

Questions on Proposed reforms to the National Planning Policy Framework and other changes to the planning system

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

Statutory NDMPs have the potential to bring significant clarity, consistency and certainty to decision-making across the planning system. As currently proposed, non-statutory national decision-making policies would not hold the same legal weight as local development plan policies. This undermines their intended function in decision making, particularly where conflicts arise. The absence of a statutory basis creates a 'dilemma' because legislation requires decisions to be plan led, while non statutory national policies lack the equivalent standing, thereby making their application 'optional' in practice.

Introducing statutory NDMPs would therefore provide a clear and firm legal footing, ensuring that national decision-making policies carry equivalent weight to development plan policies, supporting consistent and lawful decision-making across local authorities.

A clear and effective approach would be to extract the decision-making content from the NPPF and publish statutory NDMPs as a stand-alone companion document, in the same way that Planning Practice Guidance sits alongside the NPPF.

However, if statutory NDMPs are introduced, implementation should be supported through:

- A clear transitional period to allow Local Plans to align with the new structure.
- Consolidated guidance clarifying the respective roles of the NPPF, statutory NDMPs, Local Plans and Spatial Development Strategies.
- Clear training and explanatory material for local planning authorities, ensuring smooth integration with the plan led system.

2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies? **Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

EHDC agrees with the new format and structure of the draft Framework, which clearly distinguishes between plan-making policies and national decision-making policies.

The proposed layout is a positive and welcome change. Separating these two functions improves clarity and usability, making it easier for users to understand how the Framework should be applied at different stages of the planning process. In particular, the plan-making section provides a clearer strategic context for local authorities when preparing local plans,

while the decision-making policies offer a more focused and accessible reference for development management purposes.

This revised structure also has the advantage of aligning the National Planning Policy Framework more closely with the format and logic of local plans and other statutory development plan documents. As a result, it should be more intuitive for practitioners, inspectors, elected members, and applicants to navigate and interpret, supporting greater consistency between national and local policy. Overall, the new layout strengthens the Framework's role as a practical and effective tool for both plan preparation and decision-making.

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework? *Strongly agree, partly agree, neither agree nor disagree, **partly disagree**, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

The consolidation and clarification of which Ministerial Statements are superseded by the Framework is welcomed. This provides much-needed certainty for plan-makers and decision-takers and should reduce disputation at appeal and examination.

Similarly, the updated glossary is helpful and provides clearer definitions that will support consistent interpretation across authorities and decision makers. This is particularly important where technical concepts have previously been interpreted inconsistently.

While Annex D provides greater detail on housing need and supply, there are a number of important omissions that risk creating uncertainty and inconsistency in application. There is no explicit reference to local planning authorities whose administrative areas are dissected by National Parks. These authorities operate under a distinct statutory and policy context, where part of their housing need may fall within a designated National Park authority area and be subject to separate plan-making responsibilities and constraints.

Annex D should:

- Explicitly recognise these circumstances; and/or
- Include a direct cross-reference to the applicable Planning Practice Guidance or Framework text that addresses housing distribution where National Park boundaries are present.

Without this clarity, the calculation and interpretation of housing need risks becoming contested and unclear, particularly at examination.

Similar concerns apply in relation to five-year housing land supply. The Framework should explicitly state how housing requirement and deliverable supply should be treated for authorities affected by National Parks, that do not have a housing requirement determined in an up-to-date local plan.

There should be an explicit requirement within Annex D for a housing stock apportionment to be undertaken in these circumstances. This would provide clarity and certainty for affected authorities and avoid inconsistent approaches being taken across the country. Clear apportionment principles would significantly reduce scope for dispute at examination and appeal.

For the same reasons, equivalent clarity is required in relation to the Housing Delivery Test. Authorities with National Parks within their boundaries should not be disadvantaged by delivery outcomes over which they have only partial control. The Framework should explicitly set out how delivery is measured and apportioned in these circumstances.

- 4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

- a) Please provide your reasons, particularly if you disagree.**

EHDC agrees with the incorporation of Planning Policy for Traveller Sites within the draft Framework.

Bringing planning policy for Gypsy, Traveller and Travelling Showpeople communities into the Framework is a positive and long overdue step. These policies sit squarely within the mainstream planning system and should be treated collectively with other national planning policies, rather than as a separate and standalone document. Integrating them within the Framework reinforces the principle that accommodation needs for these communities are a core part of plan making and decision making, rather than a specialist or peripheral consideration.

The historic separation of Planning Policy for Traveller Sites from the NPPF has contributed to inconsistency in interpretation, weaker plan-making outcomes, and, in some cases, avoidable delays in meeting identified needs. Keeping these policies separate has not served communities, local authorities, or the planning system well. Incorporation within the Framework provides greater policy coherence, improves accessibility for practitioners and decision-makers, and supports a more joined-up approach to assessing and meeting housing needs across all groups.

Overall, embedding Traveller site policy within the draft Framework strengthens its status, encourages equitable treatment alongside other forms of housing provision, and should help deliver more effective, inclusive, and plan-led outcomes.

- 5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree*

- a) Please provide your reasons, particularly if you disagree**

We agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied.

The move towards clearer and more consistent terminology is welcome, as it will improve understanding of how different policies and considerations should be weighed in plan-making and decision-taking. Reducing ambiguity around terms such as “significant”, “substantial”, or “limited” weight will help ensure that the intent of national policy is more readily understood and applied in practice.

This increased clarity should assist decision-makers, inspectors, applicants, and communities alike by providing a more transparent basis for balancing considerations and reaching reasoned decisions. In turn, it is likely to support greater consistency across decisions, reduce scope for misinterpretation or dispute, and improve confidence in the planning system overall. Simplifying the terminology therefore represents a positive step in making the Framework more accessible, robust, and effective in informing planning judgments.

6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

EHDC agree with the proposed role, purpose and broad content of Spatial Development Strategies (SDS) as set out in Policy PM1 and welcome their introduction, particularly in the context of the Hampshire and the Solent becoming a strategic planning authority. The policy rightly establishes SDS as a positive, genuinely strategic mechanism for shaping sustainable growth and change at a sub-regional level, while leaving detailed matters to local plans and other development plan documents.

The emphasis in PM1 on setting a long-term vision and providing a clear spatial framework for housing, economic growth, infrastructure and environmental outcomes is appropriate and consistent with the scale and intent of strategic planning. The focus on cross-boundary issues, strategic infrastructure, and the alignment with wider investment programmes and national strategies is especially important in complex and diverse areas such as Hampshire and the Solent.

However, to ensure SDS can be prepared efficiently, consistently and robustly across England, it will be imperative that additional, targeted guidance is published in the Planning Practice Guidance (PPG) to support their production and examination. This should include clarity on form and proportion to ensure they are short, succinct and genuinely strategic. The PPG should also expand on the nature and level of evidence required to support an SDS through examination, recognising its strategic role. Additional guidance would also assist in clarifying the amount of time expected to produce SDSs, with emerging policy suggesting local plans should take 30 months, but no equivalent timescales defined for SDSs.

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?

Five-year reviews to reflect changes in housing requirements is sensible and broadly consistent with local plan review cycles. Aligning review periods helps ensure a coherent and up-to-date planning framework across strategic and local tiers.

However, this should be supported by clear national guidance on timescales and sequencing, particularly to ensure that emerging and new local plans can align effectively with SDS alterations. Without this clarity, there is a risk of misalignment, uncertainty and delay. Clear guidance would help plan-makers coordinate reviews and maintain a stable and efficient plan-making system.

8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Yes. The housing requirement figures from Spatial Development Strategies should continue to apply beyond five years unless there has been a significant change in local housing need. This is because Annex D does not currently reflect the position of National Parks, which operate as separate local planning authorities, distorting the standard method outputs. Until Annex D is amended to address these circumstances, the SDS requirement should remain in place beyond five years.

9) Do you agree with the role, purpose and content of local plans set out in policy PM2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

EHDC agrees with the role, purpose and content of local plans as set out in policy PM2. The policy appropriately positions local plans as the key delivery mechanism for spatial development strategies, translating strategic priorities into clear, locally specific proposals for growth, infrastructure and environmental improvement.

The emphasis on a positive and measurable vision, a clear spatial strategy, and focused policies is welcomed, as is the expectation that plans remain proportionate and only include policies where they add clear value to delivery or address specific local issues. This supports clarity, effectiveness and timely plan preparation.

Although reference is made to Gateway 1 self-assessment and subsequently links to the related guidance, it would be useful for the policy to underline the importance of public consultation, ensuring communities and stakeholders are meaningfully engaged in shaping the vision, spatial strategy and site allocations, thereby strengthening local support and plan legitimacy.

Finally, there should be additional focus what constitutes a robust but proportionate evidence base to support local plan production. Considerable time, money and resource is invested in the plan-making process, and the policy should be expanded or refer to additional guidance to allow a clear alignment between evidence, strategy and policy. This will be essential to demonstrate soundness while enabling local plans to be prepared efficiently within the proposed timescales.

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan? Yes/No

a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why.

A minimum 15-year plan period is supported by sound planning principles and is essential for delivering effective, plan-led growth. Longer plan horizons provide the strategic certainty required to align development proposals with the timely provision of infrastructure, services, and investment. This is particularly important for major infrastructure providers such as utility companies, highway authorities, and service bodies, whose business planning, funding cycles, and delivery programmes often operate over extended timescales.

A 15-year timeframe enables local planning authorities to work proactively with infrastructure providers to plan and coordinate capacity enhancements for transport networks, wastewater and water supply, energy distribution, digital infrastructure, education, and healthcare. Shorter plan periods can undermine this coordination, increasing the risk that development comes forward ahead of necessary infrastructure, placing pressure on existing networks and communities.

From a development management perspective, longer-term plans also strengthen the plan-led system by providing a clear and up-to-date framework for decision-making over a sustained period. Where plans cover a sufficient timeframe and are based on robust evidence of need and deliverability, they reduce uncertainty for applicants, communities, and investors alike. Critically, they also help to limit speculative development, as a clear supply of allocated and deliverable sites over a longer period reduces reliance on ad-hoc proposals coming forward through appeals on the basis of shortfalls or plan expiry.

Conversely, plans with shorter horizons are more vulnerable to early obsolescence, effectively shortening their useful life once adoption delays are taken into account. This can lead to frequent plan reviews, a loss of confidence in the development plan, and increased exposure to speculative proposals, particularly where infrastructure planning has not been able to keep pace.

In summary, a local plan period of at least 15 years from adoption:

- Supports the strategic planning and delivery of infrastructure with utilities and highway authorities
- Provides long-term certainty for investment and growth
- Strengthens the effectiveness of the plan-led system
- Reduces the risk of speculative development
- Better reflects the realities of infrastructure funding and delivery timescales

For these reasons, a minimum 15-year plan period represents good planning practice and is essential to achieving sustainable, coordinated, and well-planned development.

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

EHDC agrees with the principles set out in policy PM6(1c). These principles provide a clear and helpful framework to ensure future local plans are focused, proportionate and fit for purpose, supporting efficient plan preparation and helping authorities meet the statutory 30-month timetable. Overall, this approach works well for new local plans prepared under the reformed system.

However, there is a risk of inconsistency and conflict for plans examined under the 2024 NPPF, particularly where existing plans include more extensive decision-making policies. Please see later comments on the need for clear transitional guidance, which will be important to manage potential duplication and uncertainty during decision-making as the new system is implemented.

12) Do you agree with the approach to initiating plan-making in PM7? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree

Standardisation of approach is useful, as long as doesn't add bureaucracy to the process. This may be a helpful process to monitor progress of plans.

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Welcome a more proportionate efficient approach. Preparation of evidence base can be very expensive process.

However, EHDC has raised with the Government the extortionate and iniquitous cost of strategic transport modelling experienced by EHDC, due to needing to use two strategic transport models. Policy PM8 doesn't take into account these kinds of situations where such expensive, complex and time consuming evidence is needed to support the Local Plan, at the expense of the local authority. There should be equal up-to-date strategic resources available to all local authorities that are deemed sound and reliant for evidence base in Local Plan's. This would remove a lot of arbitrary discussion surrounding the reliability of evidence

that often distracts away from the main decision making and inevitably increases the time spent on producing Local Plans. Support in providing the resource from which to generate strategic evidence is highly lacking and thus can have large impacts on the variability on the timescales and quality of evidence provision.

EHDC will continue to incur disproportionate costs in sourcing strategic transport evidence to support forthcoming Local Plans, with the need for these to be reviewed every 5 years with associated “up-to-date” evidence. It is a poor use of public money that could be saved if a holistic approach was taken to transport modelling at a regional level by Government.

14) Do you agree with the approach to identifying land for development in PM9? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Noting, “d)The identification of the most appropriate sites for development taking into account the emerging vision and spatial strategy of the plan and the information above.”, consistency may be needed between “the most appropriate sites” referenced here, and the test of soundness saying “an appropriate strategy”.

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

The Council is committed to working closely with neighbouring authorities, and prepared Statements of Common Ground to support its Draft Local Plan and will do so again for its Regulation 19 Consultation.

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Policy PM12 does increase certainty at the plan-making stage by setting clearer expectations for the contributions required from development. By defining these requirements upfront, PM12 helps reduce ambiguity for both plan-makers and applicants, supporting a more transparent and predictable process.

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Plans should set out the circumstances in which review mechanisms will be used. This allows them to be tailored to local context and provides clarity for applicants. National policy does

not need to set further expectations unless there is evidence of inconsistency; the flexibility for local planning authorities to define when review mechanisms apply should remain.

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree.***

a) Please provide your reasons, particularly if you disagree.

Like many local planning authorities, EHDC is seeking to include a policy in its emerging Local Plan which introduces higher energy efficiency standards and measurement methods as per the National Zero Carbon Building Standard. Removing the ability of LPAs to set higher targets than in Building Regulations significantly reduces the influence that local communities can have over mitigating and adapting to climate change, even though this is purportedly one of the main objectives of the planning system (see Chapter 5 of the draft NPPF). It is recommended that PM13 be deleted and the ability for local plans to set higher energy efficiency standards in the Planning and Energy Act 2008 be retained.

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination? ***Strongly agree,** partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?

Given the importance placed on having Local Plans in place, along with the high housing numbers, a more reasonable approach to soundness is welcomed, particularly acknowledging that challenges around demonstrating deliverability of sites in the latter part of the plan period.

20) Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?

No.

21) Do you agree with the principles set out in policy DM1? *Strongly agree, **partly agree,** neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Firstly, what does 'major' mean in the context of Policy DM1.

Also, noting, "Be informed by early engagement with neighbours and the local community, as well as with the local planning authority, statutory consultees and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application." Caution is needed whereby a response is received from a consultee, that isn't informed by the full context that may then be understood through the pre-app process with dialogue with the LPA. If there are separate negotiations going on that the LPA isn't privy to, and arrangements are made prior to the submission of the pre-app, it could make the process more challenging for the LPA.

22) Do you agree with the policy DM2 on information requirements for planning applications? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Policy DM2 needs to include requirements to meet new DM policies in national validation list. A national validation list (modelled on annexe c) would be more efficient and easier to navigate for the LPA and the developer. It is important that this national list contains the studies required to demonstrate whether or not the development complies with the policy requirements (or if not how far removed it is). The only exception to creating a local validation requirement should be very specific local circumstances not covered in the nation version. Local Validation lists are often out of date, time consuming to create and update and many copy another LPAs.

23) Do you have any views on whether such a policy could be better implemented through regulations?

24) Do you agree with the principles set out in DM3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

We need to have well-resourced technical consultees. It is unreasonable to expect LPAs to make decision without their comments.

“Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;” (emphasis added).

With regards to ‘any positive responses’, it is important to note that planning decisions are not ‘a vote’, and considerations should be made on material planning matters.

DM3 – DM3 (d) it is unreasonable to expect LPAs to progress to decision making on technical matters, particularly those of safety without have the Stat con response. It is necessary to increase training and capacity and fund these bodies and consultees to respond in a timely manner.

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Viability amalgamates NPPF and PPG policies which give the standardised approach greater emphasis which is welcomed.

The current para 59 indicates that there should be no need for a viability assessment and at present the PPG specifies the circumstances where Viability assessment would be justified, focuses on divergence from Dev Plan – the only additional one is c. burdened by cost unforeseen and this seems reasonable. Therefore, this policy is an amalgamation of NPPF and PPG policy. It is also clear that overpaying for land is not justify failure. This is important and should be supported as should review mechanisms to maximise AH and dev

contributions to support growth. The annexe moves the PPG into the NPPG. Similarly, the inclusion of considering harm if s 73 seeks to revisit viability is a good addition - but it must be clear that in these circumstances price paid for land remains irrelevant.

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Model conditions and s106 obligations could, provided that there is the ability to modify for specific local circumstances be more efficient and easily understood.

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

DM7 focusses the mind on planning issues however, the inclusion of the phrase '*unless there is clear evidence to the contrary*' should be removed – as these regimes should work and if they don't they will result in the inability to progress applications. If Govt. wish to retain the phrase Govt should provide national evidence/ information to ensure that time and resources are not wasted on applications where it is not possible to address utility issues.

This is becoming increasingly important to focus decision makers minds (including planning committee) on core planning considerations as often there is a chance that decision makers will stray into particularly utilities which is outside their control delaying the grant of PP. If anything this needs to be even clearer. However need to remove '*unless there is clear evidence to the contrary*' – as these regimes should work and if they don't they will result in the inability to progress applications.

31) Do you agree with the new intentional unauthorised development policy in policy DM8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

It is currently a material consideration (Ministerial statement issued in 2015), which is raised at enforcement appeals. The ministerial statement 2015 was a response to government concern about no opportunity to appropriately limit or mitigate the harm that has already taken place. The statement also refers to such development involving LPAs in expensive and time-consuming enforcement.

It can be perceived when such developments gain planning permission, they are being rewarded despite “breaking planning rules”. It could be helpful to discourage such action by ensuring this consideration is taken seriously by appeal inspectors when considering proposals, and by giving clear weight.

However, this could cause difficulties, as it may lead to refusal of permission for what would normally be a good site for development. Then at what point is ‘intentional’ no longer valid, when the site has been sold to someone else? Or does ‘intentional’ remain with the site forever more?

32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

Intentional unauthorised development can cause serious harm to the special qualities of designated landscapes and visual amenity. By intentionally implementing development an informed approach towards the design of a scheme does not occur. So, opportunity to limit or mitigate harm is prevented and damage to the environment occurs. A policy directed at such consequences would be helpful.

a) If so, are there any particular additions or mitigations which we should consider?

The wording may benefit from some specific examples of what would be considered intentional or how it is defined, for example, if we experience unauthorised development of Gypsy and Traveller accommodation over a bank holiday weekend, or Easter weekend, it appears to us that is clearly intentional. It may also be helpful to clarify to what extent other considerations would counterbalance that – because it is likely that if the Council declares such development intentional, some form of personal circumstances would be put forward to suggest there was little alternative but to develop without permission. It is our view that if the intention is to take a strong position on this, and state ‘substantial weight regarding intentional unauthorised development’, this shouldn’t be watered down by taking account of other circumstances.

If used, the LPA would need to demonstrate that those involved were aware of the policy, which may cause the policy’s effectiveness to be limited.

33) Do you agree with the new Article 4 direction policy in policy DM10? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

More flexible use of Article 4 directions is welcomed to address local circumstances.

34) Do you agree with the proposed approach to setting a spatial strategy in development plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

The restructuring helps provide clarity, without major changes.

35) Do you agree with the proposed definition of settlements in the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

This sentence is not clear, “Includes cities, towns, villages and other predominantly built-up areas, including land which is allocated or has permission for development which will form part of the built-up area once the development is complete.” It is not clear if to form part of the settlement it needs to be developed or not. The wording would benefit from tweaking to be precise and not attract debate.

36) Do you agree with the revised approach to the presumption in favour of sustainable development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

The policy is clear in its wording, but comments relate to the content of S4 and S5, addressed in further questions.

37) Do you agree to the proposed approach to development within settlements? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Need to ensure this aspect is not misused “the allocation or safeguarding of land for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or” For example, the definition of settlement seems to include allocations before they are completed. If important infrastructure is identified on those sites, for example, health facilities, or schools, it shouldn’t be the case that this can easily be lost to housing, because of this presumption and by default this land being considered in the settlement. Sometimes these infrastructure projects take time to be delivered but are a highly valued part of the allocation.

The Council supports sustainable development within settlements and supports the thrust of this policy.

38) Do you agree to the proposed approach to development outside settlements? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

More clarity is required.

Outdoor sport – there is no definition of outdoor sport in the glossary, which may help add more clarity to this inclusion. We support provision of sport generally but note some sport uses can be intrusive in the countryside.

“Development for rural businesses and services, including tourism, where a location outside settlements is shown to be necessary;” – We query how would this work with for example a glamping site/holiday lodges in the countryside, what constitutes necessary?

“Limited infilling within groups of houses” – this is a significant change to existing policy and the aspect of this policy that concerns EHDC the most, particularly for rural areas of the district. Unless the NPPF offers more clarity on what this means, it is going to be decided by endless appeal decisions and opens the door to considerable sporadic development in the countryside.

“An exception site as provided for in policy HO10”, however policy HO10 says “Adjoin or be physically well-related to settlements” – query whether these two policies are consistent.

“Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation²⁵” Footnote 25 then says, “Including (but not limited to) where the relevant local planning authority lacks a five-year supply of deliverable sites as set out in policy HO3(1)(c).” This introduces the concept that an LPA can demonstrate 5YS and still accommodation outside the settlement is appropriate in principle. This undermines the benefits of having 5YS, and further encourages sporadic development in the countryside.

Paragraph 12 is too long and lacks clarity. It is not clear if all requirements must be met, or if just one needs to be met, i.e. could it be that development for housing is acceptable outside the settlement if there is a station in the settlement? There are many ; and then an ‘or’ at the end. The overall intention is generally clear, but when get site specific, it is not clear in the way this para is presented what may meet these criteria and what may not. Equally footnote 26 is not clear, and needs to be presented more concisely, so no debate over whether a station is considered well connected or not. This is a very significant change in many rural areas – some with no other facilities- ‘high’ density development in these rural areas with train stations could be dramatically out of character. This needs to be controlled to ensure that new development is in keeping with the rural character.

Re j, as per the comments regarding Traveller accommodation, “including, but not limited to,” opens the possibility of endless speculative development, regardless of the housing land supply position.

39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons.

40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Homes around stations at higher density – however, it should be amended to take into account the context e.g. rural/urban/suburban.

a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy? *Strongly agree, partly agree, neither agree or disagree, partly disagree, strongly disagree.*

a) If not, please provide your reasons

Clarity is helpful, so Neighbourhood Groups are clear and there is no misunderstanding. Neighbourhood Plans take a lot of volunteer time and resource, and those preparing them need to be clear about the implications of content and of preparing a plan.

42) Do you agree with the approach to planning for climate change in policy CC1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Partly agree. It is welcome that climate change is a consideration. However, it is not clear how measures to address climate change should be weighed against competing priorities. The overall approach remains qualitative, with the option for local planning authorities to assess baseline emissions and the effect of a development strategy on future emissions. This is inappropriate, given existing legislative commitments through the Climate Change Act 2008 (as amended). To understand what should be achieved through the planning system, there should be targets for achieving incremental reductions over specific timeframes, tied to national carbon budgets and net zero commitments. It remains unclear how the planning system will contribute to reducing emissions that are related to the built environment. Local planning authorities should be better enabled to set locally specific, evidence-led climate policies that would contribute measurable reductions through an expanded PM13.

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?

Changes to national policy for promoting sustainable transport are supported in respect of their improved support for the use of sustainable transport modes (CC2 and TR3). However, further measures should be considered in relation to the emissions of new buildings. These could include the application of EUI-based policies for reducing the operational emissions of new buildings (as evidenced through multiple local plans that are now in place within England) and the use of whole-life carbon assessments that also consider embodied emissions in the case of major development.

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree. The intent is welcome, although further guidance will be necessary to clarify the requirements in relation to overheating and the inclusion of green infrastructure within new development to achieve meaningful climate resilience.

- a) **What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?**

Planning practice guidance and/or revised design guidance should be used to elaborate on the means of avoiding the overheating of buildings and public spaces through design approaches; and how multi-functional green infrastructure can be integrated with new development in ways that are resilient to adverse weather, that reduce conflicts with residential activities and avoid costly maintenance issues. It should not be assumed that planners and designers will know what is intended by the elliptical requirements of policies CC3 and DP1.

- 45) **Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

- a) **Please provide your reasons**

- 46) **How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?**

- 47) **Do you have any other comments on actions that could be taken through national planning policy to address climate change?**

National planning policy should be aligned with the Climate Change Act and national carbon reduction targets. Policy PM13 should be revised to enable local planning authorities to establish EUI-based policies for reducing greenhouse gas emissions from new development, which is the preferred approach of many authorities to improving the energy efficiency of new buildings wherever practicable and viable. National policy should establish the floor, not the ceiling for achieving the ambitious reductions to greenhouse gas emissions. There also needs to be a concerted effort to ensure that measures to adapt the built environment to climate change are given as much prominence as measures to mitigate greenhouse gas emissions, given that we are now living with a changing climate.

- 48) **Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

- a) **Please provide your reasons, particularly if you disagree.**

- 49) **Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

- a) **If so, what elements should this guidance cover?**

- 50) **Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

- a) **Please provide your reasons, particularly if you disagree.**

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Yes, despite having an up-to-date GTAA, the calculation of need is endlessly poured over at planning appeals, and each time, expensive defence of the GTAA by the consultant is required.

a) If so, what are the key principles this guidance should establish?

There should be a review of appeal decisions whereby the calculation of need has been debated, and then clear guidance provided on the key areas of debate.

52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

No, there has been considerable debate over the calculation of 5YS for Traveller sites, and whether only sites that are occupied by those with an identified need in the GTAA contribute towards meeting need. Clarification on this would be welcome. The complexity of GTAAs because they rely on interviews with actual people rather than data/stats, then means counting need and supply is more open to debate. Really clear guidance on 5YS and needs assessments would be welcome.

55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree - it's beneficial to secure affordable housing on small sites (under 10 homes), however, there will be delivery issues as the majority of Registered Providers will not procure them. There may be affordable housing providers willing to deliver shared ownership, or

shared equity tenures, but we anticipate issues in delivering more social or affordable rented housing through this change.

57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, and would you support an alternative minimum percentage requirement?

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons and indicate if an alternative site size threshold would be preferable?

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Neither agree nor disagree - There is a genuine shortage of affordable housing for those with a local connection to the district, and changes to the definition of affordable housing may further affect this position. EHDC currently allows members of the armed forces to apply to the housing register without a local connection, recognising that they may be based in different locations across the country. Further detail is required on how housing need would be evidenced before it is possible to comment on whether the proposed change would support the provision of military housing, and how this might be balanced against any reduction in other forms of affordable housing.

- 64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?
- 66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?
- a) If so, what changes would be beneficial?
- 67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.
- b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer
- 68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).
- 69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.
- 70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?
- a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

73) Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

74) Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

75) Do you agree the proposals provide adequate additional support for rural exception sites? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, including what other changes may be needed to increase their uptake?

76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Removal of First Homes exception welcomed BLV £10k per plot- how big is the plot? A lot of questions – it is most important that these plots are not huge unclear (c) would result in the potential for 49% market housing – so unacceptable for exception– there should be a maximum proportion or it is not an exception by a normal housing site.

a) Please provide your reasons, particularly if you disagree.

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?

78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

79) Please provide your reasons, particularly if you disagree.

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns? *Yes, no*

a) Please provide your reasons.

83) Do you agree with the proposed changes to the Housing Delivery Test rule book? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree.***

a) Please provide your reasons, particularly if you disagree.

EHDC welcomes the clarification that the HDT rule book will be based on the most recent requirement established in the most recently adopted plan (whether it is a spatial development strategy or borough/district-level local plan). However, the HDT rule book must be amended where the minimum annual local housing need figure is used. Whilst the HDT does not apply to National Park Authorities, there is no acknowledgement in the rule book or HDT outputs for strategic policy-making authorities whose boundaries do not align with local authority boundaries. This is despite the PPG endorsing such circumstances needing to utilise an alternative approach to the standard method.

EHDC continue to express our concerns about formulaic calculations and how they disproportionately impact East Hampshire, especially the operation of the HDT. East Hampshire District is bisected by the South Downs National Park (SDNP), which covers 57% of the district geographically and approximately 26% of its housing stock. The remaining 43% lies within the East Hampshire Local Planning Authority (LPA). The SDNP is a separate planning authority and as such, EHDC is only responsible for plan-making and development management in the smaller part of the district. Housing delivery, especially the provision of affordable housing, remains a corporate and political priority for EHDC, as detailed in the East Hampshire Council Strategy 2024-28. We recognise and fully support the core purpose of National Parks to conserve and enhance natural beauty, wildlife and cultural heritage. However, we are concerned that the current HDT methodology fails to take account of the significant constraints that such designations impose.

The previous standard method used to calculate housing need, and subsequently current HDT requirements, uses a district-wide approach to household projections and affordability ratios, despite the presence of a separate planning authority and very different policy context across much of the district. Yet Planning Practice Guidance (PPG) clearly acknowledges that the Housing Delivery Test does not apply to National Park Authorities. This is not a theoretical concern. The consequences of under-delivery set out in the National Planning

Policy Framework (NPPF) apply to East Hampshire LPA but not to the SDNPA, even though housing delivery within the National Park contributes to the HDT measurement. This is inherently unjust. We have no planning control over housing delivery in the National Park, and there are limited levers available to us to influence outcomes within that area. Yet the HDT holds the East Hampshire LPA accountable for that very delivery.

This situation places disproportionate and unsustainable pressure on the East Hampshire LPA area, which already faces significant development challenges of its own. Although EHDC has historically performed well against the HDT since its introduction in 2018, the 2023 result showed that 1,453 new homes were delivered across the whole district between 2020/21 and 2022/23, representing 88% of the requirement. This has triggered the need for the East Hampshire LPA to prepare an Action Plan, which was approved by Cabinet on 18 July 2025. Meanwhile, the SDNPA, despite housing being included in the same HDT measurement, is excluded from any consequences. We also note that we are not alone in this position. Other authorities intersected by the SDNP, including Lewes, Adur, Arun, Eastbourne, and Horsham are similarly affected and have been subject to HDT consequences such as action plans, 20% buffers, or even the presumption in favour of sustainable development. The matter is not confined to the SDNP with many local planning authorities across the country straddling national parks. This highlights a systemic issue that warrants a national policy solution. EHDC is currently preparing a new Local Plan to cover the period to 2043, and we are actively engaging with the SDNPA on strategic matters, including housing, through Duty-to-Cooperate channels. However, the SDNPA is not required to meet its Local Housing Need (LHN), and its ability to accommodate development is restricted by its national park status. Consequently, the burden of delivery continues to fall on the smaller portion of the district, an area under increasing pressure from speculative development. Based on the above, we believe that the HDT should not be measured on a district-wide basis in areas split between multiple planning authorities. Instead, it should be based on the local housing need and delivery performance of the relevant LPA only. This would allow plan-making and delivery to reflect the actual responsibilities and land-use constraints of each authority area and prevent unjust consequences arising from circumstances outside an LPA's control.

We urge the Government to reconsider the current HDT methodology and introduce a more equitable approach. Specifically, we ask that the HDT be calculated based on the LPA's area of responsibility and local housing need, with appropriate adjustments to the standard method in cases where a National Park significantly affects district-wide figures. Without such reform, East Hampshire LPA and many other authorities will continue to face unjust consequences for matters beyond their control. The HDT rule book must be amended to account for such circumstances, which will impact a considerable number of local planning authorities across the district.

84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

EHDC supports the policy with reference to flexibility in planning for economic growth. EHDC also supports the policy by taking into account business needs in terms of supporting infrastructure and assisting with expansion of existing businesses. Recent economic

evidence for EHDC has shown that supporting infrastructure and connections are a key reason for why businesses do and do not located in certain areas of the rural district. Evidence also indicated that small businesses would be retained in the district if there was greater opportunity to relocate into expanded premises. Flexibility of uses could further add retention of economic activity in the district.

We support the emphasis on linking local plans to relevant national strategies to create a golden thread linking from national, to regional (through Local Growth Plans and SDS) down to local. This should contribute towards an integrated, more certain approach to economic growth to improve investor confidence and enable better alignment to strategic economic goals.

85) Do you agree with the approach to meeting the need for business land and premises in policy E2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Support is given for Policy E2 1a) that increases weight to economic development proposals that would allow expansion and adaptation. EHDC economic evidence indicates that businesses would be retained in the district if there was potential for expansion and greater development of some premises.

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

87) Do you agree with the approach to rural business development in policy E4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

The replacement of former NPPF (2024) Policy para 88 d) with the proposed Policy of E4 1d) is at risk to a loss of rural community facilities. Growth in agriculture is of equal importance but it is not thought suitable to lose weight and protection placed on retaining rural community facilities.

88) Do you agree with the proposed changes to policy for planning for town centres? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

The inclusion of identifying areas for infrastructure and public realm improvements is noted. This is supported and should have a positive impact on providing supporting infrastructure to improve a sense of place and increase attraction to town centres. The emphasis on utilising vacant premises, as well as intensification is also noted. Use of existing vacant premises is important but is obviously highly driven and dependent on market conditions.

The inclusion of design codes and masterplans is also noted. Design codes are seen as a positive inclusion.

89) Do you agree with the approach to development in town centres in policy TC2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, please explain how you would achieve this aim differently?

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

91) Do you believe the sequential test in policy TC3 should be retained? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

92) Do you agree with the approach to town centre impact assessments in policy TC4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Community sustainability should be supported by the supported refusal of Retail proposals that fails the impact test, it is more important than ever to encourage retail into town centres and ensure that non-TC retail does not harm the centre (more that online shopping does).

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?

We agree that water and energy infrastructure are important considerations, and often the ones raised by residents when concerned about proposed development. It can however, be challenging to get information from some water and energy providers.

97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

- a) Please provide your reasons, particularly if you disagree.
- 98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.
- 99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of ‘minerals of national and local importance’? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- 106) Please provide your reasons, particularly if you disagree.
- 107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

- 108) Please provide your reasons, particularly if you disagree.
- 109) Do you agree with approach to coal, oil and gas in policy M5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 110) Are there any other exceptional circumstances in which coal extraction should be permitted? Yes/No
- 111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.
- 112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- 115) If not, what further guidance is needed?
- 116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 117) Do you agree policy L2 identifies appropriate typologies of development to support intensification? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) If not, what typologies should be added or removed and why?
- 118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions. *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, please explain how guidance could be clearer?

L3(2) suggests that considerations of local character 'should not preclude development which makes the most of an area's potential'. From a marketing perspective, developers are likely to insist that most sites have such "potential". It is unclear how a decision-maker should react: what does 'potential' refer to in this case? Is the term to be construed purely from a sustainable transport perspective, or should 'local market conditions' and a general 'need for different types of housing' (L3(1)) be taken into account? More clarity is needed, or the clause 'but should not preclude development which makes the most of an area's potential' should be deleted from L3(2).

122) Do you agree with the minimum density requirements set out within policy L3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

"Where development proposals for housing or mixed-use schemes are within reasonable walking distance of a railway station⁴⁴, a density of at least 40 dwellings per hectare should be achieved within the net developable area of the site, or 50 dwellings per hectare where the station or stop is defined as 'well-connected'⁴⁵" This has no regard for the rural nature of some districts, or the range and number of other services/facilities that would be available within a reasonable walking or cycling distance. A more holistic consideration of the opportunities to reduce reliance on the private car is needed in order to justify minimum density standards. An arbitrary 'one-size-fits-all' approach that disregards regional and local contexts should not be used. National policy should therefore mandate the use of minimum density standards in well-connected locations (e.g. where 'well-connected' takes account of the DfT's Connectivity Tool), with the standards being established through spatial development strategies and/or local plans. Policy L3 also fails to recognise that peak-time capacity on passenger trains from the relevant railway stations will be critical to realising any sustainability benefits from the future use of trains as a mode of transport. Any national policy approach to increasing densities in proximity to railway stations would need to be supported by a comprehensive rail strategy that would boost the capacity of the rail network (where necessary) in line with spatial development strategies of strategic planning authorities.

Where the policy says, "of the area in which they are situated", this needs to be clarified to be clear what geographical area that would be.

With regards to references to 'railway stations', East Hampshire District is home to heritage watercress line, which has stations that are used for this purpose. This is a heritage line, and not a commuter railway. As such, the policy needs to be clear that such stations would be excluded from these references to railway stations.

b) **Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence**

123) **Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of ‘net developable area’ within the NPPF suitable for this policy?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) **Please provide your reasons, particularly if you disagree.**

124) **Do you agree with the proposed definition of a ‘well-connected’ station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we’re using for the number of Travel to Work Areas and service frequency appropriate for defining a ‘well-connected’ station?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) **Please provide your reasons and preferred alternatives.**

Footnote 26 defines “well connected” but the definition is not sufficient and needs much greater clarity, specifically of the parameters set within the definition. If the top 60 TTWA areas are to be used this should be provided as a direct resource by central Government, instead of everyone making their own interpretation of sourcing the data. An announcement and link to the annual updated data should be provide by central Government. This removes time and effort of LPAs of defining a so-called definition in national policy. If the Government is to define new parameters then it must be explicitly clear on all of these as well as providing the data source to be used. Therefore a link to the Top 60 TTWA, incorporating the sorting to exclude any areas outside of England, should be provided and regularly updated by Government.

Reasonable walking distance again needs to be defined. This could be interpreted as 400m or 800m – both arguably reasonable walking distance in transport planning terms. Again, to remove the ambiguity and debate around this term, Government should be defining this to remove the expense of time wasted on inferring a definition. Walking and cycling distances to other services and facilities (i.e. not just railway stations) need to be considered to understand the opportunities for reducing reliance on the private car and thus increasing the use of sustainable transport modes. It is unreasonable to imagine that people will use the train for all journey purposes.

The frequency of rail services needs greater clarity. Normal weekday daytime is vague, surely it should relate more to peak hour services and if so, the peaks hours also need to be defined. This parameter needs greater clarity to avoid any misinterpretation.

It is unclear whether the policy requires top 60 travel to work areas and service frequency. Is it an and or an or situation? Clarity is required on the wording of the policy.

The policy involves reliance on multiple parameters and the definition of these parameters are very unclear and open to interpretation, thus causing the overall policy to be weakened. To remove debate over interpretation of the policy, definitions of the TTWA, walking distance and train frequency must be strengthened and provided by Government.

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally? Yes/No

a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?

The policy does not state any differences between urban and rural locations. Urban locations are more suited to higher densities. By not making any reference or discrepancy between urban and rural, it could result in many areas surrounding rural train stations being developed with out of character densities and thus changing the rural character and landscape of smaller settlements that aid commuting. The ambition to enhance rail commuting is recognised but it should not be at the expense of altering the rural characteristics of settlements. Densities should not be a blanket approach between set parameters but instead include relationship to the urban or rural setting.

Increasing densities cannot be used in isolation to increase rail commuting patronage, enhancements to the rail infrastructure, service frequency and most importantly cost of journey must also be addressed with equal strength to ensure that future development that is “well connected” to train stations is not fulfilling the needs of those that still commute by car.

126) Should we define a specific range of residential densities for land around stations classified as ‘well-connected’?

No, see response to question 122a) for reasons and an alternative suggestion for national policy.

127) If so, what should that range be, and which locations should it apply to?

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

129) Please provide your reasons, particularly if you disagree.

This policy needs to take into account impacts of new extension in terms of overbearing or outlook as well as those listed

Design policies are clearly set out.

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

131) Please provide your reasons, particularly if you disagree.

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

- 133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- 135) Please provide your reasons, particularly if you disagree.
- 136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- 138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.
- 139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?
- 141) Do you agree with setting an affordable housing ‘floor’ for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- 142) Please explain your answer, including your view on the appropriate approach to setting a ‘floor’, and the right level for this?
- 143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please explain your answer.
- 144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

147) Do you agree with the approach to design tools set out in policy DP2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, what else would help secure better design and placemaking outcomes?

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Consideration of transport from the earliest stages of plan making is supported as well as a vision led approach. Support is also given for spatial strategies and local plans setting thresholds for what constitutes a significant amount of movement from a new development.

However, Policy TR1 makes no reference to the potential differences in achieving increases in walking and cycling between rural and urban areas. In rural districts such as EHDC, it is extremely challenging to encourage greater engagement in cycling and walking when there are more barriers to walking and cycling i.e. not all roads have footpaths and not all roads have streetlights. Safety and perceived safety can be a large barrier to walking and cycling, as well as ageing populations in rural areas. Inclusion of greater mixed use development is good in theory but in rural areas it can translate to a small convenience store, which ultimately will not alter travel habits, especially when considering linked trips. Mix use developments, particularly retail, are reliant on the private market, so there is no guarantee that even if development includes alternative land uses that these will be occupied and active.

The policy needs to give greater consideration to the differing spatial contexts and the challenges to sustainable travel, particularly rural authorities.

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Policy TR3 is supported but TR3(1b) must be considered realistically in conjunction with reasonable densities that are in-keeping with the existing character and landscape of an area, particularly rural areas and those surrounding rural train stations – see response to Question 125).

Introduction of the Connectivity Tool is supported as it is a standardised tool provided by Government, removing ambiguity. The Connectivity Tool will also lessen the financial and time burden on local authorities to provide their own evidence base relating to connectivity and accessibility.

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

Policy TR6 infers that only those developments which are likely to generate significant amounts of movement are required to undertake a TA or TS. It is believed that “significant amounts of movement” now refers to that defined by the local strategy or local plan, as determined by Policy TR1. However, how is it to be known which are likely to generate significant movements or not, as this is unknown until a TA or TS is undertaken. A local quantum definition (dwellings or GFA) for requiring a TA and TS is still needed.

Policy TR6 still refers to “severe” without a definition of severe being provided. A definition of sever should be provided or allowed to be set locally, alike “significant movements” to remove the constant debate and ambiguity surrounding this policy term.

156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

The proposal of TR8 is supported and aligns with prioritising cycling and walking. However, it could be strengthened by incorporating reference to the LCWIP, which in turn would be strengthened by inclusion in TR8.

158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

We support the proposal for HC1 because it ensures that development plans place healthy communities at the heart of the planning process, rather than treating health as an afterthought. Embedding these principles from the outset helps reduce inequalities, encourages active lifestyles, strengthens community identity, and creates resilient places that promote long-term wellbeing.

159) Do you agree that Local Green Space should be ‘close’ to the community it serves? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Please provide your reasons, particularly if you disagree.

The wording of Policy HC3 is unclear, particularly as it does not include open space; if this omission is intentional, it leaves a gap, as no other policy currently addresses the provision of new open space. The reference to “green space” in paragraph 2 also needs clarification, as it is not defined in the glossary and could refer to local green space, green infrastructure, or open space. In addition, the phrase “significant increase in people” is only used within this policy, and without further explanation of what constitutes a significant increase, its

application is likely to be inconsistent. Clearer definitions and terminology would help ensure the policy is applied fairly and effectively.

HC4 currently focuses only on community and public infrastructure, but it should also cover open space, as there is no standalone policy addressing the creation or improvement of new open space. While the policy highlights the need for community consultation, particularly for new or enhanced play facilities, it does not reference open space, even though the glossary defines it as including sport and recreation. Clearer distinction and alignment between open space and community facilities for sport and recreation are needed to avoid confusion and ensure consistent application of the policy.

161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term ‘fast food outlets’, and the types of uses to which it applies?

Further explanation of what constitutes a “reasonable walking distance” would be beneficial, as this will support consistent interpretation and implementation across development proposals. It would also be helpful to broaden the wording from “schools” to “educational facilities” to ensure the policy captures a wider range of learning environments and use the same terminology within the glossary for public service infrastructure. In addition, greater clarity on the definition of “fast food outlets” would strengthen the decision-making process by reducing ambiguity and helping officers apply the policy more effectively.

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Please provide your reasons, particularly if you disagree.

The overall principle of the policy is supported, particularly the aim to protect community facilities and ensure that any loss from development is replaced with equivalent or better provision. However, the use of the term “key community facilities,” tied to frequency of use, is not supported. Much of the evidence base used in local plans represents only a snapshot in time, while the way facilities are used can change significantly over the years. This could place an unreasonable burden on the planning authority to continually reassess what “frequent use” means for every application involving potential loss.

Significant concern about this sentence, “The policy applies only where the facility would be the last of its type in the area concerned.” ‘type’ and ‘area’ are not defined. Also, would the intention really be of this policy to allow lots of community facilities to be lost until there was only one of its type in the area left? This is a strange sentence, thrown in without any thought of impact or explanation of terminology or intent.

If the wording of the policy is not amended, then facilities for play, sport, and informal recreation should be explicitly included within point 2 to ensure they receive the same level of protection.

163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of ‘and/or’ with reference to quantity and quality of replacement provision? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

We agree with the overall principle of the policy and the inclusion of “and/or” in point b. However, the wording in point c leaves considerable room for interpretation around whether the loss of a facility is outweighed by the benefit of a proposed alternative. This places pressure on the planning authority to judge the relative value of different facilities, something that would not be captured in the development plan evidence base and could lead to inconsistent decisions. Point c should instead prioritise the protection of existing facilities and ensure that any alternative sports, play, or recreational provision that results in a loss does not create a deficit when assessed against the local evidence base.

164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5? **Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Policy F5 is a move towards a clearer, more proportionate, and more workable approach to the Sequential Test which is welcome. The updated approach provides greater certainty about when the Sequential Test is required.

The Council supports the move toward a more balanced and proportionate application of the Sequential Test, consistent with updated Planning Practice Guidance. The provisions allowing the test to be omitted where an FRA shows that risk can be safely managed throughout the development's lifetime are particularly helpful for small or complex brownfield sites.

We also welcome the clarification regarding reducing duplication for allocated sites, where the Sequential and Exception Tests have already been undertaken at the plan-making stage. This minimises unnecessary repetition at the application stage and supports more efficient decision-making, provided no material circumstances have changed.

However, it remains important that national policy continues to provide a clear and consistent basis for defining "reasonably available" alternative sites and the appropriate "area of search". Recent updates are helpful, though further national guidance would be beneficial in ensuring a consistent approach is taken across different authorities.

173) Do you agree with the proposed approach to the exception test set out in policy F6? **Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

The Council endorses the proposed approach to the Exception Test, in particular criterion 2(b), which appropriately recognises that where an Exception Test has been undertaken through the plan-making process, it should not be required again unless there has been a material change, such as a significant increase in flood risk.

a) Please provide your reasons, particularly if you disagree

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards? **Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Policy F8 strengthens and clarifies expectations around sustainable drainage. The draft policy requires development to incorporate national standards for sustainable drainage, which should reduce inconsistency and sets a national benchmark rather than solely relying on locally variable standards or ad-hoc approaches.

a) Please provide your reasons, particularly if you disagree.

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels? **Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

The Council supports the proposed new policy F8 (3) as it strengthens the emphasis on nature-based solutions, climate resilience and improved water management. Avoiding culverting and promoting reinstatement of natural river channels can reduce surface water and fluvial flood risk by restoring natural flow paths, increasing flood storage capacity etc. It also supports the draft NPPF's approach to climate change adaptation and delivers measurable gains for biodiversity. Overall the proposed policy represents a positive step towards more resilient, nature-positive development, provided it is implemented flexibly and supported by clear guidance to reflect local conditions and constraints.

a) Please provide your reasons, particularly if you disagree.

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? **Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

The Council supports adding electrical supply storage systems and data centres to the classification list. Although these additions don't change how the overall classification list works, they are important growing types of infrastructure that need careful management to ensure they remain resilient to flooding and can keep operating during extreme flood events.

a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to.

The Council is not aware of any other types of development that need to be added at this time. However, the flood risk vulnerability classification table should be continue to reflect how development is changing, while remaining clear and easy to use for LPAs etc.

179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

The Council supports the overall direction of policy N1 and agrees that a clearer national framework for planning for the natural environment, including BNG, is important for improving consistency and certainty for plan-making and decision-making. The alignment with statutory BNG requirements and the emphasis on supporting nature recovery through the planning system are welcome.

The policy broadly strikes an appropriate balance between environmental ambition, viability and deliverability. However, greater flexibility and clarity are needed to ensure it is workable across different local contexts. In particular, the policy should more explicitly recognise local ecological conditions, priorities and land availability which varies significantly across the country, provide clearer guidance on managing the cumulative viability impacts of multiple policy requirements (such as affordable housing, infrastructure provision, and climate mitigation), and offer greater certainty on the long-term delivery and management of biodiversity outcomes. The opportunity to identify features that require particular consideration due to their environmental value, such as chalk streams, and which may not have been included before is welcomed.

a) Please provide your reasons, particularly if you disagree.

180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?

The Council consider that it may be reasonable to seek more than 10% biodiversity net gain on allocated sites where this would deliver clear strategic benefits, such as contributing to priority habitat creation, strengthening ecological networks, or supporting delivery of the Hampshire Local Nature Recovery Strategy. Higher net gain requirements may also be justified where sites are particularly well-placed to deliver offsite or larger scale habitat improvements that could help neighbouring developments meet their biodiversity net gain obligations more effectively and efficiently. In such circumstances, any uplift above 10% should be evidence led, proportionate, and reflected clearly in plan viability testing to ensure deliverability.

181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

The policy provides a clear national framework for ensuring that development proposals consider the existing natural characteristics of sites and seek to enhance them through the planning process. However, it would be helpful to be clearer about what level of information is needed for different types of development, and what counts as reasonable enhancement, so the policy is applied consistently and proportionately. For example, use of the wording 'whenever possible' and 'take suitable opportunities' could still result in some missed opportunities.

Please provide your reasons, particularly if you disagree.

182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, including how policy can be improved to ensure compliance.

Policy N4 does explain how planning decisions should deal with development in protected landscapes. It reflects the legal duties to conserve and enhance areas such as National Parks and National Landscapes, and it makes it clear that these protections should carry significant weight in decision-making.

However, the policy could be improved. In particular, it is not always clear how decision-makers should balance these legal duties against other national priorities, such as housing delivery. Clearer guidance on how this balance should be provided would help to ensure decisions are more consistent.

The policy should also be clearer on how it applies development outside protected landscapes that may still affect their setting, landscape character, special qualities and value. More guidance and clarity is required.

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

As a rural authority which contains a large number of recognised sites, policy N6 provides a clearer and more structured framework for understanding how internationally, nationally and locally designated sites should be treated within the planning system, and this is welcomed. The policy usefully brings together different layers of designation and establishes a clear hierarchy of protection, which supports more consistent decision-making and reinforces the importance of designated sites within plan making and development management.

However, while the broad framework is clear, further guidance would be beneficial on how the policy could provide greater clarity on how locally designated sites should be assessed where they are affected by development proposals that conflict with other nationally significant objectives, such as housing delivery or infrastructure provision. At present, the balance to be struck in such circumstances remains open to interpretation, which may lead to inconsistent outcomes between authorities.

a) Please provide your reasons, particularly if you disagree.

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

In taking forward the implementation of Environmental Delivery Plans, it will be important to fully recognise and integrate existing mitigation schemes and delivery mechanisms that are already operating effectively at a local or strategic level.

Many local authorities are either working towards or have already implemented established mitigation strategies to address environmental impacts arising from development, including

nutrient neutrality schemes, recreation and disturbance avoidance and mitigation strategies etc, such in the case of our Council. These schemes often reflect detailed local evidence, long-standing cross-authority collaboration and bespoke governance and funding arrangements.

EDPs should therefore complement rather than displace existing mitigation schemes, allow flexibility for authorities to continue using or adapting existing schemes as part of EDP implementation, provide clarity on how existing schemes can be formally recognised or aligned with EDPs, including transitional arrangements. EDPS must ensure that once in place developers are not required to pay twice for mitigation or there is competitive pricing between the existing scheme and the EDP.

Clear national guidance will be essential on how EDP requirements interact with existing mitigation approaches otherwise there is a risk that EDPs could inadvertently undermine successful local mitigation measures, delay development proposals, or create uncertainty about compliance pathways.

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons.

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Please provide your reasons, particularly if you disagree.

The policies appropriately emphasise the need for a robust evidence base, including an understanding of the significance of heritage assets, and provide a clear framework for integrating heritage considerations into plan-making. The specific requirements relating to World Heritage Sites and Conservation Areas are proportionate and reflect their particular sensitivities and international or national importance.

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Please provide your reasons, particularly if you disagree.

The policy appropriately promotes a proportionate assessment based on the significance of the heritage asset and the scale of potential impact, supporting informed decision-making without unnecessary burden. The emphasis on understanding significance and balancing any harm against public benefits provides a clear and workable framework.

Some additional clarity on the assessment of cumulative and indirect impacts would be helpful to support more consistent application across planning authorities.

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties? *Strongly agree, **partly agree**, neither agree nor disagree, partly disagree, strongly disagree.*

Please provide your reasons, particularly if you disagree.

Broadly agree with the approach to considering impacts on designated heritage assets set out in Policy HE6, including the revised wording from "great weight" to "substantial weight".

The policy continues to emphasise the importance of conserving designated heritage assets and recognises their significance as a key material consideration. In practice, the change in terminology is unlikely to materially alter decision-making, provided the policy is applied consistently and in accordance with the statutory duties under relevant heritage legislation.

However, some caution is warranted regarding the removal of the reference to "optimum viable use" and its replacement with an emphasis on long-term use. While securing a sustainable future for heritage assets is an important objective, there is a risk that the revised wording could be interpreted in a way that limits flexibility or discourages otherwise viable schemes that would deliver conservation benefits. Greater clarity on how long-term use should be assessed, and how it relates to viability and deliverability, would be helpful.

Further clarification of how the requirement to give "substantial weight" to conservation interacts with statutory duties would also support consistent interpretation and avoid any perception of conflict or dilution.

It is not clear whether 'important public benefits' are to be given greater weight than other public benefits, albeit at face value that is what is being indicated in the draft policy.

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10? ***Strongly agree**, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

191) Do you have any other comments on the revisions to the heritage chapter?

192) Do you agree with the transitional arrangements approach to decision-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, **strongly disagree**.*

a) Please provide your reasons, particularly if you disagree.

EHDC is progressing an emerging Local Plan under the current plan making system with the intention of submitting it for examination ahead of the December 2026 deadline. The proposal in Annex A (8) for such plans to be examined under the December 2024 NPPF is supported.

Even if the new NPPF is finalised in the Spring it would not be possible to produce a Local Plan in accordance with it in such a short timescale. However, Annex A (2) says that, once the new NPPF is finalised, any development plan policies "which are in any way inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework".

This means that, even if we are successful in defending our thematic policies at examination, because they accord with the December 2024 NPPF, they will immediately become unusable

on adoption, to the frustration of the LPA and confusion of the public and applicants. This could be the case even with policies that would have been successfully argued as addressing “particular local issues in accordance with PM6” if the Local Plan had been examined under the new NPPF.

Government has repeatedly said that it wants Local Plans to be progressed as quickly as possible and that LPAs should not slow down or wait for the new plan making system or other planning reforms. But this cannot be a good use of public money if much of those Local Plans are ‘dead on arrival’ as soon as they are adopted. It is also likely to disincentivise many LPAs from progressing their Local Plans.

It is recommended that Annex A (2) be amended as follows: “Development plan policies which are ~~in any way~~ inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where ~~they have been examined and adopted against this Framework~~ **there is a clear and justified reason for addressing particular local issues**”.

193) Do you have any further thoughts on the policies outlined in this consultation?

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please give reasons.

196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial? **Yes/No**

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.

197) Do you have any views on how we should define ‘co-located energy infrastructure’? Please provide your reasons.

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres? *Yes/No*

a) Please provide your reasons.

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

- 200) **Would you support the use of growth testing for strategic, multi-phase schemes?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- 201) **Would you support the optional use of growth testing for regeneration schemes?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- 202) **Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) **Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market-led development.**
- 203) **Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?**
- a) **Please explain your answer. The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.**
- 204) **Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?**
- a) **Please explain your answer.**
- 205) **Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?**
- 206) **Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) **Please explain your answer.**
- 207) **Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?**
- a) **Please explain your answer.**
- 208) **Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?** *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) **In what circumstances might a premium, or the usual premium, not be required?**

b) What impact (if any) would you foresee if this change were made?

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please explain your answer.

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used? *Decision maker discretion / Another metric / Neither*

a) If another metric, please set out your preferred approach and rationale.

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context. *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please explain your answer.

213) Do you agree that a 2.5 hectare threshold is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development? *Yes/No.*

216) If so, please explain you answer and provide views on potential mitigations.

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?

a) Please provide your reasons.

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

a) Please provide your reasons.

- 219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.
- 220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.
- 221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.
- 222) Do you agree with the proposal to extend the Permission in Principle application route to medium development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*
- a) Please provide your reasons, particularly if you disagree.
- 223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?
- 224) 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?
- a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.
- 225) Is there anything that could be done to mitigate any impact identified?