

## **Annex 1**

### **Responses to NPPF Levelling-Up Bill Consultation Questions**

#### **1 Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?**

Yes, local authorities that have an up-to-date Local Plan should not have to continually demonstrate a five-year land supply. This is an onerous requirement that creates uncertainty and slows down the decision-making process. Applicants have often used five-year land supply arguments to justify inappropriate, poor quality development.

The London Borough of Havering (LBH) recognises the importance of having an up-to-date Local Plan and is committed to reviewing the 2021 Havering Local Plan. The proposal to remove the requirement to continuously demonstrate a five-year land supply will incentivise local authorities to ensure that Local Plans remain up-to-date and is therefore supported.

#### **2 Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?**

Yes, LBH agrees that buffers should not be required as part of the five-year land supply calculation. The buffers are an onerous requirement which place additional pressure on local authorities when trying to identify deliverable housing sites.

#### **3 Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?**

Yes, LBH agrees that where a local authority has oversupplied homes in the early part of the plan period this should be taken into account in calculating future five-year land supplies. Local authorities should not be disadvantaged by oversupplying early on in the plan period.

#### **4 What should any planning guidance dealing with oversupply and undersupply say?**

Refer to the answer to question 3.

#### **5 Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?**

No neighbourhood plans have been brought forward in Havering. The council has no comments to make on this aspect of the consultation.

#### **6 Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?**

The proposed additions to the NPPF which emphasis the need for homes to be delivered alongside supporting infrastructure is welcomed. However, the monies available for infrastructure are currently inadequate, further financial support should be available to local authorities and infrastructure providers to be able to deliver the infrastructure needed.

**7 What are your views on the implications these changes may have on plan-making and housing supply?**

The proposals set out in this consultation are not fully developed or effective. In many cases the proposals lack detail or seek to retain current flawed policy approaches such as the standard methodology. Further consideration, with an appropriate level of flexibility on how financial obligations and CIL monies can be spent, should be given to how the planning system can be reformed to ensure that it supports the right type of development being delivered in the right places with the necessary supporting infrastructure. Local planning authorities are best placed to make decisions about development in their areas but are chronically underfunded and require additional resources.

**8 Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?**

The standard methodology for calculating housing need is flawed and should be fully reviewed as part of the planning reforms.

**9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?**

Havering is an outer London Borough and is characterised predominantly by low rise suburban housing. The Council has been under pressure to accommodate housing development that is out of character with the existing area. LBH welcomes the recognition within the consultation that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met in full.

In relation to green belt boundaries, LBH does not agree that national policy should state that green belt does not need to be reviewed when making plans. This should be for individual Local Planning Authorities to determine and evidence through their Local Plan preparation and examination.

**10 Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?**

LBH welcomes the recognition within the consultation that building at densities significantly out of character with an existing area may be considered in assessing whether housing need

can be met in full. Assessment tools such as characterisation studies and site capacity testing are a useful method of exploring density and character.

**11 Do you agree with removing the explicit requirement for plans to be ‘justified’, on the basis of delivering a more proportionate approach to examination?**

LBH submitted their Local Plan for examination in 2018, following an extensive and pro-longed examination process it was finally adopted in November 2021 subject to an immediate review. The current examination procedure is ineffective, under resourced, costly for local authorities and is a disincentive to authorities maintaining up to date local plans.

The current requirement for “an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence” is fundamental to an effective, logical delivery of development. There should be a reasoned, compelling, convincing, and publicly accessible process for local plan policy development and site allocation that follows appropriate evidence.

The examination process needs to be reviewed in its entirety and the Council does not support the removal of the requirement for plans to be justified.

**12 Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?**

LBH is in the early stages of reviewing its Local Plan and has no comments to make on this aspect of the consultation.

**13 Do you agree that we should make a change to the Framework on the application of the urban uplift?**

The urban uplift should be removed. There is no justification for an additional 35% housing need to be added to the largest 20 towns and cities. The 35% is an arbitrary figure which not based on any evidence and does not have a sound planning basis.

**14 What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?**

See response to Question 13

**15 How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?**

See response to Question 13

**16 Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy**

**on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?**

LBH is in the early stages of reviewing its Local Plan and has no comments to make on this aspect of the consultation.

**17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?**

See response to Question 16

**18 Do you support adding an additional permissions-based test that will ‘switch off’ the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?**

Yes, LBH agrees that local authorities should not be penalised by the Housing Delivery Test where they have granted sufficient planning permissions. This approach recognises that whilst local authorities can grant planning permission the delivery of housing is dependent on private developers.

**19 Do you consider that the 115% ‘switch-off’ figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?**

LBH agrees that a degree of contingency needs to be built into the system as it unlikely that all planning permissions will be implemented. However, there is insufficient evidence set out in the proposals to justify the 115%.

**20 Do you have views on a robust method for counting deliverable homes permissioned for these purposes?**

The number of permissioned homes in the borough are already recorded by the London Borough of Havering and the GLA.

**21 What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?**

Given the uncertainty around the proposed changes to the planning system the consequence of the housing delivery test results should be suspended until publication of the 2023 results when there will be greater clarity on what changes are being made.

**22 Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?**

The Havering Local Plan 2021 contains local policy that add more weight to Social Rent to secure the highest level of affordable housing to address the local need for an increased number of affordable homes, in line with the London Plan 2021. The local plan “seeks a tenure split of 70:30 between affordable rented and intermediate products, referring to Social Rent; London Affordable Rent; Affordable Rent; London Living Rent; Shared Ownership and Started Homes.”

However, the local evidence in relation to local need is currently being updated as part of the Council’s review of the Local Plan and may result in a different emphasis. This evidence may be in contradiction to the Governments proposed change in emphasis. The policy should be set at a local level, following the local evidence of local need.

The revised policy should clearly define “Affordable” and reflect that the differential in a higher cost of living in London by the application of London Affordable Rent. Furthermore, the current figure of 10% should be raised as this often becomes a default after viability testing to challenge higher local/regional policy targets. The catch all term ‘affordable housing’ needs to clearly differentiate between affordable rent and other models such as shared ownership

**23 Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people’s housing?**

The London Borough of Havering supports the proposal to amend the existing paragraph 62 to distinguish between the different types of specialist older persons housing. This should include care homes, sheltered accommodation, accommodation with warden, retirement/downsizer as their needs are very different.

Each type should be clearly defined so that need can be effectively assessed in local need assessment.

It should be recognised in the development of this policy that there are significant financial impacts on Local Authorities in areas of an over concentration of provision of more care homes.

The policy should also extend to more stringent design standards such as better daylight, larger balconies and access to communal facilities, as older people are more likely to spend more time at home and have greater levels of health and mobility issues.

**24 Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?**

Generally, the Council supports the existing small sites policy, however the subdivision of some larger brownfield sites in particular, puts opportunities for suitable major infrastructure to be brought forward alongside the development at a greater risk. The national policy as drafted is more focused on plan making than development management. In areas where small sites guidance has not been produced it is therefore ineffectual.

The London Plan 2021 goes beyond the NPPF and has specific policy in relation to small sites and recognises their positive contribution to meet housing need.

**25 How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?**

Further guidance could be beneficial, such as addressing access requirements to backland sites. Emphasis on the need for high quality design solutions to resolve complex constrained sites. Policy to encourage more diverse range of 'developers' including self-builders or Community Land Trusts to take on these sites.

**26 Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?**

The Council supports the proposal to amend the definition of "affordable housing for rent" to encourage a more diverse range of developers to support a wider choice of providers and greater level of provision.

The national policy should ensure that the developers of these smaller, affordable rent sites are to provide social housing for those who have been identified by the local authority as in need and are not unnecessarily restricted by the providers.

Furthermore, this should also be an opportunity to recognise that the definition of 20% lower than market rent should be reconsidered to a greater % to make such provision truly affordable, particularly in areas where market rent is high, such as in the London boroughs.

**27 Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?**

LBH has no comments to make on this aspect of the consultation

**28 Is there anything else that you think would help community groups in delivering affordable housing on exception sites?**

LBH has no comments to make on this aspect of the consultation

**29 Is there anything else national planning policy could do to support community-led developments?**

LBH has no comments to make on this aspect of the consultation

**30 Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?**

LBH is concerned about applicants past behaviour and the impact this may have on the delivery of schemes that are granted permission. Whilst in principle it would be beneficial to discourage applicants based on their past behaviour the Council considers the practicalities of implementation unachievable and burdensome on the local authority. (See Q31).

**31 Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?**

There is not sufficient detail in the proposal to clarify how this could work without a complete overhaul of the principles of planning decision making which is disproportionate to the issue identified.

This proposed policy is of little relevance to enforcement and addressing breaches, what is significantly lacking in this area is:

a) resources for enforcement action, which could be addressed by introducing fees for all appeal grounds;

b) the inability of enforcement to recover reasonable charges for the resource intensive work it carries out in defending appeals against enforcement notice;

These measures would reduce spurious and speculative appeals, would generate fee income to actually resource the defence of said appeals, would enable enforcement teams to more confidently issue Notices in the knowledge that teams and officer resource is more likely to be made available.

(c) insufficient rapid financial punishments for breaching enforcement, temporary/stop Notices, Breach of Condition Notices and S215 Notices. An option would be to give planning enforcement powers to issue civil penalties, such as seen with action against HMO offences.

Another effective way of addressing these enforcement issues is to empower the authority to issue a daily fine.

These measures would make the appeals system a fairer and a more user pays system.

d) It is also noted that the speed of decision by the Planning Inspectorate in the determination of appeals impacts on the ability to act against irresponsible applicants. Changes of use appeals can detrimentally impact local communities and the suspension of ENs for up to two years has seriously eroded public trust and confidence.

e) the response times of the judicial system. It takes too long to gain a hearing date then a trial date.

**32 Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?**

The Council supports the proposal for the Development Commencement Notice; a streamlined completion notice process; and annually to local authorities on their actual delivery of housing against a proposed trajectory that they submit on commencing a scheme for which they have permission and the proposed ability for LPAs to decide whether to entertain future planning applications made by developers who fail to build out earlier permissions granted on the same land.

The commencement of a planning permission should require a more meaningful start on site. It should demonstrate an intention to continue with the implementation of the planning permission.

The Council always aims to process planning permissions and discharge conditions promptly and welcomes additional resources to facilitate this.

It must be noted that where additional data is required to be collated and submitted, this has additional implications on resources for each LPA and should be as rationalised and as automated as possible.

**33 Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?**

LBH does not agree with the proposed changes. Beauty is a term that should not be used in the NPPF.

The emphasis on design quality is positive, but the terminology 'beautiful' is problematic. Beauty is too subjective and some developers will take advantage of this to justify what, in their opinion, is beautiful. Setting out or emphasising key principles that can make development 'appropriate to context' or 'positively contribute to their surroundings' would be more useful.

The continued expansion of Permitted Development rights by the Government directly contradicts the stated aspiration to encourage well-designed and 'beautiful' development. LPA's should be given enhanced abilities to apply policies that deliver good design to these applications.

Beauty does not ensure that a building or development is sustainable. Sustainable use of previously developed land, minimising energy use, maximising green infrastructure and ensuring flood, fire and climate resilience are of critical importance and should be prioritised.

**34 Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?**

No, LBH does not agree with the proposed changes. 'Well-designed' has the same issue as 'beauty' in that it is very open to interpretation unless justified. Adding this does little to change the meaning of the phrase.

**35 Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?**

Yes, support for requesting clear and detailed drawings/studies at condition stage would be beneficial. It should be easier to refuse condition applications if the quality of information provided is insufficient. Also, greater emphasis on providing more detail/material information as part of the submitted application rather than leaving too much for planning condition would be help improve design quality.

Please note that current planning fees to review and discharge planning conditions are inadequate to support the delivery of good design, therefore the fee structure should be reviewed at the same time. It should not be acceptable for developers to submit multiple planning conditions under one application.



**36 Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?**

No. The emphasis on mansard roofs in the consultation is inappropriate. It needs to be clear that mansard roofs would not necessarily be appropriate in all locations and building types. In some cases alternative types of roof extensions may be appropriate, therefore it would be odd to only reference one type of extension. For example, a warehouse or modernist building may look odd with a traditional mansard. A reference to a visually recessive or subordinate roof extension may be more helpful – if this can meaningfully be defined.

It should also be noted the rules around PD rights for roof extensions are driving an expansion of low-quality design nationally.

**37 How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?**

Design codes at the borough level, and at site level where they are required, should explicitly identify habitat types and native species of local provenance to be planted; require the minimisation of artificial surfaces; and enable the use of artificial grass to be avoided.

The immediate and mandatory application of Green Infrastructure Standards, at national policy level - for all applications, particularly the Urban Greening Factor would help to tackle the use of damaging products such as artificial grass.

Whilst there are clear benefits of artificial grass sports pitches for withstanding heavy usage and lower maintenance, it would be useful if there was clearer guidance in relation to its impact on biodiversity, health of soils, micro plastic pollution, waste disposal and the potential contamination of individuals and water drainage with PFAs.

Paving, decking and the use of artificial grass in front AND rear gardens should require planning permission. However, local authorities would require additional resources to implement this requirement.

The protection of trees on new developments should be given the same level of protection as trees protected by Tree Preservation Orders. This will help ensure that the soft landscape vision and approved climate mitigation are achieved for a site. Whilst TPOs can be placed on new trees, few local authorities will endeavour to ensure that all trees are protected once the standard 5 year soft landscaping condition expires, due to the workload it will entail. Protection provided under national policy would overcome this and provide greater certainty of the benefits claimed by the promoter of a scheme being realised.

**38 Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?**

The Council welcomes the proposal for more clarity on the value of farmland in the planning system but the level(s) of value needs to be clearly defined. However, the food production

value of farmland should not be further barrier to development where there is a clear and evidenced need for the development proposed.

**39 What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?**

Measure: An assessment of absolute energy performance, using predictive energy modelling tools and methodologies. Performance is measured against a number of metrics such as space heating demand, Energy Use Intensity, (resulting in energy use per square metre per annum). This would require considerable upskilling in energy assessment professionals which would be an additional cost to plan making and planning applications. In light of this, this could be a longer term policy aim and could provide assessment information beyond the limited assessment of Part-L of the Building Regulations.

**40 Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?**

Planning applications should be required to further demonstrate that not only the buildings/interior spaces but the surrounding public realm/infrastructure is resilient to climate change issues such as overheating, air pollution and flooding. This would be more likely to lead to more nature-based solutions.

Retention of existing trees and green infrastructure on sites should be given greater weight to overcome the loss of mature and resilient landscapes.

The NPPF and policies in Local Plans tend to use words such as 'encourage', 'support' and 'wherever possible' thus giving developers great scope to avoid conditions requiring surface level SUDs, green infrastructure and tree planting. Stronger wording such as 'must' will reduce the ability of developers, both private and public sector, to avoid such requirements.

Two stage conditions that require submission of both pre development plans and proof of implementation would also assist, particularly if the penalties for non-compliance require implementation to be carried out regardless of cost to the developer.

**41 Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?**

The impacts of existing wind power should be considered in planning applications for repowering. This data will be available through monitoring reports for both construction and operational phases for existing sites. Detrimental impacts that have resulted from the development should require avoidance, mitigation and compensation in any repowering project through new design or modifications to operations. If this is not possible, closure of the site should be implemented.

**42 Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?**

Refer to response to question 41

**43 Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?**

Yes. Increased consultation with local communities at application stage is welcome but there should be community engagement as part of the consultation on the Local Plan.

However, instead of increasing the use of greenfield land for renewable energy, the Government should seek to change policy and regulations such that solar power is maximised on existing residential and commercial buildings (taking into consideration Conservation Areas and buildings of heritage value) and car parks, especially large commercial and retail surface level car parks.

**44 Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?**

Yes weight should be given to proposals which allow the adaptation of existing buildings to improve energy performance, but given the damage that poor quality installation of measures (particularly thermal performance measures) can do to building fabric and internal environments, this weight should only be applied where applicants can demonstrate that an accredited whole-house methodology and certification system has been used.

LPAs should also be able to review and assess the quality and durability of proposed materials used.

**45 Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?**

The Council is committed to an immediate review of its Local Plan and is generally supportive of the proposed timelines and transitional arrangements.

However, there is no flexibility built in where significant impacts from a change in the direction of the London Plan could result in delays to the development of the Local Plans of the London Boroughs.

Additionally, there is no flexibility in the development of joint plan, such as the East London Waste Plan where the process can be longer due to the multiple formal decision making programmes that don't always align. Further consideration of this issue is needed.

**46 Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?**

The Council is generally supportive of the proposed transitional arrangements for plans under the future system.

The transitional arrangements propose that the local authority will have until 30 June 2025 to submit their local plans, neighbourhood plans, minerals and waste plans, and spatial development strategies for independent examination under the existing legal framework and the examination to be completed by 31 December 2026; this will mean that existing legal requirements and duties, for example the Duty to Cooperate, will still apply. Beyond this, the new regime will apply.

**47 Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?**

There are no neighbourhood plans being prepared in Havering and the Council is not aware of any that may come forward. The Council therefore has no comments to make on the proposed timeline

**48 Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?**

No. The Council does not agree with the proposed transitional arrangements for Supplementary Planning Documents (SPDs).

It is difficult to make informed comment on the transitional arrangements when the process for producing the replacement documents is unclear. The approach described lacks clarity as it is suggested that SPGs will be replaced with supplementary plans which “have the same status as local plans” but there is no detail on the methodology of preparation of the new supplementary plans. Would this slow down the process? What are the consultation requirements? Would an independent examination be required and would this result in additional costs for the Council? Would they be required to be updated every time the local plan is reviewed? Would supplementary plans have a limited life expectancy? More information is needed.

**49 Do you agree with the suggested scope and principles for guiding National Development Management Policies?**

National Development Management Policies would have the most value where they relate to national standards and therefore avoid the need for repetition of policies in Local Plans.

It is vital that the LPA is able to retain control of development in the borough and not forced to apply national policies that may not be appropriate in its area. There would need to be a mechanism that allows Local Plan policies evidenced and tested at examination to diverge from National Development Management Policies.

There is also a risk that innovation may be stifled where LPA's are seeking to enhance requirements around climate change etc. There may be more benefit to have a set of nationally drafted and evidenced policies which are included into Local Plans as a default but can be changed and upgraded where evidence is provided.

**50 What other principles, if any, do you believe should inform the scope of National Development Management Policies?**

Refer to response to question 49

**51 Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?**

The selective additions could be included subject to the ability of a Local Plan to overrule or enhance these subject to local conditions. Note the ability for LPAs to set their own local technical standards should be supported.

**52 Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?**

National Development Management Policies should be limited to genuine national standards for development. Local Planning Authorities should retain the ability to set locally appropriate development management policies.

**53 What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?**

Planning policies in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper should include: Overarching planning policy on Climate Change, creating zero carbon and nature-rich places by setting a policy approach that genuinely strengthens environmental protections.

**54 How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?**

The Council has a general concern that the Levelling-Up agenda makes assumptions about affluence and infrastructure across the Greater South East that may not be in evidence at local levels and results in a lowering of investment in these areas of need. Local evidence of greater need should also be considered.

**55 Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?**

Gentle, character driven, development in town centres (in the context of the climate crisis) can most effectively be achieved with the high-quality re-use, retrofit and extension of existing buildings alongside new development. National policy should promote high quality retrofit, removing VAT for renovation (not just energy saving measures) and limiting permitted development rights and policy exempt areas to reduce the volume of poor-quality development that is generated via these routes.

**56 Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?**

Yes, LBH is committed to ensuring that everyone feels safe and agrees that the emphasis on safety in public spaces should be strengthened. However, there is a risk that providing policies on street lighting may imply that this is the primary factor in creating a sense of safety. In order to be and feel safe public spaces need sufficient footfall, positive overlooking, diversity, legibility and lighting as well as a number of other critical factors that are not planning issues.

The MOPAC (Mayors Office for Policing and Crime) Sexual Violence: The London Sexual Violence Needs Assessment 2016 found that simply presenting as female in public space increases vulnerability to violence and this is exacerbated at certain times of night in certain locations of the city. This is especially relevant in London, where 40 per cent of sexual assaults take place in public spaces, particularly on the transport network.

The MPS Street Safe application has highlighted public safety concerns by women and girls in Havering and have highlighted concerns around provision of lighting and CCTV within Havering and across London.

The new Serious Violence duty within the Crime, Policing, sentencing and Courts Act 2022 places a duty on local authorities to take action to prevent violent crime. Violence against women and girls is a priority for the Havering Community Safety partnership.

The Council would welcome a consistent planning approach and agreed standards of provision. This could be provided by clear policies on the quality and provision of lighting, design of open spaces, etc.

**57 Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?**

The Council consider that national planning policies should be kept concise and therefore easy to access and apply.

**58 We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.**

An Equalities Impact Assessment (EqIA) should have been produced with this consultation as a live document, informing the development of the proposals. The Equality Impact Assessment must include the impact on violence against women and girls.