



Bringing You the Power of One™

National Planning Policy Framework (NPPF)

Going for Growth!

Planners have been told that the default answer to development is 'yes'. Ministers now see planning as a proactive driver of growth and development. The draft NPPF states that a positive planning system is essential to support the country's economic growth. Permission should be granted where the plan is absent, silent or out of date. Is this planning's biggest shake up for years and will it bring about the death of Localism?

National Planning Policy Framework

Greg Clark announced the Government's intention to publish a 'consolidated document of planning policy and guidance' in December 2010. Following a draft in May 2011, a leaked document in June and considerable speculation, the National Planning Policy Framework was released for consultation on the 25 July and brought few surprises. It consolidates over 1,000 pages of planning policy into one 52 page document (albeit accompanied by 99 pages of impact assessment).

Numerous parties have already voiced their opinion on the document and the government have come under scrutiny as to whether the NPPF reflects the widely publicised 'Localism' agenda or whether it has become part of a growth agenda to deliver economic regeneration (with accountability for environmental matters and community input).

Certainly the publication of the draft framework has sparked extensive debate as to its implications and whether it can truly be a positive pro-growth force in light of the localism agenda or result in 'unchecked and damaging development' as billed by the National Trust.

Greg Clark has determined that the purpose of planning is to help achieve sustainable development, which forms the basis of the NPPF. The 'presumption in favour of sustainable development' forms the 'golden thread' through this document in both plan making and decision taking. It seeks that local authorities

plan positively for new development and approve individual proposals to achieve the delivery of positive economic, social and environmental growth for this and future generations. The default answer to development proposals should be 'yes'.

Proposals

The key messages in the NPPF can be summarised as follows:

1. Development will be allowed where local plans are not in place or up-to-date, unless the development compromises key principles of sustainability as set out in the NPPF. The presumption aims to encourage plan making by councils and communities
2. All 'inappropriate development' in the Green Belt remains prohibited. The definition of this remains largely as set out in PPG2, with some changes, including increased flexibility in relation to; Major Developed Sites in the Green Belt, Park and Ride sites, Community Right to Build schemes and for the alteration/ replacement of buildings other than dwellings
3. Areas of Outstanding Natural Beauty, National Parks, Sites of Special Scientific Interest and other environmental designations remain
4. Councils should retain a rolling five year supply of deliverable sites to meet housing need, with at least an additional 20% allowance to create competition and choice

5. There are no targets for the level of housing to be delivered on brownfield land (i.e. removal of the 60% target)
6. A positive and proactive approach by Local Authorities in encouraging sustainable growth through a clear economic vision and strategy for their area, based on local business need
7. Support for neighbourhood planning (to be introduced through the Localism Bill) whereby Neighbourhood Plans may be drawn up, approved through referendum and put in force by the Local Authority. The NPPF also confirms that Neighbourhood Plans can only specify more, rather than less, development than set out in the Local Plan (which will take precedence)
8. Local Plans should set out the quality of development required in their area and encourage developers to work with those affected by development to incorporate their views
9. Support for the 'Duty to Cooperate' (to be introduced through the Localism Bill) whereby Local Authorities and other public bodies plan across administrative boundaries for housing, transport and infrastructure to meet local need. This should also be a mechanism for securing economic growth by working alongside Local Enterprise Partnerships (LEPs)
10. Local Plans should meet full demand for market and affordable housing in their area



Bringing You the Power of One™

11. The right for communities to protect green areas of particular local importance (to run alongside the consultation on 'Town or Village Green' provision)
12. Refusal of planning permission that results in loss or deterioration of irreplaceable habitats
13. Retention of a 'town centre first' approach for retail and leisure development (but not offices).

To achieve this, local planning authorities are tasked with:

- Preparing Local Plans which can flexibly meet objectively assessed development needs
- Expediently approving development proposals which accord with statutory plans
- Granting permission where the plan is 'absent, silent, indeterminate or where relevant policies are out of date'

All of these measures should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.

Commentary

Although there is a positive move from the control to the management of development, which is likely to be welcomed by the development industry, the NPPF is by no means a green light to planning permissions.

The draft document is accompanied by an impact assessment which highlights the risks, particularly in relation to the 'presumption in favour of sustainable development'. The presumption requires that local planning authorities grant planning permission to developments in the circumstance where their local plans are 'absent, silent or indeterminate'. The measure is intended to encourage councils to bring forward plans more quickly and make sure that they take responsibility for meeting the identified development needs of their areas.

Producing plans in an expedient manner has proved challenging enough to Local Authorities since the changes to the planning system in 2004. One might question what likelihood there is of this

being achieved in the increasingly budget constrained environment they currently face? The presumption is likely to result in increased numbers of appeals, which could have time and cost implications for achieving planning permission but may result in greater levels of success through planning appeal.

It is notable that the presumption in favour of development applies to that which is 'sustainable'. This description will doubtless be open to challenge and subject of planning appeal.

It is also questionable whether, without national or strategic guidance, there can be the delivery of balanced housing and economic growth across England. Doubtless there will be some Local Authorities who are proactive in plan making with a view to delivering development, but there will also be those who are not; in the same way there will be communities who use their increased powers pro-actively and those who do not (or simply do not use them

at all). Indeed, this in itself is potentially the driving force in guiding where development is pursued and delivered or best avoided!

The draft NPPF seeks to reduce the complexity of national planning guidance, with the aim of clearing the way for the delivery of high quality places for people to live and work and, in turn, drive a successful economy. It seems to recognise the potential constraints of a strong Localism agenda, but the question remains, however, as to whether it includes enough guidance to achieve development and whether Local Authorities will actually be able to produce the clear local level guidance that is needed.

It is DTZ's opinion that the draft NPPF is doubtless a huge shake up of the planning system, which is capable of delivering change and may indeed significantly restrict the Localism agenda.

For more information or to discuss the NPPF in further detail please contact:



Karen Charles
London and South East
+44 (0)20 3296 3117
karen.charles@dtz.com



Peter Weatherhead
Midlands and South West
+44 (0)20 3296 3147
peter.weatherhead@dtz.com



John Brooks
North
+44 (0)113 233 7466
john.brooks@dtz.com