

National Planning Policy Framework

Consultation Response from Claygate Parish Council

Introduction

This document, edited by Cllr. Collon, Vice-Chair of Planning, contains Claygate Parish Council's responses to the Government's latest Consultation on Proposed reforms to the National Planning Policy Framework, launched in December 2025. These responses were agreed at the Planning Committee held on 5 March 2026. The full consultation can be found at [NPPF Consultation \(Dec. 2025\)](#).

We agreed on a relatively limited scope for our comments, as some sections are less directly relevant to a Parish Council, while others are more technical and best addressed by planning professionals. The most significant sections of the Consultation for Claygate Parish Council are those on 'Effective Use of Land' and 'Green Belt'. Overall, however, we are seriously concerned at the decreased levels of protection proposed for Green Belt and other countryside. The loose definition of 'Grey Belt' (Q145) and the proposal to allow development on Green Belt near railway stations (Q133) are particularly worrying.

Q 2: Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies?

We **strongly disagree** with the format and structure.

From the initial 2012 version of the NPPF until the 2024 version the general format of the NPPF has been virtually unchanged, and so has much of the wording. In this proposed version the format and substance have largely been re-written, re-ordered or both. If there is a benefit in these structural changes, it is not apparent.

If gratuitous changes are to be made, they should at least be consistent. Among many examples, purpose (b) of the Green Belt has since 1955 been "to prevent neighbouring towns merging into one another". In policy GB2 this has been changed to "prevent the merging of neighbouring towns"; but not in Annex E, which retains the original wording. A basic principle of drafting is that a change of wording signifies a change of meaning. Decisions on the legal interpretation of amended provisions will become redundant, inevitably leading to further litigation, expense and delay.

This is a document which will be used by thousands of developers and their advisers, members of the public, local government officers, planning inspectors, lawyers, courts, tribunals, and many others every day. It is vital to be able to refer to provisions quickly and accurately. The current 2024 version, like all its predecessors, has consecutively numbered paragraphs. It is essential that the new version should do likewise. It is absurd to have to refer to an individual chapter, the 'policy' in that chapter, and the paragraph number of that policy, each time one wishes to refer to an individual provision.

Decisions based on this revision of the NPPF will have a major impact on people's lives. Clarity is essential. Our responses to QQ 124 and 136 show important provisions whose meaning is entirely unclear.

Many of the so-called policies are simply side-headings. As such they are quite useful, but how can *Examining local plans and minerals and waste plans* be called Policy PM15? And then to say “the plan sets out a positive approach to delivering growth to meet the development needs of the area in accordance with policy S1;” is totally unhelpful. One then has to find policy S1 on page 22 to discover that it is about Positive Plan-making. If the paragraphs were numbered this could read: “in accordance with paragraphs x to y (Positive Plan-making)”.

This is not a minor issue. The draft is full of cross-references to policies identified by letter and number only, with no indication of where they can be found, and often no indication of what they are about. It seems to have been designed to make life for the user as difficult as possible. The cross-references can be retained where useful, but the paragraphs must be numbered.

Until now it has been relatively easy to identify changes made from a previous version because they followed the same structure, even though the paragraph numbers might no longer be identical. In this version the order has often been changed, and it would be helpful to have an annex cross-referencing the paragraph numbers.

Plan Making

Q6: Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?

Strongly disagree. This proposed policy takes key elements of planning even further away from local communities and risks constraining local Planning Authorities with strategic decisions not fully informed by local knowledge. On the other hand new settlements bigger than a village need to be planned at a regional/national level. [This response was accidentally omitted from the responses submitted to MHCLG.]

Decision Making

Q24: Do you agree with the principles set out in DM3?

Partly disagree. DM3.1(d) as written will lead to poorly informed decisions by Planning Authorities.

The NPPF has no statutory basis (unlike, for example, the Ministerial Guidance issued under section 182 of the Licensing Act 2003). Where there is a statutory duty to consult, as for example the statutory duty to consult parish councils under article 25 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, SI 2015/295, it cannot be overridden by the NPPF.

Q33: Do you agree with the new Article 4 direction policy in policy DM10?

Partly agree. Preservation of the street scene and privacy of neighbouring properties are factors which need to be included as grounds for removing Permitted Development Rights.

Sustainable Development

Q37: Do you agree to the proposed approach to development within settlements?

Partly disagree. There is no mention of design and street scene considerations. As written, this policy would allow a tower block to be inserted into a row of town houses!

Q38: Do you agree to the proposed approach to development outside settlements?

Partly disagree. S5.1 (j) will lead to significant encroachment on the countryside, contrary to the apparent intention of S5.1(c).

Q40: Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Strongly disagree. Proximity to a railway station is a factor that potentially cuts across other place making and design considerations. In the case of rural stations, it is likely to lead to significant encroachment on the countryside which S5.1 (c) and S5.3 seem designed to avoid. See further our responses to Questions 124, 136 and 137.

Q41: Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?

Strongly disagree. Principal authorities are already burdened with wholly unrealistic, demand-side housing targets. Apportioning these into smaller Neighbourhood areas will constrain those plans to an excessive degree.

Climate Change

Q44: Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?

Partly agree.

(a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?

Energy-efficient building design. New buildings should be as far as practical carbon neutral in operation.

Housing Supply

Q48: Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate?

Partly disagree. Setting housing requirements for Neighbourhood Plan areas is likely to make the siting of new developments more inflexible. Some neighbourhoods may have little or no available land for housing, others may have land to spare.

Q67: Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?

Strongly disagree.

If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances - for example where it could be evidenced that on-site delivery would prevent a scheme from being delivered? Please explain your answer.

No. Commuting such obligations for a cash payment is likely to reduce the number of affordable homes built. Most developers will want to maximise their profits.

Water and Energy Infrastructure

Q98: Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?

Partly disagree. W3.2 as currently worded potentially loosens the protections afforded elsewhere to National Parks/Landscapes and sites of scientific significance. A qualification such as "provided that protections afforded elsewhere in the NPPF to protected sites and landscapes are not undermined" should be added.

Q99: Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?

Strongly disagree. This policy leaves protected sites and landscapes, and valuable agricultural land completely vulnerable to the construction of new reservoirs. A more nuanced approach is needed where due weight is given to landscape (with allowance for the recreational benefits of reservoirs), sites of scientific significance and agricultural land.

Effective Use of Land

Q114: Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?

Strongly agree.

Q116: Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?

Partly disagree. L2.1(d)(iii) allows for overbearing massing in the development of individual curtilages. New build on a residential curtilage should not exceed the size of the existing dwelling.

Q118: Do you agree the high-level design principles provided in policy L2.1(d) appropriate for national policy?

Partly disagree. L2.1(d)(iii) allows for overbearing massing in the development of individual curtilages. New build on a residential curtilage should not exceed the size of the existing dwelling.

Q119: Do you agree policy L2.1(d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions.

Partly agree. Any development which varies the existing street scene should be consistent with the local Design Code.

Q120: Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?

Partly disagree. L2.1(d)(iii) allows for overbearing massing in the development of individual curtilages. New build on a residential curtilage should not exceed the size of the existing dwelling.

Q121: Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?

Partly disagree. L3.2 provides that all residential and mixed use developments should increase density. This is too sweeping: while some increase in density in settlements is preferable to wholesale encroachment on countryside or Green Belt, there will be cases where the character and built form of a settlement makes increased density unsuitable.

Q124: Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we're using for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station?

Neither agree nor disagree.

It is impossible to agree or disagree because the definition, though used in L3.3 to define minimum densities near well-connected stations, is not used at all in GB7(1h), which determines whether there should be building there at all.

The definition in footnotes 45 and 52 reads (omitting unnecessary words): “Well-connected rail stations ... are those in a top 60 Travel to Work Area located partially or fully within England by Gross Value Added (GVA) and which ... are served ... throughout the daytime by ... two trains per hour in any one direction.” The Consultation Paper states: “GB7(1h): Introduces a significant new provision specifying that housing and mixed-use development on Green Belt land is not inappropriate where it is near a well-connected station”.

Unlike the Consultation Paper, the text of GB7(1h) itself does not use the expression ‘well-connected station’. GB7(1h)(i) refers to “a railway station capable of providing a high level of connectivity to services and employment”. GB7(1h)(ii) refers to development “physically well-related to a railway station or a settlement within which the railway station is located”. These are two different categories. In neither case is the definition of ‘well-connected’ used. Footnote 52 is applied to category (i). Are we to assume that it relates to this category, but not category (ii)? Or to both? Or neither? If ‘well-related’ is intended to mean something different to ‘well-connected’, what does it mean? There is absolutely no indication.

If the definition of ‘well-connected station’ is retained in the final draft, it should be included in the Glossary, together with an indication of the meaning of “a top 60 Travel to Work Area located partially or fully within England by Gross Value Added (GVA)”.

Q125: Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?

No.

Q126: Should we define a specific range of residential densities for land around stations classified as ‘well-connected’?

No. This would be too prescriptive and impair decision making by Planning Authorities.

Q128: Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?

Strongly agree.

Green Belt

Q133: Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward?

Strongly disagree. The development of a rationale for the release of Green Belt land, through the concepts of Grey Belt and Previously Developed Land, makes sense in the context of a shortage of land for housing. However the suggestion that Green Belt restrictions round certain stations can be disregarded undermines the whole rationale established in the 2024 NPPF revision. See further our responses to QQ 124, 136 and 137.

Policy GB3.2 effectively forces a Planning Authority which is running out of land supply to release enough Green Belt land to fill the gap. Given the huge increases in demand-side housing targets imposed by Government, this policy as drafted would lead to large scale losses of open countryside across many areas of England and would undermine other parts of the NPPF designed to conserve high quality Green Belt.

Q134: Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?

Strongly agree.

Q136: Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?

Strongly disagree.

With reference to GB6.3, we consider that solar farms should not be permitted on Green Belt (or any other) arable land. To do so would lose land needed for food production. (Note that grazing of sheep round solar panels is beneficial and removes the need for mowing.)

Policy GB7 is described as ‘improving clarity’, but serious defects in the drafting make it impossible to be sure what the policy is intended to be.

Policy GB7 lists eight “categories of development [that] are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or required to demonstrate very special circumstances”. These eight categories are labelled (a) to (h). Categories (b), (g) and (h) are each dependent on a number of individual conditions being satisfied. It is therefore essential to know in each case whether those conditions are cumulative (so that they all have to be satisfied if that category of development is not to be regarded as harmful), or whether the conditions are alternative (so that the development is not to be regarded as harmful even if only one of the listed conditions is satisfied).

Category (b) reads: “The re-use, extension, alteration or replacement of an existing building, provided that:” followed by
condition (i); and
condition (ii); or
condition (iii).

On one interpretation, the conditions are satisfied if condition (i) and either condition (ii) or condition (iii) are satisfied. But an equally possible interpretation is that the conditions

are satisfied if either conditions (i) and (ii) are satisfied, or if condition (iii) alone is satisfied. If the latter, development would be appropriate even if the existing building was not “of permanent and substantial construction”. Comparison with para 154(c) and (d) of the 2024 version suggests that the latter is intended. What is beyond doubt is that the revision of the drafting has turned provisions which were reasonably clear into something totally unclear.

Category (g): “Development where all of the following apply”. This is clear, but only because the version published in December 2024 was amended in February 2025 following criticism of the drafting.

The new Category (h) is totally unclear. The introductory words are: “Development for housing and mixed-use development which would:” followed by five conditions (i) to (v). Condition (iv) is not followed by “and” or “or”, so there is no way of knowing whether the conditions are intended to be cumulative or alternative. Is a development to be considered appropriate if it is “(ii) physically well-related to a railway station” (whatever that means) even though it is not “(i) within reasonable walking distance of a station”? Perhaps, since under policy L3.3 different housing densities are suggested. This is why in response to Q 124 we have assumed that these are alternative conditions. But the other three conditions (iii) to (v) appear to be cumulative.

The description in the Consultation Paper suggests that the conditions are cumulative; but it is not the Consultation Paper that planning officers will be using to decide whether or not to grant planning permission. These are the conditions which, if this policy is pursued, will be used to determine whether development near a station would or would not be appropriate. Clarity is essential.

We deal with the substance of Category (h) in reply to Q 137.

Q 137: Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Strongly disagree.

As noted in our response to Q133, the development of a rationale for the release of Green Belt land, through the concepts of Grey Belt and Previously Developed Land, makes sense in the context of a shortage of land for housing. However the suggestion that Green Belt restrictions round certain stations can be disregarded undermines the whole rationale established in the last NPPF revision.

Where small stations within commuting distance of London have not already got buildings on every side, there are two likely reasons: first, that when the line in question was first opened, the landowner did not wish to sell it for development; and now, that whether or not the landowner wishes to sell it for development, they cannot because it is Green Belt land. The question is not therefore whether policy GB7(1h) targets appropriate locations; no

locations on Green Belt land are appropriate for development simply because they are close to a station.

Claygate is a case in point. It is in Surrey, about half way between central London and Guildford. It is on one of the three railway lines joining London and Guildford which were built in the late 19th century. When the line was opened in 1885 Claygate was a small village (pop. c. 700, now over 7,000). The station was built a mile to the north west of the village, not to serve Claygate but to serve the Royal estate of Claremont a mile on the other side of the line. The station was then called Claygate-for-Claremont. But within a year of the line opening the owner of the land to the east had sold it for development, and much of it was built on within the next ten years. However the land to the west had a different owner (now the Crown Estate); it was not sold for development, and is now part of the Green Belt. It is the first substantial part of the Green Belt on this side of London, and extends with interruptions much of the way down to Guildford, including beside other stations on the line.

If this policy were implemented, the value of this land would greatly increase, and the Crown Estate, which operates on a commercial basis, would be very likely to sell it, and likewise its land near Oxshott and Cobham & Stoke d'Abernon, the next two stations down the line. The result would be to destroy the Green Belt for several miles.

Chapter 13 begins: "The objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence." This indeed has been the policy of successive governments since 1955. The first major departure from this was the 2024 revision of the NPPF, which made two of the five Green Belt purposes redundant. If this government does in fact "attach great importance to Green Belts" it will not allow them to be built on simply because they happen to be close to a station. It will instead ensure the full use of brownfield sites, previously developed land, and land which already has planning permission.

We therefore urge that paragraph (h) be deleted.

We accept that there may be places where building on Green Belt land which is close to a station may for other reasons be thought appropriate. If so, it will have to meet the "very special circumstances" test.

Q 141: Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out?

Strongly agree.

Q 145 Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas?

Strongly disagree.

The concept of the grey belt has been operational for barely a year, and it is much too early to say whether a change in the definition would “improve its operability” or simply confuse matters. But self-evidently the deletion of the sentence

“ ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

will bring within the concept of grey belt land which would previously have been excluded.

The removal of footnote 7 risks undermining the status of protected areas.

In general we consider the definition of Grey Belt to be too broad, causing uncertainty for landowners and planning authorities and likely to lead to increasing numbers of avoidable and costly appeals. We propose the following amendment to the Glossary definition:-

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, only weakly contributes to any of purposes (a), (b), or (d) in policy GB2, provided that (i) where towns are separated by less than 2 km, all such Green Belt will be deemed to be strongly performing, and (ii) Green Belt within 2 km of a large built up area will be deemed to be strongly performing. ‘Grey belt’ excludes land where policies relating to any of the following would provide a strong reason for excluding or restricting development:

habitats sites,

sites designated as Sites of Special Scientific Interest,

Local Green Space,

a National Landscape,

a National Park (or within the Broads Authority) or defined as Heritage Coast, irreplaceable habitats,

designated heritage assets and other heritage assets of archaeological interest,

areas at risk of flooding or coastal change.”

The proviso aims to address the problem of the erosion of Green Belt close to large settlements by successive small parcels being classed as Grey Belt.

Q164: Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?

Strongly agree.

Flooding

Q173: Do you agree with the proposed approach to the exception test set out in policy F6?

Partly disagree. We consider that the exception test should only be applied to Essential Infrastructure sites in Flood Zone 3a/3b. Given the direction of climate change, Flood Zone 3a/3b is likely to become increasingly unsuitable for any type of development, except for Water Compatible installation and suitably protected Essential Infrastructure (Annex F, Table 3 refers). All Vulnerable developments in Zone 3a/3b should be refused.

Natural Environment

Q179: Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?

Partly agree. No new development beyond building extensions limited to 50% of the original floor area should be permitted in internationally/nationally designated landscapes, nature reserves and sites of special scientific interest. There should be no weakening of development controls in National Parks and National Landscapes, if the value of these places as nationally significant green spaces for conservation and recreation is to be maintained.

Q181: Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?

Partly agree. It is good to see Swift bricks being recommended, but these are specific to one species of bird (Swifts). Suitable nesting boxes/cavities should also be provided for house sparrows. In appropriate areas, provision should also be made for bat roost boxes on buildings. In residential developments, passages between gardens should be provided to allow hedgehogs and other small animals to roam.

Q182: Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?

Strongly disagree. With reference to N4.1, nothing should be done to reduce existing levels of protection in National Parks and National Landscapes.

With reference to N4.2-4, there should in our view be *no* major developments in protected landscapes. Any such development would negate the purposes of protection.

Q183: Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system?

Partly disagree. We object to the provisions of N6.1(a)(ii) and (b)(iii). A monetary levy cannot compensate for significant damage to a nationally important habitat. There is potential for conflict between these provisions and those of N2.

Historic Environment

Q189: Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties?

Strongly disagree with HE6.5. HE6.5 should be deleted, as it undermines the laudable conservation aims reflected elsewhere in this section.

Q190: Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 - HE10?

Partly agree. A new clause HE10.3 is needed:-

"Any development on a green field site should be subject to a check of the site for its archaeological significance, including, if appropriate, a field investigation, e.g using ground-penetrating radar and/or trial trenching before development is permitted."

Annex C: Reforming Site Thresholds

QQ 213-216: Medium Sized Sites

Strongly disagree

There is no justification for having different, and less strict, criteria for medium sized sites as for sites with fewer than 10 or more than 49 units. Developers specialising in such sites should comply with the same policies. Otherwise there is the inevitable risk that larger developments will be divided into smaller ones to take advantage of more relaxed rules.