

 Executive, 12th October 2011		Agenda Item No. 9
Title	Government Consultation on Draft National Planning Policy Framework	
For further information about this report please contact	Daniel Robinson, Planner, (Policy, Projects and Conservation)	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	No
Equality & Sustainability Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	09/09/11	Chris Elliott/Bill Hunt
Head of Service	09/09/11	Paul Pinkney
CMT	13/09/11	
Section 151 Officer	09/09/11	Mike Snow
Monitoring Officer	09/09/11	Paul Pinkney
Finance	09/09/11	Jenny Clayton
Portfolio Holder(s)	15/09/11	John Hammon
Consultation & Community Engagement		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. SUMMARY

- 1.1 The Government is consulting on the details of a proposed new, single draft National Planning Policy Framework (NPPF). This will replace the suite of existing national planning policies. The NPPF sets out the Government's economic, environmental and social planning policies for England. This report informs the Executive of some of the key issues the consultation raises for the District Council and seeks approval for a response to be submitted to the Government.

2. RECOMMENDATION

- 2.1 That Executive notes the Government's draft NPPF consultation.
- 2.2 That Executive approves the response to the Government's draft NPPF as set out in Appendix A.

3. REASONS FOR THE RECOMMENDATION

- 3.1. On the 25 July 2011, the Government launched the draft National Planning Policy Framework (NPPF) for public consultation. The Government's aims for the NPPF to be an easy to understand for document which anybody who has an interest in planning and development can use. It will replace the suite of existing Planning Policy Statements, Planning Policy Guidance notes, Circular 05/2005 (Planning Obligations), as well as minerals guidance and various "Dear Chief Planning Officer" letters.
- 3.2. The Government wishes to seek views on the content and format of the new draft NPPF and its associated impact assessment. The consultation closes on 17 October 2011. The Government will take account of all responses to this consultation in finalising and implementing the new framework.
- 3.3. This report highlights some of the key aspects of the document relevant to Warwick District under the following headings, Purpose; Sustainable Development and Growth; Local Plan; Joint working; Neighbourhood Planning; Development Management; and Green Belts. The NPPF also contains planning policy in a number of other areas; such as business and economic development, transport, communications, housing, design, sustainable communities, climate change and flooding, and the natural and historic environments.

Purpose

- 3.4. The Government expects the planning system to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, while protecting and enhancing the natural and historic environment. To deliver this, planning must be transparent, effective and efficient and it must ensure the public interest is protected.
- 3.5. The NPPF sets out the Government's requirements for the planning system and provides a framework within which local people and their accountable

councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities. The policies set out in the NPPF apply to the preparation of local and neighbourhood plans, and to development management decisions.

Sustainable Development and Growth

- 3.6. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (economically, socially and environmentally). Sustainable development is defined by the Government as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. An overriding objective of the NPPF is a presumption in favour of sustainable development.
- 3.7. The NPPF states that planning must operate to encourage growth and not act as an impediment, and therefore, significant weight should be placed on the need to support economic growth through the planning system. It goes on to state that local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. The focus on economic growth within the NPPF could lead to differences in interpretation of what sustainable growth means and create additional uncertainty in the determination of planning applications.
- 3.8. In addition, the NPPF requires that planning permission should be granted where a plan is absent, silent, indeterminate or where relevant policies are out of date. The NPPF does not expand on when a plan is deemed to be 'out of date' (which may lead to further uncertainty at planning application stage), or whether policies that were previously not 'saved' by the Secretary of State as they were regarded as duplicating existing national policies can be re-introduced as part of the development plan. Another potential implication of this statement for the new Local Plan is that it would need to be far more comprehensive in its scope than previously envisaged when it was to be a Core Strategy.

Local Plan

- 3.9. A Local Plan is still a requirement under the NPPF and they should include the strategic priorities for the area and strategic policies to deliver housing, economic development and infrastructure; climate change mitigation and adaption; and protection and enhancement of the natural and historic environment. They should plan positively for development, plan for a 15 year period, indicate broad locations for strategic development, allocate sites to promote development, identify areas for protection and contain a strategy for environmental enhancement. In essence, this approach is similar to that set out in existing national policy for core strategies and the new Local Plan will need to be consistent with this approach.
- 3.10. Local plans should be consistent with the objectives, principles and policies in the NPPF and this means that plans should be prepared on the basis that objectively assessed development needs should be met, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This statement is a clear indication by the

Government that the 'need' for development does not have to be met at all costs, provided it can be demonstrated there are adverse impacts.

- 3.11. Council's are also encouraged have an up-to date Local Plan in place as soon as practical and this is something the District Council is addressing. The NPPF also repeats the existing requirement for all Local Plans to be examined by an independent inspector to test its soundness and that it has been prepared correctly and lawfully.

Joint Working

- 3.12. As part of Local Plan preparation, local authorities will have a 'duty to co-operate' on planning issues that cross administrative boundaries, particularly on the strategic priorities. Evidence of having successfully co-operated will be examined by the Inspector at the examination. However, it is noted as set out, that the duty to co-operate is not a duty to agree. Given local planning authorities in Coventry and Warwickshire are at different stages of plan preparation, there will be difficulties in implementing this new duty unless co-operation is undertaken swiftly. The lack of co-operation thus far is particularly concerning when one of the tests of a Local Plan is that it is positively prepared to meet its own requirement and any unmet requirements from neighbouring authorities.

Neighbourhood Planning

- 3.13. The NPPF clarifies the position of neighbourhood plans (proposed as part of the Localism Bill) in relation to Local Plans. In summary, whilst neighbourhood plans can shape local areas, they must be in general conformity with the strategic policies of the Local Plan. Communities will have the power to promote more development in their area than set out in the Local Plan, but not less. In addition, neighbourhood plans must have regard to the policies in the NPPF and the presumption in favour of sustainable development.

Development Management

- 3.14. The NPPF sets out its approach to development management (development control), stating its primary objective is to foster the delivery of sustainable development, not to hinder or prevent development. Decisions on planning applications should be approached positively, looking for solutions rather than problems. The NPPF also requires local authorities to attach significant weight to the benefits of economic and housing growth in its decision making. The NPPF also reiterates the importance of pre-application engagement with developers, which the Council already actively encourage.

Green Belt

- 3.15. The Government attaches great importance to Green Belts. The NPPF maintains existing green belt policy and its fundamental aim to prevent urban sprawl by keeping land permanently open. It requires local planning authorities to consider their strategic priorities and their strategy for meeting identified requirements for sustainable development when defining green belt boundaries through the Local Plan, and given the extent of the District within the Green Belt this will be an important exercise as part of the Local Plan process.

- 3.16. The presumption against inappropriate development in the green belt, except in very special circumstances, is maintained. However, there have always been exceptions to this policy and the NPPF now includes limited infilling within villages, and limited infilling or the partial or complete redevelopment of previously developed sites which would not have greater impact on the openness of the green belt and the purpose of including land within it than the existing development. This is understood to be a possible change to Green Belt policy as this only currently applies to designated 'limited growth villages' and 'major developed sites' respectively, and may affect a number of sites within the District.

4. **POLICY FRAMEWORK**

- 4.1 **Policy Framework** – when the final version of the NPPF is adopted by the Government, this will have a significant implication for the nature and extent of Council policy within its Local Plan.

- 4.2 **Fit for the Future** – not applicable

5. **BUDGETARY FRAMEWORK**

- 5.1 When the final version of the NPPF is adopted by the Government, there may be additional budgetary implications for the Council in terms of obtaining additional evidence to support the content of the new Local Plan. There may also be a requirement for additional resources in Development Control, and other service areas of the Council involved in the planning application process, in terms of responding to an increased number of speculative applications in light of the content of the NPPF.

6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1 Not applicable.