

Appendix

Proposed response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation.

February 2023

The consultation is seeking views on changes to national planning policy to support the changes to the planning system that are proposed through the Levelling Up and Regeneration Bill. The consultation runs until 02-March-2023.

The material for the consultation includes proposal for changes that are to be introduced later this year (in April 2023) and a series of more fundamental changes that are proposed to support the wider changes to the planning system. The material includes a tracked changes version of the NPPF with the more immediate changes detailed, and a series of longer-term proposals outlined for comment as a narrative. For the consultation there are a series of questions (58 in total) to which responses have been prepared and are included within this document.

The consultation documents can be viewed online at:

<https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

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1	Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?	<p>Support. The requirement to demonstrate a 5-year housing land supply (5YHLS) only when the local plan is more than five years old is a welcome shift back towards a plan led system. A plan led system is the best way of meeting housing targets and delivering the necessary jobs, infrastructure and environmental protection alongside housing growth.</p> <p>The five-year housing land supply requirement undermines the role of a local plan, making planning unpredictable and resulting in less sustainable patterns of growth. There is also a significant resource strain on planning departments in preparing statements of and defending challenges to 5YHLS and the resulting uncertainty is a cause of anxiety for local communities.</p> <p>It can often be difficult to demonstrate a five-year supply of housing sites at the point of examination of a plan. The main route to boosting the supply is through the adoption of a local plan and therefore there needs to be flexibility built in the five-year land supply requirements for local plans that reach this advanced stage. The clock on this requirement should therefore pause once a draft plan is submitted for examination.</p>

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2	Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?	<p>Support. The buffers add unnecessary complication to the calculation of the 5YHLS and make it difficult for anyone who's not directly involved to understand the approach/reasons for the approach. Removing the buffer will lead to a system where the local plan is given more weight in decision making, enabling development to be focused on the most appropriate locations and realising the benefits associated with this.</p> <p>Good planning involves planning for more than the minimum to allow a contingency to enable delivery rates to be maintained.</p>
3	Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?	<p>Support. Where housing supply comes forward at a different rate than that predicted (due to factors outside the LPA's control) resulting in an oversupply, the LPA should not be penalised for this.</p> <p>The balance of supply against targets should be readjusted when a local plan is adopted but previous oversupply in an LPA area should be taken into account for 5YHLS calculations during the examinations and should be material to considerations of housing delivery when considering the housing supply at the examination of a local plan</p>
4	What should any planning guidance dealing with oversupply and undersupply say?	<p>Final wording is a matter for the Secretary of State but policy and guidance must establish a clear approach to remove ambiguity and prolonged debate at examinations and appeals.</p>

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		<p>Oversupply against a housing target should be a material consideration when examining deliverability against housing targets.</p> <p>The balance of delivery – including consideration of any oversupply or undersupply – against a target, should be reset at the point of examination as market factors are reflected in the affordability uplift built into the standard method for calculating local housing need. This is the current position for any undersupply in housing as set out in planning practice guidance and the equivalent should be put in place for oversupply.</p>
5	<p>Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?</p>	<p>Agree. The expectation that neighbourhood plans should be updated every 2 years is too demanding for many community groups and the amendments to paragraph 14 are therefore welcomed.</p> <p>There is however a need to ensure that neighbourhood plans deliver sufficient homes to meet local needs but also that they do not inhibit the ability of local planning authorities to deliver on the strategic needs of their area.</p> <p>Neighbourhood plans must therefore reflect that growth planned through a local plan may potentially supersede the neighbourhood plan and that neighbourhood plans must fully consider meeting housing needs as part of their preparation.</p>

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6	Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?	<p>Agree that maintaining up-to-date plans should be a priority for local planning authorities. However, there is more to achieving sustainable development than just homes, and it is important to mitigate the impact of all types of development including impacts on biodiversity, climate mitigation, and managing conflicts between different land uses.</p> <p>There are very clear tensions between the national target of 300,000 homes a year, and local communities' views, and a balance needs to be struck. Clarity over targets helps to reduce debate at examination, but flexibility may help local authorities to make compromises that will enable plans to progress to adoption. Guidance is therefore needed about the approach to establishing this target and the weight that will be given to reasonable decisions made by local planning authorities.</p>
7	What are your views on the implications these changes may have on plan-making and housing supply?	<p>We welcome the acceptance that the 2014 household projections, which underpin the Standard Method, are out of date and do not represent an appropriate basis for planning for housing needs.</p> <p>The proposed changes will re-establish a plan led system where an adopted local plan, that is kept up to date, will not be undermined by the actual delivery of homes which is out of the control of local planning authorities.</p>

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Housing delivery is something LPAs have limited control over. This is something that needs to be reflected in national policy. A package of measures could help with this including:

- removing the link between the delivery of homes and the presumption in favour of sustainable development unless delivery is as a direct result of too few planning consents being delivered,
- amending the link between deliverability of sites and planning decisions by removing the five-year housing land supply requirement,
- requiring developers to submit on an annual basis their plans for delivering housing on consented sites within the LPA's area and enabling that information and the recent past performance of developers in a local area to be taken into account in planning decisions.

We welcome the recognition of local constraints when establishing housing need but guidance on how this should be taken into account must be given to limit debate at Local Plan examinations. Establishing some parameters for this consideration of constraints is essential. A list of relevant constraints and an approach to assessing their influence on housing targets is necessary to give certainty to local planning authorities, communities and the development industry.

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		<p>The net result may be a reduction in housing targets compared against the 300,000 new homes per year national target but by getting local plans in place, more councils will start to deliver housing and therefore the actual delivery of homes against targets in adopted local plans will increase. The 'stick' of not having a plan in place (or an out of date plan), or not granting sufficient consents to enable some flexibility / contingency will remain for persistent underperforming councils.</p> <p>Further justification is however needed for the legitimacy of the 300,000 homes per year target given the recent economic and social shocks that have hit the country.</p>
8	<p>Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?</p>	<p>It is important that the parameters for demonstrating the exceptional circumstances for deviating from the calculation of local housing need are established at the national level. These parameters should establish the broad principles but enable local circumstances to be reflected in the final housing target – whether this is above or below the target derived from the standard method.</p> <p>It should be established that as long as a local planning authority is being reasonable, their view should be the basis for the housing target. The characteristics of an area are known best by those who represent that area and therefore some local discretion to enable this should be built in to the revised national policy.</p>

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9	Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?	<p>National policy needs to set out clearly what can be considered however there are often multiple ways of interpreting national policy / guidance. The principles should therefore be as precise and unambiguous as possible.</p> <ul style="list-style-type: none">• Green Belt review – national policy should enable the review of Green Belt and recognise that it is a policy rather than absolute environmental constraint. Some Green Belt release is often more desirable when weighed against other alternatives which would see development take place in less sustainable locations further away from the facilities and services needed on a day to day basis. Protecting Green Belt can often push development to more sensitive locations such as areas designated as AONB.• Densities – national policy should not refer to the broad metric of 'densities' as increasing densities could be acceptable in a location if development was of an exceptional design quality that respected the character of the area. Placemaking and the use of design codes should be the route to establishing where the density and design of a development needs to be sensitive and therefore where a reduction in numbers would be justifiable. Resources are needed to enable design codes to be produced and maintained.• Over-delivery in past plans is reflected in demographic and market signals in a similar way that under-delivery is currently. The target for inclusion in a local plan should therefore be rebased at the point a local plan is taken through examination and not taken into

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		<p>account in establishing the housing targets for a local plan. Over supply and undersupply against the target should be factored in when considering five-year housing land supply and considered when assessing deliverability of housing against targets at local plan examination.</p> <p>The Written Ministerial Statement from SoS on 06 Dec 2022 set out the approach to establishing a housing target. The detail of this is missing from the statements within this consultation. Specific points in this letter include:</p> <ul style="list-style-type: none"> • Planning Inspectorate should no longer override sensible local decision making. • It is up to local authorities to determine how many houses should be built in an area taking into account what should be protected – green belt, national parks, character of the area, heritage assets <p>The consultation material only sets out three conditions where it would be acceptable to deviate from the calculated Local Housing Need. Clarification is therefore necessary as to the full list of issues that can be considered as suggested in the 06 Dec 2022 Written Ministerial Statement.</p>
10	Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could	This mainly applies to urban areas where intensification is the main source of housing delivery against targets. Good design described thorough design codes should offer a route to establishing this and giving

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	only be met by building at densities significantly out of character with the existing area?	protection to those areas where intensification would be significantly out of character with an area (e.g. on heritage assets). Clarification is needed on what degree of harm would be represented by 'significantly' out of character.
11	Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?	<p>We welcome the requirement for proportionate evidence to justify growth (housing and employment) requirements. However, there will continue to be a need for evidence to support the approach being taken in the local plan (as set out in paragraph 31 of the NPPF) to enable the Inspector at examination to consider the approach proposed. The evidence is also a material consideration when making decisions using policies in the development plan. The amendments to the test of soundness are therefore unlikely to make a significant difference to the preparation of and evidence requirements for local plans.</p> <p>Development sites need to be deliverable, and evidence will be needed to demonstrate that on-site issues can satisfactorily be addressed. Developers promoting these sites through the local plan process will therefore need to provide evidence to enable this evaluation.</p> <p>It is essential that circumstances where undeliverable proposals are incorporated into plans without an appropriate delivery mechanism are avoided e.g. – an aspiration for a new road that does not have any funding. The avoidance of this scenario needs to be made clear within revised policy.</p>

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12	Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?	Although local plans at a very late stage in production may well have been prepared against the current tests of soundness, the revised tests of soundness provide a reduced burden against which local plans will be assessed. The revised tests should apply to all local plans as an incentive to press ahead with their production and Inspectors at examination should take them into account. Any local plan prepared against the current tests of soundness should be able to pass against the revised tests.
13	Do you agree that we should make a change to the Framework on the application of the urban uplift?	Yes – the uplift should be met within urban areas to increase population density within these centres and realise the benefits of this. This approach makes best use of existing infrastructure and is likely to give greater priority to the reuse of brownfield land.
14	What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?	<p>Specific areas where guidance may be helpful include:</p> <ul style="list-style-type: none"> • Guidance on design and intensification especially around heritage impacts • Guidance on open space provision and need for public and private open spaces • Guidance on meeting the needs of families who would benefit from additional indoor and outside garden space

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		<p>Other forms of guidance may also be helpful but there are other issues that will severely restrict the ability of local planning authorities to meet their urban areas uplift. These include the capacity of existing infrastructure and the opportunities for providing additional infrastructure in areas where housing pressure (and therefore land values) is high and the ability of developments to deliver biodiversity net gain within the local authority area.</p>
15	<p>How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?</p>	<p>Neighbouring authorities should not need to consider unmet need from adjoining areas other than where there is agreement between local authorities that such an approach would deliver benefits. Any guidance in national policy should be light touch and for the basis for discussions rather than mandating them. Guidance should also recognise the benefits of meeting housing need, including the urban uplift within the urban local authority area to capitalise upon existing infrastructure and to support sustainable travel options.</p> <p>The legal duty to cooperate has become a barrier for local planning authorities in getting local plans in place and therefore its removal is strongly supported. There is however uncertainty over the proposed 'alignment policy' which will not help local authorities to progress with their local plans; some detail on this is needed as soon as possible.</p>

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16	Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?	<p>An alternative approach would be a tier of strategic planning sitting above local plans produced by local planning authorities.</p> <p>Yes, relief from the requirement to maintain a five-year housing land supply is needed as it gives local authorities an opportunity to focus resources towards plan production rather than in defending the position at appeal. Currently, there are frequent challenges to the published five-year supply position even when the deliverable supply is significantly over the requirement, and it takes considerable resource to defend this position.</p> <p>The reduction in the supply requirement from five years to four years is welcomed however the two-year window over which this is in place is a relatively short period. During the period running to examination and during the examination itself, there can be several factors that delay a local plan's progression which are out of the control of the local authority especially in a large and complex area such as Dorset. The two-year period should therefore be paused at the point of submission of a local plan with the four-year supply requirement being in place until the local plan has been found sound and adopted. The four-year protection should also apply to plans brought forward under the new system, to enable a focus on plan delivery.</p>

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17	Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?	Yes – If national policy is shifting towards greater consideration of constraints when setting development requirements, this should apply to all emerging plans. The effect of not allowing the reduced policy burden to apply to new local plans may result in emerging plans being paused until they can progress under the new approach, which would delay their adoption.
18	Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?	<p>Yes, the proposed approach would be a good addition to the housing delivery test with measurement being fixed each time the test results are published. Local planning authorities have limited influence over the delivery of homes other than by granting planning consents. Building a 'switch off' of the presumption in the housing delivery test would recognise this fact and enable the plan led system to continue to be effective.</p> <p>The introduction of the consideration of the number of planning permissions granted as part of the housing delivery test would have a similar effect as the five-year housing land supply requirement and therefore removes the need for its continued application.</p>
19	Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of	Yes, it seems reasonable as a default value. A clear standard approach to this is welcomed as it removes the opportunity for challenge and for alternatives to be suggested.

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	sustainable development Housing Delivery Test consequence) is appropriate?	
20	Do you have views on a robust method for counting deliverable homes permissioned for these purposes?	<p>Currently local planning authorities submit annual returns for both Housing Flow Reconciliation and for Housing Delivery Test purposes. This would therefore be a convenient route for local authorities to submit the necessary information on the number of homes granted planning consent.</p> <p>There is a need for this measure to take into account all types of planning consent for new homes. A total value of new homes consented should be the sum of all full, outline, reserved matters and permission in principle consents as these all count towards the overall supply of homes.</p>
21	What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?	<p>The housing delivery test results should reflect the new approach being proposed as soon as is practical to do so. Data has been submitted for the 2022 year and local planning authorities are waiting for the results of the housing delivery test to be published so that they can establish the buffer to be applied to the five-year housing land supply target. It is therefore suggested that the new approach, including new information on the number of homes with planning permission, is implemented from 2023 onwards.</p>

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22	Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?	Yes – the general view of local people is that ‘affordable homes are not affordable to local people’ but the requirement for Social Rental homes has a higher delivery cost associated with it that would divert funds away from delivery of infrastructure and other benefits. A national policy requirement for a fixed amount of social rent (25%) on all sites that deliver affordable housing would help to meet local need and would ensure that developers consider this as part of their development scheme at the outset.
23	Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people’s housing?	<p>There is a significant need for more older person’s accommodation however, it is important that this was not delivered at the expense of other types of much needed housing for example housing for families, those of working age and those who cannot afford to buy their own home. Delivery of elderly persons’ housing can also encourage more elderly people to move to an attractive area such as Dorset which causes further strain on public services.</p> <p>Housing for older people needs to be focused on enabling independent living. This reduces the need for specialist housing for the elderly which is more expensive for residents than independent living. Often residents move into expensive care homes and stay until they are unable to pay the high costs at which point the local authority is expected to step in and provide the often higher level of care needed. Ensuring adequate provision of local authority housing for elderly people needs to be</p>

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		<p>supported with appropriate funds. One way of securing the building of housing for the elderly would be by requiring those who build market elderly persons' accommodation to pay a contribution towards local authority housing however this approach would need support in national policy.</p> <p>The creation of a use class to cover the different types of care housing would help local authorities to manage provision so that it is target towards meeting the needs of the area. A use class for extra care housing, separate from that for a typical dwelling house would enable a distinction to be made for establishments where care was provided. This would enable an appropriate level of contribution towards local authority provision of care to be secured where this was desirable. There is already a use class for residential institutions that covers nursing care and therefore the creation of an additional use class for extra care housing (or housing with on-site care provision), would be an easy amendment to make that would give clarification to both developers and local authorities.</p>
24	Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?	Support the aim of encouraging the development of small sites in order to diversify housing supply. Once consented they can be relatively quick to deliver. This means that those listed in a local plan are often built before the plan is adopted.

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		<p>The policy must be targeted towards achieving the desired boost to land supply and to smaller developers within an area and therefore flexibility should be built in to reflect the characteristics of the local housing market. Small sites make up a significant proportion of the housing delivery in Dorset however there is a gap in sites of between 30 and 70 homes. The site size requirement should therefore be flexible to respond to local circumstances.</p> <p>Larger sites bring about economies of scale in delivering infrastructure and potentially wider improvements to a local area. Over reliance therefore on small sites can result in infrastructure being difficult to deliver at the same pace as development.</p>
25	<p>How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?</p>	<p>Affordable housing is restricted on small sites through the limitations in national policy preventing local policies from requiring affordable housing on sites of less than 10 dwellings (except in rural areas). Removal of this restriction and making reference to development viability, may result in more affordable homes being delivered.</p> <p>It may be appropriate to amend national policy to indicate that more weight can be given to sites that deliver a significantly greater proportion of affordable housing above that required by local policy.</p>

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26	Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?	<p>Support – Exception sites, community led housing schemes and sites identified in neighbourhood plans are all routes that can help to deliver affordable housing, and these are supported.</p> <p>We recognise the role of community groups in delivering housing to meet local needs. Removal of the restrictions that make it more difficult for these groups to deliver homes would further enable local needs to be met through community led housing. In addition, if these groups could more easily access Homes England funding, that would further enable delivery of affordable homes.</p> <p>However, there is a need to ensure that appropriate protections are in place for tenants of affordable housing delivered and managed by community groups and that the affordable housing remains affordable in perpetuity.</p>
27	Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?	<p>Currently exception sites are, by definition an exception to adopted development plan policy. They work by capturing the uplift in land value from the granting of development consent and funnelling this uplift into the delivery of affordable homes. If a mechanism could be included in national policy to enable ‘exception sites’ to be identified and allocated in a local or neighbourhood plan whilst still capturing the uplift in land value for affordable homes, that would increase delivery.</p> <p>Restrictions on size and location should be removed with the normal planning considerations being used for decision making. The presumption</p>

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		<p>should be that homes are for 100% affordable housing on exception sites in perpetuity with no mechanism for market homes as permitting market homes increases the expected return to a landowner thereby increasing land values.</p>
28	<p>Is there anything else that you think would help community groups in delivering affordable housing on exception sites?</p>	<p>Supportive local plan policies, availability of grant funding, and proactive enabling work by local authorities working with local communities are effective means.</p>
29	<p>Is there anything else national planning policy could do to support community-led developments?</p>	<p>No comment</p>
30	<p>Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?</p>	<p>Developers who are performing badly should face the consequences of this. However, poor past behaviour can be difficult to demonstrate. Enforcement issues for example are often resolved once an issue has been raised and slow build-out can often be down to exceptional site characteristics and external factors. Perceptions of poor performance may also be subjective.</p> <p>There are instances where developers secure consent on a site and subsequently apply to amend the scheme with a greater density or different layout which may be less acceptable however the original</p>

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		<p>consented scheme acts as a fall back making it difficult for the local planning authority to refuse a consent for the amended, more harmful scheme. Addressing this issue would help to reinstall confidence in the planning system.</p> <p>Unreasonable behaviour in one local planning authority area will be difficult to pick up in another area unless a national database of developer performance throughout the application and development process is put in place.</p> <p>The quality of a developer's final product should be able to be taken into account. This could be measured through the use of design metrics established through design codes.</p>
31	Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?	<p>Of the two options, Option 1 is the better approach as it offers the ability for a decision taker to consider any exceptional circumstances that may exist with past performance such as a difficult development site. However, the ability to refuse to register applications from poorly performing developers would have fewer resource implications for local planning authorities.</p>
32	Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more	<p>Submission of information about build-out on an annual basis would be helpful and provide evidence of poor performance against the proposed target on a site. Where a developer proposes to delay the</p>

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	quickly? Do you have any comments on the design of these policy measures?	<p>commencement of development for a number of years, this could then be taken into account in decision making in the future. However, removing permissions does little to speed up delivery of housing and meeting housing targets overall.</p> <p>National policy could establish that when a developer makes a technical start to keep the permission live but does not then make progress towards delivery, they lose the right to continue with the scheme.</p> <p>Any proposals need to reflect the two-stage process of outline and reserved matters consents and the fact that development land can be sold to a different developer before being built.</p>
33	Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?	Yes, emphasising the role of beauty and placemaking in national policy would provide a policy hook for local policies where additional detail could be added to set out what beauty looks like in the local context. This will however have a resource demand for local authorities.
34	Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?	<p>There is a need to define what beauty is in the planning context. The term is subjective and therefore there is a need to set out how it could be measured to enable robust decisions to be made that are also supported at appeal.</p> <p>There is also a need to define what level of detail needs to be described in order to deliver beauty. Is there a need to define beauty at the building</p>

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		scale? Does it need to include parameters for pedestrian routes? There also needs to be consideration given to the functionality of a development rather than just the aesthetics.
35	Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?	Agree
36	Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?	There is no need to specifically mention one particular route to delivering increased densification when there are many options available. Giving addition weight to this option in national policy removes some of the ability of local authorities to consider alternative approaches that may be more appropriate in certain situations. Adding the detail of mansard roofs to strategic national policy is unnecessary detail.
37	How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?	As with current requirements for a planning application to be submitted for consent to lay impermeable paving for a driveway, the laying of artificial grass should also require planning consent. There will be instances where it would be acceptable such as for sports pitches, but in

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		<p>most instances the environmental impact is significant and outweighs any benefit.</p> <p>Other routes to establish small scale measures should form part of best practice/guidance produced at a national scale. Small scale measures should not contribute to biodiversity net gain as these are unlikely to deliver the objectives of the biodiversity net gain policy.</p>
38	<p>Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?</p>	<p>The approach of considering the availability of agricultural land for food production lacks clarity. Should this assessment be constrained to the availability of land within a local planning authority area or within the context of the country as a whole? Should the assessment consider availability of the differing grades of agricultural land? At what threshold would a cut-off be applied to say that there is insufficient land available for food production?</p> <p>A possible consequence of the approach proposed is that greater pressure is placed on non-agricultural land such as sites of high ecological value or recreation sites. There is also the potential for development to be directed to areas that are less sustainable than others resulting in increased travel.</p>
39	<p>What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would</p>	<p>Establishing stronger links between transport planning and local planning is seen as a positive step. It is essential that any carbon assessment process builds in consideration of the climate impacts of the location of</p>

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	incorporate all measurable carbon demand created from plan-making and planning decisions?	<p>development and the climate implications of this – some rural locations have limited opportunities for sustainable travel choices to be made.</p> <p>Any approach to measuring or evaluating climate implications should include a simple to use tool that can compare different options at plan making stage. A more detailed scoring of development proposals at the application stage would then help to understand the implications of the proposal. These implications should be capable of being material considerations in planning decisions.</p> <p>Any climate impact assessment should include consideration of the:</p> <ul style="list-style-type: none"> – Location of development – Public transport connectivity/walking and cycling – Building fabric energy efficiency – Renewable energy use – Overheating and ventilation – Water consumption and disposal – Flood water management – Green infrastructure – Broadband and electric vehicle charging infrastructure
40	Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?	Nature based solutions should be the default unless there are justifiable reasons for alternative engineered solutions. Responding to climate change must include the need for maintaining comfortable living/working conditions within buildings. Consideration should therefore be given to

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		<p>temperature, ventilation, light, shading etc. without creating an additional energy demand that cannot be satisfied at the building level through renewable energy.</p> <p>Adaptation to flood risk covering all sources of flood risk is considered appropriate however there needs to be some additional guidance around consideration of flood risk from certain sources where the accuracy of the modelling data is lower than others. This can cause problems when comparing and considering flood risk from all sources through the sequential and exception tests.</p>
41	Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?	Yes
42	Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?	Yes
43	Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?	<p>The general move towards a more permissive approach to wind development is supported.</p> <p>Due to its scale, large-scale wind energy development is strategic, and the implications and impacts are strategic. To rely on a local community's</p>

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		<p>opinion or relying on a consent through a neighbourhood development order has the potential to ignore the strategic issues. Early community engagement should take place through the normal planning process, and this should highlight potential issues that need to be addressed through an application. This early community engagement should take place across the area where the impact will be felt and not just within a Neighbourhood Area as would be the case with the Neighbourhood Development Order route.</p>
44	<p>Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?</p>	<p>Giving significant weight to improvements in energy efficiency in existing buildings is supported. There is a need to consider the impact on heritage assets to ensure that the most appropriate measures are deployed to deliver improvements in energy efficiency whilst minimising harm to the heritage asset.</p>
45	<p>Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?</p>	<p>There are a number of positive changes proposed to the plan making system that will help local planning authorities to develop and adopt their local plans. These changes will be attractive to many, especially where the duty to cooperate or other aspects of the current system have been a stumbling block, and therefore delaying their implementation will act as a disincentive for them to get a local plan adopted.</p> <p>It is recognised that the new system involves legislative changes and so cannot legally be followed immediately. But it would be helpful if a clear</p>

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		<p>pathway were identified enabling plans to be shifted to the new system part way through preparation, rather than the suggested transitional arrangements which appear to offer only the options of progressing under the current system or waiting to start a new plan at the end of 2024. This would also ensure that previous evidence and consultation results were taken into account.</p>
46	<p>Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?</p>	<p>A requirement to start with the new system from late 2024 is proposed with a 30-month time restriction to getting a local plan in place. Although the intention is for a local plan to be simpler and shorter, and many of the processes that slow down plan production (such as duty to cooperate and five-year housing land supply requirements) are proposed to be amended, a 30 month time restriction is still ambitious especially given the ambition for greater community engagement in plan making. The time taken to process and consider responses to consultation can add significantly to the local plan production process.</p> <p>With the transitional arrangements for moving forward with the new planning system being restricted to a start in late 2024, many local planning authorities will cease with their current local plan work in favour of the new system. The transitional arrangements favour those who wish to continue with the current arrangements rather than those who wish to start with the new system. During this period of uncertainty and change, protections from speculative applications should apply to all local</p>

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		<p>authority areas in order to free resources to develop new style local plans rather than resources focused on defending appeals. This would reinforce the importance of the planned system and the multiple benefits that can come from this.</p> <p>It should be made clear as soon as possible what a new style local plan should include and the arrangements (including timings) for the first examination of these new plans.</p>
47	<p>Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?</p>	<p>The approach proposed seems reasonable as it allows neighbourhood plan groups a reasonable amount of time to transition to the new approach.</p>
48	<p>Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?</p>	<p>No. It is important that SPDs remain in place for a transition period that allows for their review and replacement with Supplementary Plans. Some adopted SPDs are fundamental to delivery of new housing by setting out the mechanisms for securing habitats mitigation. These are often prepared jointly across local authority boundaries. These SPDs will need to be replaced by new Supplementary Plans. This will all require time and resources at the time that new style local plans are being produced, creating a significant resource burden for local authorities. There should be a two-year period after the adoption of a new style local plan within</p>

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		<p>which all SPDs will need to be reviewed and replaced by Supplementary Plans if necessary, after which, they would no longer take effect.</p>
49	<p>Do you agree with the suggested scope and principles for guiding National Development Management Policies?</p>	<p>The proposals that “will give all parts of the development plan more weight in decisions so that there must be strong material considerations to depart from them” is very much supported. The planned system gives greater certainty to local people and to infrastructure and service providers enabling them to plan future provision more effectively.</p> <p>The approach of National Development Management Policies is therefore broadly supported. The proposed further consultation on the exact scope of these policies is something that is welcomed. There may be a need in some locations to depart from the National Development Management Policies to reflect local considerations and it is important that there is the freedom to do this within the proposals.</p> <p>National Development Management Policies must therefore be truly applicable nationally and consistent with other priorities such as those on Climate Change and Environmental Improvement.</p>
50	<p>What other principles, if any, do you believe should inform the scope of National Development Management Policies?</p>	<p>There needs to be consideration of the implications of the National Development Management Policies for development. If a cost is associated with one of the new policies, it may make development in</p>

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		some locations unviable which will harm the ability of local authorities to deliver the homes needed in that area.
51	Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?	Yes. A 'pick and mix' set of National Development Management Policies may be the best approach where LPAs could include policies that were relevant and fitted their area. The 'gateway' approach to examination would be a useful test of the need for local policies.
52	Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?	Biodiversity Net Gain principles, heritage assets, flood risk sequential and exception test parameters, Sustainable Drainage Systems, AONB.
53	What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?	National policy should be empowering local planning authorities to deliver the development that's right for their area and that meets their local priorities. The inclusion of too much detail prevents innovative and locally responsive approaches – though the principle of national development management policies so as to reduce the detail necessary in local policies is supported. A focus on education hubs for specific sectors linked to research and development, would help to deliver against the levelling up objectives.

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		<p>These would however involve additional investment and infrastructure including full fibre internet connections to each new building.</p>
54	<p>How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?</p>	<p>In predominantly rural areas like Dorset local businesses have a desire to remain within their local area and this gives these towns a depth of character and well-being – the economy of a market town is spread across many sectors. There is little desire from these businesses to move from their original base and therefore it is difficult to diversify the local economy unless there are incentives for employers to move into the area.</p> <p>Employment land is allocated to enable local businesses to expand and for new businesses to start. However, there is pressure on local planning authorities to consider favourably applications on this land for uses where there is an unmet need in the area. This often creates an argument for out of centre retail or residential development which fragments the provision of employment land, stifling the ability of the local economy to expand. Removal of this requirement would help in securing economic growth.</p>
55	<p>Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?</p>	<p>Brownfield estimates form an important part of housing supply but are often difficult to rely on as greenfield sites are generally more attractive for developers. The complexities of developing brownfield sites and the associated challenges around viability contribute to this uncertainty. A</p>

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		<p data-bbox="1019 367 1993 438">national scheme to help unblock problematic brownfield sites would help in delivering the objectives of intensification in urban areas.</p> <p data-bbox="1019 462 1993 805">The presumption in favour of sustainable development, the requirement to demonstrate a five-year housing land supply and the duty to cooperate undermine the approach to developing brownfield first as often enables consent for greenfield sites to be achieved through the appeal route when supply and delivery fall behind target rates. This puts further pressure on greenfield sites and there're the changes to national policy to remove the duty to cooperate and to loosen the five-year housing land supply and presumption in favour of sustainable development requirements is welcomed.</p> <p data-bbox="1019 829 1993 941">It is important that what is meant by 'gentle densification' is understood and that development in urban areas reflects local character and the capacity of infrastructure to serve the increased population.</p> <p data-bbox="1019 965 1993 1197">Town centre retail has been undermined by the shift to online shopping and by out of centre retail parks. Tackling vacant premises in town centres will help in enhancing their appeal and improve their vitality as will a good range of independent shops. Any changes in use should be managed through the planning system and not through permitted development. This would help town centres to maintain their vitality.</p>
56	Do you think that the government should bring forward proposals to update the framework as	A design-based approach is best with a strong 'hook' in national policy. Certain elements could be emphasised more in the national design guide,

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	<p>part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?</p>	<p>for example having public spaces with multiple entrances and exits so that if someone feels threatened in a public space, there are escape routes available. As well as safety, this is about fairness/equality and health. If we are not providing the right types of spaces than some groups just won't use them which isn't fair and impacts negatively on physical and mental health. More detail on design approaches would be helpful – including features like circular paths, better lighting, smaller sub-divided spaces and sociable seating for example. Consideration does however need to be given to light pollution arising from additional lighting especially in rural areas and areas protected for their dark skies.</p> <p>A further element that national policy could strengthen is the provision of inclusive public open spaces and play spaces that address the specific needs of young and teenage girls. Sports pitches/multi-use games areas are then usually dominated by men and boys do not necessarily meet the needs of women and girls and may not be what a community want or need in the first place. Further guidance on different types of open space and play space is therefore important to address the over-reliance on fields in trust standards.</p>
57	<p>Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?</p>	<p>The use of GIS would be helpful as would a review of regulations/ policy requirements around the need for paper copies of local plans etc. leaving it up to local authorities to decide if they wish to make paper copies available.</p>

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58	We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.	No comment.