



National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) attempts to condense the national tier of planning policy into one succinct planning document. It has been repeatedly billed by ministers as being 'unashamedly pro-growth', but will it make a difference?

The National Planning Policy Framework (NPPF) played a central part in the Chancellor's budget last Tuesday. Economic growth was top of the agenda, and the Government appeared to be adopting a 1970s approach to infrastructure development in the hope that this will kick start the economy. The Government have regularly stated that they are determined to shake up the planning system; with the NPPF billed as the 'biggest change to planning policy since the 1947 Planning Act'. The changes, in our opinion, are not that dramatic. Obviously fewer pages can contain less detail; however, the principles remain the same as when the Planning Act first came in to



force and it certainly follows the principles within the Planning Policy Statements that it is replacing. The only difference is some of the language, but even that is not new, it is just borrowed from the 1990s.

The Draft NPPF was criticised for not clearly defining 'sustainable development'. In addition, many action groups, particularly environmental groups, have suggested that the document would lead to a plethora of inappropriate development in locations that were previously considered unacceptable. The removal of the brownfield first and the specific protection of town centres were also criticised by action groups. The final version of the NPPF seems to have taken all these points on board, it now includes:

- Three dimensions to 'sustainable development',
- A diluting of the economic growth emphasis, with a greater importance placed on environmental considerations,
- Reinstating the 'brownfield first' policy,
- Stronger guidance against 'garden grabbing',
- A recognition of the intrinsic value of the countryside,
- A move back to town centres.

We now also have 12 'planning principles' that should be followed, these are:

1. We are a plan-led system – the plans should be kept up to date and reflect wider than local issues,
2. Planning is now a 'creative exercise' in finding ways to enhance and improve places,
3. Sustainable economic development will be supported,
4. High quality design and a good standard of amenity is fundamental,
5. Planning will promote vitality in the main urban areas, protect Green Belts and recognise the intrinsic character of the countryside,
6. Support a low carbon future by taking account of flood risk and coastal change while encouraging the reuse of existing resources,
7. Conserve and enhance the natural environment,
8. Encourage efficient use of land,
9. Promote mixed use developments,
10. Conserve heritage assets (proportionately to their significance),
11. Actively manage growth to make full use of public transport; and,
12. Consider and promote local strategies to improve health, social and cultural wellbeing for all.

The NPPF still includes the 'presumption in favour of sustainable development', although they have explicitly stated that applications must be considered against the relevant development plan unless material considerations indicate otherwise. The rolling five year housing supply is also retained, although again this has been diluted as there is still a requirement to have a 5 year housing supply although the additional 20% will apply to areas that have a persistent record of under delivery elsewhere there will be an additional 5% to ensure that there is always an appropriate supply of available sites.

The draft NPPF was criticised for not clearly defining sustainable development, perhaps that is why the final incarnation includes the United Nations General Assembly definition of 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'; in addition to the five guiding principles of the UK Sustainable Development, which are: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance and using sound scientific reasoning. In addition, they have spelt out the 'three dimensions to sustainable development', i.e. the economic, social and environmental role. It appears that they really wanted to make a point that sustainable development could be defined, however will it help? Surely

each individual development needs to have its specific characteristics and features assessed and weighed-up. There will however always be conflicting interests and as such a strong argument will have to be made. In our opinion, that is why sustainability was not previously defined, not that they didn't have the right text book to hand!

Most now accept that we need to get building high quality buildings in the right place, but doing so will inevitably upset someone somewhere and this may see a dramatic rise in the amount of applications determined through the appeal system. This potential result is the exact opposite to the aims of the Localism Act, with decisions taken out of local people's hands and put into that of the Planning Inspectorate. Although the NPPF does go some way to acknowledging that a broader approach should be taken in assessing the merits of an application, it is difficult to see how this would be enacted.

In reality, the question really remains, how will the local planning authorities implement this document? Many of the local authorities have halted progress on their Local Plans until the NPPF was seen in its final incarnation, and as such, a high proportion of local planning authorities are behind with the implementation of development plans. The Government have introduced transitional arrangements, which provide LPAs with just

12 months for existing plans to be prepared or amended so they are in conformity with the NPPF. In the meantime, weight will be attached to emerging plans when determining applications (as it already is). Given that there had been eight years to implement the Local Development Framework, and fewer than half of all councils have finished this, this is considered ambitious at best!

The proof will however be in the pudding, and the pudding has to be defined as more sustainable development. The NPPF is the first step to achieving the Government's well-meaning aspirations however we fear this is ultimately decided by the local planning authorities and planning committees. This document will cause further uncertainty while case law determines how we interpret this rather vague policy. Certainty is the key to getting Britain building, and despite the Government's best attempts, this document has failed to provide certainty to the development industry. It does however make a good start in outlining their intentions, and should the local planning authorities and planning committees take this on-board, it will enable a catalyst to development.

Should you require any additional information on the National Planning Policy Framework, please do not hesitate to contact us.