

Playing Out's response to the consultation on proposed changes to the NPPF and other changes to the planning system (co-written with Tim Gill)

NPPF Table of questions with responses inserted

[Key questions are highlighted]

Chapter 3 – Planning for the homes we need

Q4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

The NPPF should support a 'goldilocks approach' to density: i.e. policies that inhibit both low-density, monofunctional, sprawl (which invariably leads to car-dominated neighbourhoods with poorly distributed services and facilities, and patchy public transport) and very high densities in developments where families might live.

There are serious questions to be asked about the impact of housing families with young children in high-rise blocks and the particular barriers this raises in terms of children's access to outside space (and thereby their health and wellbeing). In any density development, family homes should be on the lower floors, with oversight of and easy/immediate access to generous, safe, well-designed, shared outdoor space so children can play out within easy sight and reach of home - an essential underpinning for their mental and physical wellbeing.

Q5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

In planning and land use terms, children have clear and specific needs that need explicit support in the NPPF, the National Model Design Code, and other central Government guidance. These include: safe, welcoming communal outdoor space directly accessible from families' doorsteps; a variety of places in their local area to meet, play and hang out with friends and family (including safe and accessible natural spaces); and walking and cycling infrastructure and public transport options that allow them to get around easily on their own to these and other destinations from a reasonable age, and that reduces family car-dependency. These needs are not addressed by the formulaic creation of conventional play areas (the approach taken in the current National Model Design Code).

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Q14: Do you have any other suggestions relating to the proposals in this chapter?

We welcome the increased emphasis on building and strengthening communities, sustainability, and housing affordability compared to the previous draft NPPF. Stable, strong, equitable communities are especially important to children and young people, providing the "village" they need for healthy development and helping to create the safe environment they need to play outside near home, with all the health, wellbeing and social benefits this brings.

The NPPF needs to give strategic support for a children's lens in planning, in keeping with the Labour Party's manifesto commitment that at the core of its mission will be "a bold new ambition to raise the healthiest generation of children in our history." Children's physical and mental health, physiology, wellbeing, social development and sense of belonging are all strongly shaped by the places they grow up. Hence they are the population group who are most affected by poor planning, and have most to gain from well planned housing and neighbourhoods where their needs are fully considered. Government planning policies and guidance make almost no reference to children (arguably bats, newts and other animals are given more attention). Yet children and young people under 18 years of age make up 21% of the population of England, and when parents of dependent children are included, this means that 39% of the population either are a child or have a dependent child (ONS figures). However, children are not just one of a number of demographic groups competing for attention. As a group, they are unique in having no democratic voice and little agency.,

Importantly, children are also not considered as a matter of course alongside other equalities groups (due to the way the 'age' characteristic is applied in the Equality Act, see <https://playingout.net/wp-content/uploads/2024/06/Are-children-an-equality-group.pdf>).

Yet children's mental and physical health is hugely impacted by their physical environment. While it is good to see an explicit mention of child obesity in the consultation, the effects of poor planning go far beyond physical health, and extend to mental health, wellbeing and sense of connection and community belonging. On top of this, children in poverty and in disadvantaged neighbourhoods, and those who are disabled, or in racial and other minority groups, are disproportionately affected. Hence improvements for these children will help to reduce health and other inequalities.

Children are also the group whose lives will be most blighted by the long-term consequences of a warming planet, polluted air and water, damaged ecosystems, and depletion of natural resources. What is more, there is clear evidence from attitudinal science and behavioural psychology that a strategic focus on children and future generations builds support and consensus for sustained action on the climate [Ref: *A Rising Tide: Strengthening public permission for climate action*, IPPR 2022].

Finally, we want to draw attention to the small but growing number of private developers that are embracing child-friendly approaches, including TOWN, Argent, and Lands Improvement Holdings. The fact that private sector agencies are taking this approach shows that there is no inherent contradiction between a greater focus on children and families and profitability and economic benefit. However, these developers are currently taking this approach voluntarily in the absence of any policy support, and hence acting in an uneven playing field and at a disadvantage compared to other developers.

Chapter 5 – Brownfield, grey belt and the Green Belt

Q20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

The NPPF needs to acknowledge that some proposed development land – especially in brownfield and ‘grey belt’ sites – is being used informally for play and other recreational uses, contributing to children's health and wellbeing, and to allow this to be given due consideration in planning and land use decisions. Hence we propose the inclusion in the NPPF of a sixth ‘Green Belt Purpose’: land that has a significant role as an informal recreational or play space.

Q23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

The NPPF needs to acknowledge that some proposed development land – especially in brownfield and ‘grey belt’ sites – is being used informally for play and other recreational uses, contributing to children's health and wellbeing, and to allow this to be given due consideration in planning and land use decisions. Hence we propose the inclusion in the NPPF of a sixth ‘Green Belt Purpose’: land that has a significant role as an informal recreational or play space.

Q25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?

The NPPF needs to acknowledge that some proposed development land – especially in brownfield and ‘grey belt’ sites – is being used informally for play and other recreational uses, contributing to children's health and wellbeing, and to allow this to be given due consideration in planning and land use decisions. Hence we propose the inclusion in the NPPF of a sixth ‘Green Belt Purpose’: land that has a significant role as an informal recreational or play space.

Q26: Do you have any views on whether our proposed guidance [I think this is set out in the relevant consultation web page i.e. Chapter 5] sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

The NPPF needs to acknowledge that some proposed development land – especially in brownfield and ‘grey belt’ sites – is being used informally for play and other recreational uses, contributing to children's health and wellbeing, and to allow this to be given due consideration in planning and land use decisions. Hence we propose the inclusion in the NPPF of a sixth ‘Green Belt Purpose’: land that has a significant role as an informal recreational or play space.

Q28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

The NPPF needs to acknowledge that some proposed development land – especially in brownfield and ‘grey belt’ sites – is being used informally for play and other recreational uses, contributing to children's health and wellbeing, and to allow this to be given due consideration in planning and land use decisions. Hence we propose the inclusion in the NPPF of a sixth ‘Green Belt Purpose’: land that has a significant role as an informal recreational or play space.

Q34: Do you agree with our proposed approach to the affordable housing tenure mix?

We welcome the emphasis on creating affordable housing, and on doing this as part of mixed tenure developments. We think this approach should extend beyond green belt areas to all significant planning decisions about housing. The NPPF should also prohibit the segregation by tenure of access to outdoor play and recreational spaces (following the example of the London Plan in policy S4) as this

directly contributes to furthering inequality and exclusion, increasing health inequalities and dividing communities.

Q36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?

We welcome the emphasis on green space and want this to extend beyond green belt areas to all significant planning decisions. We support the use of green space spatial planning tools for this and want to see greater use of these tools. We also want to see greater emphasis on location, accessibility (especially by active travel modes, which as well as having huge health, economic and environmental benefit are the only means children have to travel independently of adults), design quality and adequate management and oversight, in order for children and families to benefit.

However, local provision of green space in itself is not sufficient to meet children's need for everyday play and physical activity. In planning and land use terms, children have clear and specific needs that require explicit support in the NPPF, the National Model Design Code, and other central Government guidance. These include: safe, welcoming, communal outdoor space on or directly accessible from families' doorsteps; a variety of places in their local area to meet, play and hang out with friends and family (including accessible natural spaces); and - crucially - walking and cycling infrastructure and public transport options that allow them to get around easily on their own to these and other destinations, and that reduce car-dependency for families. These needs are not addressed by the formulaic creation of conventional play areas (the approach taken in the current National Model Design Code).

Chapter 6 – Delivering affordable, well-designed homes and places

Q51: Do you agree with the introducing a policy to promote developments that have a mix of tenures and types?

We welcome the emphasis on creating affordable housing, and on doing this as part of mixed tenure developments. We think this approach should extend beyond green belt areas to all significant planning decisions about housing. The NPPF should also prohibit the segregation by tenure of access to outdoor play and recreational spaces (following the example of the London Plan in policy S4) as this directly contributes to furthering inequality and exclusion, increasing health inequalities and dividing communities.

Q55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

We support the inclusion of looked after children on the list of targeted groups.

Q56: Do you agree with these changes?

We support the goal of promoting community-led housing, which often has as one focus the creation of child- and family-friendly housing and safe communal space, and is likely to lead to more stable, connected communities where children feel safe and can thrive.

Q61: Do you have any other suggestions relating to the proposals in this chapter?

In planning and land use terms, children have clear and specific needs that require explicit support in the NPPF, the National Model Design Code, and other central Government guidance. These include: safe, welcoming, communal outdoor space on or directly accessible from families' doorsteps; a variety

of places in their local area to meet, play and hang out with friends and family (including accessible natural spaces); and - crucially - walking and cycling infrastructure and public transport options that allow them to get around easily on their own to these and other destinations, and that reduce car-dependency for families. These needs are not addressed by the formulaic creation of conventional play areas (the approach taken in the current National Model Design Code).

Chapter 8 – Delivering community needs

Q67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

We support the increased emphasis on public service infrastructure, much of which is crucial to children and families. Proximity of services to children's homes - connected by safe walking and cycling routes - is crucial if they are to benefit from these and to access them independently from a reasonable age (with all the health, developmental and social benefits this brings).

Q68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

We support the addition of references to both early years and post-16 provision in the NPPF, given their importance to children and families. Proximity of services to children's homes - connected by safe walking and cycling routes - is crucial if they are to benefit from these and to access them independently from a reasonable age (with all the health, developmental and social benefits this brings).

Q69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

We strongly support the shift in approach to transport planning. If successful, this will make a big difference to children and young people, through reducing traffic danger (which is by far the greatest barrier to their independence and active mobility), through reducing the space allocated to moving and stationary vehicles (which could be more beneficially used for social and recreational purposes, including children's play), and through improving those active travel modes that are most important to children living healthy, active lives.

Q70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

- a. We share with TCPA a wish to see an explicit statement about the purpose of planning. This should centre on health, wellbeing and sustainable development in the public interest, with an explicit reference to the UN Convention on the Rights of the Child and the UN Sustainable Development Goals. This will underpin the links between good planning and sustainability, health, wellbeing, equity and quality of life, and also make explicit the links between national policy and the UK government's global commitments and responsibilities to other nations and to future generations.

The NPPF should start with a clear statement that the role of planning is to support population and planetary thriving with the explicit aims of creating health and wellbeing and reducing health inequalities, and that all planning policies and decisions must be directly influenced by local health priorities and strategies. Stating this at the start of the NPPF would ensure that everyone involved in planning – from local communities to planning inspectors – would be clear that creating places that support good health is an essential part of the purpose of planning and not a 'nice to have' option.

- b. To tackle childhood obesity, children need places where they can move and be physically active in their everyday lives – particularly through active play and active travel. In planning and land use terms, children have clear and specific needs that require explicit support in the NPPF, the National Model Design Code, and other central Government guidance. These include: safe, welcoming, communal outdoor space on or directly accessible from families’ doorsteps; a variety of places (including accessible natural spaces) in their local area to meet, play, be active and socialise and- crucially – safe streets, walking and cycling infrastructure and public transport options that allow them to get around easily on their own to these and other destinations, and that reduce car-dependency for families. These needs are not addressed by the formulaic creation of conventional play areas (the approach taken in the current National Model Design Code).

Although there are clear, well-evidenced planning and design approaches and principles that make neighbourhoods child-friendly (mentioned elsewhere in this response) the NPPF and related Government guidance need to explicitly support the participation and engagement of children and parents, as part of a strategic focus on their needs, and a thoughtful, equitable approach to involving communities in decision-making. Children experience places differently to adults and have valuable insights to offer about their local areas. Their effective participation brings these to the attention of decision-makers, injects creative, positive mindsets, and fosters community connection, democratic values and participation, and citizenship. It can be a catalyst for consensus, secure a focus on collective, long-term action, and acts as a counter to narrow, short-term interests and concerns.

The current National Model Design Code and local design codes will not be enough on their own to ensure a proper focus on children's wellbeing; there needs to be a strategic push from central government, and effective mechanisms to ensure local authorities deliver. We are aware of various mechanisms for doing this, including Play Sufficiency duties (as underpinned by legislation in Wales and Scotland, and piloted in Leeds), the requirement for a municipal lead officer (part of planning legislation in Norway) and Child Impact Assessments (as undertaken in Sweden), and want to see these (and possibly other) approaches reviewed for their relevance and effectiveness in England.

Q71: Do you have any other suggestions relating to the proposals in this chapter?

We suggest that the NPPF highlights the policy win-wins or co-benefits (e.g. for public health, biodiversity and climate) that arise from a children’s lens. For example, SUDs can have a role as informal play spaces; school streets can both open up space for play right where children are and incentivise walking and cycling rather than car trips, with significant public health benefits.

We want to see the protection of existing formal play space mentioned in the NPPF. We think the policy set out in the London Plan (policy S4) is helpful; this states that development should “not result in the net loss of play provision, unless it can be demonstrated that there is no ongoing or future demand.” Where there is evidence of under-use, the reasons for this should be investigated, as it may not be evidence of low demand but rather due to poor design, maintenance, safety or oversight. In such cases, there should be an obligation on developers to improve or replace underused play/recreational space with equivalent space that better meets the needs of local children and families.

Chapter 9 – Supporting green energy and the environment

Q74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

We support measures to increase the level of protection of natural habitats, including those that make a significant contribution to action on climate change. As well as these intrinsic benefits, access to nature and biodiversity close to home is important for children's wellbeing.

Q78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

We suggest that the NPPF highlights the policy win-wins or co-benefits (e.g. for public health, biodiversity and climate) that arise from a children's lens. For example, SUDs can have a role as informal play spaces; school streets can both open up space for play right where children are and incentivise walking and cycling rather than car trips, with significant public health benefits.

Children are the group whose lives will be most blighted by the long-term consequences of a warming planet, polluted air and water, damaged ecosystems, and depletion of natural resources. What is more, there is clear evidence from attitudinal science and behavioural psychology that a strategic focus on children and future generations builds support and consensus for sustained action on the climate [Ref: *A Rising Tide: Strengthening public permission for climate action*, IPPR 2022].

Q81: Do you have any other comments on actions that can be taken through planning to address climate change?

We suggest that the NPPF highlights the policy win-wins or co-benefits (e.g. for public health, biodiversity and climate) that arise from a children's lens. For example, SUDs can have a role as informal play spaces; school streets can both open up space for play right where children are and incentivise walking and cycling rather than car trips, with significant public health benefits.

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Q86: Do you have any other suggestions relating to the proposals in this chapter?

NB. Copy and paste Q14 response

Chapter 13 – Public Sector Equality Duty

Q106: 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?

Currently, children as a group are not considered as a matter of course alongside other equalities groups withing planning. Our overview of how the PSED relates to children-
<https://playingout.net/wp-content/uploads/2024/06/Are-children-an-equality-group.pdf> concludes that:

“Whilst the Equality Act does protect children and young people from discrimination on the basis of other protected characteristics (e.g. race, sex), it does not protect them as a group on the basis of age (except within employment).

Legal experts are not in agreement about whether or not the PSED applies to children in a meaningful way that would place a duty on e.g. planning committees to have due regard to their needs. Because the EA explicitly excludes children from being considered an equality group in most areas, and because the PSED at least partially rests on the legal requirements of the EA, and children are not explicitly mentioned in the PSED/guidance, it seems likely that local authorities do not think or are not aware that they have a duty to have due regard to the needs of children under the protected characteristic of “age”.

The fact that there is no explicit/clear public sector duty to consider children as an equality group in their own right on the basis of age underpins routine discrimination of children and failure to consider/meet their needs within the planning system and wider policy and services. In summary, either there is no legal duty to specifically consider children in decision-making related to the built environment OR most public servants are unaware of this duty”.

For this and other reasons, the NPPF needs to give strategic support for a children’s lens in planning, in keeping with the Labour Party’s manifesto commitment that at the core of its mission will be “a bold new ambition to raise the healthiest generation of children in our history.” Children’s physical and mental health, physiology, wellbeing, social development and sense of belonging are all strongly shaped by the places they grow up. Hence they are the population group who are most affected by poor planning, and have most to gain from well planned housing and neighbourhoods where their needs are fully considered. Government planning policies and guidance make almost no reference to children (arguably bats, newts and other animals are given more attention). Yet children and young people under 18 years of age make up 21% of the population of England, and when parents of dependent children are included, this means that 39% of the population either are a child or have a dependent child (ONS figures). However, children are not just one of a number of demographic groups competing for attention. As a group, they are unique in having no democratic voice and little agency.,

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The current National Model Design Code and local design codes will not be enough on their own to ensure a proper focus on children; there needs to be a strategic push from central government, and

effective mechanisms to ensure local authorities deliver. We are aware of various mechanisms for doing this, including Play Sufficiency duties (as underpinned by legislation in Wales and Scotland, and piloted in Leeds), the requirement for a municipal lead officer (part of planning legislation in Norway) and Child Impact Assessments (as undertaken in Sweden), and want to see these (and possibly other) approaches reviewed for their relevance and effectiveness in England.