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Planning Directorate
Planning Policy Division
Ministry of Housing, Communities and
Local Government
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Chris Henning
Chair, ADEPT Sustainable Growth Board &
Executive Director – Place, Derbyshire County Council

07 July 2025

Dear MHCLG Team,

Reforming Site Thresholds

About ADEPT

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) represents directors of place who are responsible for providing day-to-day services including local highways, recycling, waste, and planning as well as the strategic long-term planning and delivery of sustainable places. ADEPT members are at the very heart of delivering clean sustainable growth, tackling climate change at a local level. We manage the projects that are fundamental to creating more resilient, inclusive, and safe communities, economies, and infrastructure. ADEPT represents directors of place from county, unitary and combined authorities, along with sub-national transport boards and corporate partners drawn from key service sectors throughout England.

We are a membership based professional organisation with:

- 100+ county, unitary and combined authority members
- 5 sub-national transport bodies
- 24 Corporate Partner members across England.

The key to unlocking economic recovery and renewal lies with local leadership. Place directors create the strategies, run the services, and lead the projects that shape local places for their communities. The whole country benefits from investment in local place. Tackling inequality and climate change, while promoting health and wellbeing, supporting business, and maintaining critical infrastructure is most successful when national investment is locally led. We represent members' interests by proactively engaging central government on emerging policy and issues, responding to consultations and enquiries, creating national guidance, and promoting initiatives aimed at influencing government policy. We also represent public sector interests across all our key areas in national sectoral organisations. ADEPT members manage some of the most pressing issues facing

the country today, including green recovery and tackling climate change. We are responsible for everyday public services that people need to ensure communities thrive, are well-connected, sustainable, and healthy.

Local planning and services, public transport and high streets, green spaces and active travel, employment and skills all contribute to the wellbeing of our local areas and the people who live, study and work in them. ADEPT members are passionate about making them better, working with colleagues, partners, and government to create the places are communities and businesses need.

Our remit includes:

- delivering clean, sustainable growth through recovery and regeneration
- infrastructure including local roads, highways, and digital connectivity
- planning & housing
- environment including waste, flood & water management, energy, natural capital

RESPONSE TO THE CONSULTATION

General Comments

ADEPT believes that a more root and branch review of the operation of the planning system for small and medium-sized enterprises (SMEs) is needed given the layers of complexity that have been added to the system in recent years. We support the use of templates / standardisation for section 106 agreements. We are concerned that expanding permission in principle could lead to unintended consequences and lead to more confusion in the system for SMEs.

ADEPT considers that this proposal should have been published alongside the National Development Management Policies (NDMPs) and other associated changes to the NPPF so the various government reforms could be considered in the round and crucially how they all relate to each other. We recognise that these proposals link to the proposed national scheme of delegation, but as we have stated in response to that consultation there are several potential tensions that will arise from how the system will operate in practice.

Whilst ADEPT supports a more proportional approach to planning applications submitted by SMEs, we are concerned at the proposal to reducing validation requirements as our members frequently cite the increasingly poor quality planning application submissions by SMEs often not supported by agents who are Chartered Town Planners.

Reforming Site Thresholds

1. Would a medium-sized site threshold help reduce barriers and accelerate delivery for SMEs, if linked to the proposed changes to regulatory requirements set out in the working paper?

Yes. It is considered that the introduction of a medium-sized site threshold, together with a review of the requirements and processes related to this scale of application, could assist with housing delivery. Over recent years, the planning system has become more complex, with additional statutory requirements.

2. Should the threshold be 10–49 units, or could other size ranges provide a better balance of simplicity and impact?

No. At present there is a classification distinction between small-scale major applications, those providing 10-199 dwellings, and large-scale major applications, those providing over 200. Taking into consideration these thresholds some increase on the 49 dwellings could be justified. It is considered that 75 dwellings could be a more appropriate threshold that would capture most SME sites and those of Registered Providers (RPs).

3. Should the medium threshold apply to commercial and other non-residential development and how should mixed uses be reflected?

Yes. As with existing categories of development there needs to be thresholds that are applicable to both commercial and residential development.

4. If the medium-sized site threshold were introduced, should the exemption from paying the proposed Building Safety Levy for fewer than 10 dwellings be extended to align with medium-sized development sites?

Yes. The medium sized site threshold is being introduced to encourage SMEs, the majority of which are unlikely to have been involved in high rise development in the past. To place the burden of previous large-scale development with these smaller developers is disproportionate and will just hinder the government's aspiration to deliver new housing quickly.

5. Should there be solely area-based size thresholds (ha) given the different contexts and densities, particularly for very small, small, and medium-sized sites? Or would it be more appropriate to also specify a unit size threshold?

No. If a unit threshold was not introduced this could result in significant tall buildings being constructed under a less rigorous set of policies and procedures.

6. Are the proposed streamlining options the right ones for government to consider?

Yes. The current challenges to housing delivery are very real and it is acknowledged that these measures to streamline and simplify the process for SMEs will be welcomed. We do not support the extension of the Permission in Principle (PIP) regime because this leaves so many matters to be dealt with at the technical details stage, which in practice will not assist accelerated housing delivery.

7. Are there further changes that could and should be linked to new or existing thresholds? Are there wider changes that could be made through national planning policy that would be beneficial?

No. The proposed changes tackle key areas where statutory requirements and processes can be reviewed and streamlined.

8. Is the planning application process for small sites more challenging on brownfield land than greenfield land? If so, then what are these challenges or barriers?

No. The planning application process is the same regardless of whether the site is greenfield or brownfield, there will just be different considerations for greenfield and brownfield sites.

9. Are the determination periods detailed in this working paper the correct ones? Would shorter determination periods be appropriate for a particular site size once wider reforms to planning fees have been implemented - including those set out in the Planning and Infrastructure Bill.

Yes. The package of measures would need to be implemented and have taken effect before changes to statutory determination periods are made.

10. What are the specific barriers SMEs face during s.106 agreements and what would be the most effective action for government to take, in line with its manifesto commitments on affordable housing?

SMEs do not have the in-house expertise needed to negotiate Section 106 obligations that larger developers have so ADEPT suggests there should provide some assistance for SMEs in making planning applications with the required information.

11. What are the barriers to developing very small sites as defined above and what parameters could be helpfully addressed in a design code?

ADEPT considers that design codes are too blunt and onerous to help with small site delivery. As encouraged in the NPPF, developers should front load planning matters and undertake pre-application enquiries.

12. What types of rules set out in design codes would be most beneficial in unlocking development?

Whilst design codes can be important in steering large-scale or neighbourhood-level development, ADEPT does not consider that a design code would be an effective tool to assist with delivery on very small sites. The resource implications of creating appropriate design codes would be onerous for LPAs.

13. Are there other issues or opportunities to consider for ensuring the success of these proposals?

No further comments.

14. Do you anticipate any environmental impacts from these proposals that the government must consider under the Environmental Principles Policy Statement?

ADEPT is concerned at the impact BNG is particularly having on small sites, as we have yet to see the process for BNG 'settle down' in practice.

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

No further comments.

OFFICIAL



Association of Directors of
Environment, Economy, Planning & Transport

We trust the above observations are of assistance to your deliberations and we are more than happy to discuss any of our comments further with you should that be required.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Chris Henning".

Chris Henning

Chair, ADEPT Sustainable Growth Board

Executive Director – Place, Derbyshire County Council

The Association of Directors of Environment, Economy, Planning & Transport

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