

SECTION 78 APPEAL

**National Planning Policy
matters statement
by
Alderholt Parish Council
(Rule 6 Status)**

Statement submitted to PINS 9 August 2024

Regarding Land To The South Of Ringwood Road, Alderholt

PLANNING INSPECTORATE REFERENCE: APP/D1265/W/23/3336518

LOCAL PLANNING AUTHORITY REFERENCE: P/OUT/2023/01166

Contents

1. INTRODUCTION.....	1
2. HOUSING NEED	2
Implications of the above proposed changes in regard to the Appeal.....	4
3. APPROPRIATENESS OF THE LOCATION	5
Spatial Strategy.....	5
Access.....	5
Local Facilities	6
Neighbourhood Plan	6
Implications of the above proposed changes in regard to the Appeal.....	6
4. PLANNING BALANCE – OTHER MATTERS	7
Implications of the above proposed changes in regard to the Appeal.....	7

1. INTRODUCTION

- 1.1 Alderholt Parish Council have considered the government issued the Written Ministerial Statement “Building the homes we need”¹ (WMS) and the proposed changes to the National Planning Policy Framework (NPPF) that have been published for consultation alongside the proposed new Standard Method for calculating housing need. Where the intention of the change is not as clear as it could be from reading the WMS and NPPF in isolation, reference has been made to the consultation questions².
- 1.2 The Inspector will be aware that a WMS is capable of being a material consideration, as per the Court of Appeal (Lindblom LJ) in *R (oao Cala Homes (South) Ltd) v SSCLG [2011] EWCA Civ 639 at [25]*: “...*The prospect of a change in planning policy is capable of being a material consideration, and taking account of this particular prospective change would not be contrary to the Padfield principle because the policy and objects of the legislative scheme construed as a whole require those responsible for determining planning applications and appeals to look beyond the development plan, and to have regard to other material considerations.*”
- 1.3 The draft NPPF is also a material consideration, and the Inspector will have to consider what weight to apply to it in the context of this appeal (see Lindblom J’s judgment in *R. (oao Cala Homes (South) Ltd) v SSCLG [2011] EWHC 97 (Admin) at [32]*: “...*emerging national policy, for example in the form of a draft circular or Planning Policy Statement, can also be a material consideration (see ex parte Kirkman , ibid.).*”
- 1.4 To assist the Inspector, this paper sets out the Parish Council’s views on the contents of the Government’s proposed changes to the NPPF and the detail set out in the WMS insofar as they concern the appeal, and with particular focus on the matters raised by the Parish Council. For ease of reference this has followed the elements covered by the Proof of Evidence of the Parish Council’s Planning Witness Ms Witherden, ie:
- **Issue 1 Housing Need** – which considered the Development Plan Context, National Planning Policy and Guidance, Housing Need and Supply in the East Dorset Area, and other factors

¹ <https://hansard.parliament.uk/commons/2024-07-30/debates/24073046000016/BuildingTheHomesWeNeed>

² <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system#chapter-4--a-new-standard-method-for-assessing-housing-needs>

that may influence the weight to be given to housing in the planning balance (which included the Housing Need and Supply in the Alderholt Neighbourhood Plan Area, broad magnitude of the shortfall, how long the housing supply issues are likely to persist and what actions are being taken by the Local Planning Authority).

- **Issue 2: Appropriateness of the Location** – which considered the character of the site and its surroundings, the relationship of the development to Alderholt and other settlements and their facilities, the development’s connection to the highways network, the Development Plan Context and the emerging Neighbourhood Plan.
- **Planning Balance** – which in addition to those matters cover under the issues / Dorset Council’s case, also referenced the loss of best and most versatile agricultural land.

1.5 The underlying elements are considered in turn below. Where references are made to the revisions in the NPPF, the paragraph numbers referenced relate to the tracked changes version.

2. HOUSING NEED

2.1 The WMS explains that there are changes proposed in both how housing need is calculated (using a revised standard method based on housing stock increase and a higher affordability uplift, as well as an increased national target of 370,000 dwellings per annum), and how it is applied (including the removal of the capping mechanism) and also confirms that the overall target is being raised from around 300,000 to approximately 370,000³. It then goes on to provide guidance on how the increase building will be achieved by building in the right places – a point covered in the following section. The NPPF paragraph 76 also proposed to reintroduce the requirement for a 5% buffer (increased to 20% where there has been significant under delivery).

2.2 The potential to produce and rely on an Annual Position Statement is proposed to be deleted. The consultation questions indicate that the reason for this is twofold – that such statements were “little used” and that “any authority with sufficient evidence to confirm its

³ Refer to third and fourth paragraph of the section Restoring and Raising Housing Targets, WMS

forward supply through this process should in any case be able to demonstrate a 5-year housing land supply”.

- 2.3 A separate schedule has been published with the outcome of the revised standard method, which is part of the consultation. This gives a figure of 3,230 dpa for the whole reorganised county of Dorset. There is no separate figure for East Dorset.
- 2.4 The consultation questions on the Standard Method relate to the appropriate baseline for the standard method, proposed affordability adjustment. The consultation also invites additional comments on the proposed method, and notes (with reference to the previous target for London that “setting a target that is removed from reality just shifts numbers away from areas where they can be delivered”.
- 2.5 There is acknowledgement that meeting housing needs may be difficult in some instances, although the WMS⁴ states clearly that “local authorities will be expected to make every effort to allocate land in line with their housing need as per the standard method.” To this end there is reference to the use of strategic planning across local planning authority boundaries in both the WMS and revised NPPF (paragraph 24) as a means of ensuring housing needs can be met in relation to areas where there is a high level of constraints, and NPPF paragraphs 61 and 62 have changes proposed to remove references to the Standard Method being the “advisory starting point” or potentially using an alternative approach.
- 2.6 The WMS makes clear that the first focus for housing supply should be on brownfield sites (which is taken forward through the change in paragraph 122(c) of the NPPF), and includes broadening the scope of brownfield land to include hardstanding and glasshouses (this isn’t currently included in the NPPF changes, but is picked up in the consultation questions). Urban areas are also expected to achieve an uplift in density. It then goes on to discuss the Green Belt, and that the release of non-allocated sites may be needed in advance of plan making where authorities are under performing (in terms of housing land supply) – and that in such circumstances “applications for sites not allocated in a plan must be considered where they relate to brownfield and grey belt land”.⁵ A new paragraph (152) is proposed to enable development on grey belt land in sustainable locations (so that this is not

⁴ Refer to third paragraph of the section Moving to Strategic Planning, WMS

⁵ Refer to first and fourth paragraph of the section Building in the Right Places, WMS

inappropriate development in the Green Belt) – this would be limited to those circumstances when there is a housing land supply shortfall, and is proposed to be subject to requirements relating to affordable housing, infrastructure and accessible green spaces (as per the criteria proposed under new paragraph 155). Additional guidance on viability considerations for development in the Green Belt is provided in Annex 4.

Implications of the above proposed changes in regard to the Appeal

- 2.7 Whilst the WMS raises the overall housing target from around 300,000 to approximately 370,000 dwellings a year, it also reiterates the importance of reforming the planning system as the way to deliver the housing an area needs in the right places, through identifying enough land through local plans. As an interim measure it also makes clear that the protection of Green Belt land will be loosened in certain circumstances.
- 2.8 The revised Standard Method and reinstatement of the 5% buffer is subject to consultation and is unlikely to be confirmed prior to the appeal being determined, and potentially could change significantly. Therefore whilst the draft proposals indicate a significant increase in housing needs to be met, which in turn has implications for the housing land supply situation (as expressed in year's supply), there is considerable uncertainty on the extent of this given the range of factors that may be raised through the consultation.
- 2.9 In terms of factors that may influence the weight to be given to housing in the planning balance, the proposed deletion of the Annual Position Statement should not materially impact on the appeal decision (as it is the supply, rather than the mechanism for demonstrating this, which will determine how long the housing supply issues are likely to persist). The inclusion of Green Belt 'grey-belt' land as not inappropriate development does provide a potential further source of housing land supply in the short-term, but there is no evidence as to how much housing in Dorset this could deliver, as well as no clear proposed change to include hardstanding areas and glasshouses in the definition of previously developed land.
- 2.10 Given this uncertainty, it is suggested that only very limited weight should be given to outcomes of the revised Standard Method at this time, and as a whole the implications arising from the WMS and proposed changes should only be afforded very limited weight as it is not clear how these will impact at a local level.

3. APPROPRIATENESS OF THE LOCATION

Spatial Strategy

- 3.1 The WMS explains that “we need to make sure we are building in the right places” – which highlights a clear link between this and meeting housing needs. As noted above, it seeks to make sure that brownfield sites are fully utilised, urban areas are also expected to achieve an uplift in density, and suggests allowing the release of non-allocated ‘grey-belt’ sites within the Green Belt in certain circumstances⁶.
- 3.2 The WMS also explains that the Government is “strengthening the general presumption in favour of sustainable development, by clarifying the circumstances in which it applies and introducing new safeguards to make clear that its application cannot justify poor quality development.” – the consultation statement clarifies that this is the reason for the proposed reference to the need to consider locational and design policies (as set out in chapters 9 and 12 of the NPPF) when the presumption is engaged (as per the changes to NPPF paragraph 11(d)(ii)).

Access

- 3.3 Paragraph 112 of the NPPF is to be revised to remove the reference to “appropriate opportunities” being taken up relation to promoting sustainable travel modes. This is to be replaced by reference to a vision led approach – so the revised criteria in paragraph 112(a) would read “A vision led approach to promoting sustainable transport modes is taken, taking account of the type of development and its location”. The consultation questions clarify what is meant by a vision led approach, and this states “At present, planning for travel too often follows a simplistic ‘predict and provide’ pattern, with insufficient regard for the quality of places being created or whether the transport infrastructure which is planned is fully justified. Challenging the default assumption of automatic traffic growth, where places are designed for a ‘worst case’ peak hour scenario, can drive better outcomes for residents and the environment. It means working with residents, local planning authorities and developers to set a vision for how we want places to be, and designing the transport and behavioural

⁶ Refer to first and fourth paragraph of the section Building in the Right Places, WMS

interventions to help us achieve this vision. This approach is known as 'vision-led' transport planning and, unlike the traditional 'predict and provide' approach, it focuses on the outcomes desired, and planning for achieving them".

- 3.4 Paragraph 113 adds "in all tested scenarios" in regard to assessing whether development should be prevented or refused on highway grounds.

Local Facilities

- 3.5 Paragraph 97 specifically adds reference to early years and post-16 places to the requirement to give great weight to the need to create, expand or alter such provision, and to work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted. Early years is referenced on the Department of Education webpages⁷ as "standards for the learning, development and care of your child from birth to 5 years old". Paragraph 98 is to be revised to include additional guidance on "Significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development." The related consultation question references "the Government recognises that access to affordable childcare is important for parents seeking to rejoin the workforce".

Neighbourhood Plan

- 3.6 There are no changes proposed to the consideration of the weight to be given to an emerging neighbourhood plan or prematurity matters in Section 4 of the NPPF.

Implications of the above proposed changes in regard to the Appeal

- 3.7 The WMS and proposed changes to the NPPF touch on a number of matters that were discussed in the Inquiry in relation to the appropriateness of the location for the nature and scale of development that is proposed. These do not dilute the importance of ensuring that the location is appropriate, that the local facilities and transport infrastructure provided will achieve the reduction in the reliance on the private car, and that the design is of good quality. The addition of reference to early years provision gives additional support for the

⁷ <https://www.gov.uk/early-years-foundation-stage>

concerns that the Parish Council has raised in this regard (paragraph 4.46 of CFGo26). Nor does it diminish the role of Neighbourhood Planning, and the involvement of local communities in shaping the future of their area, as an important part of the planning system.

4. PLANNING BALANCE – OTHER MATTERS

- 4.1 Footnote 64 regarding the assessment of agricultural land has been shortened to delete the sentence “The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.” However reference to the economic and other benefits of the best and most versatile agricultural land is unchanged in the main body of the NPPF (paragraph 180), and the consultation questions confirm that food security, and safeguarding Best and Most Versatile agricultural land, remains an important consideration.
- 4.2 Paragraph 164(a) will be revised to confirm that significant weight should be given to a proposal’s contribution to renewable energy generation and a net zero future.

Implications of the above proposed changes in regard to the Appeal

- 4.3 The proposed change to the NPPF regarding the best and most versatile agricultural land is not considered to materially alter the approach to this matter with regard to the Appeal. The proposed change to the NPPF regarding renewable energy generation / net zero future provides greater clarity on this point, but the issue raised by Dorset Council in relation to the Appeal related to the lack of any reference to Battery Energy Storage Systems in the application, and whether the benefits could feasibly be secured by condition. Whilst a condition has now been agreed between Dorset Council and the Appellant, it remains unclear whether planning permission will be obtained for the Battery Energy Storage Systems and whether the condition will be able to secure the purchasing of the unmet element of renewable energy from the grid that is required to achieve the claimed net zero benefits.