



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	EXECUTIVE – 11 MARCH 2026.
Subject	PROPOSED REFORMS TO THE NATIONAL PLANNING POLICY FRAMEWORK AND OTHER CHANGES TO THE PLANNING SYSTEM
Wards affected	ALL
Accountable member	Cllr Hugo Ashton – Executive Member for Planning Email: hugo.ashton@westoxon.gov.uk
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Summary/Purpose	To consider the Council's response to the Government's consultation on proposed changes to the National Planning Policy Framework (NPPF) and other aspects of the planning system.
Annexes	Annex A – Suggested draft consultation response
Recommendation(s)	That the Executive resolves to: I. Note the content of the report and agree that the suggested draft consultation response attached at Annex A is submitted to Government.
Corporate priorities	The proposed changes to the NPPF and other planning reforms cover a broad spectrum of issues that inter-relate with the following priorities in particular: • Enabling a Good Quality of Life for All • Creating a Better Environment for People and Wildlife • Responding to the Climate and Ecological Emergency
Key Decision	NO
Exempt	NO

Consultees/ Consultation	This is a Government consultation on proposed changes to the National Planning Policy Framework (NPPF) and other aspects of the planning system. The Council's suggested draft response to the consultation is attached at Annex A.
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1. INTRODUCTION

- 1.1** The Government is consulting on a new draft version of the National Planning Policy Framework (NPPF – hereafter referred to as ‘the Framework’) alongside other proposed reforms to the planning system.
- 1.2** The purpose of this report is to provide an overview of the consultation, highlighting the most significant proposed changes that are likely to have implications for plan-making and decision-making in West Oxfordshire and to agree the Council's response to the consultation.

2. WHAT IS BEING CONSULTED ON?

- 2.1** The consultation proposes some fundamental changes to national planning policy.
- 2.2** There are two main consultation documents – an overarching paper which explains the context and rationale for the proposed changes and a revised draft text version of the Framework itself.
- 2.3** There are 225 consultation questions in total. The majority of these relate to the proposed changes to the Framework, with the remainder focusing on other proposed changes relating to energy thresholds and data centres, viability and site thresholds.

3. BACKGROUND CONTEXT

- 3.1** The consultation paper provides useful context on the reason for the proposed changes, much of which relates to boosting housing delivery and economic growth, building on the changes already introduced by the Government in the previous December 2024 update of the Framework (e.g. increased mandatory housing targets etc.).
- 3.2** It also reflects the progress of the Planning and Infrastructure Bill which received Royal Assent on 18 December 2025 as well as the outcomes of various ‘working paper’ consultations previously carried out on issues such as brownfield passports.
- 3.3** In essence, what is now proposed is a fuller, more definitive update of national policy with the changes designed to make planning policy easier to use, underpin the development of faster and simpler local plans, and be more directive of decision-making.

4. SUMMARY OVERVIEW: SECTIONS 1 - 4

- 4.1** This section of the report provides a summary overview of the consultation, with a particular focus on the first four sections of the draft Framework, highlighting those aspects which are new and/or likely to be most impactful.

Overarching objectives

- 4.2** The consultation is based on three main objectives:

- To ensure national policy is accessible and understandable;
- To establish a suite of national policies on general planning matters (thereby avoiding the need for these to be repeated or deviated from in locally produced plans); and
- To introduce a more 'rules-based' approach to support timely and consistent planning, with a default 'yes' to development in suitable locations.

12 key policy changes

- 4.3** The consultation highlights twelve particularly substantive changes to the Framework. These are explained in more detail throughout this report and the suggested draft response at Annex A, but in summary include:

1. A permanent presumption in favour of suitably located development
2. Building homes around stations
3. Driving urban and suburban densification
4. Securing a diverse mix of homes
5. Supporting small and medium sites
6. Streamlining local standards
7. Boosting local and regional economies
8. Supporting critical and growth minerals
9. Embedding a vision-led approach to transport
10. Better addressing climate change
11. Conserving and enhancing the natural environment
12. Taking a more positive approach to the use of heritage assets

Overall Structure and Content

- 4.4** Changes are proposed to the overall structure and content of the Framework to improve clarity, useability and consistency.
- 4.5** In terms of structure, it retains the use of 'topic-based' chapters on issues such as housing, the economy and natural environment. These have however been re-ordered and put into more logical sub-headings and groupings.
- 4.6** Additional chapters are included on planning for energy and water and managing flood risk and coastal change. The draft Framework also incorporates policies relating to traveller sites which are currently set out in separate national planning policy.

- 4.7 A number of new annexes are proposed, primarily to import key aspects of separate Planning Practice Guidance where these are considered essential for the operability of the Framework's policies. This includes housing calculations and supply, the approach to Green Belt assessments and information requirements for planning applications.

Key Points to Note

- 4.8 The most significant update in terms of the overall structure and content of the Framework is the introduction of new national policies relating to 'plan-making' and 'decision-making'.
- 4.9 The 'plan-making' policies are intended to guide the preparation of Local Plans and must be taken into account by local authorities when drawing up those plans. They are not however to be used when making decisions on development proposals.
- 4.10 Whilst the emerging West Oxfordshire Local Plan 2043 will be examined under the December 2024 version of the Framework under transitional arrangements, the new plan-making policies provide a clear indication of the Government's intent and thus will be reflected on as Officers work up the Regulation 19 draft Local Plan later this year.
- 4.11 The 'decision-making' policies whilst non-statutory, will be a material consideration when applications are determined, alongside the local plan and any other material considerations. Importantly, the decision-making policies will carry weight from the date of publication of the new Framework and where existing Local Plan policies are inconsistent with them, the Local Plan policies will be given 'very limited weight'.
- 4.12 Officers are concerned about this approach and consider that a transitional period should apply to allow local authorities the time to update their Local Plans accordingly.
- 4.13 The consultation makes it clear that the new national decision-making policies should not be repeated in locally produced plans (Local Plans, Neighbourhood Plans etc.) the primary purpose of which in the future will be to focus on site-specific and locally-specific matters only.
- 4.14 Again, this raises some concern. Whilst it is accepted that Local Plans do not need to repeat national policy unnecessarily, removing their ability to cover the wide variety of issues addressed by the new national decision-making policies altogether is considered a step too far. This is reflected in the draft response attached at Annex A.

Chapter 1 - Introduction

- 4.15 The opening chapter of the draft Framework explains its role, provides practical information on how it should be used and sets out a high-level narrative on the purpose of the planning system. Whilst it helpfully reinforces the importance of having a plan-led system in place, as outlined above, Officers have concerns that too much of the current content of Local Plans is proposed to be stripped out and deferred to the new national decision-making policies and new Spatial Development Strategies (see Chapter 2 overview below).

Key Points to Note

- 4.16** Of note here is the proposed use of a simpler and more consistent approach to the ‘weighting’ of different considerations throughout the Framework. Members will be aware that the current version uses a number of different terms where weight is to be given to particular matters (e.g. great weight, significant weight, substantial weight etc.).
- 4.17** As these are not intended to imply any sort of hierarchy, it is instead proposed that the single term ‘substantial’ is instead used throughout. Officers are supportive of this proposed approach.

Chapter 2 – Plan-Making Policies

- 4.18** This chapter explains what the required parts of the development plan are. It then sets out plan-making policies which are intended to support the implementation of the new plan-making system, alongside new regulations and guidance. These are grouped under three main areas, ‘plan-making’, ‘preparing plans’ and ‘examining plans’ with a series of policies under each.

Key Points to Note

- 4.19** There are a number of important points to note here.
- 4.20** Firstly, the proposed, collective components of the ‘development plan’ which, going forward, will include:
- A Spatial Development Strategy (SDS) produced by strategic planning authorities;
 - A Local Plan produced by local planning authorities;
 - A Minerals and Waste Plan produced by a minerals and waste planning authority; and
 - A Policies Map, prepared and maintained by the local planning authority.
- 4.21** In addition, it may also include:
- Supplementary Plans, produced by local planning authorities, minerals and waste planning authorities and, where relevant, the Mayor of London; and
 - Neighbourhood Plans, produced by parish councils and neighbourhood forums.
- 4.22** The ‘new’ aspects here are the Spatial Development Strategy (SDS) and Supplementary Plans.
- 4.23** Strategic Development Strategies (SDSs) are intended to be strategic, high-level plans that will be prepared at the sub-regional level. Once adopted, they will form part of the development plan and will therefore be a material consideration for decision-making.
- 4.24** They should cover a period of at least 20 years, setting out a positive vision for future growth and change and providing a clear spatial framework for investment and growth, including new housing.
- 4.25** Importantly, the SDS will be expected to deal with the assessment of housing need and other uses and identify broad locations for strategic development (new settlements, major urban extensions etc.). They will need to be updated at least every 5 years.

- 4.26** Whilst Officers do not have concerns about the principle of sub-regional strategic planning, there are concerns around the ability of SDSs to determine future locations for major growth (new settlements, urban extensions etc.) even if this is done in a broad sense.
- 4.27** Whilst the SDS should consider overall housing and economic need and the broad spatial strategy for accommodating this, Officers consider that a Local Plan is the better tier of plan-making for determining specific growth locations. The same applies to the consideration of specific Green Belt boundaries.
- 4.28** The other ‘new’ aspect is the proposed level of ‘Supplementary Plan’ which is intended to focus on specific issues that are not addressed by other components of the development plan. This must be limited to locally specific design standards or situations where such a plan would allow the authority to respond positively and quickly to unanticipated changes in their area, where it is important to put in place policies to shape and direct development for a site or group of sites which the authority considers to be nearby to each other. This can include the allocation of sites for development, the expectation being that where Supplementary Plans allocate sites, these should be included in the next Local Plan unless changes in circumstances mean it is no longer relevant to do so.
- 4.29** Officers have no major concerns about the principle of producing Supplementary Plans – indeed they would likely be a useful complement to a Local Plan which may identify broader areas of development potential but then needs a further layer of policy to provide the necessary detail.
- 4.30** However, it is notable that such Supplementary Plans will be subject to a purposefully streamlined preparation, consultation and examination process, with the latter focused on legal compliance, consistency with national policy and whether the local authority has reached a ‘reasonable conclusion’ that the sites involved are nearby to each other.
- 4.31** There seems to be little, if any, consideration of the merits or ‘soundness’ of the plan, despite the fact that it may include specific site allocations. This is a significant departure from the current system whereby site allocations must be made through a Local Plan and subject to independent examination.
- 4.32** In terms of the remaining components of the development plan, much of this remains the same as the current system including the use of Local Plans, Minerals and Waste Plans and Neighbourhood Plans.
- 4.33** However, as outlined above, it is clear that the scope of such plans is to be ‘stripped back’ greatly so as to avoid any unnecessary repetition with the Framework, with the general principle that they should only include policies which extend beyond site or location-specific requirements where these are necessary and where plan makers consider there is a clear and justified reason for inclusion.
- 4.34** In addition to the issues summarised above, there are a number of other important points to note from the new plan-making section of the Framework.

- 4.35** In terms of co-operation between local authorities and other relevant partners, although the duty to co-operate is removed, plan-making authorities remain under an obligation to engage proactively and regularly with neighbouring authorities, infrastructure providers and other relevant bodies, demonstrating such engagement through the preparation of statements of common ground as appropriate.
- 4.36** This overall approach is supported by Officers along with the increased emphasis on a proportionate evidence base for plan-making, including the re-use of existing evidence wherever possible.
- 4.37** Of considerable concern, however, is the proposal to limit any quantitative standards set through development plan policies to infrastructure provision, affordable housing, parking and design and place-making. They should not cover matters which are already addressed by the Building Regulations other than in relation to accessibility standards and water efficiency.
- 4.38** This is a severe blow to West Oxfordshire's net zero carbon ambitions and is a major concern of Officers as reflected in the draft consultation response attached at Annex A.

Chapter 3 – Decision-Making Policies

- 4.39** This chapter includes a number of new policies focused on the issue of decision-making, as opposed to plan-making. The policies cover three main areas; the preparation of development proposals (by applicants) the determination of development proposals (by the local planning authority) and other routes to consent such as the use of development orders and the removal of permitted development rights through Article 4 directions.

Key Points to Note

- 4.40** Much of this section reflects the existing Framework including the need for local authorities to work pro-actively with applicants to find solutions, the amount of weight to be afforded to emerging local plans and the expectation that viability issues should be addressed at the plan-making stage and only dealt with at the planning application stage by exception.
- 4.41** There are however some important new aspects which are worth highlighting. These are briefly outlined below and reflected in the draft consultation response attached at Annex A.
- 4.42** In terms of pre-application engagement, the focus is on 'major' developments only, with any such engagement being proportionate to the nature of the scheme and those likely to be affected by it. Pre-application engagement for smaller non-major proposals will only be required in certain limited circumstances. This is a concern for Officers as the pre-application process is considered invaluable for all parties concerned, irrespective of the scale of development proposed.
- 4.43** In terms of the supporting information to be provided with planning applications, this is proposed to be much reduced. Major development proposals will require a concise planning statement with any further information required via local validation checklists, limited to that listed at Annex C of the Framework unless there is a policy in the development plan requiring a specific further assessment.

- 4.44** Again, this represents a concern for Officers. Whilst it is accepted that the amount of supporting information for a planning application should be kept to the minimum necessary, the proposals take this approach too far and could mean significant, strategic-scale developments having to be determined on the basis of insufficient information.
- 4.45** Furthermore, during the determination stage, local authorities should consult statutory or internal consultees only where it is necessary to do so. Importantly, decisions should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines, unless there is insufficient information to make the decision or more detailed advice may enable an approval rather than a refusal.
- 4.46** In terms of viability, there is an expectation that any viability assessment submitted in support of a development proposal (e.g. to justify a lower proportion of affordable housing) should utilise a number of standardised inputs which are to be appended to the Framework. whilst much of the text remains similar to the current framework – the most notable difference being the requirement for site-specific viability assessments to utilise standardised inputs, imported from the current viability planning practice guidance and updated accordingly. This approach is supported by Officers as it will help to ensure greater consistency of approach.
- 4.47** Other important changes in this section include increased clarity regarding the inter-relationship of the planning system with other regulatory regimes – the key point being that whilst matters which are controlled by other regimes may be a material planning consideration where they have land use implications, decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively. A good example of this in West Oxfordshire would be in relation to the water environment and the respective roles of the Environment Agency and Thames Water.
- 4.48** Finally, there is a notable shift of emphasis in relation to unauthorised development and enforcement, whereby if there is clear evidence that unauthorised development has taken place intentionally, this fact will be given substantial weight in the determination of any application for retrospective planning permission. This responds to long-standing concerns about the integrity of the planning system being undermined by retrospective permissions and is therefore welcome.

Chapter 4 – Achieving Sustainable Development

- 4.49** Chapter 4 includes a number of plan-making and decision-making policies focused on sustainable development.
- 4.50** In terms of plan-making, the policies largely reflect the current Framework, emphasising the importance of development plans meeting identified development needs (e.g. housing, employment, infrastructure) including any unmet needs that cannot be met within neighbouring areas. They also emphasise the importance of having in place a robust spatial strategy setting clear expectations for the location of development. The policies raise no particular concerns in this respect.

- 4.51** The decision-making policies introduce much more significant changes in relation to the presumption in favour of sustainable development, including the removal of the ‘tilted balance’ whereby in certain circumstances (e.g. lack of 5-year housing land supply) planning permission will generally be granted.
- 4.52** The approach taken is that as a matter of general principle, in all locations, development which accords with the development plan and with the decision-making policies of the Framework should be approved without delay.
- 4.53** Importantly, the Framework then makes a clear and purposeful distinction between development ‘within settlements’ and development ‘outside settlements’ which is a complete departure from the current version.
- 4.54** Within settlements, the expectation is that development will be approved unless the benefits would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. Examples of such adverse effects include potential conflict with an allocated site or safeguarded land, loss of formal green space, wildlife habitats and cemeteries/burial grounds as well as more generally, conflict with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.
- 4.55** In terms of development outside of settlements, the draft Framework stipulates that only certain forms of development should be approved and that these should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.
- 4.56** Examples of acceptable development include uses such as agriculture, horticulture and forestry, rural business including tourism, re-use of existing buildings, redevelopment of previously developed land, limited infilling, allocated sites etc.
- 4.57** Importantly, it includes housing or mixed-use development of an appropriate scale which would be within reasonable walking distance of, or physically well related to, a railway station or settlement within which a station is located.
- 4.58** It also includes development which would meet an evidenced unmet need such as where a local authority is unable to demonstrate a 5-year housing land supply, albeit with the caveat that the development must be well-related to an existing settlement would be of an appropriate scale or comprises major development for storage and distribution purposes.
- 4.59** Any other development proposals which do not fall within one of the categories set out above should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.

Key Points to Note

- 4.60** The changes introduced here are significant particularly the decision-making policies and whilst some aspects are supported by Officers, they also raise some concerns as set out in the draft consultation response at Annex A.
- 4.61** Of particular concern is the almost default ‘Yes’ to development taking place within settlement boundaries other than in a very limited number of circumstances cited in which the benefits of development are likely to be outweighed by adverse impacts. Whilst it is accepted that the circumstances listed are not intended to be exhaustive, the approach being proposed is likely to make it very difficult for local authorities to resist most forms of development within settlement boundaries, despite there being potentially significant and harmful impacts.
- 4.62** In terms of development outside of settlement boundaries, again there are some concerns here given that the list of acceptable forms of development is so extensive and includes circumstances in which a local authority cannot demonstrate a five-year housing land supply. Although various caveats are included (e.g. the need for development to be well-related to a settlement) the reality is that the approach taken is likely to ratchet up current development pressures in unsustainable greenfield locations.
- 4.63** Of particular concern is the fact that irrespective of location, the judgment on whether any adverse impacts of new development would substantially outweigh the benefits, will be made against the national decision-making policies in the Framework and not the Local Plan. Other than allocating sites, this brings into question the purpose of having a Local Plan in place at all and Officers consider that instead, any such judgment should be made having regard to both the new national decision-making policies and the Local Plan.

5. SUMMARY OVERVIEW: SECTIONS 5 – 20

- 5.1** Chapters 5 – 20 of the draft Framework comprise a series of topic-based sections much like the existing version, covering issues such as housing, the economy, town centres, natural and historic environment etc.
- 5.2** Climate change now has its own dedicated section and there are new sections relating to energy and water and flood risk.
- 5.3** In the interests of brevity, the proposed content of these topic-based sections is not summarised in detail below, but Officers have sought to pull out and identify those aspects which are completely new and/or likely to be most impactful in terms of both longer-term plan-making and decision-making.

Key Points to Note

- 5.4** From the outset, it is worth noting that Officers are supportive of much of what is being proposed within these topic-based sections. They are logically grouped and important issues such as climate change and the water environment have been given greater specific attention which is welcome.
- 5.5** Where Officers are supportive of the proposed changes, this is reflected in the positive responses attached at Annex A which are not repeated here. However, some of the proposed changes are considered to have a potentially harmful effect and those are highlighted below as well as being set out in more detail at Annex A.
- 5.6** The first key concern relates to climate change. There is one plan-making policy which outlines the overall approach to be taken when development plans are prepared. Whilst Officers have no concerns about what is included in this policy, concerns are raised in relation to what has been omitted – in particular the absence of any specific reference to local authorities being able to set their own standards for sustainable construction.
- 5.7** Whilst there is reference to the setting of local water efficiency standards, there is nothing on the use of low or zero carbon construction such as that which recently been approved by the Planning Inspectorate in relation to Salt Cross Garden Village. This is extremely disappointing and is reflected in the suggested draft response at Annex A. In particular, Officers have major concerns that the proposed approach will greatly inhibit the ability of the new West Oxfordshire Local Plan 2043 to roll out Salt Cross net zero carbon standards more widely, with the Council instead, effectively being bound by the Building Regulations only.
- 5.8** In terms of the provision of new homes, there is a clear, upward push on housing numbers with the draft Framework making it very clear that the standard method should be treated as a minimum and that development plan housing requirements should be set higher where appropriate, including situations where this is necessary to meet the needs of neighbouring areas, or where it reflects growth ambitions linked to economic development or infrastructure investment.
- 5.9** Members will be aware that at around 905 new homes per year, the standard method level of housing need for West Oxfordshire will already be extremely challenging to meet, irrespective of any further upward pressure relating to economic growth ambitions or infrastructure provision. The purposeful way in which it is expressed as an absolute minimum with a push for development plans to set higher housing requirements is therefore of concern.
- 5.10** A further notable shift in emphasis is the specific requirement for development plans to identify suitable locations for large scale development, such as new settlements, new urban quarters or significant extensions to existing settlements. Whilst this, in itself, does not present any major concerns, Officers are concerned that such locations will be identified through the new tier of high-level sub-regional Spatial Development Strategies (SDSs). Officers consider that whilst the SDS should deal with the overall quantum and broad

distribution of growth, decisions on individual sites/locations should remain at the Local Plan level.

- 5.11** With specific regard to residential standards, it should be noted that the draft Framework introduces a requirement for at least 40% of all new homes to be built to Building Regulations Part M4(2) standards relating to accessible and adaptable dwellings. Whilst this is an improvement over the current West Oxfordshire Local Plan 2031 which requires 25% on larger schemes of 50 or more units, it is disappointing as the Government have previously indicated an intention to require all new homes to be built to Part M4(2) standards.
- 5.12** In terms of affordable housing, the draft Framework builds on the current version in promoting a minimum proportion of social rent which is welcome and notably, in respect of military housing, effectively proposes that it is treated as a form of affordable housing in its own right and thus exempt from any local plan affordable housing mix requirements that would apply to market housing. There must however be a policy compliant quantum of military affordable homes. This approach is supported.
- 5.13** It is also notable that homes for travellers have been brought into the bracket of 'exception sites' such as rural exception sites and community-led development sites. Thus a rural exception site would not only be relevant to affordable housing needs but affordable traveller site needs too. Again, this is supported, as is the provision of helpful criteria to guide the location of traveller sites more generally.
- 5.14** In the interests of boosting housing supply, the draft Framework encourages the use of planning conditions to expedite development that has secured planning permission but not been delivered. This is also welcome as it will help to address long-standing concerns around the issue of unnecessary 'land banking' on the part of developers.
- 5.15** The draft Framework also stipulates that where development proposals are put forward on sites that have been identified for large-scale residential and mixed-use development in emerging local plans, that any such proposals should not be inconsistent with those emerging plans in order to better safeguard such development opportunities.
- 5.16** In terms of the economy, the proposed changes focus on further strengthening support for businesses and long-term economic growth. The changes aim to reflect changing business needs and the growth of different sectors, including data centres and freight and logistics.
- 5.17** Notably, there is a push for local authorities to avoid being overly prescriptive on acceptable uses, thereby providing a greater degree of flexibility.
- 5.18** A proposed new policy proposes that substantial weight should be given by the decision-maker to the economic benefits of proposals for commercial development - with particular references included to certain areas, e.g. supporting improvements in freight and logistics.
- 5.19** The approach to rural business is largely consolidated and re-ordered from the current Framework with no substantive changes or new policies proposed.

- 5.20** Much of the text around Town Centre vitality and viability remains the same or very similar to the current Framework including the core principle that ‘main town centre uses’ should be located within existing town centres wherever possible, with development outside these areas only considered when suitable sites are not available.
- 5.21** There is an increased emphasis on local plan policies reflecting clear strategies for town centres and identifying opportunities in this context and the proposed decision-making policies place greater emphasis on diversifying town centre uses to address the oversupply of retail floorspace and create opportunities for more residential accommodation.
- 5.22** Increased weight will be afforded to proposals that support town centre vitality and viability and protection and enhancement of community access to local shops.
- 5.23** In terms of communications infrastructure, much of the text is very similar to the current Framework but there is a notable shift towards the re-use of existing sites before new infrastructure is proposed on undeveloped sites which is welcome.
- 5.24** A new chapter on energy and water is proposed in recognition of their increasing importance in planning matters. The plan making policies emphasise the importance of early engagement with providers and making appropriate provision for necessary development as well as supporting the transition to clean power.
- 5.25** Decision making policies focus on the circumstances in which substantial weight should be given to renewable and low-carbon energy development and electricity network infrastructure and for water.
- 5.26** Notably, current Framework paragraph 169 is proposed to be modified, so that where renewable and low-carbon schemes come forward outside areas identified in the development plan, they should be assessed against the national decision-making policies as a whole, rather than the criteria used for identifying suitable areas in the development plan.
- 5.27** Officers are concerned that this will effectively circumvent the purpose of the Local Plan and is reflect in the draft response at Annex A.
- 5.28** In terms of the sustainable use of minerals, there are some notable policy shifts including a more restrictive approach to the extraction of coal, oil and gas and new policy on critical and growth minerals (essential, high-risk, or high-demand raw materials vital for modern technology, energy transition (EVs, wind turbines), and economic security).
- 5.29** The draft Framework also provides a more directive policy to prevent minerals sterilisation by ‘requiring’ prior extraction on sites allocated for non-mineral development which is welcome.
- 5.30** There are some significant proposed policy changes in relation to the efficient use of land including a stronger emphasis on allocating sites of all sizes (small, medium, large) and the setting of minimum density standards in plans including in relation to land around train stations with at least 50 dwellings per hectare to be achieved near ‘well-connected’ stations.

- 5.31** Substantive new support is provided for urban densification (e.g. mansard roofs, roofline infill, corner buildings, plot redevelopment) brownfield re-use and intensification.
- 5.32** In terms of the Green Belt, again there are some important policy shifts, building on the grey-belt concept already introduced under the 2024 version of the Framework. This includes Green Belt boundaries being altered in order to support development opportunities on land around suitable stations. The draft Framework also clarifies that spatial development strategies should assess the strategic role of the Green Belt and identify broad locations for further consideration, while local plans should undertake detailed assessments.
- 5.33** Importantly, there is a stronger emphasis on setting out positive expectations in development plans (e.g. beneficial uses such as nature recovery) which is welcome.
- 5.34** With regard to design and place-making, the draft Framework includes two plan-making policies and two decision-making policies. The plan-making policies establish a clear design strategy, setting expectations for design quality, identifying where codes, guides or masterplans are required, clarifying when design review applies, and ensuring the plan's vision delivers high-quality placemaking.
- 5.35** The two decision-making policies set out the key principles of well-designed places, giving substantial weight to design quality in determining applications and making clear that poorly designed development will be refused.
- 5.36** The draft Framework provides clearer wording on assessing proposals against national policy, local design policies, and design codes, and continues to give weight to outstanding or innovative designs.
- 5.37** For sustainable transport, the draft Framework builds on the Government's commitment to a 'vision-led' approach, embedding the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.
- 5.38** For plan-making, sustainable transport should be considered from the earliest stages so that it is reflected in the vision for the plan and its specific proposals, and forms an integral part of a plan's strategy. Local Plans should also set local parking standards across the plan area or for specific areas, with a more permissive approach now adopted towards the use of maximum parking standards, the use of which under the current Framework, requires clear and compelling justification. This is welcome.
- 5.39** The decision-making policies address the location of development, street design, access and parking, roadside facilities, transport impact assessment, proposals for ports and aviation facilities, and effects on public rights of way.
- 5.40** Section 16 of the draft Framework relates to the promotion of Healthy Communities. The plan-making policies require development plans to be based on healthy place-shaping principles, including setting open space standards, allocating land for community facilities, and identifying local green spaces.

- 5.41** The decision-making policies seek to ensure new development is supported by appropriate community facilities and infrastructure, give substantial weight to proposals that enhance them, and address hot food takeaways, loss of key facilities, impacts on recreation space, and development affecting local green space.
- 5.42** Officers are generally supportive of the changes proposed – in particular the increased clarity on how development plans should assess and make provision for community facilities and public service infrastructure including the setting of specific quantitative standards for the provision of outdoor recreational land.
- 5.43** Greater community engagement in relation to the design of play facilities is also welcome along with the additional clarity provided on the loss of community facilities. Officers are however concerned that the approach proposed would only apply to facilities which are the last of their type in the locality which would still see a likely dwindling of local service provision in rural areas.
- 5.44** The draft Framework includes a dedicated section on pollution, public protection and security. The plan-making policy sets out key considerations for identifying sites and managing risks from ground instability, contamination and other hazards whilst the decision-making policies address ground conditions, pollution and living conditions, protect existing lawful activities from undue constraint and safeguard public safety, security and land used for defence and public protection.
- 5.45** It includes explicit reference to daylight and sunlight, as common and important planning considerations, and adds specific provisions on air pollution, noise exposure, artificial light and water quality.
- 5.46** Chapter 18 comprises a dedicated section on flood risk and coastal change. Most of the content reflects pre-existing policy in chapter 14 of the current Framework, although changes are also proposed to reflect recent updates to Planning Practice Guidance, and to strengthen policy on coastal risks and protection, ensuring development is safe from flooding, the use of sustainable drainage systems and development in coastal change management areas.
- 5.47** The wording has been updated to make clear the importance of considering both current and future flood risk (rather than referring less directly to the effects of changing climate), and to be clear about the consequences which should be considered. This is welcome.
- 5.48** The draft Framework also introduces a new requirement for Sustainable Drainage Systems to be designed in accordance with the National Standards for Sustainable Drainage Systems to provide a consistent basis for improving their design. Again, this is supported in principle.
- 5.49** A further change introduces a new policy to avoid the enclosure of watercourses and encourage the de-culverting and re-naturalising of river channels.
- 5.50** The penultimate section of the draft Framework relates to the natural environment and includes one plan-making policy and five decision-making policies focused on conserving and enhancing the natural environment, driving nature recovery and embedding natural capital considerations within sustainable growth.

- 5.51** In terms of plan-making, the policy strengthens expectations that development plans must safeguard and enhance landscapes, habitats, waterbodies and species, informed by evidence including Local Nature Recovery Strategies, River Basin Management Plans, Protected Landscape Management Plans and other relevant strategies. Plans are expected to identify a clear hierarchy of environmental assets and steer development towards land of least environmental value, consistent with other Framework policies.
- 5.52** The draft introduces a stronger emphasis on green infrastructure (GI), requiring plans to set clear GI standards drawing on national benchmarks. It also anticipates Environmental Delivery Plans and clarifies protection for locally designated sites, addressing a gap in the current Framework.
- 5.53** Importantly, the draft limits the circumstances in which local plans may set biodiversity net gain (BNG) requirements above the statutory 10% minimum. Higher local standards may only be applied to specific allocations and must be fully justified and deliverable.
- 5.54** The decision-making policies require development to contribute positively to the natural environment, retain and enhance trees, and respond to landscape character and existing natural features. A new requirement for swift bricks in developments is proposed to be introduced.
- 5.55** For protected landscapes such as the Cotswolds National Landscape, the term “substantial weight” replaces “great weight” for consistency across the Framework. The exceptional circumstances test for major development remains, with additional emphasis on mitigation that respects the special qualities of these landscapes and the use of compensation where harm cannot be mitigated.
- 5.56** Additional policies address coastal character and development affecting areas important for biodiversity, with clearer and more comprehensive expectations for environmental enhancement.
- 5.57** The overall direction of travel is supported, particularly the stronger emphasis on nature recovery, green infrastructure and clearer protection for locally designated sites. However, the restriction on setting local BNG standards above the statutory requirement would limit local flexibility, particularly in areas with significant ecological constraints or ambitions exceeding the national baseline.
- 5.58** The requirement to set clear GI standards has resource implications and is likely to require further evidence and viability testing at plan-making stage. Finally, whilst the terminology shift from ‘great weight’ to ‘substantial weight’ is intended to improve consistency, there may be uncertainty as to whether this alters the level of protection afforded in practice, particularly in protected landscapes.
- 5.59** The final chapter – Chapter 20 – includes three plan-making policies and eight decision-making policies relating to the conservation and enhancement of the historic environment.

- 5.60** The plan-making policies require development plans to take a proportionate and evidence-based approach to the historic environment, including the preparation and use of historic environment records (HERs) and the identification of non-designated heritage assets through local lists.
- 5.61** Plans must set out clear strategies for conserving and enhancing Conservation Areas and World Heritage Sites (WHS), including any locally specific policies needed to protect their significance, Outstanding Universal Value and settings. A new expectation is introduced that Conservation Areas are periodically reviewed and supported by adopted appraisals and management plans.
- 5.62** The decision-making policies retain the core principle that heritage assets should be conserved and enhanced in a manner appropriate to their significance. Substantial weight must be given to the conservation of designated heritage assets, irrespective of the degree of harm identified.
- 5.63** The draft provides clearer and more structured policy for proposals affecting World Heritage Sites, conservation areas and archaeological assets. It separates WHS policy from Conservation Area policy and expands guidance on assessing impacts on character and appearance. This is of course of direct relevance to West Oxfordshire and the Blenheim Palace WHS.
- 5.64** The redraft seeks to clarify and simplify decision-making, including explicit support for proposals that deliver positive impacts, such as bringing vacant or underused heritage assets back into use or improving energy efficiency. The concept of ‘optimum viable use’ has been removed, allowing greater flexibility where harm is less than substantial.
- 5.65** Greater clarity is also provided for proposals affecting non-designated heritage assets, including clearer balancing tests and explicit recognition of positive effects. Expanded guidance addresses investigation, recording and preservation of archaeological assets where harm cannot be avoided.
- 5.66** The attempt to simplify and clarify heritage decision-making is welcomed, particularly given the complexity and frequency of legal challenge under the current Framework. The stronger positive framing, including explicit support for reuse and energy efficiency improvements, may assist in bringing vacant or underused heritage assets back into productive use.
- 5.67** However, the removal of ‘optimum viable use’ may create uncertainty in how viability arguments are considered in cases involving less than substantial harm. As with Chapter 19, the shift from ‘great weight’ to ‘substantial weight’ may also prompt debate as to whether the level of protection has been materially altered.
- 5.68** The requirement for periodic review of Conservation Areas and preparation of management plans will have resource implications for local authorities.

6. OTHER PROPOSED REFORMS

- 6.1 Alongside the proposed revisions to the NPPF, the consultation seeks views on a number of wider reforms aimed at accelerating delivery, improving certainty and reducing complexity within the planning system.

AI Data Centres and Energy Infrastructure

- 6.2 The consultation proposes increased flexibility in the consenting regime for AI data centres, including allowing developers greater choice between the Town and Country Planning Act (TCPA) system and the Nationally Significant Infrastructure Projects (NSIP) regime under the Planning Act 2008.
- 6.3 Views are sought on enabling joint consenting of data centres and co-located energy generation (such as on-site renewables) under a single regime, and on whether new Secretary of State powers to direct or redirect projects into or out of the NSIP regime provide sufficient flexibility.
- 6.4 The consultation also considers whether thresholds for renewable energy projects co-located with data centres should be raised, enabling more schemes to remain within the local planning system and potentially speeding up decisions.
- 6.5 These proposals signal a strong pro-growth and streamlining agenda but Officers are concerned that they will reduce local control over large-scale energy and digital infrastructure projects.

Viability Reform

- 6.6 The consultation proposes incorporating updated standardised viability inputs into the Framework (with supporting detail remaining in Planning Practice Guidance) to improve consistency and reduce negotiation at application stage.
- 6.7 Views are sought on introducing “growth testing” for large phased schemes, refining guidance on developer returns (including whether the current 15–20% GDV range should be tightened or differentiated by risk profile), and expanding guidance on alternative return metrics.
- 6.8 Proposals also seek clearer guidance on benchmark land values, including circumstances where a landowner premium may not be justified and when alternative use value should not be relied upon. The use of residual land value cross-checks is also under consideration.
- 6.9 These reforms aim to increase transparency and reduce viability disputes, but may have implications for land values, scheme deliverability and negotiations over affordable housing.

Reforming Site Thresholds

- 6.10 A new ‘medium development’ category is proposed, defined as schemes of 10 - 49 dwellings on sites up to 2.5 hectares, intended to better support SME housebuilders. Targeted planning easements are proposed for medium sites, including proportionate information requirements, potential use of commuted sums, standardised Section 106 templates, and possible extension of Permission in Principle (PiP).

- 6.11 The consultation also seeks views on extending the small-site exemption from the Building Safety Levy to medium sites and on how medium sites should be treated under related regimes such as biodiversity net gain and planning committee referral thresholds.
- 6.12 Concerns are acknowledged regarding potential 'gaming', such as subdivision of larger sites to benefit from easements, and views are sought on mitigation measures.
- 6.13 Overall, while aimed at supporting SME delivery and speeding up decisions, Officers have some concerns that these proposals could create complexity around thresholds and a risk of unintended consequences.

7. NEXT STEPS

- 7.1 Subject to the approval of the Executive, the draft consultation response attached at Annex A will be submitted to Government. It is anticipated that a final version of the Framework will be issued in the summer.

8. ALTERNATIVE OPTIONS

- 8.1 The District Council could choose not to respond to the consultation or to submit different responses to those set out at Annex A. Not submitting would deprive the Council of the opportunity to make its views known on fundamental proposed changes to national policy.
- 8.2 Similarly, although different responses to those attached at Annex A could be submitted, Officers consider that the responses as drafted highlight particular areas of concern whilst remaining largely supportive of the changes proposed.

9. FINANCIAL IMPLICATIONS

- 9.1 The report raises no direct financial implications. Indirectly, there may be a reduced cost associated with local plan preparation as the emphasis is on less, more proportionate evidence and re-using existing evidence where possible.

10. LEGAL IMPLICATIONS

- 10.1 The report raises no direct legal implications.

11. RISK ASSESSMENT

- 11.1 The report raises no significant risks.
- 11.2 Although the emerging West Oxfordshire Local Plan 2043 will be examined under the current December 2024 version of the Framework, there is a degree of indirect risk that some of the aspects of the new Framework (e.g. preventing local authorities from being able to exceed building regulations relating to sustainable construction) could make it more difficult for the Council to justify its approach on certain matters at examination.
- 11.3 There is also a risk that, once adopted, some of the new Local Plan policies effectively become out of date and superseded by the new Framework where they are not fully aligned.

11.4 In the longer-term, there is a risk of further upward pushes to overall housing requirements beyond the minimum level of housing need identified through the standard method.

12. EQUALITIES IMPACT

12.1 Views on the potential impacts of the proposed changes are being sought by the Government as part of the consultation.

13. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

13.1 As outlined in the report and attached Annex, there are a number of proposed changes which relate to the climate and ecological emergencies. Where concerns have been identified, these are reflected in the responses provided at Annex A.

14. BACKGROUND PAPERS

14.1 None.