

## APPENDIX 1

### RESPONSES TO CONSULTATION QUESTIONS

(Best read in conjunction with the consultation document, [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system), as not all of the questions are self-explanatory)

***Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?***

We agree that it is clearer and more straightforward for housing numbers not to be 'advisory' only, and that mandatory targets are more likely to be met. However, the proposed new methodology results in extremely high and unrealistic targets for many areas, and it is essential to recognise that many councils will be unable to meet them due to constraints. We have set out our concerns about the proposed new methodology and the effects that it would have on the numbers for our area, under questions 15-19 below.

***Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?***

This reference was particularly important in relation to the current standard methodology, as household projections were a key element of it, and in some areas there could be issues with these projections that meant that they were not an appropriate assessment of future demand. If percentage uplift against existing housing stock is used, rather than household projections, the need for this reference is not as great. We do however have concerns about the proposed methodology as set out under questions 16-17. And if there is to be no option of an alternative approach to assess housing need, it is all the more important that there is the option to set a lower target in the local plan on the basis of local constraints, as set out in chapter 3, paragraph 6 of the consultation document. The high figures resulting from the proposed standard method means that many more councils will need to do this.

Should supply figures be assigned to mineral planning authorities, then the ability to set lower targets on the basis of constraints would also be necessary for them.

***Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?***

We support the principle behind the uplift, of focusing development at the largest most sustainable settlements and increasing population density within them, in order to make best use of existing infrastructure and give greater priority to the reuse of brownfield land. We do however recognise some of the disadvantages raised in the consultation paper, including the fact that the uplift focused only within the boundaries of those towns, and was not an evidence-based figure.

***Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?***

Yes, this is supported as it helps to make efficient use of previously-developed and well located land. Higher density development usually results in shorter journeys to access local amenities, services and facilities, which can be undertaken by active travel modes. Generally, the lower the density of development, the greater the distance people have to travel to access their local daily needs and the greater the likelihood of this being undertaken by car. We agree with greater density development in suitable locations where appropriate. The previous wording could be used by councils to give undue protection to low density areas, and to reduce opportunities for development.

***Question 5: 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?***

Yes, this is supported as it focuses the effort where it is most needed. Design coding, while potentially a valuable means of delivering better quality development, is challenging, costly and time consuming, and there is little experience to date of authorities creating successful area-wide codes. Coding for extensive areas is challenging due to the diversity of settlements and character. We therefore support the change in focus, enabling councils to put their limited financial resource into the preparation of localised design codes, masterplans and guides for areas of greatest change and potential.

***Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?***

Yes, the clarification that the most important policies are those for the supply of land is sensible, and we welcome the addition of explicit references to policies for the location and design of development and for securing affordable homes needing to be considered when the presumption is engaged. We agree that development needs to be in the right location in terms of sustainable travel connectivity so that it is not car dependent. There is a strong risk of the presumption being used to justify poor quality or inappropriately located development, and it is vital that it does not have this effect.

***Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?***

No – the previous change that no longer required this within five years of a plan being adopted was welcome shift back towards a plan-led system, and an incentive for councils to keep plans up to date. The five-year housing land supply requirement undermines the role of a local plan, making planning unpredictable for all involved, and resulting in less sustainable patterns of growth. Demonstration of the five-year land supply takes significant time and effort for both local planning authorities and developers, including at appeal inquiries. Maintaining a continual supply is also difficult during the early years after a plan's adoption, as larger allocations may take longer than five years to deliver housing, so the requirement to maintain the five-year

supply during those early years seems contradictory to the aims of a plan-led system.

***Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?***

This is presumably deleted because of its reference to past shortfalls and over-supply, which are no longer to be taken into account, but there is potentially still a role for references to national planning guidance on calculating supply.

***Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?***

No, as the inclusion of sites in the supply is already subject to rigorous testing, and normally takes a precautionary approach. Good planning already involves planning for more than the minimum, in order to allow for contingencies, and where there is a pipeline of allocated sites or larger SHLAA sites that may gain full permission during the year and therefore become 'deliverable sites' having not been included previously, this in effect forms a buffer and could be taken into account.

***Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?***

N/A

***Question 11: Do you agree with the removal of policy on Annual Position Statements?***

No - while it is recognised that very few councils took up this opportunity, it had the potential significantly to reduce the time taken defending five-year land supply in relation to individual applications and appeals. This can be very labour-intensive for both local planning authorities and appellants, and the Annual Position Statement could improve the efficiency of dealing with this matter in appeals in particular. The Annual Position Statement, being produced once a year, removes the need for housing land supply to be addressed at multiple appeals throughout the year. The process of confirming the five-year supply position could conclude that a local authority does not have a sufficient supply, but this is preferable to continually having to defend the supply position at appeals.

***Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?***

We agree that effective cooperation on cross-boundary and strategic planning matters should be supported through the planning system. In terms of transport-related proposals for example, these are often strategic in nature and will have cross-boundary implications which require a joined-up approach between neighbouring authorities. It is not clear however that the amendments strengthening the current duty to cooperate will actually improve cooperation, in particular in relation to housing numbers – the fact is that it is extremely difficult politically for councils voluntarily to agree to take higher housing numbers in order to meet the

needs of neighbouring councils. The duty to cooperate should be tested as a soundness issue rather than a pass/fail legal test, to allow for plans that are at different stages in production and to reflect the difficulties in reaching agreement on some issues.

The longer-term proposal for more comprehensive strategic planning is welcomed, as a stronger means of developing cooperation and sound planning across larger areas. This is particularly important for minerals and waste planning as well as planning for housing and infrastructure provision.

***Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?***

Yes, we agree that the deliverability evidence requirements may be difficult for longer-term strategic proposals. As long as there are no fundamental issues preventing the delivery of a site, the detail of phasing can be dealt with through subsequent discussions once the allocation is made.

***Question 14: Do you have any other suggestions relating to the proposals in this chapter?***

No.

***Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?***

We understand that this is intended to provide a more stable baseline but are concerned that it simply proposes more housing where housing already exists, rather than reflecting local need or demand in any way. The trend-based approach reflects the likely future change in households and therefore more closely reflects what may happen in an area. The use of housing stock, whilst more stable, does not reflect what may happen in the future especially in areas of high birth/death rates.

It is however important that up-to-date projections are used, rather than the continued use of the out-of-date 2014 projections as required currently. Allowing the housing targets to be fixed at a certain stage of local plan preparation can avoid the effects of fluctuations in the projections – and in any event, affordability ratios have previously been updated every year and so have resulted in greater fluctuations than the household projections, which are updated every two years and are based on ten-year averages.

***Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3-year period for which data is available to adjust the standard method's baseline, is appropriate?***

Yes, if affordability uplifts are to be applied, then taking a 3-year average provides greater stability, and buffers against the annual fluctuations in this figure.

***Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?***

No, the weighting of 0.6 appears somewhat arbitrary, is too high and results in targets that are unachievable and liable to be environmentally damaging in areas with many environmental constraints such as National Landscapes and Habitats sites. For Dorset, for example, the resulting figure is twice as high as the recent level of housing completions. In the language of the consultation (para 19a, referring to the previous targets for London) it is 'removed from reality'. We suggest continuing with the current weighting of 0.25. Alternatively, capping should be retained, to ensure that figures generated remain deliverable in areas with high affordability ratios and many environmental constraints.

Housing supply is not the only factor behind house prices, the main factor behind historic house price rises having been the availability of finance. House prices are also only one side of the affordability ratio, the other being local incomes. There is some connection between the supply of new homes and house prices (though it is more complicated in reality than simple supply and demand). But increasing housing supply will not necessarily increase local incomes, in areas such as Dorset where there is a low wage economy, including the care and tourism sectors, and linked with its attractiveness as a holiday and retirement destination.

***Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?***

No suggestions

***Question 19: Do you have any additional comments on the proposed method for assessing housing needs?***

As above, the figures that the method generates need to be realistic. The figure for Dorset (3,230) is nearly twice the average annual completion rate, and in our view is not a realistic target given the constrained nature of Dorset, its lack of major industry/employment, and relatively poor transport connections. We consider moving completions towards the current standard method target (c.1,800 dpa) to be a realistic challenge.

National targets, both the previous 300,000 a year (which has only very rarely been met, and only in the days when half of the completions were council housing) and the proposed 370,000 a year, are not based on evidence of need and are not justified. Targets based on more accurate evidence of need, including population growth, net migration and evidence of 'hidden households' would provide a sounder basis for explaining to local communities why additional housing is necessary.

Ultimately, there is a need for proper strategic planning at a higher level than individual local authorities, so that the distribution of housing numbers takes account of policy and constraints, rather than identifying 'policy-off' targets at individual council level.

In addition, achieving the proposed increase in house building nationally would require significant increases in mineral supply. Planning to meet the future need for aggregate is currently based on the average aggregate sales over the previous ten

years, and for various reasons these average sales have generally been declining. The aggregate landbank is not being replenished at the rate at which it is being used, and this shortfall could become a constraint on future built development. Although not a specific aspect of the current consultation, Government is urged to consider how best to secure future aggregate supply is available when needed. Prior to 2011 there was a national system of apportioning aggregate need at regional and sub-regional levels, to be applied in minerals local plans, and some similar method is necessary to ensure an appropriate level of future supply.

Increased levels of housebuilding also have the potential to increase the amount of sand and gravel sterilised in the ground by being built over. It is noted that prior extraction is expected, but this can be difficult to achieve in practice. Government is urged to raise the profile of prior extraction and possibly to propose a pragmatic approach to achieving prior extraction whilst increasing the level of built development – seeking a level of extraction that saves some of the mineral and also allowing building to proceed with minimal delay.

***Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?***

Agree that it is important to encourage the principle of brownfield land being developed, though brownfield sites are already normally regarded as acceptable for development.

***Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL (previously-developed land) in the Green Belt?***

Yes.

***Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?***

This might be a good opportunity to amend the definition of PDL into something more logical / easily understood. The addition of residential gardens in built up areas into the list of PDL exclusions was the response of the previous government to 'garden grabbing' - however, infill development provides a valuable source of windfall completions, and so perhaps should have greater support in national policy.

***Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?***

Yes, but have some concerns that the review of Green Belt to meet development needs should focus on identifying the most sustainable and appropriate sites for development, rather than necessarily land that has been identified as being of lower quality but may not be as well located. Green Belt is an urban containment tool rather than a designation relating to environmental quality: development of isolated 'grey belt' land would not meet its objective.

**Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?**

Yes, this may be a risk, for example by providing a perverse incentive for minerals site operators to avoid restoration of their sites.

**Question 25: 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 guidance in paragraph 10 of the consultation document, proposed to be included in the NPPF glossary, is helpful. Planning practice guidance could be used to expand it if necessary.

**Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?**

Yes, the considerations are appropriate

**Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?**

Yes, agreed that they could play a role, coordinated with local plan preparation

**Question 28: 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?**

Yes, we agree that the release of land in the right place in terms of sustainable travel connectivity is critical to delivering sustainable development. Previously-developed and 'grey belt' sites may in some instances be more sustainable options for development and this flexibility is therefore helpful. But it is important that the most sustainable locations are the focus of any Green Belt release for development – and this may not involve previously-developed or poor-quality land if it is not appropriately located.

**Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?**

Yes

**Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?**

Agreed, but as stated earlier it is essential that such development is sustainably located and that the encouragement of development of previously-developed and

'grey belt' land does not result in isolated and unsustainable development. It would be important to have mechanisms for reporting and tracking the release of Green Belt through decisions, and updating maps (unless the sites remain defined as Green Belt despite being developed).

***Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?***

Agree, provided that these are in sustainable locations

***Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?***

Agree that it should apply to traveller sites. Land around larger conurbations is often potentially suitable for traveller sites but is constrained by Green Belt, so we agree that the approach to Green Belt release through plan- and decision-making should equally apply to traveller sites, especially where there is a high need.

***Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?***

No comments

***Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?***

Yes, this is supported, but more detail is needed on what an 'appropriate amount' of social rented housing means.

***Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?***

We support the suggestion of a 50% target for affordable housing for all Green Belt or Grey Belt sites, as these generally have fewer site-specific issues and are likely to be viable, and the higher target would be a justification for release from the Green Belt. It is however important to have a realistic target and so there may need to be some flexibility, particularly bearing in mind that the suggested greater focus on social rented housing will have an impact on viability as this is significantly more costly to provide. Green belt and grey belt sites may still have constraints such as land contamination or the need to mitigate against habitats impacts.

***Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?***

Yes, we agree with the proposed approach as easy access to good quality green spaces, especially by active travel, is good for mental and physical health and wellbeing. The reference to green spaces being within a 'short walk' is however



open to interpretation, and could be more clearly defined by requiring new development to meet Natural England's Accessible Natural Greenspace Standards.

***Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?***

Yes, in theory: the more prescriptive the government can be with interpretation of viability the better, as it reduces the scope for disputes over viability, particularly in appeal situations.

***Question 38: How and at what level should Government set benchmark land values?***

Support the setting of benchmark land values nationally, to reduce the scope of viability disputes.

***Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?***

Support the principle of reducing the scope of viability negotiation, as stated above. Viability negotiations take a great deal of time and effort, reduce the delivery of affordable housing, and reduce faith in the planning system

***Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?***

If the proposed 50% affordable housing in green/grey belt sites is met, then there is no need for additional contributions.

***Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?***

Yes, agree that developments should be subject to late-stage viability reviews.

***Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?***

Infrastructure improvements and open space improvements could still be applied, though this needs to take account of the likely development values, which will be lower than those from residential development.

**Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?**

They could be applied also to 'older' green belt releases put forward in emerging plans.

**Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?**

Support

**Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?**

Yes, support the suggestions for potential compulsory purchase

**Question 46: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?**

Yes, we support the recognition that the need for Social Rent housing should be considered when setting policies. The greatest need is for social rented homes and there has been an under-provision of this tenure of housing. However, this does need to be considered alongside other tenures and the potential viability issues: social rented housing requires greater subsidy. When the delivery of social rent increases, the Council may have to consider its approach to allocations, especially if social rented and affordable rented homes are provided on the same site.

**Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?**

Yes, as this enables greater flexibility to meet identified local needs, but there is still a demand for low-cost home ownership. Having a balanced community and tenure mix works.

**Question 49: Do you agree with removing the minimum 25% First Homes requirement?**

Yes, as long as First Homes is still an option for developers, as this will meet a housing need.

**Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?**

There has been little interest shown in First Homes exception sites as local need is normally for rented homes. No objection to this being retained if the local connection criteria is kept with a cascade provision.

***Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?***

Yes, we support the development of mixed tenure sites and this is already part of local planning policy.

***Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?***

Social Rent housing is the most likely to meet local needs in many areas including ours, and so the emphasis on it is welcomed. But the cost of provision is higher, so a greater level of grant funding will be necessary if higher percentages are to be achieved. Councils also need to work with Registered Providers to ensure that they are developing a range of tenures on a balance of land-led and section 106 sites.

***Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?***

(This question relates to the potential size of predominantly or exclusively affordable housing schemes).

A limit on numbers for single tenure rented schemes could be considered, although there might be unintended consequences in setting a number in national policy, for example there have been large rented schemes for key workers. This may be better dealt with by Local Plan Policies. Local lettings plans can be used to mitigate potential problems and should be required on any all-affordable scheme. It would be beneficial for all affordable sites to have a mix of tenures, including low-cost home ownership options such as shared ownership and First Homes, to ensure a balanced community.

If a figure were required we would suggest 50, with exceptions such as extra care schemes and key worker accommodation.

***Question 54: What measures should we consider to better support and increase rural affordable housing?***

Measures include councils having rural exception site policies, registered providers being willing to develop small rural sites, and Neighbourhood Plans being encouraged to identify affordable housing sites. Flexibility of grant funding would make it easier. Provision of more Community Housing Funds could help rural communities work together to bring developments forward. Registered providers could be encouraged to deliver smaller rural sites, perhaps by having grant funding provided for larger sites if they deliver a number of rural sites?

It is important that any type of housing development in a rural area should be supported by the provision of sustainable travel links to access employment, education, leisure, social destinations and generally meet the daily travel needs of residents so that they are not car dependent.

***Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?***

Yes, agree with the specific mention of Social Rent and looked-after children.

***Question 56: Do you agree with these changes?***

Yes, we agree with these changes that amend the definition of community-led housing and allow alternative size limits for community-led exception sites to be established through local plans. More support will still be required for the community led housing sector which has the potential to deliver more homes. Additional revenue funding for community led housing projects would be particularly welcomed.

***Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?***

Amending the definition of 'affordable housing for rent' would help to encourage community land trusts and almshouses to build new homes. . Support for the organisations should also be offered by Homes England. Care needs to be taken that any amended definition ensures homes meet the Rent Standard and do not lead to an increase in exempt rent accommodation.

***Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?***

This is because there are very few suitable small sites, particularly at the larger, more sustainable settlements. Generally, most larger settlements have been built out, and the available parcels of land on the edge are large. One solution would be to support LPAs in purchasing and subdividing these areas of land if encouraging SME housebuilders is a government priority. Other, very small sites such as intensification of garden plots are likely to be developed as windfall and it is not possible to allocate them individually as only a proportion will have interested landowners.

***Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?***

Yes, this is a less subjective description. Retaining references to well-designed buildings and places is however important, particularly given the increased emphasis placed on design in applying the presumption in favour of sustainable development.

A definition of what constitutes a well-designed place would be welcomed. Development that promotes healthy living, is sustainable, improvements to

environmental performance and is of a high quality. Reference should be made to the National Model Design Code and Guidance to seek to promote well-designed places.

**Question 60: Do you agree with proposed changes to policy for upwards extensions?**

Yes, there was too much emphasis on mansard roofs previously.

**Question 61: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?**

Yes, these changes seeking to ensure that local plans identify sites for key growth industries including laboratories, gigafactories, data centres and digital infrastructure are supported. We agree that the provision of freight and logistics storage and distribution infrastructure is often overlooked, especially at a local level, and should be incorporated into the planning policy framework.

**Question 63: Are there other sectors you think need particular support via these changes? What are they and why?**

No

**Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?**

Yes

**Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?**

Yes, it would seem sensible to limit it by scale, but we have no suggestions as to what that should be

**Question 66: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?**

Yes, the addition of text to say that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development is supported. It may however be helpful to have the definition of public services infrastructure clarified, possibly in the glossary,

so that it is clear to which forms of public service infrastructure paragraph 100 will apply.

**Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?**

Yes, reference to early years and post-16 education facilities are supported

**Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?**

We support the change to paragraph 114 (new paragraph 112) that proposes a vision-led approach to promoting sustainable transport modes. This is already the adopted approach in the development of our Local Transport Plan, and our current methodology for securing sustainably located development and incorporating sustainable travel modes will continue.

But we are concerned about the proposed amendment to paragraph 115 (new paragraph 113), specifically the wording 'in all tested scenarios':

- It is anticipated that tested scenarios could include one that will generate no private cars, along with others with varying degrees of trip generation. How many scenarios should be tested and how many must result in severe highway congestion in order for a planning application to be refused in accordance with this paragraph?
- This could potentially lead to an applicant's transport consultants testing scenarios that are not agreed with the Highway Authorities, providing outcomes where the development impact appears to be acceptable, whilst other untested scenarios fail.
- This could lead to planning permissions being granted in full knowledge that severe congestion is likely or that other unacceptable safety impacts could result in some of the scenarios tested/untested.
- What breadth of analysis do the tested scenarios cover? Every junction within an agreed area, comparing scenarios that deliver high quality, sustainable and active travel arrangements with those that identifying changes to infrastructure to deal with additional traffic?
- Is the intention that the tested scenarios include the year of opening of the development and the agreed future year?
- What account will be made within the tested scenarios for large events or the seasonal variations that are experienced due to tourism, for example.

We propose adding the following text: '**...in all test scenarios as agreed by the Local Highway Authority**'.

**Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?**

National planning policy can further support local authorities on both aspects through the provision of active travel infrastructure, especially for journeys to and from school and for other daily journeys, promoting free cycle training for children and adults, and promoting the health benefits of active travel. New national guidance on Travel Plans is required, as current guidance is outdated: this should put greater emphasis on the importance of Travel Plans and incorporating active travel into daily journeys as much as possible, rather than being just a tick box exercise as part of the planning process. Ultimately, national planning policy needs to support local authorities in ensuring that all new development is sustainable, in that it is well located by active travel modes and is not totally car dependent.

Design codes and guidance can be a tool for promoting and encouraging healthy communities. The physical environment can encourage children's physical activity and active behaviour and choices.

National policy could also go further in restricting availability of unhealthy food near schools and other places where young people congregate – for example clearly stating in the NPPF that hot food takeaways will not be permitted within 400 metres of schools, sports centres and play grounds.

**Question 71: Do you have any other suggestions relating to the proposals in this chapter?**

Consideration could also be given to how the NPPF might:

- limit children's exposure to other uses that negatively affect public health, such as gambling and tobacco sales;
- restrict advertising of unhealthy products and gambling;
- ensure that new homes are health-promoting through specifying minimum standards for internal and external space, eg through compliance with the nationally described space standard.

The reference in paragraph 94 to planning policies and decisions aiming to achieve healthy places could also refer to reducing health inequalities. And the reference to green infrastructure in paragraph 94c could be more clearly defined by referring to compliance with Natural England's Accessible Natural Greenspace Standards.

**Question 72: Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?**

Yes

**Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?**

Yes, given our declaration of a climate emergency and recognition of the role that renewable and low carbon energy can play.

**Question 74: 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?**

Yes

**Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?**

Yes, no objection to this

**Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?**

Yes, no objection to this

**Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?**

N/A

**Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?**

Setting clear national standards for proportions of energy from renewable sources, proportions of energy to be low carbon, and energy efficiency standards in new buildings. National policy could give greater encouragement to local planning authorities to set such standards in their plans, but it would be much clearer and more straightforward for these to be set nationally, either through building regulations, national planning policy or elements of both. This could include a requirement for all new buildings to have solar panels on their roofs, unless there was a very good reason not to.

New development should be located and designed to reduce the need to travel by car and instead provide public transport links and active travel infrastructure to enable low carbon travel choices.

**Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?**

We do not have a view on the technological readiness, but would welcome national work and guidance to enable the wider use of carbon assessments.

**Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?**



**Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?**

No further comment other than those made under question 78

**Question 82: Do you agree with removal of this text from the footnote?**

(This refers to the text that referred to food security as one of the reasons for protecting agricultural land). We recognise that this is an important aim, but agree that as there is already protection for higher quality agricultural land, it is not clear what it added to the effectiveness of policy.

**Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?**

No comment

**Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?**

Yes, agree, though we do not have specific suggestions.

**Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?**

No comment

**Question 86: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 87: Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?**

Yes

**Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?**

Yes, either option is acceptable

**Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?**

Yes.

**Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be?**

***For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.***

***If Yes, please explain in the text box what you consider an appropriate fee increase would be.***

N/A. Dorset Council supports increasing householder application fees to meet cost recovery, as set out in response to Q89.

***Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?***

✓ Yes

***No – it should be higher than £528***

***No – it should be lower than £528***

***no - there should be no fee increase***

***Don't know***

***If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.***

Yes. Dorset Council supports the proposed increase to the householder application fee to £528. This would represent the cost of approximately 6 hours of officer time (noting that costs vary according to the level of experience of each officer). The Council does not undertake time recording, and therefore does not have accurate records of the officer time needed to assess each application. However, 6 hours is considered to be a reasonable estimate for a householder planning application, taking account of the requirement for officer time to validate the application, assess the application including consideration of any consultee comments and in some cases requiring a site visit, and complete the officer report, and also taking account of the time required for senior officer review and sign-off of the application.

***Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.***

Dorset Council supports work that is currently underway to review fees for section 73 applications (and to set fees for the new section 73B applications), and we agree that these fees should be informed by evidence gathering work with local authorities, to estimate the full cost of assessing such applications.

In addition to section 73 applications, the Council considers that the planning application fees for prior approval applications and applications to remove or vary a condition, or discharge a condition, should be reviewed, to ensure that these fees meet the full costs of assessing such applications.

***Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.***

Yes. The Council considers that applications for Listed Building Consent, and applications for demolition in a Conservation Area, should be subject to a fee. The fee should be set at a cost-recovery level, to be informed by evidence gathering work with local authorities to establish the costs involved in assessing these applications. The Council does however recognise that the introduction of a fee for Listed Building Consent applications would have implications for the owners of Listed Buildings. We would therefore suggest that the Government may wish to consider a grants scheme, to cover the application costs in cases of genuine need, in the event that a fee is introduced for Listed Building Consent applications.

***Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?***

***Please give your reasons in the text box below.***

Yes. Dorset Council considers that each local planning authority should have the option of setting some or all planning fees locally (with a nationally-set default fee to apply in cases where local planning authorities have not set their own fees). This would enable local authorities to ensure that fees reflect the costs involved in assessing planning applications, which may vary according to local circumstances, such as the nature and extent of planning constraints affecting each local authority area.

***Question 95: What would be your preferred model for localisation of planning fees?***

***Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.***

***✓ Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.***

***Neither***

***Don't Know***

***Please give your reasons in the text box below.***

Local Variation – maintaining a nationally-set default fee but giving local authorities the option to set all or some fees locally. This option would maintain a level of consistency of fees (through the nationally-set default fees) whilst still enabling local authorities to ensure that the fees reflect the costs involved in assessing planning applications, which may vary according to local circumstances.

***Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?***

***If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?***

Yes. Planning fees for all applications should cover the costs of the specialist consultee time required to review and comment on applications. This would include consultees such as conservation, trees, design and landscape (which sit within the

planning service at Dorset Council) and consultees from across the wider Council such as highways and ecology.

The Council also considers that there should be a nationally set mechanism for local planning authorities to recover the costs of specialist external consultants from applicants, where specialist external consultants are required in order to assess a planning application. This already happens to some extent (for example with external review of viability assessments) but there is scope for this to be applied more consistently to cover all consultancy costs associated with assessing applications.

In relation to wider planning services, the Council considers that planning fees for major applications should include a contribution towards the costs of preparing planning policy. This is because planning policies and site allocations provide the framework for more significant development proposals to come forward.

In addition to the above, the Council also considers that there should be a mechanism for local planning authorities to recover costs relating to defending planning appeals (not dependent on demonstrating unreasonable behaviour, as is currently the case). This could be through an appropriate uplift to all planning fees.

***Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?***

Planning policy development work, internal consultee assessment of applications, specialist external consultant costs where these are needed for a particular application, and the costs of defending planning appeals.

***Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?***

Yes. This is essential in order to ensure that local authorities can meet the resource requirements for the relevant services they are required to provide.

***Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.***

Local Planning Authorities should be able to recover the full costs associated with the relevant services which they are required to provide. Host authorities should have the option of waiving fees where a planning performance agreement is in place. This will allow flexibility for local authorities to utilise bespoke planning performance agreements, which may be a more appropriate mechanism for recovering these costs in some circumstances.

***Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?***

There are no specific limitations which the Council would suggest.

***Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.***

Full cost recovery would ensure that local authorities are able to adequately meet the resource requirements associated with the relevant services they are required to provide. This would be beneficial for local authorities, applicants, and decision-makers, as it would contribute to robust and efficient decision-making. Whilst there would be increased costs for the applicants, these are not likely to be significant compared to the wider costs associated with developments which require a Development Consent Order.

***Question 102: Do you have any other suggestions relating to the proposals in this chapter?***

In addition to ensuring full cost recovery through planning application fees, the Council considers that consideration should be given to reducing the resource demands on local authority planning services arising from planning appeals, particularly those which are determined via the inquiry route. Planning inquiries represent a significant cost to planning authorities, through a combination of legal fees, consultancy fees, and officer time. The Council would welcome a further review of the inquiry process, to include a review of the approach to submission of additional information by appellants at the appeal stage, beyond the information submitted with the planning application. The submission of additional information at the appeal stage places additional resource demands on local authorities, and potentially undermines attempts by local authorities to speed-up decision making, as prompt decision-making at the application stage can then lead to significant resource demands at the appeal stage, and with less opportunity for public comment on any information submitted. The Council would also welcome a review of the extent to which legal advocacy is required at planning appeal inquiries, and whether steps can be taken to reduce the need for legal advocacy, and hence reduce the costs for local authorities in securing this.

***Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?***

(This question relates to the transition to the use of the new NPPF policies).

The transition is going to be extremely demanding for those councils whose housing targets are being very substantially increased, as the time necessary for engaging with local communities and assessing all the consultation responses will be significant. The indication of direct financial support is welcomed but with the national shortage of planners, this may not resolve the problem.

It might be useful if the transitional arrangements could make reference to neighbourhood plans and which version of the NPPF they should be using.

**Question 104: Do you agree with the proposed transitional arrangements?**

(This question relates to the transition to the new plan-making process, rather than the transition to the new NPPF).

The significant extension of the deadline for submitting plans under the existing regulations makes allowance for the additional time that will be needed to take on the requirements of the new NPPF. But it is frustrating for local planning authorities that were hoping to progress straight to 'new system' plans and no longer have this option. Such councils will for example still have to set their own development management policies rather than benefitting from the national development management policies, and will have to continue with the existing sustainability appraisal approach rather than the proposed Environmental Outcome Reports which are intended to save time and effort. It would be helpful if these changes could be clarified and introduced as soon as possible.

The time that additional consultation may take (and level of objection likely to be received to higher housing numbers) may well lead to councils failing to make the deadline and consequently having further delays to plan-making. The fact that there are two sets of transitional arrangements (one to the new NPPF and then another to the new processes) could cause some further confusion and complication.

**Question 105: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?**

No