

Report to	Planning Committee
Date	13 February 2025
By	Director of Planning
Title of Report	Planning Reforms
Purpose of Report	To inform Members about the Government's proposed reforms and seek comments to guide any responses

Note

Recommendation: The Committee is recommended to

- 1. Receive and consider the report on Government's Planning Reforms**
 - 2. Note the issues raised and provide a steer on key messages for officer interactions on the future proposals with Ministers and civil servants**
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Executive Summary

This report will cover the Government's planning reforms as follows:

- **Implemented Changes**
 - National Planning Policy Framework
 - Planning Practice Guidance
 - Planning Policy for Traveller Sites
 - Planning Fees
 - Guidance on s245 Duty to Seek to Further National Park Purposes
- **Proposed Changes**
 - Planning reform working paper on Planning Committees
 - Planning reform working paper on Development and Nature Recovery
 - English Devolution White Paper
 - Compulsory Purchase Process and Compensation Reforms
 - Planning Reform Working Paper: Streamlining Infrastructure Planning
 - Future Legislation / Policy

None of the proposed changes are formal consultations, but officers will be involved in meetings and correspondence with Ministers and civil servants concerning some of these proposals and it would be beneficial for Members to provide a steer on the key messages to give during those interactions.

I. Background

- 1.1 Since the General Election in July Government has moved swiftly to develop and put in place planning reforms intended to deliver on manifesto commitments around boosting economic growth and housing delivery as well as supporting nature and climate action. Consultations were carried out over the summer on a new National Planning Policy Framework (NPPF) as well as other proposed planning reforms. Planning Committee considered these in September and agreed a formal response (see Appendix 1).
- 1.2 Just before Christmas the final NPPF and updates to the Planning Practice Guidance (PPG) were published. In addition Government published its response to the representations on the NPPF, an updated version of the Planning Policy for Traveller Sites and Guidance on s245 Duty. It also introduced a Statutory Instrument to increase planning application fees from April 2025.
- 1.3 A number of other documents were published before Christmas with further proposals for reform which will impact on the planning system. These were:
- Planning reform working paper on Planning Committees
 - Planning reform working paper on Development and Nature Recovery
 - English Devolution White Paper
 - Compulsory Purchase Process and Compensation Reforms
- 1.4 Indications were also given about further guidance and legislation to follow in 2025, which are also summarised in this report.

Implemented Changes

2. New Planning Policy and Guidance

- 2.1 The new NPPF was published on Thursday 12 December 2024, alongside an updated Planning Practice Guidance (PPG). Broadly it was as expected, with the main headlines being the changes intended to increase housing provision to meet the Government's ambition to deliver 1.5 million homes during this Parliament. Main changes that affect the National Park are:
- Reversal of the December 2023 changes which made housing need figures only 'advisory', removed the requirement for Local Planning Authorities (LPAs) to demonstrate a five-year supply of housing sites if their Local Plan was less than five years old, and provided a reduced requirement to show a four-year supply for those whose draft Plans were well advanced. The reinstated need for LPAs to continuously demonstrate a five-year supply of housing sites has a requirement for a minimum buffer of 5% which increases to 20% if there has been three years of under-delivery (Chapter 5).
 - Introduction of a new 'standard method' for calculating housing need based on a 0.8% increase in housing stock plus an 'affordability accelerator'. The formula has been tweaked from the consultation to put even more emphasis on the affordability accelerator, increasing numbers in London and the South East and decreasing them further north, and in certain urban areas such as Eastbourne.
 - Strengthening of the guidance on the 'duty to cooperate' emphasising the need for LPAs to find solutions to unmet development needs and 'align as fully as possible' with neighbouring LPAs and other strategic bodies (paragraphs 24-28).
 - Local Plans examined and adopted under previous versions of the NPPF that provide 80% or less of the new standard method housing figure, from 1 July 2026 will have to also have a 20% buffer (essentially a six-year supply). This is to incentivise the early review of these Plans.

2.2 Other changes include:

- National Park paragraphs: The two main paragraphs for National Parks in Chapter 15 have a change to the wording to substitute 'National Landscapes' for AONBs, and the numbers have changed to 189 (Great weight should be given to conserving and enhancing etc.) and 190 (major development).
- The removal of the requirement to include a percentage of First Homes and other affordable ownership products, with social rent being prioritised (and separated out in the Glossary) and 'looked after children' added to the list of groups whose needs should be taken into account.
- Tweaks to paragraph 11d – relating to when the presumption in favour of development is engaged – which changes the need to have a 'clear' reason for refusal on grounds of impact on assets such as National Parks to a 'strong' reason and emphasises the importance of policies directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes.
- Chapter 14 on Climate Change, now starts with paragraph 161: "The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change". Paragraph 167 now requires significant weight to be given to energy efficiency and low carbon heating improvements and also gives significant weight to the benefits associated with renewable and low carbon energy.
- Also in Chapter 14 is a new requirement for all development (not just majors) to include sustainable drainage systems (paragraph 164 and 182 and there is a new definition in the Glossary), which should provide multi-functional benefits. Paragraph 173 confirms that a sequential risk-based approach should be taken in areas known to be at risk now or in future from any form of flooding. An exemption is provided in paragraph 175 if there is no built development or access/escape routes within the area at flood risk. Further advice is expected in the PPG on when and how to apply the sequential test for ground and surface water flooding.
- Significant shift in transport policy towards a vision-led approach in paragraphs 109 and 115, defined in the Glossary as "setting outcomes for a development based on achieving well-designed, sustainable and popular places, and providing the transport solutions to deliver those outcomes as opposed to predicting future demand to provide capacity (often referred to as 'predict and provide')". Paragraph 116 now says "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios". This is defined in the Glossary as "a range of realistic transport scenarios tested in agreement with the local planning authority and other relevant bodies (including statutory consultees where appropriate), to assess potential impacts and determine the optimum transport infrastructure required to mitigate any adverse impacts, promote sustainable modes of travel and realise the vision for the site". Paragraph 118 adds a requirement for transport assessments to say how impacts will be monitored.
- Increased emphasis on the importance of developing 'suitable' brownfield (previously developed land or PDL) within settlements, with paragraph 125 c) saying "proposals for which should be approved unless substantial harm would be caused". The definition of PDL has also been expanded in the Glossary to include land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, or large areas of hardstanding which have been lawfully developed. The exclusions for agricultural and forestry development and mineral

workings with restoration conditions still apply, the consultation proposal to include glasshouses has not been progressed.

- The previous paragraph saying that densities should not be increased if it would be out of character with the existing area has been deleted.
- Swifts, bats and hedgehogs get a specific name check in the first paragraph of Chapter 15 (now 187).
- Economic growth: paragraph 86 now refers to the national industrial strategy and, in c) to the need to pay particular regard to the needs of the 'modern economy' including laboratories, gigafactories, data centres, digital infrastructure, freight and logistics. Paragraph 87 also includes grid connections in this list.
- Health: paragraph 96 strengthens the wording on the importance of good health and preventing ill-health and inequalities and paragraph 97 introduces a new embargo on hot food takeaways and fast food outlets within walking distance of schools, other than in designated town centres.
- Education and other infrastructure: new wording in paragraphs 100 and 101 add early years and post 16 places, health, blue light, library, adult education and universities to the list of required infrastructure and instructs that 'significant weight' should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.
- Public safety: paragraph 102 now includes specific reference to the need to consider the safety of children and other vulnerable users in proximity to open water, railways and other potential hazards.
- Local Green Spaces: paragraph 108 clarifies that decisions for managing development in LGS should be consistent with national policies on Green Belt, with a footnote clarifying that these exclude those relating to grey belt and previously developed land.
- Annual Position Statements of five-year housing land supply have disappeared from the NPPF and Glossary (although still referenced in the PPG).
- The definition of Community-led Development in the Glossary has changed to meeting any community needs not just housing and the types of organisations included has been expanded.

2.3 Much of the NPPF has not changed, including importantly the protections for National Parks and the need to give their landscape, scenic beauty, wildlife and cultural heritage 'great weight' in making planning decisions. Despite significant pressure from the development sector, paragraph 14 relating to Neighbourhood Plans has also not been changed. This gives some enhanced protection to areas that have Neighbourhood Plans that are less than 5 years old and provided allocations to meet needs identified at the point of their examination. For us from 1 January 2025 that includes:

- Seaford 24.02.2020
- Henfield 22.06.2020
- Hassocks 02.07.2020
- Stedham with Iping 10.06.2021
- Boxgrove 10.06.2021
- Upper Beeding 10.06.2021
- Bramber 23.06.2021
- Rogate 12.08.2021

- Westbourne 12.08.2021
- Twyford 10.02.2022
- Steyning 08.09.2022
- Lyminster and Crossbush 10.11.2022

2.4 Changes to the PPG have also been made to reflect some of the changes to the NPPF. The key one for us is in the Housing and Economic Needs Assessment section. Paragraph 14 says:

“Where strategic policy-making authority boundaries do not align with local authority boundaries, or data is not available, should the standard method be used to assess local housing need?”

Where strategic policy-making authorities do not align with local authority boundaries (either individually or in combination), or the data required for the model are not available such as in National Parks and the Broads Authority, or local authority areas where the samples are too small, an alternative approach may have to be used.

Such authorities may continue to identify a housing need figure using a method determined locally. In doing so authorities should take into consideration the best available evidence on the amount of existing housing stock within their planning authority boundary, local house prices, earnings and housing affordability. In the absence of other robust affordability data, authorities should consider the implications of using the median workplace-based affordability ratio for the relevant wider local authority area(s).

For local authorities whose boundaries cross National Parks or Broads Authority areas, the proportion of the local authority area that falls within and outside the National Park or Broads Authority area should also be considered – for example where only a minimal proportion of the existing housing stock of a local authority falls within the National Park or Broads Authority area it may be appropriate to continue to use the local housing need figure derived by the standard method for the local authority area.

Paragraph: 014 Reference ID: 2a-014-20241212

If authorities use a different method how will this be tested at examination?

The standard method should be used to assess housing needs. However in the specific circumstances where an alternative approach could be justified, such as those explained at paragraph 014, consideration will be given to whether it provides the basis for a plan that is positively prepared, taking into account the information available on existing levels of housing stock and housing affordability.

Paragraph: 015 Reference ID: 2a-015-20241212”

2.5 Discussions are underway within the National Park family as to how this paragraph should be interpreted. Discussions are also underway locally between ourselves and the Councils that overlap the South Downs National Park (in particular Winchester, East Hampshire, Chichester and Lewes which have the biggest areas of National Park within their Council boundaries). A study is being commissioned to show what the apportionment of the standard method between the National Park and the Council areas outside the Park would look like based on the proportion of housing stock within the Park. This would effectively replace the ‘top down’ figure in our Housing and Economic Development Needs Assessment and would help our partner Councils by clarifying the need figure for their local planning authority areas. It would not commit us to using the outcome as our needs figure, as this would be subject to further work with the other National Parks in discussion with MHCLG. Members are reminded that any housing need figure is still just a starting point, and the amount of housing planned for in our Local Plan Review will also need to take account of our National Park purposes and duties, so is likely to be significantly lower. We will continue

to work with our neighbours under the ‘duty to cooperate’ to establish how any unmet needs could be met outside of the National Park.

- 2.6 Planning Policy for Traveller Sites has also been updated to clarify that the consequences of a lack of 5-year supply of traveller sites engages the policy presumption contained in NPPF 11 d). In light of both domestic and European Court judgments, the PPTS also changes the definition of “gypsies and travellers” to include the accommodation needs for those persons with a cultural tradition of nomadism or of living in a caravan. This change in definition was taken into account by our consultants in finalising the Gypsy and Traveller Accommodation Assessment for the South Downs, which was published on our website in December.

3. Planning Application Fees

- 3.1 A Statutory Instrument has now been introduced confirming that planning application fees will increase from 1 April 2025. Fees will rise to £528 for the enlargement, improvement or alteration of a single dwellinghouse. The existing fee of £258 is to be retained for small-scale operations such as the construction of gates or fences. The charge for prior approvals notifications will also be increased, as will applications to discharge conditions. A new banded fee structure for S73 applications will reflect different development types.
- 3.2 The Planning and Infrastructure Bill will introduce a new power for local planning authorities to be able to set their own fees (cost recovery for processing applications only).
- 3.3 In addition secondary legislation is proposed to enable cost recovery for relevant services provided by local authorities in relation to applications/ proposed applications for Nationally Significant Infrastructure (such as the M3 junction, Rampion 2 and Gatwick Airport). This will be beneficial to the National Park Authority because we currently don’t get reimbursed for time spent on these projects.

4. Guidance on s245 Duty to Seek to Further National Park Purposes

- 4.1 Section 245 of the Levelling Up and Regeneration Act amends the duty on relevant authorities in respect of their functions which affect land in protected landscapes (National Parks, National Landscapes and the Broads). Such authorities must now ‘seek to further’ the statutory purposes (rather than just ‘have regard to’ them). This new duty came into effect on 26 December 2023.
- 4.2 Guidance has now been issued on how this duty should be applied. This confirms that the new duty is an active duty, not passive, which means that:
- A relevant authority should take appropriate, reasonable, and proportionate steps to explore measures which further the statutory purposes of protected landscapes;
 - As far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of protected landscapes;
 - a relevant authority should be able to demonstrate with proportionate, reasoned, and documented evidence the measures to which consideration has been given when seeking to further the statutory purposes of protected landscapes.
- 4.3 What a relevant authority should consider includes:
- Do measures which would further the purposes align with and help to deliver the targets and objectives in the protected landscape’s management plan?
 - Are such measures appropriate and proportionate to the type and scale of the function and its implications for the area?
 - Could the measures contribute to the conservation and enhancement of the protected landscape’s wildlife, ecological value and quality, geological and physiographical features,

water environment, cultural heritage, dark skies, tranquillity, opportunities for access to nature, and landscape character for which the area was designated?

- Are there ongoing management needs for these measures?
- How will the measures be funded and secured?

4.4 The duty also applies to functions undertaken outside of the designation boundary which affects land within the protected landscape. The Guidance says:

- Natural beauty, special qualities, and key characteristics can be highly dependent on the contribution provided by the setting of a protected landscape. Aspects such as tranquillity, dark skies, a sense of remoteness, wildness, cultural heritage or long views from and into the protected landscape may draw upon the landscape character and quality of the setting.
- Functional connectivity is also important where there are flows or close interconnection between the Protected Landscape and its setting, for example:
 - a shared water catchment and management of water resources
 - ecological connectivity where species move across and between the designated and non-designated area
 - Rights of Way, Open Access Land and other recreational links joining the designated area to the wider countryside
- Development and the management of land, water and estates located in the setting have the potential to adversely affect the natural beauty, special qualities, and key characteristics of a protected landscape.

Proposed Changes

5. **Planning Reform Working Paper on Planning Committees**

5.1 A Working Paper has been published on Government proposals to reform planning committees. This seeks to ensure that planning committees operate as effectively as possible, focusing on those applications which require member input and not revisiting past decisions such as on allocating sites. There are three potential models for a national scheme of delegation:

- Option 1 – Delegation where an application complies with the development plan.
- Option 2 – Delegation as default with exceptions for departures from the development plan (and own applications).
- Option 3 – Delegation as default with a prescriptive list of exceptions.

5.2 The Paper also suggests dedicated committees for strategic development and mandatory training for Planning Committee Members. All three reforms would require changes to primary legislation through the Planning and Infrastructure Bill. Members should be aware that there have also been associated consultations on enabling remote attendance and proxy voting at local authority meetings and strengthening the standards and conduct framework for local authorities in England.

5.3 **Key Messages:** whilst this is not a consultation, an email address is provided for comments. Some National Park Authorities that deal with only small developments are concerned that any national delegation scheme based on size thresholds would mean that no scheme would go to Committee. In the case of this National Park, we do deal with some large schemes but most of the items that are reported to Planning Committee are there at the discretion of the Director of Planning in consultation with the Chairman of the Planning Committee rather than because they are above thresholds in our scheme of delegation. A key message for us would be that such discretion should be retained in any national scheme of delegation.

6 Planning Reform Working Paper on Development and Nature Recovery

- 6.1 A Working Paper has also been published with the purpose of delivering better outcomes for nature at the same time as building homes, clean power, and other infrastructure. It is proposed to use the Planning and Infrastructure Bill to make the necessary legislative changes to the Habitats Regulations and the Wildlife and Countryside Act to:
- Address environmental impacts such as nutrient neutrality through a Single Strategic Assessment and Delivery Plan (signed off by Secretary of State);
 - Move responsibility for planning and implementing these strategic actions onto the state, delivered through organisations with the right expertise (Delivery Bodies);
 - Impacts to be dealt with strategically in exchange for a financial payment by the developer to go into a Nature Restoration Fund to support implementation of Delivery Plans.
- 6.2 Where an environmental impact is addressed by a Delivery Plan, that impact would no longer be considered in individual case-by-case assessments. These proposals are not expected to impact on the implementation of Biodiversity Net Gain or habitat banks. They could, however, impact on some Green Finance sites which mitigate for nutrients.
- 6.3 Initial conversations with civil servants indicate that Government intends Natural England to be the Delivery Body.
- 6.4 **Key Messages:** As with the Planning Committees Working Paper this is not a consultation but an email address has been provided for comments. Officers have attended briefing meetings with civil servants on the proposals. In the South Downs our Green Finance scheme already provides mitigation that allows developers to pay for credits to address nutrient neutrality, so development can go ahead whilst funding enhancements to sites which deliver improvements to water quality alongside other biodiversity and climate change benefits. There are concerns that the proposals for a national scheme could undermine existing successful schemes, eroding confidence in landowners progressing and developers investing in sites. A key message for us is therefore that any new Delivery Plan should build upon the existing mitigation schemes in the area rather than starting afresh. We have already been making this point, emphasising the benefit of local partnerships and knowledge. Whilst it is understood that Natural England will have a key role in scrutinising these Delivery Plans and advising the Secretary of State on their sign off, it will need local organisations such as National Park Authorities to assist with on the ground delivery of mitigation sites.
- 6.5 In addition, whilst nutrient neutrality seems to be the immediate focus of this approach, it is Government's intention to roll it out to other forms of environmental mitigation including protected species and mitigation for Nationally Significant Infrastructure Projects. The former has been trialled with the Great Crested Newts licensing schemes but may not work with other types of protected species so any national scheme needs to be progressed with caution. Using the national Nature Restoration Fund for mitigation of the environmental impacts of NSIPs could cut across negotiations for mitigation and enhancement of impacted protected landscapes under the s245 duty to seek to further their purposes.

7. English Devolution White Paper

- 7.1 The English Devolution White Paper is seeking to have a more unified approach to local government across the country, and generally to devolve more powers, responsibilities and funding to the local level. In current two-tier areas it is proposed to replace district/borough councils and county councils with unitary councils of 500,000 or more population. For context our local district/borough councils range between 100-150,000 population. Proposals for new unitary councils have been requested by this March and the intention is to implement them by 2028.

7.2 It is also proposed to introduce complete coverage of the country by ‘Strategic Authorities’ of around 1.5 million or more population – some with mayors, some without (respectively Mayoral or ‘Foundation’ Strategic Authorities). These would be groupings of unitary councils and would have responsibility for preparing ‘Spatial Development Strategies’ which would set out high level planning policies for the area and distribute the combined housing need figures between component local planning authorities (potentially including National Park Authorities). These figures would then be hard targets for delivery rather than just a starting point. Mayoral Strategic Authorities would also be responsible for preparing Local Growth Plans and have the power to ‘call in’ strategically important planning applications.

7.3 Locally there have been two submissions to Government for Mayoral Strategic Authorities: one for Hampshire & Isle of Wight and a second for Sussex, incorporating East and West Sussex and Brighton & Hove. If successful the County Council elections for these areas planned for May 2025 would be postponed and a Mayor for each area elected in May 2026.

7.4 **Key Messages:** whilst the National Park Authority is not directly impacted by these proposals there will be indirect impacts. These include:

- The potential for a smaller National Park Board as there will be less local authority Members;
- A review of the hosting arrangements for planning applications. Currently approximately 80% of planning applications in the National Park are delegated to four host authorities for determination (Winchester, East Hampshire, Chichester and Lewes & Eastbourne). Larger unitary councils may not wish to continue this arrangement. Bringing this service in-house would require an increase in the number of National Park Authority planning staff and potential impacts on organisational structure and feel. It may also require local bases for planning operations at the eastern and western ends of the Park.
- General disruption to partnership working with existing councils due to their focus on devolution, including potential impacts on the duty to cooperate on Local Plans.
- The need to engage with the new Strategic Authorities to ensure that any Spatial Development Strategies further the purposes of the National Park, especially if these SDS allocate housing numbers to be met in a future South Downs Local Plan. We also need to be a voice for the rural area and what it can offer to the wider sub-region in terms of appropriate growth, health and wellbeing and green energy.

8 Compulsory Purchase Process and Compensation Reforms

8.1 National Park Authorities have powers to compulsorily purchase land for development or planning purposes under Section 226 & 244A of the Town and Country Planning Act 1990 provided it is confirmed by the Secretary of State. The Levelling Up and Regeneration Act included a provision that a Compulsory Purchase Order may be confirmed by the Secretary of State with a direction to remove hope value (increased land value from a proposed new use) providing this is justified in the public interest. This would make CPO more affordable to authorities as the price would be based on current land use.

8.2 The proposal is to extend this potential to remove hope value to the following categories:

- CPOs progressed on behalf of parish/town or community councils to provide affordable or social housing;
- Brownfield land in built-up areas, suitable for housing delivery, but with no extant planning permission for residential development; and
- Land allocated for residential development in an adopted plan but which has not come forward for development.

8.3 **Key Messages:** whilst we have not used CPO powers to date, and they are rarely used at all, they are a useful backstop power that incentivises landowners and developers to resolve

any delivery issues themselves. In principle the extension of the potential to remove hope value is supported as this makes CPO a more realistic prospect for authorities. The concern with including Local Plan allocations within scope is that it might discourage landowners from putting forward sites to the Local Plan process, which would put more onus on local planning authorities to identify sites and undertake work on any technical matters necessary for their inclusion as allocations. This risk could be mitigated if a timescale was included, for instance that it would only apply if the sites remained undeveloped after 5 years from adoption of the Local Plan that allocated them.

9 Planning Reform Working Paper: Streamlining Infrastructure Planning

9.1 A further Working Paper was published on Sunday 26 January proposing the following:

- Implementing the key recommendations of the ‘Banner Review’ around streamlining the judicial review process for NSIPs.
- Using the Planning and Infrastructure Bill to require each National Policy Statement to be updated at least every 5 years and having a more streamlined process for making changes to National Policy Statements.
- Amending the Planning Act 2008 to streamline consultation and pre-application processes for NSIPs.
- Consider the option of the Secretary of State publishing a draft Development Consent Order (DCO) for fact checking; removing the requirement for further prescribed consents or authorisations once a DCO has been granted; exploring whether more licences etc could be granted as part of the DCO itself; together with other changes designed to make DCOs more flexible and easier to amend.
- Option for alternative consenting routes, such as through the Town and Country Planning Act 1990, when developments are over the DCO threshold.
- Additional flexibility within the NSIP consenting process, reducing limitation of ‘one size fits all approach’ that could include simplified process for ‘straightforward’ projects, linking NSIP examination if geographically similar and standardised survey methodologies.

9.2 **Key Messages:** As with the Planning Committees Working Paper, this is not a formal consultation, but an email address has been provided for comments. Many of the changes proposed, including the more frequent updating of the National Policy Statements and streamlined pre-application / consultation processes have been supported previously by officers. Better clarity and opportunities for cost recovery should enable the SDNPA to engage and respond more effectively within the DCO regime. There is limited detail on the proposals for increasing flexibility within the process at this stage; until there is a better understanding of what will be introduced and how that would be implemented, it is not clear what the impact would be for the SDNPA. It will be important to ensure that the role of protected landscapes in the delivery and support of meeting the overarching objectives that drive the need for infrastructure is clearly defined and recognised in any changes to legislation and national policy statements.

9.3 One area of concern is the potential introduction of alternative consenting routes. Currently, there is a mechanism to allow proposed development below the relevant NSIP threshold (for example, energy generation capacity) to apply to be considered through the DCO process – this is a one-way mechanism and those over the NSIP threshold must be considered under the DCO regime. If those above the threshold could opt to be considered under the TCPA 1990, this would make the SDNPA the decision-making authority for those projects within the National Park boundaries. Such projects are likely to require significant officer time and resource, above that currently involved in our participation in such projects.

10 Future Legislation, Policy and Guidance in 2025

- 10.1 Government has also announced some future proposals to be brought forward in 2025. These include:
- A ‘general power of competence’ for National Park Authorities, which would replace the current system of NPAs only being allowed powers specifically included in legislation to them having all powers not specifically excluded by legislation. This is intended to remove restrictions which prevent an entrepreneurial approach and remove barriers to achieving more for people and nature.
 - Strengthening the role that public bodies, including water companies, must play in delivering better outcomes for nature, water, climate and access to nature in protected landscapes.
 - A 12-week consultation is promised to inform the development of a Land Use Framework for England, to be published in 2025. This will set out the government’s vision for long-term land use change and focus on the principles for land use decision making and priority areas for policy change.
- 10.2 During 2025 we are also expecting:
- National Development Management Policies (expected in the Spring);
 - A further revised NPPF which will just cover plan-making (as the development management aspects will be covered by NDMPs);
 - Regulations setting out the detail of the new plan-making system introduced under the Levelling Up and Regeneration Act;
 - The Planning and Infrastructure Bill; and
 - The English Devolution Bill.
- 10.3 **Key Messages:** these initiatives are generally supported and we await the detail of the proposals. Meanwhile it is important to continue to make progress on our Local Plan Review so that we are in the best position to adapt to any changes and ensure that we have an up-to-date Plan that delivers on our Partnership Management Plan and Corporate objectives for the National Park.

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No
Does the proposal raise any Resource implications?	No
How does the proposal represent Value for Money?	N/A
Which PMP Outcomes/ Corporate plan objectives does this deliver against	Some of these proposals impact all PMP objectives.
Links to other projects or partner organisations	N/A
How does this decision contribute to the Authority’s	N/A as no decision being requested.

Implication	Yes*/No
climate change objectives	
Are there any Social Value implications arising from the proposal?	No
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	N/A as no decision being requested.
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising from the proposal?	None
Are there any Data Protection implications?	None

II Risks Associated with the Proposed Decision

II.1 Not applicable as this report does not request a decision and is just for noting and discussion.

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Appendices: Appendix I - Response to NPPF agreed by September Planning Committee

SDNPA Consultees: Legal Services

External Consultees: None

Background Documents: [National Policy Framework](#)
[Planning Practice Guidance](#)
[Planning Policy for Traveller Sites](#)

[The Protected Landscapes Duty](#)

[Planning Reform Working Paper: Planning Committees](#)

[Planning Reform Working Paper: Development and Nature Recovery](#)

[English Devolution White Paper](#)

[Compulsory Purchase Process and Compensation Reforms](#)

[Planning Reform Working Paper: Streamlining Infrastructure Planning](#)

[Protected landscapes to be strengthened with new legislation and guidance to protect nature](#)

