

**NORTH LINCOLNSHIRE COUNCIL**

**PLANNING COMMITTEE**

**NATIONAL PLANNING POLICY FRAMEWORK**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To inform members about the publication of the National Planning Policy Framework (NPPF).
- 1.2 The NPPF was published on 27 March 2012 and came into effect immediately.
- 1.3 The NPPF replaces 44 documents including Planning Policy Statements (PPS), Planning Policy Guidance (PPG), Minerals Policy Statements (MPS), Minerals Planning Guidance (MPG), Circulars and other policy set out in Letters to Chief Planning Officers.
- 1.4 The NPPF is a material consideration in preparing local and neighbourhood plans as well as in making decisions on planning applications.

**2. BACKGROUND INFORMATION**

- 2.1 The publication of the National Planning Policy Framework (NPPF) forms part of the Government's agenda to reform the statutory planning system in England. This reflects a commitment in the Coalition Agreement to prepare and publish a simple and consolidated national policy framework.
- 2.2 The NPPF reduces the level of national planning policy from over 1,000 pages to 52 pages. It replaces 44 documents including Planning Policy Statements (PPS), Planning Policy Guidance (PPG), Minerals Policy Statements (MPS), Minerals Planning Guidance (MPG), Circulars and other policy set out in Letters to Chief Planning Officers. A detailed list is set in Annex 3 of the NPPF.
- 2.3 The NPPF aims to reduce the planning barriers to growth, while at the same time involve people more in planning decisions in their local area. It has a presumption in favour of sustainable development that is, achieving development that meets economic, environmental and social goals.

2.4 A draft version of the NPPF was published for consultation in July 2011. During the consultation period a number criticisms were levelled at the document including:

- Lack of a definition of sustainable development
- Ambiguity regarding the place of the development plan
- Abolished brownfield targets and ambiguous about developing brownfield land first
- Local planning authorities with adopted local plans could seek a certificate of conformity with the NPPF.
- A lack of protection for the countryside: default answer to development proposals is 'yes'
- Appeared to say that both local plans and neighbourhood plans had precedence.
- Local Planning Authorities to identify 20% surplus land over and above the 5 year land supply.
- Waters down 'town centre first' approach.

2.5 In order to address these criticisms, the finalised NPPF has been amended. Whilst the presumption in favour of sustainable development remains, the NPPF now contains a more detailed definition of what sustainable development means. This uses the United Nations definition as well as the United Kingdom's own interpretation.

2.6 It firmly establishes the local plan as the primary tool for decision making at the local level. Local planning authorities are encouraged in plan making and decision taking to be positive towards development and approve proposals which meet local plan policy as swiftly as possible.

2.7 The NPPF also clarifies the relationship between local plans and neighbourhood plans. It states that neighbourhood plans must be in general conformity with the strategic policies of the local plan and that neighbourhood plans/orders should not promote less development than set out in the local plan or undermine its strategic policies.

2.8 Other major changes to the NPPF include:

- the support for developing brownfield land ahead of greenfield sites if they are not of environmental value;
- stronger support for town centres in particular the restatement of the town centre first policy and retention of the sequential test; and
- giving further protection to the countryside by removing the default position of saying "yes" to development and including a strengthened references to the need to recognise "the intrinsic character and beauty of the countryside".

- 2.9 The draft NPPF proposed that local planning authorities should identify an additional buffer 20% of land over and above their five year housing land supply to give flexibility and market choice. This requirement has been watered down in the finalised NPPF and now states that authorities should only identify a 5% buffer (moved forward from later in the plan period). However, where there has been a record of persistent under delivery, this buffer should increase to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.
- 2.10 The NPPF should be read in conjunction with the Government's planning policy for traveller sites, which was released on 23 March 2012. Local planning authorities preparing plans for and taking decisions on travellers sites should also have regard to the policies in the NPPF so far as relevant.
- 2.11 It should be noted that the NPPF does not contain specific waste policies. National waste planning policy will be published as part of the National Waste Management Plan for England, which is expected at some point in 2012. Until this time, the current Planning Policy Statement (PPS) 10: Planning for Sustainable Waste Management and its supporting guidance remains in force. However, local authorities preparing waste plans and taking decisions on waste applications should have regard to policies in the NPPF so far as relevant.
- 2.12 Alongside the NPPF the Government published technical guidance that provided further information on areas at risk of flooding and on minerals extraction. It retains parts of Planning Policy Statement (PPS) 25: Development and Flood Risk and the minerals planning guidance notes 'which are considered necessary and helpful in relation to these policy areas'.
- 2.13 The NPPF's publication has been broadly welcomed as it overcomes many of the initial criticisms and concerns. Its light touch approach is deliberate, and the Government sees this as an opportunity for planners and neighbourhoods to devise policies that reflect local circumstances better.
- 2.14 In terms of implementation, the Government expects local planning authorities to adapt quickly. The transitional arrangements allow decision takers to continue to give full weight to relevant policies adopted since 2004 for a period of 12 months even if there is a limited degree of conflict with the NPPF.
- 2.15 In other cases and following this 12 month period, it allows due weight to be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

2.16 From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

### **3. OPTIONS FOR CONSIDERATION**

3.1 There are no options for consideration. The NPPF is a clear statement of national planning policy and took effect on the date of publication (27 March 2012). Therefore, it must be considered in the preparation of planning policy and decision making on planning applications, and will be used in committee reports.

### **4. ANALYSIS OF OPTIONS**

4.1 The introduction of the NPPF represents a major reform to the statutory planning system in England as it replaces a wide range of existing policy guidance, and has implications for preparation of planning policy and decision making on planning applications. The local planning authority must have due regard to it.

### **5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

5.1 Financial – there are no financial implications.

5.2 Staffing – staffing for the implementation of the NPPF will be drawn from existing resources within Spatial Planning and Development Management.

5.3 Property – there are no property implications.

5.4 IT – there are no IT implications.

### **6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

6.1 Statutory – the NPPF is a material consideration in preparing Local Development Documents and making decisions on planning applications.

- 6.2 Environmental – the NPPF is part of delivering sustainable development.
- 6.3 Diversity – an Integrated Impact Assessment of the NPPF and its implications has been undertaken as part of producing this report.
- 6.4 Section 17 – Crime & Disorder – the planning system through design and layout of developments should reduce the opportunities for crime to take place as well as the fear of crime.
- 6.5 Risk – there are no risk implications.
- 6.6 Other – there are no other implications

## 7. **OUTCOMES OF CONSULTATION**

- 7.1 Where appropriate, comments for relevant council officers have been incorporated into this report.

## 8. **RECOMMENDATIONS**

- 8.1 Members note the information contained this report.

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### **Background Papers used in the preparation of this report**

National Planning Policy Framework (DCLG, March 2012)

Technical Guidance to the National Planning Policy Framework (DCLG, March 2012)

Policy Briefing – National Planning Policy Framework (LGiU, April 2012)