessments is intended to help us and other LPAs to make site assessment more efficient. However, these digital tools carry expensive licenses, and this is an area the Government could support directly.</p>
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?	<p>Yes, beauty is a matter of subjective judgement and too nebulous a concept to be prescribed in guidance. It is important to retain the requirement for well-designed buildings and places. Such terminology can be interpreted with greater objectivity in the context of the National Design Guide and gives greater certainty to those designing and delivering development. It also reflects the fact that there is more to high quality design than subjective aesthetic considerations.</p>
60.	Do you agree with proposed changes to policy for upwards extensions?	No Comment.
61.	Do you have any other suggestions relating to the proposals in this chapter?	No Comment.
62.	Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?	<p>These uses are relatively land-hungry and have specific locational requirements which is likely to drive the market and inform local plan making. If local authorities are to demonstrate in their Local Plans that they have considered the needs of the sector in terms of demand</p>

		and locational requirements it is suggested that planning practice guidance should be updated to reinforce this expectation and to provide guidance on how the specific requirements of these sectors should be assessed through the preparation of economic needs assessments.
63.	Are there other sectors you think need particular support via these changes? What are they and why?	No comment.
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 comment.
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?	No comment.
66.	Do you have any other suggestions relating to the proposals in this chapter?	No comment.
67.	Do you agree with the changes proposed to paragraph 100 of the existing NPPF?	No comment.
68.	Do you agree with the changes proposed to paragraph 99 of the existing NPPF?	No comment.
69.	Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?	No comment.
70.	How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?	Enable LPA's to set policies restricting hot food take aways within a set proximity of schools without the requirement to demonstrate a specific causal link at the local level.
71.	Do you have any other suggestions relating to the proposals in this chapter?	No comment.

72.	Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?	Yes, this will enable schemes of strategic significance to be considered at an above local level.
73.	Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?	Yes, these proposals are essential if the country is to meet net zero targets and effectively tackle climate change and are therefore supported in principle.
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?	No comment.
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?	This will have resource implications for LPA's as more schemes will fall to districts to be determined.
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 comment.
77.	If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?	No comment.
78.	In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?	No comment.
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?	No comment.

80.	Are any changes needed to policy for managing flood risk to improve its effectiveness?	No comment.
81.	Do you have any other comments on actions that can be taken through planning to address climate change?	No comment.
82.	Do you agree with removal of this text from the footnote?	No comment.
83.	Are there other ways in which we can ensure that development supports and does not compromise food production?	No comment.
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?	No comment.
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?	No comment.
86.	Do you have any other suggestions relating to the proposals in this chapter?	No comment.
87.	Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?	No comment.
88.	Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?	No comment.
89.	Do you agree with the proposal to increase householder application fees to meet cost recovery?	Yes.
90.	Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For	N/A

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.

<p>91. Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?</p> <p>Yes No – it should be higher than £528 No – it should be lower than £528 no - there should be no fee increase Don't know</p>	<p>Yes.</p>
<p>92. Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.</p>	<p>Yes, as follows:</p> <p>Changes of Use - these applications should carry a fee compatible with the fee charged for similar “new” development. Therefore, for a change of use of a large building it should be as for the floor area of other proposals.</p> <p>Lawful Development Certificates - in respect of existing uses or operations not complying with conditions. These should be charged as for any section 73 application.</p> <p>Prior approvals - these should reflect similar applications for changes of use.</p> <p>Removal of conditions (or similar) - these should be half the householder fee.</p> <p>Advertisements: Flat rate of £578</p>
<p>93. Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.</p>	<p>All the applications currently with no fee should have a flat rate fee equivalent to the householder fee. This would regularise fees and allow LPAs to claw back the cost of determining these applications.</p>
<p>94. Question 94: Do you consider that each local planning authority should be able to</p>	<p>No.</p>

	<p>set its own (non-profit making) planning application fee?</p> <p>Please give your reasons in the text box below.</p>	
95.	<p>Question 95: What would be your preferred model for localisation of planning fees?</p> <p>Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.</p> <p>Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.</p> <p>Neither</p> <p>Don't Know</p> <p>Please give your reasons in the text box below.</p>	<p>Neither. Having a nationally set level of fees ensures that development is addressed consistently across the board and does not enable cross boundary conflict especially in a location such as North East Derbyshire where there is close proximity to a number of Council's, mostly larger, who could use the economies of scale to undercut their smaller neighbours.</p>
96.	<p>Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?</p> <p>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?</p>	<p>Yes, planning fees should cover wider planning services. Any fee increase should exclude householder applications (and equivalents) as they generally don't involve non-DM service areas. The fee increase should initially be set at double the current levels and be reviewed subsequently to assess how that additional fee is being utilised and how effective it has proven.</p>
97.	<p>Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?</p>	<p>Inputs from Planning Policy, Heritage, Arboriculture, Environmental Health and Housing.</p>
98.	<p>Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?</p>	<p>Yes.</p>
99.	<p>Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able</p>	<p>LPAs are often asked for information in respect of the proposals and then to become involved in advertising and administration in connection with a major project (the</p>

	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.	involvement of Officers at North East Derbyshire on HS2 is a good example of time spent assisting in providing information to the project team (at no cost). The time spent on the projects should be set out clearly in a Service Level Agreement/Planning Performance Agreement at the outset and an initial bond paid to cover the initial costings and reviewed at further agreed dates.
100.	Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?	None. The LPA should be able to recoup all relevant costings attached to nationally important projects.
101.	Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.	No comment.
102.	Question 102: Do you have any other suggestions relating to the proposals in this chapter?	No.
103.	Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?	It is considered that the transitional arrangements are clearly set out and appropriate in relation to which version of the NPPF would apply at examination.
104.	Question 104: Do you agree with the proposed transitional arrangements?	The proposed extension to the timeframe for submitting plans to be considered under current legislation is welcomed. The cut off date of December 2026, adds a further 18 months for plan preparation which is a more realistic timeframe, although it would still be challenging for this district.
105.	Question 105: Do you have any other suggestions relating to the proposals in this chapter?	No comment.
106.	Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you	No comment.

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?
