

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on 27 March 2012. It comes into force immediately (with a 12 month transition period for local plans) and replaces the current system of Planning Policy Statements.

A full version of the NPPF can be read at

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2115939.pdf>

At first reading, the key themes in the NPPF appear to be:

- Planning should support sustainable development: which meets economic, social and environmental objectives.
- Plan led system. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Local Plans replace Core Strategies/LDFs.
- Presumption in favour of Sustainable Development, both in drawing up plans and in determining applications:

Plan making: Development Plans should meet objectively assessed local needs unless the impacts of doing so would *significantly and demonstrably* outweigh the benefits.

Decision taking: approve development proposals that accord with the development plan (without delay). Where the development plan is **absent, silent or relevant policies are out-of-date**, grant permission *unless* adverse impacts of doing so would significantly and demonstrably outweigh the benefits, *or* specific policies in the NPPF indicate development should be restricted.

- Promote **sustainable economic development**. Significant weight is given to supporting economic growth (paras 18-22). Sustainable growth also means considering social and environmental factors.
- Ensuring the viability of town centres. The NPPF reinstates a **sequential test** for locating retail etc in town centres (paras 29-38). Retail impact assessments can be required especially on developments of more than 2,500 sq m.
- Promoting sustainable transport (paras 29-38) and high quality infrastructure (paras 42-46).
- **Boosting the housing supply**. Councils must maintain a 5 year supply of deliverable housing sites, plus a 5% buffer (20% buffer is required where there is a “record of persistent under delivery”).
- Housing Policies must be evidence based using demographic trends, affordability, Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments (paras 47, 50,159).
- **Re-use of brownfield land** and bringing empty property back into use is mentioned.

- **Good design** is emphasised (paras 56-68).
- Planning should promote **healthy communities** (paras 69-78) , including through access to high quality open spaces.
- There is a power for local communities to designate **Local Green Space** in areas of special value to the community.
- Protection of the Green Belt (Torbay Does not have a green belt).
- **Avoid development in flood risk areas.** The NPPF is accompanied by separate technical guidance on the Sequential test and Exceptions test for avoiding development in flood vulnerable areas. A joined up approach to coastal management is required (para 105).
- Support a **low carbon economy**, including renewable energy.
- **Conserving and enhancing the natural environment**, including landscapes (particularly AONBs), biodiversity, green infrastructure and geodiversity. Conserving the historic environment. Development should seek to achieve net gains in biodiversity (para 9).
- Mineral planning authorities should seek to reduce mineral use, protect important sites and infrastructure and define mineral safeguarding areas.
- Local Plans must be sound (justified, effective and consistent with national policy).
- Importance of early engagement, cross boundary working (duty to co-operate) and neighbourhood plans.

Comments

- The importance of up to date Local plans is emphasised. Without an up to date Local Plan, the *presumption in favour of sustainable development* applies.
- There is a 12 month transitional period for existing development plans to be brought into line with the NPPF. This puts great emphasis on the development of the new Torbay Local Plan (formerly the Core Strategy).
- The NPPF has softened the stance of the draft slightly by introducing a brownfield first stance and a stronger town centres first approach than PPS4.
- The requirement to maintain 5 year supply of deliverable housing remains. The 'buffer' has been reduced from 20% to 5%. In the absence of a Local plan that sets an alternative approach, 5 year supply is likely to be interpreted as being led by demographic trends and evidence of need.