

Equality analysis for MHCLG December 2024 government response to consultation on changes to national planning policy

This document records the ongoing analysis undertaken by the **Ministry of Housing, Communities and Local Government (MHCLG)** to fulfil the requirements of the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010. This requires the department to pay due regard to the need to:

1. eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Act
2. advance equality of opportunity between people who share a relevant protected characteristic and those who do not
3. foster good relations between people who share a relevant protected characteristic and those who do not.

The protected characteristics which should be considered are:

- age
- disability
- sex
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation.

Please note that in relation to the protected characteristic of marriage and civil partnerships, the department is required to have due regard to this only in relation to the first point in the first paragraph above.

Contents

1. SECTION 1 Policy description
2. SECTION 2
 - 2.1. Summary of evidence
 - 2.2. Assessment of impact
 - 2.2.1. Planning for the homes we need
 - 2.2.2. Brownfield, grey belt and Green Belt release
 - 2.2.3. Delivering affordable, well-designed homes and places
 - 2.2.4. Growing the Economy
 - 2.2.5. Supporting green energy and the environment
 - 2.2.6. Strategic Planning (NPPF and non-NPPF)
 - 2.2.7. Local Plan Intervention: new policy intervention criteria, contract tender and consideration of further intervention action (non-NPPF)
 - 2.2.8. Transitional arrangements for plan-making
 - 2.2.9. Additional changes proposed which were not consulted upon
3. SECTION 3
 - 3.1. Decision making
 - 3.2. Monitoring arrangements
 - 3.3. Sign off

SECTION 1

1.1 Policy

The National Planning Policy Framework (NPPF) was first introduced in 2012 to consolidate the Government's planning policies for England. It provides a framework within which locally prepared plans are produced and contains national policies to be considered when dealing with planning decisions and particularly applications for planning permission. When a local authority brings forward a plan, they have a statutory duty to have regard to national policies and the NPPF is therefore drafted with the expectation that plans will be consistent with the policies contained within it. The NPPF should also be read in conjunction with the Government's Planning Policy for Traveller Sites (PPTS), and its planning policy for waste. When preparing plans or making decisions on applications for these latter types of development, regard should also be had to the policies in the NPPF, where relevant.

The NPPF was last updated in December 2023, the changes considered below reverse some of these updates as well as make wider policy changes to the NPPF.

Changes to the NPPF

The Government is making changes to the NPPF and the PPTS following a consultation published in July 2024, which sought views on our proposed approach to revising the NPPF to achieve sustainable growth in our planning system. The NPPF consultation explicitly asked about the potential impact on protected groups. This document explains the policy intention as they apply to those with protected characteristics and where appropriate considers the response to the consultation and the changes made in light of these.

We also sought views on a series of wider policy proposals in relation to increasing planning fees, local plan intervention criteria and appropriate thresholds for certain National Significant Infrastructure Projects.

Specifically, this includes changes to:

- restore the standard method as the starting point for assessing housing needs and planning for homes, and reverse other changes to the NPPF made under the previous Government (in December 2023) which were detrimental to housing supply;
- implement a new standard method to ensure local plans are ambitious enough to support the Government's manifesto commitment of 1.5 million new homes in this Parliament;
- release poor quality "grey belt" land from the Green Belt into the planning system through both plan and decision-making to meet development needs;
- deliver affordable, well-designed homes, with new "golden rules" for development on land in or released from the Green Belt to ensure release delivers in the public interest;
- support clean energy and the environment, through support for onshore wind and renewables;

- support economic growth in key sectors, including laboratories, gigafactories, datacentres, digital economies and freight and logistics – given their importance to our economic future; and
- Deliver community needs – to support society and the creation of healthy places.

Changes have also been made to the PPTS including a change in the definition of “gypsies and travellers” in accordance with domestic and European Court judgments. Other revisions to both the NPPF and the PPTS have been made to reflect the revised policies, such as that on the Green Belt, to ensure that the documents and policies can be effectively applied in relation to traveller sites.

The scope of this PSED analysis includes changes to the NPPF and the PPTS, some of which could have differential impacts on protected groups. These potential impacts are outlined in this document. The changes considered most likely to have equalities impacts include policies relating to: planning for housing, local plans, Green Belt release and golden rules, supporting green energy, supporting economic growth and delivering public services infrastructure. The analysis below was updated in light of relevant consultation responses and other considerations. All measures will be kept under review as regards impacts pursuant to the duties outlined above.

The content of this PSED builds on previous analysis of the potential equalities impacts of changes to the NPPF undertaken by the Department, as well as ongoing work to consider equalities impacts throughout the policy development process.

SECTION 2

2.1 Summary of the evidence considered in demonstrating due regard to PSED

For the purposes of this NPPF PSED, the most relevant data relates to those most likely to be impacted by changes in housing supply or an impact on energy costs. Policies affecting the supply of housing and energy costs may have differential impacts on certain groups. For example:

- Unemployment is highest among minority ethnic groups. In 2022 unemployment was 3% among white people and 6% among minority groups combined. For people aged 16 to 24 the gap was more pronounced, with rates of 9% and 19% respectively. Other and Asian Other ethnic groups had the highest rates of youth unemployment, at 24% and 21%¹.
- People from Pakistani and Bangladeshi ethnic groups are over three times as likely as white British people to live in the most income-deprived 10% of neighbourhoods, therefore they are more likely to be unemployed².
- Some minority ethnic groups are more likely to live in overcrowded housing. 2% of white British households were in overcrowded households in 2019 compared to 24% and 18% for those from Bangladeshi and Pakistani backgrounds³.

Housing affordability, quality, and ownership:

Planning is only one factor affecting housing outcomes, but the Government has collected data on the housing experience of different households. There are some differences in the

demographics of household ownership (older people are more likely to be homeowners) and overcrowding (people from minority ethnic households are more likely to live in overcrowded households). Younger adults, people from minority ethnic backgrounds, and those on low incomes are more likely to experience housing affordability problems:

- There are nearly 24 million households in England. Owner occupation is the largest tenure group, with 15.4 million households, representing 65% of all households. The private rented sector accounted for 4.4 million or 19% of households. The social rented sector, at 4 million households (17%), is the smallest tenure⁴.
- In 2019-20 owner occupiers (who have an average age of 58 years old) were more likely to be satisfied with their accommodation, tenure, and local area than private or social renters⁵.
- Home ownership is more common amongst households led by someone who is Indian, White, or Pakistani (67%, 66% and 60% of households respectively). Households led by someone who is Black are least likely to be owner occupiers (29%). Overcrowding is more prevalent in minority ethnic households. While making up one in ten owners, minority ethnic households account for nearly half of all overcrowded owner-occupied homes (45%)⁶. People in overcrowded homes had a lower life satisfaction score than those in homes that were not overcrowded.
- A higher proportion of all minority ethnic groups have higher relative housing costs (11–23%) than white British people (6%)⁷.
- Younger age groups are more likely to have a housing affordability problem. A total of 14% of people in both the 16–24-year-old and 25–34-year-old age groups spend more than a third of income on housing costs, compared with 11% of 35-44-year-olds and 7% of 45-54-year-olds⁸. This is partly due to older working-age groups tending to have higher incomes and being more likely to have lower housing costs because they own their homes.
- Poor housing quality, overcrowding and a reliance on temporary accommodation for vulnerable families also contribute to unnecessarily poor health and quality of life for many. Poor housing quality is affecting an increasing number of people aged in their 50s and 60s⁹. Disproportionate numbers of people from some minority ethnic groups live in damp housing. Mixed white and Black Caribbean (13%), Bangladeshi (10%), Black African (9%) and Pakistani (8%) households were all much more likely to have damp problems than white British households (3%)¹⁰.
- 34% of all households in England have at least one member with a long-term illness or disability. This compares with 11% of recent first-time buyers that have at least one member of household with long term illness or disability. The social rented sector has a higher prevalence of households containing someone with a disability or long-term illness than the private rented sector. Within private renting households, those with a disability were four times less likely to expect to buy a home than other households, while those in the social rented sector were five times less likely.
- Only 33% of all mortgaged owner occupiers are women, with the majority of social renters being women (58%), and about 40% of private renters being women. In all other tenures, the sex representations compared to all households is much closer.
- Our council tax data provides information on the total number of properties. This shows that as of 31 March 2022, there were 25,114,150 properties in total. Of these, 115,270 were caravans, houseboats or mobile homes.
- In July 2024, the total number of traveller caravans in England was 27,429 an increase of 2,155 caravans (9%) compared to the July 2023 Count. Of these, 6,441 were on authorised socially rented sites; 16,970 were on authorised privately funded

sites; There were 4,018 unauthorised caravans reported in the July 2024 count, an increase of 416 (12%) since July 2023. Of these, 3,205 were unauthorised developments on land owned by travellers; and 813 were unauthorised encampments on land not owned by travellers. Overall, in July 2024, 85% of traveller caravans in England were on authorised land and that 15% were on unauthorised land¹¹.

We do not have comparable evidence on gender reassignment, marriage or civil partnership, pregnancy and maternity, religion or belief and sexual orientation in relation to the topics listed above.

2.2 Assess the impact

There are likely to be impacts on people with protected characteristics through the housing, economy, public services infrastructure, and environment measures in the revised NPPF and PPTS. These are outlined below in summary against the three aims:

1. **Eliminate unlawful discrimination**, harassment, victimisation, and any other conduct prohibited by the 2010 Act.
2. **Advance equality of opportunity** between people who share a particular protected characteristic and people who do not share it
3. **Foster good relations** between persons who share a relevant protected characteristic and persons who do not share it.

The impacts of relevant policies are discussed in detail, policy by policy:

- Planning for the homes we need
- Brownfield, grey belt and Green Belt release
- Delivering affordable, well-designed homes and places
- Growing the Economy
- Supporting green energy and the environment
- Strategic Planning (NPPF and non-NPPF)
- Local Plan Intervention: new policy intervention criteria, contract tender and consideration of further intervention action (non-NPPF)
- Transitional arrangements for plan-making
- Additional changes proposed which were not consulted upon

Summary of impacts against the three aims

The following table summarises where the potential impacts (either positive or negative) will be as a result of changes in each policy area.

Note that a tick indicates a potential positive differential impact on people with protected characteristics. A cross indicates a potential negative impact on people with protected characteristics.

Policy Area	Age	Disability	Sex	Gender reassignment	Marriage or civil partnership	Pregnancy & maternity	Race	Religion or belief	Sexual orientation
Housing	✓	✓	✓				✓		
Green Belt	✓	✓	✓				✓		
Energy Security	✓	✓					✓		
Design	✓	✓							
Agricultural land									
Modern Economy	✓	✓							
Delivering community needs	✓	✓	✓	✓		✓			

1. Eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the 2010 Act.

In making changes to the NPPF we seek to ensure that its policies apply equally to all those with protected characteristics, as regards outcomes, and have reviewed new or amended policies with this in mind. We have sought to address the concerns raised about the definition of “gypsies and travellers” so that it is aligned more closely with the aims of the PPTS to facilitate the traditional and nomadic way of life for Gypsies and Travellers. We expect that this and wider policy changes to the NPPF and PPTS will support the increased supply of traveller pitches, but recognise that further changes may be needed to our proposals to ensure adequate provision. As such, we are seeking further evidence on how the proposals would impact on different groups, including Gypsy and Traveller communities, through a targeted consultation early in 2025.

2. Advance equality of opportunity between people who share a particular protected characteristic and people who do not share it.

Most of the impacts of proposals (outside of energy security, public sector infrastructure and modern economies) are driven by how much housing is delivered and the type of housing, taking account of:

- The need for local plans to clearly spell out to developers and communities where development will and will not take place, bringing certainty to all parties.
- Proposals to reverse changes to planning policy which disrupted the sector and stifled supply, and through proposals to implement a revised standard method so that councils plan to achieve our more ambitious approach to house building.
- The prioritising of brownfield land. However, in recognition that brownfield development alone will not be sufficient, we are also supporting targeted release of Green Belt, which will prioritise previously developed land and low-quality grey belt land to ensure enough land is made available for new homes.
- Proposals to strengthen and clarify the requirements on maintaining effective co-

operation to ensure a more joined up approach is taken to plan making in terms of strategic and cross boundary issues.

The overall package of housing policy changes is intended to provide greater certainty in planning for housing needs, including the size, type and tenure of housing needed for different groups in the community. These groups include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes. It will support getting more local plans in place which provide for the needs of different groups. Local plans are the best way to appropriately allocate land to meet the needs of different groups in the community, including traveller sites.

These changes have the potential to minimise disadvantages experienced by people who share a protected characteristic, take steps to meet the needs of people who share a relevant protected characteristic, and encourage people who share a protected characteristic to participate in public life.

In relation to energy security, public sector infrastructure and modern economies, the impacts can be summarised as follows:

Energy

Encouraging renewable and low carbon energy development and enabling infrastructure, will improve the UK's energy security and therefore reduce pressure on energy supply, which could potentially reduce or more likely limit the rise in energy costs.

A higher percentage of some groups that share protected characteristics are more likely to be affected by increases to energy costs. This means that planning policies have the potential to have a disproportionate positive impact on those with protected characteristics, where the result of policies is likely to be a reduction, or stabilisation of energy prices.

Public service infrastructure

We are making changes to the NPPF to support the infrastructure needs of society and the creation of healthy places. It is anticipated that these changes will bring positive social impacts including those upon health and wellbeing as the intended policy outcome is for the population to have greater access to improved services as a result of the changes. It is likely that people with a number of protected characteristics will experience a positive impact as a result of the changes as they may be more likely to access public service infrastructure, notably childcare, education and healthcare, which are covered by the changes.

Modern economies

We are making changes to the National Planning Policy Framework with the aim of meeting

the needs of a modern economy, including making it easier to build laboratories, digital infrastructure, data centres and gigafactories, and by setting an expectation that suitable sites for these uses are identified in local plans.

The local economic benefits stimulated by these types of industries may be unevenly spread across the country. Therefore, the types of protected characteristics that could or could not benefit from modernised, commercial sites that may come forward as a result of these changes, will vary geographically.

Overall, future impacts from these changes on groups with protected characteristics are likely to be minimal.

3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is not considered that the changes to the NPPF will have a positive or negative impact on MHCLG's duty to have regard to the need to foster good relations between people who share a particular protected characteristic and people who do not share it.

Detailed analysis of impacts

This section takes the relevant policies in turn and considers the potential impacts against the three aims.

1. Planning for the homes we need

A central objective of the planning system is to ensure that we plan for the right homes in the right places. The Government has made it clear that everyone should have a place to call home, and to support this, has made a commitment to build 1.5 million new homes over the next five years. This seeks to improve security for millions of people and unlock essential economic growth. To meet this ambition, a significant step change in the number of homes being built is required, and a crucial first step is to plan for the homes this country needs, ensuring that policies reflect the needs of different groups in the community.

Reversing changes made in December 2023

We consulted on **reversing a number of the changes made to the NPPF in December 2023** that impacted on local authorities when planning to meet housing needs. These changes included:

- **Character** – reversing policy changes which set out that significant uplifts in density may be inappropriate if this would result in development wholly out of character with the existing area. The change made in December 2023 could impact on wider objectives of increasing urban density and boosting housing supply.
- **Standard method** – reversing changes which set out that the outcome of the standard method is an 'advisory' starting point for plan making, and changes that provided further context on the exceptional circumstances where the use of alternative approaches to assess housing needs may be appropriate. The changes made in

December 2023 undermine the standard method for assessing housing need and could impact on wider objectives of boosting housing supply.

- **Urban uplift** – reversing policy changes which set out that the ‘urban uplift’ for assessing housing needs (for the 20 most populous local authorities) should normally be accommodated within the cities and urban centres where the uplift applies. Whilst the principle of supporting growth in larger urban areas is supported, the urban uplift did not achieve this effectively. Through the consultation we consulted on a new approach to assessing housing needs (see below on new standard method) that does not include an urban uplift, but that seeks to better plan for housing growth across wider city regions.
- **Five-year housing land supply (5YHLS)** – reversing changes which set out that where a local planning authority has an up-to-date plan which meets certain criteria, it is exempt from having to continually demonstrate a 5-year housing land supply while that plan remains up-to-date. This will mean that all authorities, regardless of plan status, will have to continually demonstrate a rolling five-year housing land supply, with the relevant buffer.

Potential impact – prevalence of protected characteristics affected

Reversing the changes made in December 2023 is expected to have a **positive impact on housing supply**. The changes made last year run counter to ambitions on increasing housing supply, and it is important that we quickly reverse those changes to provide the conditions to allow local planning authorities to get on and plan for growth in line with the needs of their communities.

Reversing these changes should have a positive impact on groups with protected characteristics making it easier for individuals with protected characteristics to access the housing market. This would include younger people, women, minority ethnic groups, and disabled people. Referring to the ‘housing affordability, quality and ownership’ section, groups with protected characteristics are statistically more likely to have issues with accessing the housing market, or living in a poor-quality home for example, and by reversing these changes, it should make the housing market more accessible, through providing new homes that are fit for a variety of needs.

Strengthening and reforming the presumption in favour of sustainable development

The change to the presumption will mean that key policies relating to location, better use of land, design, and affordable housing should in particular be considered where the presumption is engaged. This will mean that schemes that rely on the presumption to secure approval will have to meet the high standards expected of all development.

Potential impact – prevalence of protected characteristics affected

By focussing on increasing the standards of development delivered through the presumption, we expect this change will have a positive impact on those with protected characteristics. In particular, those groups who have accessibility requirements should benefit from this change due to the need to take into account locational and design policies. The increase in affordable housing delivered through this policy change will also positively impact those

groups that rely most on affordable housing.

Five-year housing land supply

The changes to 5YHLS mean that all local authorities must be able to demonstrate they are identifying sufficient sites to meet their housing requirements. Where they cannot demonstrate at least a five-year supply, they will be subject to the presumption in favour of sustainable development. We are removing the ability for local authorities to 'fix' their housing land supply position using Annual Position Statements. We are also introducing an additional buffer to 5YHLS which means that local authorities whose plans have a housing requirement 80% or less than their new Local Housing Need requirement must add a 20% buffer to their 5YHLS from 1 July 2026.

These policy changes are intended to support ambitions to significantly boost the supply of homes in this parliament. The changes will mean that more local authorities are expected to fall under the presumption in favour of sustainable development, which is likely to increase the number of planning permissions for homes. This is likely to boost housing supply.

We expect the majority of housing being delivered via the presumption will be for owner-occupiers, however a percentage of these homes may form part of the private or social rented sector. The PPTS sets out a separate requirement for the supply of traveller sites. There are no buffers or Housing Delivery Test (HDT) consequences that are applied to the pitch and plot requirements in the same way as under the NPPF, due to the way in which land comes forward for traveller sites. The changes to the buffer policy in the NPPF will not directly benefit those Gypsies and Travellers that fall under the PPTS. The precise effect of the changes remain uncertain for traveller sites and this is an area of policy that will be kept under review as part of wider planning reforms.

Potential impact – prevalence of protected characteristics among different tenures

A higher percentage of some groups that share protected characteristics are more likely to live in certain tenures. This means that planning policies related to increase the supply and the affordability of housing have the potential to disproportionately impact those with protected characteristics – by allowing groups to enter the housing market. For example, in 2022-23, the average (mean) age of first-time buyers was 34 years, and the majority of first-time buyers were aged between 25 and 34.¹²

Age: Policies that are intended to increase housing supply overall are more likely to benefit younger people as they are less likely to already be homeowners. The majority of first-time buyers, or those moving into affordable home ownership including shared ownership, are aged 16 to 45. Therefore, they are more likely to benefit from new housing being made available, due to the resulting downward pressure on house prices and rents. Even if a new home is bought by an owner occupier that isn't a first-time buyer, in all likelihood at the other end of the chain there will be a first-time buyer who is able to occupy a property vacated due to the newly available housing supply.

Disability: Disabled people are less likely to benefit directly from an increase in home ownership and are more likely to be impacted by policies encouraging a change of tenure mix. Newly built housing brought forward through a general increase in overall delivery, or through changes generated by policies focused on different tenures, are considered to

positively impact disabled people, as dwellings will be required to meet latest building regulations accessibility standards.

The increase in land used for housing as a result of these proposals may impact Gypsies and Travellers by reducing land available for traveller sites. However, planning policy requires that local authorities' assess the needs of Gypsies and Travellers and identify sufficient land allocations to meet those needs. Where land is allocated for Gypsies and Travellers' sites in development plans, planning decisions will have to be made in accordance with these plans unless material considerations indicate otherwise. Other changes have been made in the PPTS to ensure that the presumption in the NPPF applies where there is a lack of 5 year supply of traveller sites, which should assist in the increase of traveller site provision. The implications of the changes to the presumption will depend on the particular facts of the case where decision makers have to undertake a planning balance in order to decide whether to grant planning permission, but we do not anticipate negative impact on Gypsies and Travellers as a result of these proposals. Further, some Gypsies and Travellers live in 'bricks and mortar' housing as they have permanently or temporarily ceased to travel. Changes to the NPPF and the PPTS should ensure that the accommodation needs, whether for housing or traveller sites are addressed through plan provision or decision making resulting in increased provision.

Supporting diversification of the housing market

NPPF paragraph 76 sets out policy relating to community-led development. It sets out that Local planning authorities should support the development of exception sites or community-led development. We are making clear that community-led development exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement, **unless specific provision to exceed these limits is made in the development plan**. This will ensure that community-led exception sites can come forward outside of a local plan, on sites of an appropriate size, or through the plan led system, where the size of the site will be determined through the local plan making process.

In line with the Written Ministerial Statement (WMS) of 2023 we will include '**looked after children**' within paragraph 63 of the NPPF. Local authorities are required to consider the needs of different groups in the community when assessing the need, size, type and tenure of housing required by the community. This list of groups mentioned in paragraph 63 is not exhaustive, and local authorities can identify other groups where appropriate. However, this change will emphasise the need for local authorities to consider the needs of looked after children when assessing the needs of different groups.

Potential impact – prevalence of protected characteristics affected

Allowing the maximum size of community-led exception sites to be determined by local planning authorities can be expected to lead to some larger sites being developed and therefore more Community-Led Housing (CLH) being delivered.

Prevalence of protected characteristics affected

By definition, community-led housing developments are brought forward by the prospective occupants themselves, and those people are integrally involved in its design. The needs of any protected groups bringing forward such developments would necessarily

be taken account of (and this is indeed already the principal driver of some community-led schemes). Overall, the measure is likely to have a positive impact in general in that it has the potential to help meet the housing needs of all groups in society.

Age: It may benefit older people in particular in that it can provide accommodation that is designed specifically to meet their particular needs – including through providing companionship and social support. In respect of younger people, CLH provides a route to secure, affordable housing where their needs are not met by the mainstream housing market.

A new standard method

Alongside these changes, we will also publish a revised standard method for assessing housing needs. This revised approach supports planning for a **higher overall national housing target** to support a step change in housing supply, and increases the significance of affordability within the formula, by revising the affordability adjustment. This would seek to direct new housing to areas where housing affordability is most acute and where it is most needed. The method uses **housing stock** as the baseline data (as opposed to household projections) to provide greater stability and certainty that stakeholders, including local planning authorities, developers, landowners and our communities, require to plan for more homes. In response to consultation feedback that the method should be even more responsive to demand pressures, the new method now incorporates a higher affordability adjustment. This will have the effect of altering the distribution of housing need across England, increasing numbers in those places facing the most acute affordability pressures – in particular London and the South East – while maintaining ambitious targets across the whole of the country.

Potential impact

The revised standard method will better support Government's pro-growth position by increasing assessed levels of housing need across England, and ensure a distribution of housing that matches wider ambitions for all parts of the country. It will support a more credible (yet ambitious) housing target for London, increase targets across all other regions in the country (in some cases more in line with recent delivery) and maximise delivery in wider city regions to make the best use of existing infrastructure and support wider economic growth. The changes made to the final method following consultation will further enable housing growth to be directed to areas of worse affordability, including those areas where overcrowding and concealed households have suppressed household formation in the past, particularly in London and the South East.

Prevalence of protected characteristics affected

An increase in the supply of new homes generally is anticipated to have a positive impact on both housing affordability and accessibility – noting there are a wide range of factors that could impact both. It is therefore likely to have a positive impact on all groups with protected characteristics. In particular, benefits should be felt more strongly by groups who may find it more difficult to access the housing market – either renting or purchasing

property – compared to other groups. This would include younger people, women, minority ethnic groups, and disabled people.

Age: Statistically, younger people struggle with accessing the housing market due to affordability pressures. The new standard method accounts for areas with high affordability pressures and significantly increases the number of houses that local planning authorities are required to build. This will have a positive impact on younger people, as directing housing to the places where it is needed the most should mean that housing is more accessible for younger people. This is similar for older people, as a greater increase in homes should mean there is more specific older peoples housing built.

Disability: An increase in housing numbers should mean that there is more scope for planning authorities to build for homes that are fit for people with accessibility needs. Not only will this be a positive impact for disabled people in terms of there being a greater mix of tenures available, but the housing should also meet the latest building regulations accessibility standard.

The consultation has raised concerns about the way in which the needs of those falling under the PPTS are assessed and provided for. There have been calls for policy and guidance to assist in plan provision. We have made changes to the definition of “gypsies and travellers” to ensure that appropriate provision by way of pitch and plot targets are made for those Gypsies and Travellers seeking traveller sites. In the context of our wider reforms to planning policy, we will review the PPTS next year.

2. Brownfield, grey belt and Green Belt release

Principle of brownfield development

We consulted on additional wording to the NPPF that would seek to reinforce the expectation that development proposals on previously developed land are viewed positively. Following consultation we are implementing this change with revised wording to clarify the intent – that proposals for development on brownfield land should be approved unless substantial harm would be caused.

Potential impact

The purpose of the change is to provide additional certainty to the acceptability of development on brownfield land, to support and speed up decision making and facilitate new development coming forward. This should have a positive impact on housing supply, particularly within urban areas.

Prevalence of protected characteristics affected

An increase in the supply of new homes generally is anticipated to have a positive impact on both housing affordability and accessibility, and this change will particularly support development in urban areas. It is likely to have a positive impact on all groups with protected characteristics. In particular, benefits should be felt more strongly by groups who

may find it more difficult to access the housing market – either renting or purchasing property – compared to other groups. This would include younger people, women, minority ethnic groups, and disabled people.

Expanding the definition of Previously Developed Land (PDL)

We consulted on options for relaxing requirements that apply to the development of PDL within the Green Belt, by removal of the requirement for development of PDL and limited infilling to either cause no greater harm than the existing development, or to contribute to an identified affordable housing need (whilst requiring a target of 50% affordable housing where appropriate through the application of ‘Golden Rules’ for Green Belt release). We also sought feedback on consultation on options to expand the definition of PDL to include hardstanding land and glasshouses.

Following consultation, we are making changes to clarify that development of PDL will be ‘not inappropriate’ in the Green Belt against the single test of ‘where it does not cause substantial harm’. We are not expanding the definition of PDL to include glasshouses but will make clear that large areas of lawfully developed hardstanding can be considered previously developed land.

Alongside this change, we are making clear that the development of previously developed land is also not inappropriate in the Green Belt for traveller sites, including where this involves applications for material changes of use.

We are also revising the Golden Rules to account for regional variation in viability. Rather than require a blanket 50% target, we will mandate a ‘policy plus’ approach, in which Green Belt development should deliver an amount of affordable housing that is 15 percentage points above the highest, existing local affordable housing requirement that would otherwise apply, capped at 50% (except where the local plan requirement is already higher). That means that developers will be required to deliver a share of affordable housing that is a set number of percentage points higher than the share of affordable housing requirement currently set down in local policies.

Potential impact

This policy will also have the impact of increasing overall housing land supply, which is intended to benefit all groups including those with protected characteristics. By removing obstacles to the redevelopment of previously developed land, a greater quantum of land will be available for meeting housing need, including for Gypsies and Travellers. We would expect this proposal to have similar impacts as changes discussed above which seek to increase the supply of homes more generally.

Making changes to the exceptions from inappropriate development in the Green Belt will enable the policy to be applied to traveller sites, where relevant. This includes the policy on Previously Developed Land. These changes are likely to have a positive impact on the provision of appropriate accommodation for Gypsy and Traveller groups. Our changes leave undisturbed existing scope of the definition of PDL that include fixed surface infrastructure associated with a permanent structure that occupies or used to occupy a

site. However, our changes to include within scope sites that comprise only lawfully developed hardstanding (without an associated permanent structure) rule out small areas of hardstanding on such sites from being included as PDL. This may rule out small traveller sites from coming forward through this exception where a site comprises only a small area of hardstanding, and will be likely to prioritise larger developments (including traveller sites) on such sites. However, consultation responses indicated that safeguards were needed to ensure that changes to include hardstanding did not allow for small, isolated patches of hardstanding to contribute to unsustainable development with a cumulative impact on the Green Belt, so some restriction on size is considered necessary to prevent this. Sites unable to come forward via this exception may nonetheless fall within and come forward under the new Grey Belt exception.

Prevalence of protected characteristics affected

As this policy proposal would also have the impact of increasing overall supply of homes, we would expect this proposal to have similar impacts to those discussed above.

Grey belt and Green Belt release

Following consultation, we are making changes to the NPPF to make clear that, where necessary to meet housing and other development needs, local authorities will be required to undertake a Green Belt review, and should look to release poor quality grey belt land from the Green Belt through both plan and decision-making to meet this need. The definition of grey belt includes land in the Green Belt comprising Previously Developed Land and/or any other land that does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143 of the NPPF. These proposals will support the release of Green Belt Land to address unmet needs for traveller sites.

These changes support a sequential but sustainable approach to release through Plan-making, to ensure Green Belt land is released in the right places. Local authorities will first look to prioritise the release of previously developed land within the Green Belt, before moving on to other grey belt land, and finally to higher performing Green Belt sites. The location of land for release will need to be considered and determined according to sustainable patterns of development as set out in relevant policies in the Framework. These will ensure development accords with the sustainable development principles underpinning the NPPF. Changes affecting the Green Belt through decision-making will be limited to exceptions to inappropriate development for PDL (as above) and grey belt, which will specify that development on grey belt is not inappropriate where there are relevant unmet needs, provided development is sustainable and would not fundamentally undermine the purposes of the remaining Green Belt. All major development involving the provision of housing on land in or released from the Green Belt will be subject to clear “Golden Rules”.

We are making corresponding changes to the PPTS to ensure that the above changes apply to the provision of traveller sites, where authorities are not providing a 5 year supply of traveller sites. However, we will not seek Golden Rules for traveller sites recognising the difference in land values between traveller and housing sites.

Potential impact

These changes seek to increase the supply of homes and other development to meet local needs. As a higher percentage of some groups that share protected characteristics

are less likely to be homeowners, this means that planning policies related to increase supply and the affordability of housing have the potential to positively impact those with protected characteristics – by allowing groups to enter the housing market.

This will have a positive impact on Gypsy and Traveller groups, by increasing the supply of land available for traveller sites, particularly in areas of high unmet need. This could increase overall supply of traveller sites, and could in turn reduce instances of unauthorised sites, which in some cases may foster good relations between those who share a relevant protected characteristic and those who do not.

The application of the ‘Golden Rules’ to all major developments for the provision of housing on land in or released from the Green Belt, including for traveller sites may, if applied, give rise to adverse implications for Gypsies and Travellers and prevent the development of suitable traveller sites. To address this, the policy on ‘Golden Rules’ has been tempered such that the provision of Golden Rules will not be required for traveller sites.

The “Golden Rules” ensure that an uplift to the highest, existing affordable housing requirements is applied, local planning authorities set elevated requirements for affordable housing through their plans, encourage the creation and maintenance of green spaces, and provide access to nature¹ and necessary infrastructure. This is likely to have a positive impact.

Furthermore, there is evidence that affordable housing is disproportionately used by people with protected characteristics (especially young people, women, and minority ethnic groups²). Therefore planning policy seeking an increase the provision of affordable housing on all Green Belt development should lead to greater opportunities for people who share a relevant protected characteristic to participate in public life through enhanced opportunities to own their own home. Moreover, compared to the wider population, households in the social rented sector have a higher likelihood to contain someone with a disability or long-term illness. For example, the Equality Impact Assessment for the Homes for Londoners Affordable Homes Programme 2021-2026 found that Londoners from Black, Asian and Minority Ethnic (BAME) backgrounds are more likely to live in poverty than those from a White background: 39% of BAME Londoners live in relative poverty after housing costs, compared to 21% of White Londoners.

Prevalence of protected characteristics affected

Age: Policies that are intended to increase housing supply overall are more likely to benefit younger people as they are less likely to already be homeowners. The majority of first-time buyers, or those moving into affordable home ownership including shared ownership, are aged 16 to 45. Therefore, they are more likely to benefit from new housing being made available, due to the resulting downward pressure on house prices and rents. Even if a new home is bought by an owner occupier that isn’t a first-time buyer, in all

¹ [Access to garden spaces: England - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandcare/articles/access-to-garden-spaces-england-2017)

² House of Commons Library (2017) Home ownership and renting: demographics <https://researchbriefings.files.parliament.uk/documents/CBP-7706/CBP-7706.pdf>

likelihood at the other end of the chain there will be a first-time buyer who is able to occupy a property vacated due to the newly available housing supply.

Disability: Disabled people are less likely to benefit directly from an increase in home ownership and are more likely to be impacted by policies encouraging a change of tenure mix.

Newly provided homes brought forward through a general increase in overall delivery, or through changes generated by policies focused on different tenures, are considered to positively impact people with accessibility problems, as dwellings will be required to meet latest building regulations accessibility standards. It will also increase the housing stock available for people with disabilities related to accessibility.

Race: People of Black, Asian and Mixed ethnicities are less likely to have access to a garden compared with people of White ethnicity. Releasing Green Belt land for development is expected to positively impact the availability of gardens and green spaces. There is some evidence of a greater need for accommodation amongst groups with protected characteristics. For example, Gypsies or Travellers are over three times more likely to live in overcrowded accommodation than the England and Wales population (26.5% compared with 8.4%).³As such, proposals to remove barriers to bringing land into potential use for accommodation sites could have a positive impact on groups where there is a more acute need.

Availability of agricultural land for food production

We are making changes to footnote 63, contained in paragraph 181 of the NPPF, through removing the requirement to consider the availability of agricultural land used for food production when deciding what sites are most appropriate for development.

Potential impact

National policy will remain clear that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Therefore, the removal of the footnote text will not have any discernible impact.

3. Delivering affordable, well-designed homes and places

Affordable Homes

We are making changes to the NPPF to remove prescriptive percentage requirements about specific types of affordable housing, as we believe local areas are best placed to decide the right mix of affordable housing for their communities. In particular, we are removing the requirement to deliver at least 10% of the total number of homes on major sites as affordable home ownership and the requirement that a minimum of 25% of affordable homes secured through developer contributions should be First Homes.

³ [Gypsy or Irish Traveller populations, England and Wales - Office for National Statistics](#)

The NPPF already sets the expectation that when establishing housing requirements, local planning authorities should consider the needs of different groups in the community. Given the Government's priority to increase the delivery of Social Rent homes, we are also setting an expectation that housing needs assessments explicitly consider the needs of those requiring Social Rent.

Potential impact

The changes could result in fewer homes being delivered for affordable homeownership (including in particular First Homes), and more homes being delivered for Social Rent. The available data indicates that a higher proportion of those moving into social rented housing have certain protected characteristics, compared to those buying a home through affordable homeownership schemes. This includes a higher proportion of: people aged over 55; households with at least one person who has a long-term illness or disability; households headed by a female; and black and minority ethnic households. Therefore, we think it is reasonable to infer that the delivery of more Social Rent homes, even if they merely substitute for affordable home ownership homes, should benefit these groups (all other things being equal). By implication, however, the changes could result in fewer young people accessing affordable homes. There is also a risk that fewer affordable homes would be delivered overall, as Social Rent homes require more subsidy (in whatever form) per unit than affordable homeownership homes.

Prevalence of protected characteristics affected

The available data indicates that a higher proportion of those moving into social rented housing have certain protected characteristics, compared to those buying a home through affordable homeownership schemes. This includes a higher proportion of: people aged over 55; households with at least one person who has a long-term illness or disability; households headed by a female; and black and minority ethnic households. Those buying homes through affordable home ownership schemes are more likely than those entering social rented housing to be in the 25-34 age range.⁴

Well-Designed Homes and Places

Chapter 12 in the NPPF places emphasis on the planning and development process creating high quality buildings and places. We are making changes in the NPPF to:

- delete the references to beauty/beautiful added in the Dec' 2023 update in chapters 3, 6, 8, 11 and 12 as well as one additional reference to 'beautiful' at paragraph 74 (c).
- remove the detailed wording on mansard roofs in current paragraph 124 (e) and instead refer explicitly to mansard roofs within paragraph 124 (e) as one appropriate form of upwards extension that national policy supports.
- retain and amend current wording to ensure that there is the same level of support for upwards extensions for other schemes that it has for mansard roofs.

⁴ [Equality Impact Assessment: First Homes \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk) – see in particular figures 3-6

Potential impact

Requiring well-designed development

Respondents to the 2024 consultation supported the removal of the 2023 references to 'beauty' and 'beautiful'. Removing these references would mitigate concerns that the additions would result in greater community opposition and undermine housing supply, including affordable housing, because of inconsistency of application/meaning, satellite legal disputes, appeals and subsequent delays to the planning process. Some raised that placemaking should recognise how people with different types of disability, both physical and 'invisible needs' such as sensory impairment and autism, can access and interact with places, as well as well-designed development being culturally appropriate with a recognition that design standards or decisions may need differ for different housing types such as traveller settlements or residential moorings. There were some who commented that this proposal may negatively impact the physical and mental well-being and community pride of residents by leading to poorly designed environments, but many of those who supported the emphasis on beauty qualified their statements by adding that beauty alone was not enough and that a number of other issues should be considered including: good design, health, inclusivity, energy efficiency and environmental issues more broadly, which will in the long-term benefit those with protected characteristics, in particular older people, disabled people and women'.

Based on the feedback received, we are removing the December '23 additional references to 'beauty' and 'beautiful' in existing paragraphs 20, 88a, 96, 96b, 128e and the chapter 12 header, as supported by consultees and will also remove one additional reference to 'beautiful' at existing paragraph 74(c) of the December 2023 NPPF. The amendments will have an overall positive impact on those with protected characteristics, as the concept of achieving well-designed places as recognised in the NPPF, National Design Guide and the National Model Design Code, is accepted and understood by communities and the development sector and more closely relates to the broader aims of placemaking.

Supporting upward extensions

Many respondents to the March '23 consultation strongly disagreed with the proposals for the additional detailed wording on mansard roofs, with some responses highlighting issues for living conditions for mansard roofs in relation to light and insulation.

Respondents to the 2024 consultation raised the potential impacts the proposals may have on those with protected characteristics, including health and safety impacts associated with living in high rise buildings and converted flats, including difficulty accessing top floor flats by elderly or disabled residents, as well as reduction of available housing stock available for elderly residents (for example upwards extensions on bungalows). Based on the feedback received, we will continue as proposed with removing the detailed wording in paragraph 124 (e) on mansard roof development and instead include an explicit reference to mansard roofs as one appropriate form of upward extension that national policy supports. The changes have amended the December '23 NPPF wording but will continue to encourage extending upwards more generally, where these are well-designed, complying with local design policies and standards. This will contribute towards the broader aim of providing a variety of homes for all needs, including those with protected characteristics, as encouraged in the National Design Guide which forms part of planning practice guidance.

The overall impacts of the proposal on those with protected characteristics is likely to be positive as they will help provide clarity on how to achieve good design holistically, including contributing to providing a variety of well-designed homes and buildings that meet the needs of all residents.

Prevalence of protected characteristics affected

The changes will positively impact communities as they will help provide clarity on how to achieve good design holistically in the planning system, reducing delays in the decision-making process and ensuring communities benefit from well-designed places that provide a variety of homes for all needs.

Planning Policy for Traveller Sites

Gypsies and Travellers are recognised as a racial group sharing protected characteristics under the Equality Act 2010. The Government has a positive obligation through the Human Rights Act 1998 to facilitate the Gypsy way of life.

The NPPF sets out the Government's planning policies for England and how these should be applied. Specific planning policies for traveller sites are set out in the Planning Policy for Traveller Sites (PPTS 2024), which is to be read in conjunction with the NPPF. Planning policy is clear that local planning authorities should assess the need for traveller accommodation and identify land for sites. Over time, adaptations to planning policy across these two approaches have led to some disparities in approach.

In light of the domestic and European court cases concerning Gypsies and Travellers and in recognition of the aims set out in the PPTS of facilitating the traditional and nomadic way of life for Gypsies and Travellers, we are amending the definition of "gypsies and travellers" to embrace those persons who have a cultural tradition of nomadism or of living in a caravan. This change seeks to ensure that the specific accommodation needs of Gypsies and Travellers for traveller sites are assessed and addressed under the PPTS rather than across the NPPF and the PPTS. This should lead to positive impacts for Gypsies and Travellers by way of increased provision.

Changes have also been made to the PPTS to make the operation of the presumption clearer for traveller sites, and to ensure that changes to Green Belt policy are effective in addressing unmet Traveller needs.

The NPPF provides for a standard method for the assessment of local housing need. In contrast, PPTS asks authorities to undertake their own assessment of Gypsy and Traveller accommodation needs using a robust evidence base to inform local plans and planning decisions. Consultation responses have raised the need for guidance for the assessment of gypsy and traveller accommodation need. We are not proposing to provide further guidance on the assessment of Gypsy and Traveller need at this point but will keep it under review in light of the changes to the definition and as part of the review of PPTS next year.

Potential impact

Our changes will have a potential positive supply impact on the delivery of traveller sites. By adopting a new definition of Gypsies and Travellers, we will minimise the risk of discriminatory treatment of different Gypsy and Traveller Groups. Newly clarified requirements to grant permission to traveller site development where needs aren't being met, including on the Green Belt, will provide greater certainty to those bringing forward traveller site developments, remove previous restrictions on development, and may reduce reliance on unauthorised sites.

There is a potential negative impact caused by the lack of guidance on traveller needs assessments and the lack of an equivalent buffer and HDT trigger for traveller sites. However, the evidence base here is uncertain. The build out of traveller sites is different to housing sites. Feedback from stakeholders has indicated that any proposals for guidance on Gypsy and Traveller needs assessments should be undertaken following further consultation with affected groups. We will consider the assessment of needs and any guidance, as well as the matters of traveller supply and delivery, as part of a review of PPTS next year.

The overall effect of our changes will be to increase the supply of traveller sites to address unmet needs.

Prevalence of protected characteristics affected by NPPF changes

As of July 2024, there are 27,429 Traveller caravans in England, 14.6% (4,018) of which are on unauthorised sites. The total number of caravans has increased by 2,155 (9%) since July 2023, (Traveller caravan count: July 2024 - GOV.UK). People who identified as Gypsy or Irish Traveller are over three times more likely to live in overcrowded accommodation than the England and Wales population (26.5% compared with 8.4%)⁵. And people who identified as Gypsy or Irish Traveller are over three times more likely to live in overcrowded accommodation than the England and Wales population (26.5% compared with 8.4%).⁶

Our proposals to remove barriers preventing the release of land to meet accommodation needs for Gypsies and Travellers could help to address the lack of traveller provision and in turn, reduce unauthorised development and encampments.

4. Growing the Economy

Context

We have made changes to the NPPF paragraph 86b, which aims to make it easier to build laboratories, digital infrastructure, data centres and gigafactories, and set out that suitable sites for these uses should be identified in local plans. We have also added reference to the national industrial strategy to bring the proposals into line with the key sectors for growth

⁶ [Gypsy or Irish Traveller populations, England and Wales - Office for National Statistics](#)

identified. We are also making changes to give more explicit recognition of the need to support proposals for new or upgraded facilities and infrastructure (including grid connections and data centres) for key sectors, as well as including new text to support other growth industries of local, regional or national importance, and in terms of planning decisions and plan making.

Potential impact

It is anticipated these changes and types of development will bring positive economic impacts. At a national level, these changes will support the growth of digital and modern industries, including AI services. The local economic benefits (i.e. job creation and local investment) stimulated by these types of industries may be unevenly spread across the country, as where these sites would be located would depend on where there is available and appropriate land, or where there are existing clusters and appropriate infrastructure to support these types of industries. A large portion of data centres are currently in and around London for this reason. Therefore, the types of protected characteristics that could or could not benefit from modernised, commercial sites (i.e. through job opportunities) that may come forward as a result of these proposals, will vary geographically.

Prevalence of specific protected characteristics affected by NPPF changes

Overall, future impacts from these changes on groups with protected characteristics are likely to be minimal. Some key considerations are though listed below.

As a result of the economy changes, developers could seek to use land for these types of commercial development. Such competition could cause conflicts in planning decisions and plan making for LPAs, in terms of policy trade-offs vs. land availability for caravan dwellings (**impacting Gypsy and Traveller sites**), or potential sites for affordable housing (**impacting those with a lower socio-economic profile** who would have benefited from such housing provision).

However, local planning authorities would need to consider these policy issues on a case by case/local need basis and in terms of both planning decisions and plan making. Existing and future planning policy for traveller sites (which outline how traveller's housing needs should be assessed), and existing and any future national planning policy on affordable homes must also be considered when making such decisions. We are not proposing new national planning policy that would shift towards a presumption in favour of these types of commercial sites over other dwelling types (including affordable housing or traveller sites), and in terms of Green Belt exceptions.

Digitally skilled people are most likely to benefit from the small number of more permanent job opportunities possibly generated by data centres. Older people are more likely to lack the required digital skills for these types of industries, compared to their younger counterparts⁷. However, there will also be a significant number of more temporary, local construction jobs generated in the building development stages. As above, there may also generally be a geographical disparity in terms of where in the country people can benefit from jobs

⁷ [DCMS Digital Skills Report Jan 2016.pdf \(publishing.service.gov.uk\)](#)

generated by the various growth industries the proposed changes to NPPF paragraphs 86 and 87 support. This geographic disparity may benefit particular protected characteristics more than others, dependent on the numbers of people with a protected characteristic type located in an area where these types of sites may or may not come forward.

The changes relating to para 87b (which seek to give greater importance to the supply chain, transport innovation and decarbonisation when considering the locational requirements of the storage and distribution sectors in planning decisions and plan making) could benefit those with mobility impairments by supporting the growth of the freight and logistics sector, which in turn, could support more choice and flexibility in terms of home delivery services. For example, last mile deliveries to customer doorsteps, particularly beneficial for those unable (or who may find it difficult) to leave their homes due to their mobility-related disabilities.

Delivering community needs

Context

We consulted on changes to the NPPF to support the infrastructure needs of society and the creation of healthy places. This included:

- changes to improve the provision and modernisation of key public services infrastructure such as hospitals and criminal justice facilities.
- changes to assist in the delivery of early years and post-16 education provision to support working families and to ensure the workforce are equipped with the necessary skills to support a modern economy.
- changes to facilitate a 'vision led' approach to transport planning.

In addition, we included a consultation question seeking views from respondents on whether planning policy could be strengthened to support the creation of healthy places, although no detailed NPPF wording changes were consulted on.

Potential Impact

It is anticipated that these changes will bring positive social impacts including those upon health and wellbeing as the intended policy outcome is for the population to have greater access to improved services as a result of the changes. Furthermore, capacity issues within the existing system which may be creating a strain on existing services will be improved through a strengthened policy position supporting the provision of these forms of infrastructure. A 'vision-led' approach to transport planning aims to deliver better outcomes for sustainable and active travel, which in turn will have a positive impact upon health and wellbeing of residents.

Though there were not any specific changes proposed in relation to how planning policy could support local authorities in promoting healthy communities, some respondents provided comments on how potential measures would need to account for differences in age, ability and gender and ensure that they do not exclude ethnic groups. Some respondents mentioned that any policy changes related to sustainable transport and provision of sport and play facilities should take into account accessibility and safety requirements for older people and people with disabilities and that it should be ensured that these spaces can be enjoyed by people of any gender. Some respondents also highlighted provision of accessible housing for older people and people with disabilities as important in promoting healthy communities.

Finally, some respondents stated that consideration should be given to ensuring Gypsy and Traveller Sites are able to be located in places which do not contribute to ill health, for example in terms of air and noise pollution.

Consultation responses suggested that additional wording is necessary to provide greater direction and clarity to support local authorities in promoting healthy communities and tackling childhood obesity. We have therefore amended what was previously paragraph 96(c) of the Framework to strengthen policy to promote good health and prevent ill health, specifically where this would reduce health inequalities between the most and least deprived communities. We have also included an additional paragraph stating that local planning authorities should refuse applications for hot food takeaways and fast food outlets (within walking distance of schools and other locations where children and young people congregate) unless the location is within a designated town centre. Applications should also be refused in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social behaviour. There is evidence to suggest that people who live in more deprived areas are more likely to live in neighbourhoods with a higher concentration of hot food takeaways and fast food outlets. As set out in Section 2.1., those with certain protected characteristics are more likely to live in more deprived areas, and therefore this change may therefore disproportionately impact people with these characteristics in terms of the range of available food options. However, evidence presented by the Department for Health and Social Care and key stakeholders suggests that a reduction in new permissions being granted for these outlets would have a positive impact on child and adolescent health, which will help in reducing wider health inequalities.

We also amended what was previously paragraph 103 of the Framework to explicitly reference play spaces in response to another key theme across responses related to provision of sport and play facilities. We do not anticipate this change having any PSED-related impacts.

There were a small number of PSED-related responses to the transport vision-led question (number 69), which included general support on how the proposed changes could reduce the number of vehicles in residential areas, making places safer for younger people and enabling active recreation and lifestyles. There were a few concerns raised around the 'vision-led approach' needing to embed the aspirations of deaf and disabled people from the outset. A further respondent raised that any 'visioning' should include diverse constituent groups and should take seriously considerations for planning intergenerational housing and outdoor spaces – given pressures on families in terms of affordability for younger generations, and care for older generations. We consider these community inclusivity points not being specific to the transport changes. Planning policy and guidance on proportionate and inclusive consultation with communities in terms of planning decisions and local plans would remain unchanged, and therefore should continue to be applied in practice, where appropriate.

Respondents to the education question (number 68) outlined the need to reference special education needs and/or disabilities (SEN) schools/ facilities in the proposed changes to establish an inclusive workforce and to be inclusive of all school-based education. However, government decided not to make this reference to SEN specifically, as the policy in new

paragraph 97 would apply to all education facilities and schools and by referencing one special education school type, could be seen to show policy preference over another. One response raised the proposal in new paragraph 97 to include early years places will help ensure more children benefit from a strong educational foundation, which is critical for reducing inequalities and transforming life chances.

Prevalence of specific protected characteristics affected

It is likely that people with a number of protected characteristics (including age, disability, sex, gender reassignment, pregnancy and maternity) will experience a positive impact as a result of the changes as they may be more likely to access public service infrastructure, notably childcare, further education and hospitals, which are covered by the changes.

5. Supporting green energy and the environment

Context

The planning system should reflect the Government's ambition to help business and communities protect and enhance the environment for future generations, build a net zero carbon future, and adapt to the impacts of climate change. National planning policies and guidance, spatial development strategies and local plans should all contribute to this core objective of planning.

The consultation sought views on ways in which stronger action can be taken on climate change. After considering these the Government intend to make some immediate changes to the framework to support climate change mitigation and adaptation through increased deployment of renewables and sustainable drainage systems, amendments to transport policy and changes to emphasise the importance of climate considerations in planning.

The NPPF already makes clear that the planning system should support the transition to a low carbon future. The changes to the Framework will direct decision makers to give significant weight to the benefits associated with renewable and low carbon development. Significant weight will also be afforded to associated infrastructure for renewable and low carbon development. In doing so, this aims to increase the likelihood of local planning authorities granting permission to renewable energy schemes and contribute to reaching zero carbon electricity generation by 2030.

Separately, the Chancellor announced on 8 July that tests in the NPPF, which limited the delivery of onshore wind farm developments no longer applied to planning decisions.

Potential Impact

Climate change impacts potentially disproportionately affect some groups that share protected characteristics specifically age, disability and race.

As a result of a changing climate there will be impacts on resource security and prices including food and water which would disproportionately adversely impact those on lower household incomes including ethnic minority households and households where the age of the oldest member is between 16 and 24.

Extreme weather events such as heat waves, droughts, storms and flooding (please see separate section on flooding) will become more prevalent with a changing climate. This will adversely impact those with underlying disabilities and health concerns, as well as the youngest and oldest members of society.

The impacts are likely to be exacerbated for those residing in housing of poor quality, overcrowding and or relying on temporary accommodation. Poor housing quality is affecting an increasing number of people aged in their 50s and 60s and a disproportionate number of people from some minority ethnic groups.

The planning system can play a role in helping to mitigate and adapt to the effects of climate change. The emphasising of the importance of climate mitigation and adaptation considerations in planning policy is likely to have a slight positive impact on climate change therefore the clarification of policy is likely to have a small positive impact on those with protected characteristics.

Encouraging renewable and low carbon energy development and enabling infrastructure, will improve the UK's energy security and therefore reduce pressure on energy supply, which could potentially reduce or more likely limit the rise in energy costs. This will impact all groups including low income and disabled households, but it is expected that the impact, if any, will be positive.

A higher percentage of some groups that share protected characteristics are more likely to be impacted by increases to energy costs. This means that planning policies that may impact on energy security and subsequently on energy costs have the potential to disproportionately impact those with protected characteristics, where the result of policies is likely to be a reduction, or stabilisation of energy prices,

Energy price change is likely to affect lower income households disproportionately, as they spend a higher proportion of their income on utility bills and are more likely to be in fuel poverty.

Race¹³: Households with an ethnic minority Household Reference Person (HRP) have a higher likelihood of being in fuel poverty than households with a white HRP. In the 2 years to March 2021, an average of 12.6% of white households were in fuel poverty, compared with 19.1% of households from all other ethnic groups combined.

Age¹⁴: Younger people are more likely to be affected by high, unstable energy prices. Households where the age of the oldest member was between 16 and 24 had the highest likelihood of being in fuel poverty (25 per cent), with an average gap of £521.

Disability¹⁵: Disabled people were also more likely to be reducing their gas and electric use, with 55% of disabled people who were experiencing an increase in their cost of living reporting this change, compared with 50% of non-disabled people.

5.1 Planning for Flood Risk

Context

The government response to the NPPF consultation will make two amendments to flood risk policy. These are:

- a) To amend the NPPF to place an exception to the sequential test where flood risk is present on a site but no development is proposed in areas at risk of all sources of flood risk.
- b) To amend the NPPF to clarify the difference between applying the sequential test at the plan making and decision taking stages.
- c) To amend the NPPF to require all development to deliver Sustainable Drainage Systems that are appropriate to their nature and scale.

Changes to the Sequential Test seek to remove unnecessary burden on developers and local authorities, while not reducing the level of protection from all sources of flood risk for site users and the general public.

Increasing the delivery of SUDS seeks to reduce flood risk on sites and off, while delivering multifunctional benefits to communities, including improved amenity space, improving water quality and increasing biodiversity.

Potential Impact

The changes to the NPPF will result in a net positive impacts on both the speed of the planning system, on the available land that is viable to develop, and therefore a positive impact on housing supply and will contribute to reducing the cost of accommodation, when considered alongside the other reforms to planning policy included in this package.

Delivering more SuDS through development will increase the delivery of green space, with associated mental and physical health benefits.

Prevalence of specific protected characteristics affected

The proposal will bring a net slight positive impact for those with protected characteristics. These changes will remove delays to the planning process and increase supply by allowing sites previously prevented from coming forward. This will make a contribution to boosting housing supply which will reduce housing cost. High housing cost and lack of supply of social housing can disproportionately affect those with protected characteristics. Some respondents to the consultation identified the need for more guidance on evacuation for those with disabilities. Ensuring that access and egress routes remain in consideration for the sequential test means that those with protected characteristics with a higher proportion of individuals with restricted mobility, including the elderly, pregnant women, those with young children and those with disabilities will not be disproportionately affected should developments flood as adequate provision for egress in the event of flooding will continue to be secured through the planning process.

Increasing the delivery of SUDS will have a neutral effect on those with protected characteristics. improve amenity for all, and those with protected characteristics will benefit from this. Increased access to green space may encourage outdoor recreation and foster good relations between different groups.

6. Strategic Planning (NPPF and non-NPPF)

The Government is committed to ensuring that councils properly consider and, where appropriate, plan for meeting housing need across local authority boundaries. We are updating the NPPF to ensure that the right engagement is occurring on the sharing of unmet housing need and other strategic issues where plans are being progressed. This change will apply in conjunction with the Duty to Cooperate in the current plan making system. We asked whether the tests of soundness (set out in the NPPF and used by independent inspectors to examine plans) should be amended to better assess the soundness of strategic scale plans or proposals, however we did not propose any draft changes on this.

We are also proposing to take the steps necessary to enable universal coverage of strategic plans within this Parliament, which we will formalise in legislation. This model will support elected Mayors in overseeing the development and agreement of Spatial Development Strategies (SDSs) for their areas. We will also implement arrangements for developing SDSs outside of mayoral areas in order that we can achieve universal coverage in England.

Potential Impact

The policy intention for this measure is improve cross boundary plan making, and in doing so, to boost the delivery of housing. The production of strategic plans is clearly an addition to plan making requirements across England, however we expect there to be positive opportunities for the sharing of skills, knowledge and evidence production. We also expect this to lead to more co-ordinated planning making better use of the land and infrastructure that is available or planned and ultimately able to deliver more housing. In general this should not prevent or delay local plan making, but there may be some cases where it is sensible for local plan timetables to be adjusted to fit in with those of strategic plans.

Prevalence of specific protected characteristics affected

Having better cross-boundary co-ordination of development opportunities and policy requirements will ultimately lead to more homes in the right places, employment provision creating jobs, infrastructure and community facilities to support and help communities thrive and better protection and improvement of the environment. This can help to address in part, structural inequalities in society that can disproportionately negatively impact people with protected characteristics.

7 Local Plan Intervention: new policy intervention criteria, contract tender and consideration of further intervention action(non-NPPF)

The Government is committed to take tough action to ensure authorities have an up-to-date local plan in place. Where authorities fail, the law provides powers for the Government to take action to ensure that plans are progressed and are in place. These powers are set out in the Planning and Compulsory Purchase Act 2004 (2004 Act).

Currently, decisions on intervention are made in line with relevant legal provisions and on the basis of intervention policy criteria set out in 2017 Housing White Paper. These criteria have been used on several occasions over the past seven years, and we have considered updating them to better align with Government's priorities for planning to be a key driver

for growth.

We want future intervention action to be swift and proportionate; justified by local circumstances ensuring that Ministers have the flexibility to ensure that communities around the country can benefit from the positive changes that local plans provide. With this in mind, the consultation sought views on whether to update the local plan intervention policy criteria or to remove the criteria.

Based on consultation responses and wider feedback, we are making three changes to the criteria that were set out in the consultation. Firstly, concerns were expressed that intervention action might be taken without regard to local circumstances, so we relegated consideration of sub regional, regional or national development needs to something that could be considered in addition to local considerations. Secondly, we have removed a procedural paragraph in light of feedback that it was not needed. Content removed included expectations on the relative weight that would be afforded to the different criteria. Thirdly, in line with feedback that the criteria should only apply to intervention where the statutory test relates to the failure of the planning authority, we intend to set out that the criteria would only apply in relation to intervention action taken under the Planning and Compulsory Purchase Act 2004 S27 and S27A (and their post-LURA equivalent powers). Our original proposal set out that the criteria would apply to action under the 2004 Act S21, S26, S27, S27A and S28A (and their post-LURA equivalents).

We are also putting a business case together for a consultancy contract to support future intervention, and an approach to such action. All the matters we are providing advice on in relation to local plan intervention seek to improve the coverage of up-to-date local plans.

Potential Impact

The planning system is, and will remain, plan-led. Local planning authorities will continue to work with local communities, as they are best placed to prepare plans, bring them into force, and oversee the delivery of the policies they set out. Community involvement in plan making is key to ensuring development properly reflects local needs and circumstances and receives views from the local community.

The policy intention for the matters we are providing advice on in relation to local plan intervention is to improve the coverage of up-to-date local plans, by intervening on local plans that have not progressed or are deemed unsatisfactory, and more widely through a signalling effect across the country.

Prevalence of specific protected characteristics affected

Having more local plans in place means more homes in the right places, employment provision creating jobs, and community facilities to support and help communities thrive. This can help to address in part, structural inequalities in society that can disproportionately negatively impact people with protected characteristics.

8. Transitional arrangements for plan-making

Context

To minimise disruption and delay for plan-making, local planning authorities with advanced emerging plans should progress those plans through to adoption under the policies set out

in the previous version of the NPPF, unless certain criteria are met. The Government's aim is to increase the supply of housing – to deliver 1.5 million homes this parliament and to increase plan coverage. As such, the changes to the NPPF provide an opportunity to ensure those plans in preparation are progressing with housing requirements that support the Government's aim.

Therefore, the transitional arrangements in the NPPF provide clarity for local authorities preparing local plans and make clear which version of the NPPF should be used for their preparation and examination. The arrangements apply differently depending on what stage of preparation the plan has reached and the extent to which it is meeting the Government's housing growth aspirations.

Potential impact

The changes will ensure that communities can benefit as soon as possible from up-to-date plans that support the delivery of housing. However, those local authorities with plans that do not plan to deliver the level of housing that supports the Government's aim, depending on the stage the plan has reached may need to carry out additional work before the plan is submitted for examination to ensure that these plans deliver the housing their communities need in a timely way. Plans with lower numbers that are already at examination will be required to commence preparation of a new plan as soon as possible in the new system. For some local authority areas, this will have a beneficial impact on groups with protected characteristics and the general public in general by getting land allocated in plans for development (including housing, employment or regeneration) more quickly than if authorities attempted to incorporate the NPPF policy changes into their advanced emerging plans. For others, there will be delays to getting plans in place, but these will be more responsive to housing need and boost housing supply in the longer term.

Prevalence of protected characteristics affected

The policy intention is to ensure that up to date local plans are in place with good levels of proposed housing included in them, which provide for sustainable growth, which has net positive benefits for society, including individuals and groups of individuals with protected characteristics. It is probable that the impact on groups with protected characteristics will be mixed and will depend on the level of provision for allocations or policies that would be most likely to benefit these groups. For example, if a plan containing higher provision for affordable housing is slowed, this will be more likely to have a detrimental effect on groups with protected characteristics more keenly. However, for other plans that do not currently propose as much housing as they could to benefit their communities, the transitional arrangements will likely have a more positive impact on groups sharing protected characteristics as they will be more likely to result in higher housing delivery figures.

9. Additional changes proposed which were not consulted upon

A coroner's report was received by the government on the 7 August into the death of a 5 year old girl who lived in Crest Buildings (a 2015 housing development) beside Regent's Canal who tragically drowned after falling into the canal. The coroner outlined that the railing next to the canal afforded no protection against the water for a small child and in fact an adult could easily fit through it. The report sets out that action should be taken to

strengthen planning policy to improve public safety and prevent future deaths of this nature. As such, we are making changes to NPPF existing paragraph 101.

Potential impact

These changes specifically seek to strengthen the policy position to provide better protection from hazards (whether natural or man-made) for children and other vulnerable users.

Prevalence of specific protected characteristics affected

It is likely that people with a protected characteristics, specifically age and disability, will experience a positive impact as a result of these changes, as future development will be delivered in a way which reduces their risk from potential hazards.

2.3 Summary of the Analysis

The changes to the NPPF seek to support MHCLG's wider objectives to swiftly deliver the Government's commitments to achieve economic growth and build 1.5 million new homes through an amended planning framework delivering universal, ambitious local plan coverage. Specifically, they will:

1. Restore housing targets and reverse other changes to the NPPF made under the previous Government which were detrimental to housing supply.
2. Implement a new standard method to ensure local plans are ambitious enough to deliver the Government's manifesto commitment of 1.5 million new homes in this Parliament.
3. Release more previously developed and poor quality grey belt land from the Green Belt into the planning system through both plan and decision making to meet this need.
4. Deliver affordable, well-designed homes, with new "golden rules" for Green Belt development that takes place on land situated in, or released from, the Green Belt to ensure such development delivers in the public interest - as well as make changes to ensure that community ownership, small builders, and well-designed buildings are key considerations in plan-making.
5. Support clean energy through support for onshore wind and renewables; and
6. Support the delivery of key public service infrastructure.
7. Support economic growth in key sectors.

The policy aims of the NPPF reforms are to ensure that these positive changes are introduced in a way that allows all residents to benefit, regardless of whether they have protected characteristics and sets out a variety of steps to achieve this. Positive impacts likely to arise from the reforms include:

1. The cumulative impact of the changes to the NPPF on **policies relates to housing are expected to set out a positive housing supply position** in both the short and long term. The policy changes are designed to further enable effective plan making and **lead to a more sustainable housing supply in the short, medium and long term**. The changes seek to reverse the significant adverse impact on housing supply

that the previous Government implemented through the December 2023 changes to the NPPF.

2. Reforms that **encourage solar and onshore wind development** should improve the UK's energy security and therefore limit the rise in energy costs in the long-term. This will impact all groups but could particularly impact low-income households.
3. **More plans in place** resulting in development that better aligns with community needs.

In each policy area where potential changes are being introduced that could disproportionately affect groups with protected characteristics the proposed mitigations in the above section are set out. This includes measures to ensure that changes take into account the need to positively facilitate the Gypsy and Traveller way of life.

SECTION 3

3.1 Decision Making

The recommendation is to ***proceed as planned with the policy.***

The changes to the NPPF and PPTS should promote advancement of opportunity (e.g., through increased home ownership, clarification on the treatment of traveller sites, and limits on increases to energy costs).

In other areas where we anticipate that changes to the NPPF or changes or new additions to other national planning policies will be brought forward in the future (medium or long-term), the equality impacts of these reforms will be considered in future delivery work, or through future assessments.

3.2 Monitoring arrangements

MHCLG will monitor progress on the reforms using a combination of: metrics already gathered by the department; new metrics that are being created; and robust proxy measures. Regular reports on progress will be submitted to senior officials on the individual and combined impacts.

3.3 Sign-off by the decision-maker

Name:

Job Title:

Date:

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- ⁶ English Housing Survey (2020) Home ownership: 2019-20, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1000040/EHS_19-20_Home_ownership_report.pdf
- ⁷ The Health Foundation (2021) Inequalities in housing affordability, April 2021, <https://www.health.org.uk/evidence-hub/housing/housing-affordability/inequalities-in-housing-affordability>
- ⁸ The Health Foundation (2021) Inequalities in housing affordability, April 2021, <https://www.health.org.uk/evidence-hub/housing/housing-affordability/inequalities-in-housing-affordability>
- ⁹ Chartered Institute of Environmental Health (2021) Ageing population makes poor quality housing an even greater concern, <https://www.cieh.org/ehn/housing-and-community/2021/march/ageing-population-makes-poor-quality-housing-an-even-greater-concern/>
- ¹⁰ Inside Housing (2021) How race impacts on people's chances of living in a damp home or experiencing fuel poverty, <https://www.insidehousing.co.uk/insight/insight/how-race-impacts-on-peoples-chances-of-living-in-a-damp-home-or-experiencing-fuel-poverty-70645>
- ¹¹ <https://www.gov.uk/government/statistics/traveller-caravan-count-january-2022/count-of-traveller-caravans-january-2022-england>
[Count of Traveller Caravans, July 2024: England - GOV.UK](https://www.gov.uk/government/statistics/traveller-caravan-count-january-2022/count-of-traveller-caravans-january-2022-england)
- ¹² Ibid
- ¹³ Department for Business, Energy & Industrial Strategy (2022) [Fuel poverty - GOV.UK Ethnicity facts and figures \(ethnicity-facts-figures.service.gov.uk\)](https://www.gov.uk/government/statistics/fuel-poverty-ethnicity-facts-and-figures).
- ¹⁴ Department for Energy Security and Net Zero (2024) <https://assets.publishing.service.gov.uk/media/65ccecba1d939500129466a9/annual-fuel-poverty-statistics-report-2024.pdf>
- ¹⁵ ONS (2022) What actions are people taking because of the rising cost of living <https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/expenditure/articles/whatactionsarepeopletakingbecauseoftherisingcostofliving/2022-08-05>