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Our Ref: IWA NPPF 2024



Ministry of Housing, Communities & Local Government
By email to: PlanningPolicyConsultation@communities.gov.uk

20 September 2024

Dear Sirs,

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

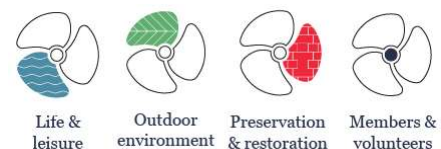
Please see below the response of the Inland Waterways Association to your consultation on the proposed reforms to the National Planning Policy Framework and other changes to the planning system.

The Inland Waterways Association (IWA) is the membership charity that works to protect and restore the country's 7000 miles of canals and navigable rivers for public benefit. IWA is a national organisation, founded in 1946, with a network of volunteers and branches who deploy their expertise and knowledge to work constructively with navigation authorities, local and national government and other organisations. The Association also provides practical and technical support to restoration projects through its Restoration Hub.

Our response is in the form of answers to many of your questions about the proposed changes, with some additional comments on matters of omission.

Yours sincerely,

Philip G. Sharpe
Planning Advisory Panel
Inland Waterways Association



IWA NPPF 2024 Response

Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?

A. Retention of the requirement to take account of unmet need of neighbouring areas continues a major uncertainty in Local Plan making, as neighbouring areas' plans are often at different stages and any unmet needs may be not yet defined or agreed. If local planning authorities are to be required to fully provide for their own needs as assessed by the standard method then they should not normally have any unmet needs to 'export' to their neighbours, so their neighbours should not normally be required to take account of this.

This issue needs attention also at paragraphs 11 b) and 27 b) where the exceptional nature of this circumstance should be noted and any 'transfer' of need provision be subject to agreement of all parties on a regional basis.

Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

A. Only if housing targets based on the standard method take into account where local circumstances significantly affect land availability, so that the identified need is then achievable. Such circumstances include the extent of a planning area covered by National Park, AONB, Conservation Area, SSSI, and similar national landscape, heritage, or habitat designations, along with higher flood risk zones, which significantly limit development in these areas. This should automatically be taken into account and not need special pleading by local authorities at examination. At present such "areas or assets of particular importance" are listed only in footnote 7. The protected areas that "provide a strong reason for restricting .. development" should be fully and more clearly defined in the main text. However, Green Belt is a fundamentally different type of designation which is addressed separately and should not be in this confused footnote listing.

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

A. No. The priority should be not only to accommodate new housing on brownfield sites but also to encourage higher housing densities in redeveloping existing urban areas where employment, transport, retail, and community facilities are more accessible, and thereby to limit the need for Green Belt or other greenfield countryside encroachment.

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

A. No. But the provision should be more clearly worded to apply only to piecemeal out-of-character redevelopment of existing areas (e.g. random upward extensions of terraced houses) whereas comprehensive redevelopments should be expected to achieve higher densities.

Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

A. Yes. There are some large council house estates built in the 1960s and 70s at very low densities that are in need of redevelopment where densities can be increased, with large roadside grass areas of little recreational or environmental value replaced by smaller but more usable open spaces and landscaping.

Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?

A. The concept of Sustainable Development is overused and ill-defined. Developments are never simply sustainable or not, it is not a binary choice, they have varying degrees of sustainability. Building large low-density estates of commuter housing on high quality farmland is by any metric very low on sustainability. Provision of small, affordable rural housing for local people is somewhat more sustainable. Rebuilding inner city brownfield sites at high density with good access to public transport and community facilities is a lot more sustainable.

As everything else seems to be quantified these days, even biodiversity, it should be possible to create an index of sustainability to guide planning decision making and give some meaning to this presumption.

Without a graded assessment of sustainability, allowing the presumption to override Local Plans on technicalities such as a continuous 5 year housing land supply or policies deemed out of date due to government rule changes is naïve and is open to exploitation by developers who always claim their plans are sustainable. It has led to some very unsustainable isolated, low density, greenfield, housing developments completely contrary to the local plan being granted on appeal.

Far from strengthening the presumption in favour of sustainable development it needs curtailing, with a definition of what is more and what is less sustainable, and for developments contrary to Local Plan policies and allocations to be allowed only in extreme circumstances of under provision.

Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

A. No. For adopted plans this requirement is too onerous, providing a loophole for unscrupulous developers to exploit through appeals. The concerns you have heard are spurious. Major allocations take longer than 5 years to build-out anyhow, and if Local Plans are being reviewed every 5 years then any delivery failures can be taken into account on review.

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

A. The current paragraph 77 has been removed altogether. The new paragraph 77 (current 79) appears to be based on the mistaken belief that over-allocation will compensate for under-delivery. However, the problem is not the planning system but the housing market. This is dominated by a small number of major housebuilders, creating near-monopolies with limited competition between them in many areas and over many years. These companies will not build-out sites faster than they can sell them and often limit supply to maintain higher prices and maximise their profitability. Allocating more housing land will not of itself increase the build-out rate of existing sites. Neither will it necessarily speed up new applications when the additional sites are in the same ownership, or part of the unwritten understanding between major housebuilders to control the market for mutual benefit.

The only way to break this near-monopoly acting against the public interest in many areas is to provide more public, not-for-profit urban housing. This can also answer the most pressing problem of under-provision of affordable housing, due to the major housebuilders preference for building larger houses on greenfield sites at premium prices.

There is also a need for many more smaller and medium-sized sites as required by paragraph 71 (formerly 70) in order to provide variety and choice in terms of future housing and to support the needs of small and medium-sized builders and the rural economy. The target to provide at least 10% of the housing requirement on small sites should be increased to at least 15%.

Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

A. No. Windfall sites generally provide a buffer of this magnitude.

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

A. See previous answer.

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

A. Yes.

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

A. Yes. Major housing allocations, including potential new towns, some major employment allocations, such as gigafactories, major transport projects and other strategic infrastructure need not just cross boundary but

regional scale planning. The suggested expansion of mayoral areas responsibilities to cover this along with other informal groupings without primary legislation may seem to offer early progress and some degree of democratic control, but runs the risk of creating a dogs breakfast of bodies with different responsibilities and powers, and gaps or overlapping areas such as happened with the LEPs. It would be better, simpler, and more consistent to reinstate Regional Planning Authorities with representation from all the constituent local planning authorities and an elected oversight board.

Green Belts which were created on a regional basis should then only be changeable by the RPA, and not piecemeal by individual LPAs, other than very minor amendments.

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

A. Over time the planning system has become less proactive and more reactive, with less strategic and forward planning and more short term firefighting. Under pressure from frequent government changes to the system, demands for unrealistic and unnecessarily short 5 year reviews of Local Plans, increasing financial restrictions, and litigious housebuilding companies seeking to exploit every loophole to maximise their profits, the timespan of its vision has been driven down with very little evidence of long term strategic thinking. The present tests of soundness are unsuitable for either the blue sky or detailed long term planning strategies that need reinstating at regional levels to properly plan for the major population growth, economic, and environmental challenges that are increasingly evident.

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

A. Yes. Reinstate Regional Planning Authorities with a remit for long-term and strategic economic and environmental planning in co-operation with the existing LPAs and other bodies. See also previous answers 12 and 13.

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

A. To maximise the use of urban brownfield land needs more than 'in principle' acceptance and 'passports'. To level the playing field with greenfield sites the remediation costs need financial support through something like the former Derelict Land Grants scheme.

Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

A. Unless 'substantial' is clearly defined it will result in endless disputes.

Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?

A. Disused petrol stations or car parks are given as examples of Green Belt PDL but such sites are few and far between and will not make much contribution to housing provision. Petrol stations have high remediation costs to remove underground tanks and contaminated land so are not likely to support affordable housing. Car parks in Green Belt are there to serve pick-your-own fruit farms, farm shops, country parks, recreational access, sports facilities, tourist attractions, and similar purposes, and are not likely to become redundant. In any rare instance where this occurs, the lack of buildings and retained openness means that their reclamation to agriculture or nature conservation should be the preferred outcome. Adding hardstanding is likewise clutching at straws, and glasshouses are invariably part of productive farms that should not be regarded as PDL.

These totally unconvincing examples do not make a case for a 'grey belt' designation, and the concern is that they are but excuses for the real intention to decimate the Green Belt whilst pretending to support it.

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

A. No. A scatter of small PDL sites are not a 'belt' and even if some undeveloped parts of the Green Belt are removed following review, they will still not constitute a "grey belt" so this name is inaccurate, misleading, and conceptually misguided.

The suggestion of including land that is not Previously Developed undermines the whole concept and purpose of the Green Belt. Green Belts were designated on a regional and strategic basis, principally to limit sprawl, incentivise urban regeneration, and protect the countryside. Some also help preserve certain towns' identities and heritage. The continuity of the Green Belt is essential to this and the fact that some parts contribute more or less than others to the whole is irrelevant, as all parts work together to achieve the objective. No parts were ever required to simultaneously serve all 5 purposes. Provided that each part helps serve one of those purposes its inclusion is justified. Carving up the Green Belt into arbitrary 'parcels' to try to justify abandoning chunks of it is invidious. It is even worse when this is done by individual LPAs to submit to local pressures. Other than very minor amendments, Green Belts should only be reviewed on the same regional and strategic basis on which they were originally designated.

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

A. This presupposes that neglected or degraded land is a grey belt criteria. But that is not what the proposed definition says. Neglected land can still preserve openness, limit building sprawl, and aid urban regeneration. It may not protect the farmed countryside but could have environmental value. Neglect, which can be reversed, should not justify a 'grey belt' designation.

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

A. Review of Green Belt boundaries and changes to them should only be conducted on a regional and strategic basis, taking account of a region's landscape, heritage, community and economic values. Any guidance, wherever contained, should emphasise that any reviews should not be piecemeal or subject to short-term pressures, but should aim for permanence or at least long-term stability.

Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

A. The suggested guidance is confused and not appropriate. It specifically mentions just two of the five purposes, preventing towns merging and historic town settings, and those are the two which mostly have just local application, whereas sprawl restriction, urban regeneration, and countryside safeguarding generally apply to all parts of the Green Belt. Only the criteria of substantial built development and physical urban development are new, and these alone should be considered along with the accepted definition of Previously Developed Land as criteria for 'grey land' (not 'grey belt' – see above) within the Green Belt on which housing development might exceptionally be considered, if other locational, transport and community criteria are satisfied.

Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?

A. There should be strategies for the recovery of any abandoned, neglected, or degraded land within the Green Belt that is not PDL, to either agriculture, nature conservation, or recreational uses as locally appropriate.

Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

A. No. Sacrifice of any Green Belt land, other than PDL land that is in a suitable location for housing, should only be as part of an agreed regional strategy on the Green Belt, and not as a result of variable local review criteria on what constitutes 'low quality'.

Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

A. Yes. But it needs also to not undermine the function of the Green Belt across the region as a whole. There is a clear danger that development of parts of the Green Belt released on the spurious identification as 'grey belt' will then be used as an excuse for releasing adjacent sites and ever further incursions.

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

A. No. Any release of Green Belt land outside of Local Plan allocations should be severely restricted to PDL sites only, and not some wider designation of 'grey belt' including the vague definition of 'low quality', and it should be restricted to housing use only. Including in paragraph 19 the phrase "or where there is unmet commercial or other need" with tests based solely on housing supply or delivery is illogical and invidious and undermines the whole plan-led system.

Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

A. Unlike with housing, there is no major national undersupply of commercial or other developments and no justification for this further assault on the purpose and integrity of the Green Belts.

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

A. Except for purely transit sites, most traveller sites now are a form of housing and increasingly include 'day rooms' with lounge, cooking, bathroom and all other facilities except bedrooms, with the sleeping caravans becoming ancillary to the built development. In these cases they should be subject to the same criteria as more conventional housing and should not override Green Belt protections which apply to the rest of the population.

Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?

A. Other than for very minor adjustments, Green Belt reviews should only be undertaken regionally on the basis for which the particular Green Belt was designated. Traveller sites should remain inappropriate development in Green Belt.

But travellers are not the only community with alternative accommodation needs that should be addressed in the NPPF. Caravan and park home dwellings are mentioned only in the context of flood risk (Annex 3) and a somewhat garbled footnote under coastal change. Fixed caravan or park home sites are a significant component of housing provision in many areas and there should be a requirement in the NPPF for LPAs to make proper provision for this. Some sites exist only by a series of temporary provisions and these households should be given long-term security. The concept that caravans have wheels and are therefore not permanent development is an outdated fantasy, with the large 'mobile homes' on most sites having their tiny wheels walled-in to become immobile chalets. It is time that the planning system caught up with this reality.

Another group of people totally ignored by the NPPF is residential boaters. The canals and navigable rivers are home to tens of thousands of people living full time on boats. These include static houseboat residents, 'liveaboard' boaters on river cruisers and canal narrowboats that spend much of their time moored in marinas or on linear off-side canal berths, and waterborne travellers licenced by Canal & River Trust as 'continuous cruisers'. In the absence of any planning guidance there is a troubling neglect and inconsistency in local plans and the response of LPAs to planning applications for the provision of residential boat moorings. Some councils allow marinas to include residential berths, many simply ignore the issue, but others specifically exclude it by policy or conditions. Living afloat is widespread and increasing, and LPAs with inland waterways in their areas should be required by the NPPF to assess and make appropriate provision for this as an integral part of their housing provision. Such allocations should take account of the locational restrictions on provision of residential moorings compared with 'bricks-and-mortar' properties, of the lesser landscape impacts of low-profile boats compared with buildings, and of the need and ability of boats to move to access services.

For more information see the IWA Policy on Residential Boating at: <https://waterways.org.uk/about-us/library>
The Inland Waterways Association would welcome an opportunity to contribute to suitable guidance for inclusion in the NPPF revision.

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

A. No. This and the next question exposes the muddled thinking behind this whole set of proposals for carving up the Green Belt. The national housing shortage is mainly a shortage of affordable starter homes, studio flats, and smaller 1 or 2 bedroom houses for sale or rent in central urban areas with good access to employment, education, retail, health, recreation and transport facilities. But the housing market, dominated by a small number of large companies, prefers to supply more profitable large detached 3 and 4 bedroom houses for sale only, built on greenfield sites in urban fringe locations and dependant on car ownership for access to offsite facilities. Housing Associations and a few socially responsible house builders try to redress the balance but without the strategic regional planning, compulsory purchase powers, government funding and vision needed to remediate brownfield sites, to build replacement council or not-for-profit housing to replace that lost to right-to-buy, and to plan new towns, the imbalance in supply and demand will persist. Indeed, making Green Belt land release easier will only enable the big builders to pick and choose the most profitable sites and further avoid their social obligations.

Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?

A. The suggestion that Green Belt sites which will be largely outside the existing urban fabric will be suitable places for large scale affordable housing is nonsense. And the idea that the big private housebuilding companies will accept a 50% affordable housing requirement is fantasy. They already produce viability assessments arguing against much lower targets, and regard a minimum 20% profit on their risk-free investments to be sacrosanct. The housing market is effectively a near-monopoly in most areas, and with plans for mergers being allowed, it can only get worse.

The current planning system is largely controlled by the major housebuilders, who now monopolise local plan examinations, arguing amongst themselves for privileged treatment and putting private profit before public benefit or social responsibility, and the proposed changes on Green Belt development play right into their hands. These NPPF changes are based on a mistaken belief that the problem is land supply when it is actually an over-reliance on a monopolistic private building market that is content with under-supply that keeps prices and profits high.

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

A. Yes. However, the concept of 'golden rules' is questionable. The principle that where major Green Belt development occurs it should meet high standards on affordable housing, infrastructure provision and accessible green space is supported. But there will be major differences in these requirements between sites within conurbations compared with urban edge sites and in particular for isolated 'grey belt' sites within the Green Belt. The suggestion that a single set of 'golden rules' can be applied to all such developments is unrealistic.

Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

A. This section acknowledges that future building land is largely controlled by landowners and, through ownership or options, by the major housebuilders. If their excessive profits on development land are limited by some form of government control of land values it can be expected that they will strongly lobby against this and resort to legal obstructionism to thwart it. By suggesting that viability assessments could change the 50% affordable housing target the government is already signalling that it is unachievable.

The combination of limiting land value with such a high affordable housing target will result in landowners being disinclined to release their land as happened under the Land Commission (1967-70) and following the Community Land Act 1975, both of which were abject failures.

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

A. Unless the government is prepared to take full control of development land to nationalise the greater part of the uplift value of allocations, then these partial, bureaucratic, and legally contestable proposals will fail.

Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

A. See answers to 37 & 38.

Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

A. See answers to 34, 35, 37 & 38.

Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

A. See answers to 34, 35, 37 & 38.

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

A. See answers to 37 & 38.

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

A. See answers to 37 & 38.

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

A. No.

Question 56: Do you agree with these changes?

A. Yes.

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

A. It is unrealistic to expect every local plan to allocate space for all of these developments when there may be need for only one or a few of them within any region. Reinstatement of some form of regional planning body is the best route to identify suitable sites, with LPAs working collectively, and then making provision in the appropriate plans.

Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?

A. No. Democratic control of these developments should be retained at a local and regional level, and not be subject to imposition as NSIPs.

Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?

A. The threshold criteria for NSIPs should not be reduced.

Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

A. Yes.

Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

A. Yes

Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

A. Having a vision of desirable outcomes is always a good way forward.

Question 72: Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?

A. No. In recent years the size of offshore wind turbines has significantly increased and building these monsters onshore would have major impacts on landscapes, and in some areas on heritage and on communities. The bigger they get the less likely they are to be acceptable in populated areas and removing local democratic control is undesirable.

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

A. Different forms of renewable energy have different locational needs and pose different societal problems, so a blanket presumption of support is not appropriate.

The recent decisions to permit very large scale solar farms on high quality farmland in eastern England is troubling. Whilst such developments may allow limited sheep grazing between the panels this effectively downgrades the sites to low grade grazing land. The right place for large scale solar generation is on the vast acreages of roofspace on warehouses and other industrial buildings, above shopping centres, supermarkets and car parks, in close proximity to the electricity users, and not on high grade farmland or in remote locations needing new transmission lines.

There should also be a requirement that new houses have rooftop solar panels, which will be cheaper to install and can be less intrusive when designed-in rather than retro-fitted. Where even this modest increase in initial price is an issue, new developments should at least have their layout and the orientation of roofs designed to optimise the efficiency of later installation.

Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

A. Yes.

Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?

A. Yes.

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

A. No. We already rely far too much on imported food and the loss of productive farmland increases imports from countries with lower environmental standards including those destroying rainforests for beef or soya production which contributes to biodiversity loss and global warming.

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

A. Exclude all grade 1-3a agricultural land from Green Belt assessments and release.

Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

A. There is no water shortage in Britain as a whole, with vast reserves of fresh water sitting in Scottish Lochs and Kielder Reservoir. The problem is with transporting it to the east and south of England where demand exceeds supply. This needs a national water grid planned and funded by government because the water companies don't have the remit, finance, desire, or incentive to look much beyond their own areas, preferring to flood productive farmland for yet more reservoirs to capture and store water from already over-exploited rivers. There are some inter-regional transfer schemes being considered which may help in the medium term, and in some areas existing or restored canals can provide water transfer routes on the surface with amenity, wildlife and recreational benefits over pipelines.

Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

A. Groundwater aquifer recharge schemes are in many areas an alternative to surface reservoir storage, without the loss of productive farmland.

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

A. The parlous state of the water industry with its increasing failure to deal with sewage overflows suggests that the present privatised model is not fit for purpose.

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

A. IWA agrees that the country needs a properly resourced plan-led system of forward planning and development management.

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.

A. No. But years ago there were reduced fees for applications by charities. Charities vary enormously in their type and resources, but those that administer large areas of land for public benefit can be particularly affected by fees based on the area of an application. These include charities providing or administering sports fields, recreation grounds, public open spaces, country parks, amenity woodland, conservation sites, wildlife refuges, heritage assets, historic landscapes, lakes, canal restorations, etc. There should be a national exemption for applications for charitable purposes for such areas, or at least a reduced rate, or a capped fee similar to the householder rate.

Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?

If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?

A. No. It would be impossible to fairly apportion the costs of plan making to different types and scales of development. Forward planning should remain a service funded collectively through normal local authority budgets.

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?

A. Enforcement costs could be factored into the existing fees structure.

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?

A. Yes.

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

A. See answer to 93.

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

A. No. The figure of 200 dwellings below the revised LHN figure to trigger an immediate plan revision is too low, and should be increased to 1,000 dwellings.

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

A. See answer to 103.

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

A. The Inland Waterways Association (IWA) is the membership charity that works to protect and restore the country's 7000 miles of canals and navigable rivers for public benefit. IWA is a national organisation, founded in 1946, with a network of volunteers and branches who deploy their expertise and knowledge to work constructively with navigation authorities, local and national government and other organisations. The Association also provides practical and technical support to restoration projects through its Restoration Hub.

The nation's inland waterways (canals and navigable rivers) are major heritage assets and amenity and recreational corridors providing leisure boating, walking, angling, cycling, nature conservation and tourism benefits to the country. Their users come from all walks of life including the disabled and disadvantaged. Their use of the waterways is affected by many aspects of the planning system, including the specific issues covered in the answers above to questions 33 (residential boats), 84 (water transfer), and 93 (canal restoration).

The national waterway system attracts millions of visits each year from local people and holidaymakers from home and abroad, and is a major component of the nation's tourism industry. This supports local businesses and the income from boating activities provides a major part of the funding necessary for the Canal & River Trust and other navigation authorities to maintain the waterways for wider public use and enjoyment.

The countryside setting of most of the waterways system plays a vital role in attracting and sustaining this recreation and tourism use. But major built developments in the countryside adjacent to the canal system destroy the rural setting that contributes to their heritage interest, wildlife, amenity value and recreational use. Visually intrusive built development alongside the canals damages their tourism potential and economic benefits.

Therefore, waterway users are concerned by the continuing loss of open countryside around the waterways and in particular Green Belt which helps preserve the distinction between urban and rural areas. The invention of 'grey belt' seems to be just an excuse to allow even more inappropriate Green Belt development, undermining the professed brownfield first policy and the need for inner-urban derelict land remediation and regeneration for accessible, affordable housing.

Further issues affecting the waterways that are not directly covered in the consultation are heritage designations including Conservation Areas, and waterways freight transport.

Conservation Areas.

Many waterways have in the past been designated as linear Conservation Areas and most others merit equal protection, but many LPAs no longer adequately resource heritage protection. This is despite the fact that Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires local planning authorities to update conservation area appraisals regularly.

Paragraph 197 should be expanded to require updated Conservation Area assessments and management plans where these are lacking. Conservation Areas should have an accompanying 'visual envelope' within which developments are subject to additional considerations to minimise adverse visual impacts. Waterway conservation areas, because of their long narrow shape, are uniquely vulnerable to changes in their settings and would particularly benefit from this.

Waterways Freight.

A detailed response by The Inland Waterways Association Freight Group relating to question 62 is included as an Appendix (see below).

APPENDIX on Inland Waterways Freight Transport.

The IWA Freight Group are pleased to see that the new draft text makes reference to freight and logistics. It is encouraging to see the inclusion of freight and logistics as a key growth industry recognising the importance of the transport sector and its associated infrastructure to a successful economy. Paragraph 85 states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for: 'storage and distribution operations at a variety of scales and in suitably accessible locations that allow the efficient and reliable handling of goods, especially where there is needed to support the supply chain, transport innovation and decarbonisation'.

It would appear that local authorities will be given greater powers for compulsory purchase where landowners are not bringing forward key strategic sites that are needed in the public interest.

There is also a commitment to work with Mayoral Combined Authorities to explore extending existing powers to develop a Spatial Development Strategy.

The Government has also indicated that they are to consult on changes to expand the Nationally Significant Infrastructure Projects to bring a broader definition of water infrastructure into the scope of the NISP process, providing a 'clear planning route for new strategic water infrastructure to be delivered on time'.

It would be helpful if the NPPF changes made more explicit reference to the use of inland waterways to support the freight and logistics sector.

If the government wants to meet the Net Zero target and improve health by cutting pollution then it must look at freight on water as a genuine multi modal partner for rail and road. More efficient logistics in the UK is essential to support economic growth.

There are approx. 5,000km of navigable inland waterways in the UK. These inland waterways are a national network of rivers, canals and inland ports largely underutilised for freight transport. We need acknowledgement they exist and the means for better access to them.

According to the DfT 2022 Domestic Waterborne Freight Statistics 81% of freight was moved by road, 12% by water and 7% by rail. Of the 3 main transport modes the inland waterways probably have the greatest spare capacity for freight movements. Approximately 45 million tonnes of good were transported on the UK's inland waterways in 2022.

1. Access to the UK's Inland Waterways

Over the last 30 years or more we have lost many of the access points to our inland waterways where we used to load and unload barges. Many of these waterside access points have been developed mainly for residential or office use. The result of which makes it increasingly difficult to find places with either a wharf or suitable hard standing for loading and unloading. This makes it increasingly difficult to establish new waterborne freight traffic because we cannot find suitable loading/unloading locations for potential new customers. Many firms now operate electric vehicles making the last mile delivery green helping to achieve Net Zero.

2. New Waterside Developments

Many new developments have been built waterside along the UK's inland waterways network over the last 20 years or so. Many of these developments have employed barge transport to deliver building materials and take building waste away. However there is no planning requirement to provide access to the waterside of the building post development to allow continued barge traffic to service these homes and offices. Given the shift in consumer behaviour towards online shopping in recent years there are many more delivery vehicles on the road network than there used to be. Also changing online consumer habits means the number of returned items has increased to around 25% of those delivered and this is likely to increase as consumers are happy to return unwanted items. The UK's inland waterways now run past thousands of homes and offices which we cannot gain access to as there is no wharf or hardstanding access point. In some cases we now find that

developments cannot clean their waterside windows as the building is so close to the water there is no access for the window cleaners, let alone other maintenance work such as cladding/insulation replacement.

3. **What we want:**

The inclusion within the text of the NPPF of a more explicit reference to the use of inland waterways to support the freight and logistics sector and as a sustainable mode of transport. Also to protect and promote wharves and other waterside infrastructure.

There are in the UK some wharves which have been safeguarded for commercial barge traffic. However there is a growing trend to allow residential development around these safeguarded wharves which tends to render them unusable as understandably residents object to heavy good vehicles driving past their homes day and night.

Also the inclusions within the text of the NPPF that reinstates a previous paragraph on safeguarding inland waterway wharves that are needed for the handling of bulk goods and materials.

An acknowledgement within the text of the NPPF that inland waterway wharves require good road access from a waterside access point/wharf back onto the national road network.

The inclusion within the text of the NPPF that requires new waterside developments to include a waterside access point as part of the development to facilitate barge delivery and servicing of the building. Given the huge task of replacing non-compliant cladding and insulation on buildings those with waterside access can at least use barges to remove the old cladding/insulation and deliver the new materials.