Hawksbeck

response to

National Planning Policy Framework Plan-making and national decision-making policies

Consultation December 2025

Prepared by

'Besant Planning'

February 2026

Response by email to
PlanningPolicyConsultation@communities.gov.uk
only

Dear Sir/Madam,

This submission has been made by way of a targeted response to the NPPF consultation published by MCHLG on 16th December 2025, on behalf of Hawksbeck Limited, by Besant Planning.

Hawksbeck is a developer of premium garden rooms and residential annexes, operating primarily in the south, east, and central regions of England, with a turnover of a little under £5m p/a. Hawksbeck advises customers on planning matters insofar as guiding them on their 'permitted development rights' (rights prescribed by the relevant Order) and seeks planning permission where those rights are either inappropriate, or otherwise not available – primarily where annexes are sought. In recent years, Hawksbeck has sought planning permission for circa 70 developments in any given year.

Commentary

By way of broad commentary, Hawksbeck supports the principle of a further attempt to reduce the burden of the planning system of the development industry.

Hawksbeck, like many developers, continues to find that Local Planning Authorities (LPAs) are inconsistent in their approach to development, in their approach to the information required to support a development proposal, and indeed in their approach to managing the submission through the determination process. A more consistent approach can, in our opinion, only be achieved through clear government directive.

Validation alone has, in some cases, become a substantial hurdle in its own right both by virtue of time to acknowledge receipt of an application, and manage its progress to an appropriate Planning Officer.

Whilst many local authorities take a proportionately scaled approach to the information required to validate and determine an application, a limited number seek to frustrate the development process through overburdensome, often entirely disproportionate, and usually expensive validation requirements (Central Bedfordshire in particular is of note), which are then often entirely overlooked or lightly referred to within Officer's reports, which suggests they form little in the way useful information in the determining of the subsequent application. Our response to your questions to policies DM1-DM3 reflects this.

Similarly, whilst many LPAs determine applications in a considered and proportionate manner, others require more information than is necessary to determine the application, even if the imposition of conditions is subsequently necessary. This is reflected in the responses provided.

It is important to remember that whilst 'permitted development rights' associated with outbuildings are frequently available, a disproportionate burden is therefore imposed upon those without them when local authority decision makers require more information than is otherwise required to satisfy matters related to the reason these 'rights' are not available; it is therefore absolutely essential that local planning authorities only seek the information strictly necessary, and proportionate to the development. It is also important, as per our response to Q31 and Q32 in relation to DM8, that enforcement action, particularly where residents were not aware of their 'rights' we removed, is proportionate and reflects this, particularly where 'rights' would normally render a development acceptable.

Given the nature of Hawksbeck's business, this submission only provides a response to those changes considered both relevant to the business, and where feedback is considered appropriate.

Response to Consultation Questions

Q21: Do you agree with the principles set out in policy DM1?

Partly Agree

&

Q22: Do you agree with the policy DM2 on information requirements for planning applications?

Partly Agree.

&

Q23: Do you have any views on whether such a policy could be better implemented through regulations?

Of relevance to Hawksbeck is Part 2 of DM1, which reads:

'Proposals for other types of development should be supported by the minimum necessary information requirements to enable a decision.'

DM2 reads

‘1. To ensure a clear and consistent approach to the information required to determine development proposals, local validation lists setting out the information required in support of an application for development should include the information specified in the relevant national decision-making policies (summarised in Annex C).

2. Local validation lists should only include additional information requirements if there is a policy in the development plan requiring a specific further assessment. Any such additional information requirements should not be applied equally to all applications but should be proportionate to the scale of development and its potential impact. Where appropriate, the requirements should clearly distinguish between what is required for major, medium and other types of development proposal.’

Whilst the suggestion that ‘the minimum necessary information’ should be submitted is welcome, this statement should be supported further by detailed guidance on the information that local authorities should require, and additional oversight. This guidance should go beyond the ‘minimum’ requirements set out within The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO 2015), and seek to specifically set out instances in which LPA should and should not ask for information in particular circumstances, and with the key principle always being that the authority cannot seek the further information at Validation stage unless it is not possible for the authority to determine the application, or meet other statutory requirements, within said information.

Further still, whilst many local authorities ‘consult’ on additional requirements within their Validation Requirements or ‘Checklist’ prior to adoption, the process for adopting these requirements/checklists is not clear. It may be appropriate to align requirements with Local Planning Policies at Local Plan Examination in Public, in order to strengthen oversight on the requirements of LPA within their checklists, and to ensure that ‘the minimum necessary’ is being secured as a key principle.

Of course, it is necessary ensure that the policies against which the validation requirements are being set are proportionate the development type; it may be necessary for policies to be more clearly broken down into development scales, or establish the threshold from which they apply, in order to ensure that the Validation requirements can be set appropriate.

Developments of small scales, such as outbuildings and garden rooms, where permission is required, should be considered small scale development that requires minimal information in order to determine the application.

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

Partly Agree.

The draft DM policy reads:

1. When considering development proposals, local planning authorities should:

> *a. Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;*
>
> *b. Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;*
>
> *c. Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;*
>
> *d. Consult statutory or internal consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision or more detailed advice may enable an approval rather than a refusal;*
>
> *e. Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and*
>
> *f. Not refuse applications for development which should clearly be approved, having regard to its accordance with the development plan, the policies in this Framework and any other material considerations.*

Whilst the above approach is generally supported, the role of 'statutory' and 'internal' consultees (Referenced in 'd.') needs to be much more tightly constrained. Whilst it is inevitable and understood that local planning authorities may not be comfortable with, or indeed realistically able to, issue a decision/ permission without the response of a 'statutory' consultee, given their area of expertise is considered sufficiently important to make their engagement in the application a 'statutory' requirement, the role of 'internal' consultees has become a particularly pressing issue.

The response of 'internal' consultees, in particular local authority arborists, heritage specialists, and design specialists, should be considered a 'nice to have' rather than the substantial weight currently given to their lack of response in holding up determination. Whilst these roles are important, the minds of these internal consultees within local authorities should be focused on applications where their response is likely to be of most value. In our experience, substantial delays have been caused awaiting responses from internal consultees such as those listed only for a 'no response' letter to be received.

To be clear, our position is that if an application on the 'desk' of any internal consultees does not raise sufficient interest as to garner a response within the consultation period, its unlikely that any issues identified are going to go to the heart of the acceptability of a proposal, and determination should not be delayed by a lack of response.

Q29: Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?

Strongly Agree.

In particular Hawksbeck strongly agree with the imposition of 'national model conditions' and would like to see this broadened further. This would aid smaller developers in understanding the requirements of a condition through better practice in discharging them.

With regards to DM6 2) c), which reads that '*Conditions should not be used to… Restrict national permitted development rights unless there is clear justification to do so',* Hawksbeck 'Strongly Agree' with this element but would like to see this element strengthened further through more restrictive national guidance set on the instances in which 'permitted development rights' can be removed from a permission for a dwelling. The use of conditions on permissions for dwellings removing said 'rights' remains prolific, and we'd like to see the hurdle lifted to limit the implementation of restrictions on PD rights to 'exceptional circumstances'.

Q31: Do you agree with the new intentional unauthorised development policy in policy DM8?

&

Q32: Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

DM8 1. Strongly Agree

DM8 2. Partly Disagree

Draft DM8 reads:

1. Where there has been unauthorised development and local planning authorities are considering whether enforcement action is expedient, they should take account of their local enforcement plan, the impact of the breach of planning control, and the extent to which the breach would otherwise be acceptable.

2. In cases of unauthorised development where consideration is being given to an application for retrospective planning permission (or through an enforcement appeal, whether to grant planning permission in respect of a breach of planning control), if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission.

It is unclear from the wording of DM8 what 2. is seeking authorities to consider when giving 'substantial weight' to the intent behind the breach. Is the intention that authorities should seek to refuse retrospective applications of the grounds that the breach is intentional? If so, how would this be balanced with the retrospective application providing evidence that the development is otherwise acceptable in planning policy terms (if it was, for example, not possible for the authority to establish this within the submission when they were considering the appropriateness of action in line with DM8 1.)?

The wording of DM8 2. as drafted appears to open the door to extrajudicial punishment by local planning authorities of those who cross enforcement lines. The wording of this element of the policy needs careful consideration and amendment.

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

Partly Agree. (see below)

Q117: Do you agree policy L2 identifies appropriate typologies of development to support intensification?

Partly Agree.

Hawksbeck would like to see more specific reference made to the benefits of developments which support multi-generational living, in particular Annexes, and weight being applied to that benefit, namely within L2 (d).

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

Partly Disagree.

The 50% of curtilage restriction within L2 d) ii) is overly prescriptive and is likely to result in developments being Refused which is otherwise acceptable and has no material impact on streetscene or amenity (neighbour or occupier); this element should be down to individual authorities and Officers to assess on a case-by-case basis.

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

Partly Agree.

Further work should be undertaken here to cross-reference this element of the guidance with L2. In particular, express support should be given to outbuildings/ annexes being utilised as a method of increasing residential density, and supporting multi-generational living where other material considerations, such as neighbouring amenity and street character, are addressed satisfactorily.

The policy should be relabelled 'residential extensions and annexes/ outbuildings'.

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

Partly Agree.

Test GB7 1) b) i) should explicitly include outbuildings and annexes.

It has become fairly normal, although by no means universal, practice amongst LPAs to accept outbuildings as 'extensions' to dwellings for Green Belt purposes for some time, particularly where 'permitted development' 'fall-backs' exist, however, the opportunity should be taken within this re-writing of the NPPF to include outbuildings and annexes (perhaps within a set distance of a dwelling, as per 'permitted development rights' within certain criteria now).

Green Belt areas are some of the most expensive in the country and house-prices in these areas increase the pressure on, and the need for, multi-generational living requirements. Green Belt policy should be reflective of the need to deliver multi-generational living within these areas.

Conclusion

In reviewing the draft policies within the consultation document, Hawksbeck supports the principle of a further attempt to reduce the burden of the planning system of the development industry.

As a broad take-away or comment, Hawksbeck would like to see greater consideration given to the benefits of residential annexe accommodation as a 'low impact' method of increasing residential density, and making best use of land, in particular, we consider that draft policies L2 and L4 could be drafted to more expressly support this type of development.

Hawksbeck also support the attempt to increase certainty over Validation requirements and strengthen limitations on the imposition of conditions.