



Partnership for South Hampshire

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Dear Sir/Madam,

LEVELLING UP AND REGENERATION BILL – REFORMS TO NATIONAL PLANNING POLICY

The Partnership for South Hampshire (PfSH) is a partnership of twelve local authorities around the Solent that aim to improve the environmental, cultural and economic performance of the South Hampshire area. The partnership comprises Eastleigh Borough Council, East Hampshire District Council, Fareham Borough Council, Gosport Borough Council, Havant Borough Council, Hampshire County Council, New Forest District Council, New Forest National Park Authority, Portsmouth City Council, Southampton City Council, Test Valley Borough Council and Winchester City Council. Our work focusses on three areas; housing, energy and the green environment and initiatives in the cultural and creative industries.

PfSH published a Joint Strategy in 2016 as a collaborative strategy towards meeting housing and employment needs in the sub-region, and since 2019 has been working to update this strategy. It is through this lens and from our recent experience of producing this Joint Strategy to help shape eleven individual Local Plans that the responses below are derived from. As such, PfSH has responded to the most relevant questions, and not all.

- 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?**

Yes. This is a useful change to reflect the existence of recently tested and up to date plans.

- 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)?**

Yes. Removing the buffers will simplify the test which will become focused on whether sufficient housing sites will be delivered to meet the 5YHLS target. This will avoid complicating plan making and decision taking, and the risk of unnecessary or less appropriate sites being released.

- 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?**

Yes, both oversupply and undersupply should be treated equally on the same basis, cumulatively from the start of the plan period to the present year and included within the 5YHLS calculation.

- 4. What should any planning guidance dealing with oversupply and undersupply say?**

PfSH suggests that guidance is needed on how any oversupply should be included within the five-year housing land supply calculation, taking account of the fact that currently any undersupply or shortfall should be made up within five years.

- 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?**

Yes, we do agree that the opening chapters of the NPPF should be clear that planning is not focused simply on housing numbers. Planning for new homes is obviously an important part of planning, but it is only one part of creating new and nurturing existing communities.

7. What are your views on the implications these changes may have on plan-making and housing supply?

PfSH consider that there should be a commitment to review the standard methodology to take account of more up to date data. The 2014-based projections are now ten years old, and data from the 2021 census shows that the number of households has increased across the local authorities within PfSH by 5.49% since 2011 compared to the 8.68% expected in the 2014-based projections. The difference between these data is approximately 19,000 households. Given that it is the 2014-based household projections which form the basis of the standard methodology for calculating housing need, it could be argued that PfSH authorities are having to plan for a far greater number of homes than are actually needed. Therefore, it is strongly suggested that the methodology is amended so that authorities are only required to plan for the homes required.

8. 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?

As Chairman of PfSH, I wrote to Michael Gove MP in November 2022 outlining the challenges that PfSH is facing whilst working under an agreed Statement Common Ground (SoCG) to address the large housing need in South Hampshire through a new Joint Strategy. The intention is that the new strategy will replace the Spatial Position Statement, published by PfSH, in 2016.

As an area already heavily developed and with an exceptional variety and acreage of the most precious environmental protections, PfSH has been seeking to identify the most sustainable locations for Strategic Development Opportunity Areas (SDOAs) to address unmet allocation of housing numbers. Unfortunately, as this work has progressed, the 'unmet housing needs' have increased such that the task has been at significant risk of stalling.

By way of an example of the challenges PfSH faces, Southampton is a city with growth ambitions but a heavily constrained environment and hinterland. The decision to allocate a 35% uplift to cities, now enshrined in planning guidance, has increased the level of need which cannot be met within the city boundary by 5,300 dwellings, on top of an existing housing need of over 15,000 dwellings.

PfSH recognises that the Government has recently reaffirmed the manifesto commitment to plan for the provision of 300,000 homes per annum in England, but also that through this consultation, changes to the NPPF and primary planning legislation are being considered. PfSH recognises the difference between need, requirement and the capacity to deliver homes, but the track record of Local Plans which do not meet a requirement based on the standard methodology has been limited. The reiteration that the standard method is the starting point for housing requirement is welcomed but this has not been confidently applied successfully since the inception of the standard methodology in areas that face genuine challenges and constraints. The standard method takes no account of the statutory environmental constraints upon an area to meet the need for development and therefore puts the burden of proof on the plan-making authorities to demonstrate whether an area can meet that need, which is challenging in the face of what is seen as an evidenced need of housing growth. PfSH strongly suggest that serious consideration is given to reducing the amount of housing that areas such as PfSH need to plan for under the 'standard method'. In particular, the combination of the following characteristics should be considered:

- The coastal geography – with only a 180° hinterland
- The presence of the New Forest National Park in the western part of the South Hampshire sub-region and the South Downs National Park to the east
- The extensive environmental designations that can prevent development or require additional land for mitigation
- The lack of significant areas of brownfield land
- The island and peninsular geography combined with a lack of past investment in public transport infrastructure – the sub-region has no metro, underground or tram networks and relies on buses and poor rail connectivity.

In order to move the Joint Strategy work forward, PfSH is focussing on identifying the capacity that the sub-region has for growth, rather than trying to meet arbitrary targets which, it is pleased to note, the Government are calling 'starting points'. PfSH firmly believe that its particular geography and unique set of constraints, forms the basis of an alternate method to calculating housing need. We invite colleagues at DLUHC to work with us on understanding the area's capacity for growth in order to set realistic and achievable housing requirements for our collective and individual plan-making processes.

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?

Green Belt is widely perceived by the general public to be protected land that should not be developed. Notwithstanding long-running political and development industry debates about the pros and cons of Green Belt designation, the NPPF as proposed to be revised continues to identify Green Belt as a footnote 7 constraint, locations where housing and other built development is deemed not appropriate in most circumstances. This is a political choice, and once made, it should be applied consistently.

Green Belt designations should nonetheless be reviewed periodically to ensure that land subject to its controls still serves the purposes of Green Belt. It should not be necessary to do so every plan-making cycle.

10. Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?

It is considered that character and landscape assessments undertaken at the local level, should be used to evidence why an authority's housing need can only be met by building at densities significantly out of character with the existing area. Character assessments could look at distinct areas of a borough or district and set out the range of residential densities that can be found in that area.

However, in order to avoid challenge through several planning decisions or at appeal, the appropriate densities would need to be set out, and agreed, within a Local Plan or Local Design Code and be fixed for a number of years. Arguably, this timeframe should be at least five years in accordance with the lifespan of strategic policies on housing requirements.

13. Do you agree that we should make a change to the Framework on the application of the urban uplift?

PfSH agrees that a change to the application of the urban uplift is required. The aim of focussing appropriate growth in sustainable locations (e.g. large cities / urban areas) is fully supported, however since the introduction of the urban uplift, PfSH has been concerned about the impact of not being able to meet the uplift in urban areas or adjacent areas. Therefore, the proposed wording in the NPPF is supported, as it clarifies that the uplift should be accommodated in the cities / urban areas themselves (optimising densities on brownfield land) unless this would conflict with the NPPF or legal obligations.

The NPPF should go further to state that should the cities/urban areas be unable to accommodate growth including the urban uplift, the level of uplift should be questioned. PfSH has always felt that 35% was an arbitrary figure to meet a political aim and not a basis for sound planning.

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?

PfSH consider that it would be beneficial to fully set out in the PPG the reasons for the urban uplift and also examples of reasons why it may not be met (i.e. would conflict with the NPPF). Examples could

include appropriate design, focusing the highest densities in the most sustainable locations, protection of employment / open spaces / residential amenity / heritage assets, and assessing positively whether there is a reasonable prospect of delivery of the development itself and the supporting infrastructure (e.g. transport and flood risk). These examples could still be set in the context of the overall policy aim of prioritising urban growth wherever possible and testing this positively.

15. 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?

In South Hampshire the 35% uplift is applied to Southampton. In response to the introduction of the uplift, Southampton has, through its emerging local plan, identified ways of increasing its housing supply figures. As a result, it has identified a supply of nearly 14,500 dwellings to 2036 as part of the PfSH Statement of Common Ground. Nevertheless, this is still around 800 dwellings short of the city's pre-uplift need figure, and around 6,100 dwellings short of its post-uplift figure to 2036.

Under the current policy framework, any further growth would essentially need to be on greenfield locations in neighbouring authorities. This has been a major issue for the development of a Joint Strategy for PfSH.

The uplift to the need target of the relevant cities is a policy mechanism to steer appropriate high density growth towards sustainable brownfield locations in cities / urban areas. This policy aim is fully supported, and is being thoroughly tested locally. This does not mean that there has been a 35% uplift in actual housing need in these cities. The 35% relates to testing a spatial policy aim, rather than to demographic evidence that such an uplift in needs has occurred within that part of the housing market area. Therefore, where this uplift cannot be met within the relevant cities, there should be no requirement for neighbouring authorities to release green fields to meet it. To do so would be contrary to the aims of the uplift to focus growth on urban areas rather than greenfield locations. This approach will not detract from meeting actual housing needs.

PfSH believe that the sentiments expressed in the supporting consultation material, that the uplift shouldn't be "exported to surrounding areas, except where there is voluntary agreement to do so" should also be included in the NPPF. There should be an explicit reference in the NPPF that greenfield sites should not be released in-order to meet the uplift.

As an alternative, in policy terms it may be simpler (and more effective nationwide) to just say that all major urban authorities should aim to maximise their growth in a manner consistent with the NPPF, rather than add the urban uplift.

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?

There are a number of small-scale nature interventions that could be strengthened through inclusion in the NPPF. For instance, Sustainable Drainage Systems (SuDS) provides multiple environmental benefits such as the management of surface water flooding and the mitigation of nutrients on site. PfSH recognises that Defra is currently consulting on making SuDS mandatory from 2024 but it feels that more could be done to recognise that SuDS can be key components of small scale interventions. The wider benefits of SuDS should be included in the update to the NPPF to strengthen their use by developers.

Policy on small scale nature interventions could be used to promote delivery of Biodiversity Net Gain (BNG) on site and reduce the need for offsite solutions. Policy requirements could also include elements such as boundary treatments and open space enhancements. PfSH recognise that further details on BNG have recently been published with secondary legislation and further guidance still to follow. This detail is essential to undertake the mandatory requirements enforced through the

Environment Act 2021 that are coming into force in November 2023 and drive as many solutions on-site as possible.

38. 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?

This consultation response relates to the wording of footnote 67 of the revised NPPF for consultation rather than footnote 58 as referenced in the scope of consultation document. Footnote 67 refers to agricultural land.

The approach proposed in the revised NPPF does very little to inform decision makers to a greater extent than existing policy. Further guidance should be produced to describe what availability of the agricultural grades means in context. For example, is the loss of 30% of grade 2 acceptable over a sub region. If not, is 20% acceptable.

Comments regarding agricultural policy in relation to nature recovery and ecosystem services is not clearly replicated in the updated text. In the case of the Solent region the pressure on BMV 1 and 2 is from both environmental services provision and development growth. Without further information on the relative 'acceptable' degree of BMV loss, it will prevent effective land use planning for these competing uses.

If government wishes to secure the best agricultural land for food production, then as a firm commitment to the level of importance the government would attribute to the loss of high grade agricultural land, BMV 1 and 2 should be added to footnote 7 of the revised NPPF, or the government should produce guidance that confirms the amount of these designations that would be acceptable to lose across a plan period.

39. What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

Although the concept of carbon assessment in planning is welcomed, further clarity should be provided as to what a carbon impact assessment entails and whether this means that development will need to provide either on or off site mitigation if the assessment result is negative. For example, if additional environmental mitigation land is required this will add to complexity in land use decisions. It would be logical to base this on the pending [UK Net Zero Carbon Buildings Standard](#).

Furthermore, more clarification is required on how this will be expanded in a future review of the NPPF as it is understood that this will be undertaken following Royal Assent of the Net Zero Bill.

There is evidence of a potential and proportional approach to plan carbon assessment (for example, as undertaken for Blackburn's local plan). Should local plan carbon assessments be required PfSH would consider the following points necessary:

- It should include both operational and embodied carbon
- Guidance on assessing vastly different building typologies and materials – substantive guidance would be required for both developers and planning officers related to the evidence required to support assessment
- Guidance on whether development management policies are more appropriate to improve the carbon footprint of planned growth than a local plan assessment that would be predicated on questionable data and generalisations.

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?

PfSH consider that there are a number of nature-based solutions with multi-functional environmental benefits that can support climate change adaptation as well as a range of other benefits. Planning policy should fully support land uses that provide multiple environmental benefits.

Nature based solutions for climate change adaptation could include schemes such as wetlands (managed realignment and constructed). As well as limiting the effects of climate change through physical processes (flood prevention/cooling ect) these sites could also be used for benefits relating, but not limited, to:

- Nutrient neutrality
- BNG
- Access to nature for the public

45. 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?

We welcome the inclusion of the proposed timeline for finalising local plans and other development plans under the current system. As highlighted by the Government's consultation, the 'Plan-led' system is at the heart of the British planning system and it important further national reforms do not stall progress on development plan preparation.

The proposal that plan-makers have until 30 June 2025 to submit their plans for independent examination has some logic to it. It provides a window of more than two years for planning authorities to progress their Plans. However, this very consultation on the NPPF revisions and changes due to be introduced through the Levelling Up & Regeneration Bill, highlight the evolving national context for plan-making that will impact on the ability of planning authorities to bring forward 'sound' plans in the two-year timeframe set out. For example:

- The revised NPPF is due to be published in Spring 2023. Changes to the soundness tests will apply to Local Plans which have not reached the pre-submission consultation stage within three months of the revised NPPF.
- Further consultation is expected on proposed changes to other parts of the NPPF and on more detailed policy options for National Development Management Policies once the Levelling Up and Regeneration Bill has passed through its Parliamentary process.
- The reformed plan-making system set out in the Levelling Up & Regeneration Bill is intended to be introduced in late 2024.
- There will be a review of the standard method for calculating housing need once the 2023 Census data is fully published – likely to be 2024.

Planning authorities seeking to finalise Plans for submission by summer 2025 will be doing so in a context of on-going changes to national policy. While the proposed timeline itself is reasonable, it will be important that plans examined under the current system are assessed proportionately and reasonably.

46. Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?

As outlined in our response to Q45, the proposed transitional arrangements for plans appear reasonable in terms of the timelines set out for submission and examination under the current and proposed future system.

In stating this, PfSH wishes to highlight the significant further changes proposed to the national planning system that are due to be implemented with different timescales. Further revisions to the NPPF, the national standardised methodology for calculating housing need, new National Development Management Policies and the introduction of a 30-month requirement for Local Plan preparation are due to be introduced at different stages over the next two years. This will present

significant challenges for Plan-making authorities and will need to be factored into the future examination process.

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?

The introductory section of the NPPF could be amended to reference the twelve missions.

Furthermore, planning policies that could be included and/or amended to reflect the missions are as follows:

- Mission 2: Chapter 6 of the NPPF on Building a Strong and Competitive Economy should specifically reference R&D and ensuring LPAs allocate sufficient land that meets the needs of R&D.
- Mission 3: Chapter 9 of the NPPF on Promoting Sustainable Transport should specifically reference improving local public transport connectivity. The Government does need to consider the substantial cuts that are currently being made to local transport connectivity particularly bus services outside London.
- Mission 4: Chapter 10 of the NPPF on Supporting High Level Communications should be amended to 'require' rather than 'prioritise' full fibre connections to new developments.
- Mission 6: Chapter 6 of the NPPF on Building a Strong and Competitive Economy should specifically reference skills and employability. Getting people into work is much more about providing premises for economic development. It is important to improve skills and employability so that local people can benefit from the new jobs that are being provided.
- Mission 9: Chapter 7 of the NPPF on Ensuring the Vitality of Town Centres should address the diversification of our town centres and ensuring that they are re-imagined as places that people want to visit. PfSH considers that the Government could re-consider the role of and use of Permitted Development Rights particularly in town and city centres, as this has been a key driver behind the loss of employment space and retail units in city and town centres which impacts the prosperity of the UK's high streets and people's engagement in their local cultures and community.
- Mission 10: In order to drive down the number of non-decent rented homes the number of truly affordable homes should be greatly increased through a number of mechanisms. The numerical threshold for on-site provision of affordable homes should be scrapped to maximise delivery of new affordable homes through Section 106.

PfSH also considers policies on specifying quantity standards for open space in a new framework would help achieve the levelling up objective of raising life expectancy, improving wellbeing and generally raising a sense of 'pride of place' through having development that has access to open space and nature.

54. 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?

It would be helpful to include in the NPPF a high level positive strategy for growth. There should be a better alignment between the provision of homes (and other development) with sustainable opportunities to deliver growth in a manner that would help address the levelling up agenda. This includes making best use of associated major infrastructure spending commitments such as HS2. As a minimum it would be helpful to update the PPG to specifically identify levelling up as one of the reasons to do more than the standard method starting point, where it is sustainable to do so.

Yours faithfully

A handwritten signature in black ink that reads "Seán Woodward". The signature is written in a cursive style with a large initial 'S' and a long, sweeping underline.

Councillor Seán Woodward
Chairman, Partnership for South Hampshire