

Cabinet

28 February 2023

Consultation on reforms to national planning policy

For Decision

Portfolio Holder: Cllr D Walsh, Planning

Local Councillor(s): All

Executive Director: J Sellgren, Executive Director of Place

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Report Status: Public

Brief Summary:

The Government is currently consulting on proposed reforms to national planning policy. These include changes to the National Planning Policy Framework, which would come into effect in spring this year, as well as longer-term changes that would come into effect when the Levelling-Up and Regeneration Bill is enacted. These changes are all important for Dorset Council's future Local Plan preparation, and it is therefore recommended that a response to the consultation be sent, by the required deadline of 2 March.

Recommendation:

That a full response to the consultation questions, as set out in the Appendix to this report, be sent to the Department for Levelling Up, Housing and Communities. This response includes welcoming those changes that give greater weight to the development plan in decisions and that simplify the process of calculating five-year housing land supply requirements.

Reason for Recommendation:

To ensure that the Council can influence the direction of changes to national planning policy.

1. Report

- 1.1 The Levelling Up White Paper, in February 2022, proposed a number of changes to the national planning system, to be brought forward through the Levelling Up and Regeneration Bill (LURB). The Bill is currently passing through Parliament and is expected to receive Royal Assent in March or April this year.
- 1.2 A further consultation document was published on 22 December 2022, with comments invited by 2 March this year. This consultation seeks comments on revisions to the National Planning Policy Framework, intended to be introduced in March/April, and asks for views on some of the further changes which would take place after the LURB has taken effect, from late 2024.
- 1.3 The main changes to be introduced this year include:
 - Changes to the five-year housing land supply requirements, removing the need to demonstrate continually a deliverable five-year land supply when plans are less than five years old, and simplifying the five-year land supply calculations by removing the need for buffers;
 - Additional protection for neighbourhood plans, for five years after they are made, rather than two;
 - Changes to the policy on setting housing numbers in plans, providing more clarity about when alternatives to the standard method may be used;
 - Reducing the five-year housing land supply requirement to a four-year requirement, for two years, where plans currently in preparation have reached a certain stage and are continuing under transitional arrangements.

Longer term changes also referred to in the consultation include:

- The removal of the 'Duty to Cooperate' and replacement with an 'alignment test', details of which are to be determined.
- The introduction of National Development Management Policies, as proposed in the Levelling Up White Paper. This would remove the need for these policies to be included in local plans, and the consultation asks some questions about matters that these national policies may cover.

- The timetable for producing new-style local plans, and transitional arrangements for plans currently in preparation. Plans currently in preparation will continue under the existing system but must be submitted by June 2025 and adopted by December 2026. Those not meeting this deadline must start preparation of a new-style local plan in late 2024 when the new system comes into effect and must adopt their new-style plans within 30 months.
 - The proposal that once the new 'Supplementary Plans' (which will require independent examination as part of their preparation) are introduced, existing Supplementary Planning Documents will only continue to apply for a limited time.
- 1.4 The consultation paper asks a series of 58 questions, and proposed responses to each of them are set out in the Appendix to this report.
- 1.5 Many of the proposed changes are welcomed, as they aim to give greater weight to up-to-date development plans in decisions, by no longer requiring the continual demonstration of a five-year housing land supply for the first five years after the adoption of a local plan, and by extending the period of protection after a neighbourhood plan is made. The simplification of the five-year land supply calculations by no longer requiring buffers to be added is also helpful.
- 1.6 There are however some concerns about the proposed transitional arrangements. In particular, the implication is that plans that do not meet the deadline for submission by June 2025 to be prepared under the transitional arrangements, or plans already in progress that councils may prefer to be continued under the new system, will not be able to transfer over to the new system part way through their preparation, and instead will have to be started again from the end of 2024. If this is the case it could act as a disincentive to progress, for those councils that might prefer to progress under the new regime.
- 1.7 The current Local Development Scheme for Dorset Council proposes a programme that would meet the identified deadline for progressing under the transitional arrangements, as it indicates submission in April 2025 and adoption in spring 2026, but this will need to be kept under review.

2. **Financial Implications**

There are no financial implications of commenting on the consultation. Costs of local plan preparation are being met from existing budgets and from reserves.

3. **Environmental Implications**

Dorset Council has committed as one of its 5 key priorities to the protection and enhancement of the natural environment, climate and ecology. The national development management policies will include policies protecting environmental assets and seeking to minimise the impacts of climate change, and these will also be taken into account in preparing local and neighbourhood plans.

4. **Well-being and Health Implications**

Well-being and health considerations will be taken into account in planning and designing new communities through local plans with some elements likely to be included within the national development management policies.

5. **Other Implications**

There are implications for the preparation of the Dorset Council Local Plan, as set out in the report.

6. **Risk Assessment**

HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

7. **Equalities Impact Assessment**

There are no implications of responding to the consultation. There is a question inviting any comments about impacts on protected groups.

8. **Appendices**

Appendix: Responses to Consultation Questions

9. **Background Papers**

The consultation paper is available online at [Levelling-up and Regeneration Bill: reforms to national planning policy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672122/Levelling-up-and-Regeneration-Bill-reforms-to-national-planning-policy-2021.pdf)