

Briefing Note

The National Planning Policy Framework (NPPF)



In the biggest shake-up in planning policy for years the Government have cancelled all Planning Policy Statements (PPS) and Planning Policy Guidance notes (PPG) and replaced them with a single 47-page document, the National Planning Policy Framework for England. The change took immediate effect upon publication on 28 March 2012.

How will it affect me?

Our assessment is that the most important thing our clients will need to be aware of is that actually in practical terms **it probably won't**. The NPPF has not introduced any significant opportunities for development nor has it created additional restrictions. The NPPF takes pains to reassert the overriding importance of the Development Plan; that is locally-set planning policies. It is only where the Development Plan is absent or there is a notable conflict between it and the NPPF that the latter will really come into play.

But what about the default "yes" to development?

The default yes to development which was in the draft document has **gone completely**. The presumption in favour of sustainable development remains. Sustainable development is still not particularly well defined but the concept is probably beyond a clear planning definition in any case. But what the presumption means in practical decision making is that development that accords with the Development Plan ought to be approved, whilst where the Development Plan is absent, silent or out-of-date it ought to be approved unless any harm would "*significantly and demonstrably*" outweigh the benefits, when assessed against whole NPPF. So the definition of sustainable development effectively amounts to what the Development Plan or the NPPF says is acceptable.

When does the NPPF come into effect?

Well it came into effect on **28 March 2012** the day it was published, but there are so-called "transitional arrangements". All this means is that Local Plans adopted under the Planning & Compulsory Purchase Act 2004 will be given full weight for 12 months provided there is no more than a "*limited conflict*" with the NPPF. The weight given to other plans, including emerging policy, will be decided on a case by case basis depending upon their status and any conflict with the NPPF – pretty much as has always been the case.

In reducing 1000 pages to 50, what has been left out?

Surprisingly little - it just goes to show how much of the previous guidance was not really necessary. The NPPF does take a less prescriptive "light touch" approach encouraging Local Planning Authorities (LPAs) to determine their own policies. For example they don't require a brownfield-first approach but do invite LPAs to set local brownfield targets.

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Anyway let's have a quick run through on a topic-by-topic basis:

Design

PPS1 highlighted the importance of good design but warned Councils not to be overly prescriptive and stand in the way of innovation. The NPPF says much the same thing.

Greenbelt

The same presumption against "inappropriate development" in the greenbelt from PPG2 remains and the same rules around extending or replacing dwellings applies. The omission is any reference to "Major Developed Sites" in the greenbelt.

Housing

As under PPS3 Councils are expected to maintain a five year supply of deliverable sites but now with a further 5% flexibility – moved forward from later in the Plan period – or 20% flexibility where there is a persistent record of under-delivery. There is encouragement for "*larger scale development such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities*" – is the Government deliberately weighting the system in favour of the volume house-builders over the smaller developer?

Economic Development and Town Centres

In this area we start to see some of the pro-development emphasis which ran through the previous draft: "Planning should operate to

encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

The previous "town centre first" approach of PPS4 has been carried forward with a sequential test and impact assessment for town centre uses on non-town centre sites.

Heritage

Everyone's favourite planning term the "heritage asset" introduced by PPS5 remains and it is the significant of these which we need to worry about – enhancing this good, harming it bad.

Rural areas

One of the key guidance losses is the Annex to PPS7 which set out in detail the tests for allowing a rural workers dwelling in the countryside. The PPS7 Country House clause remains (now the Paragraph 55 Bullet 4 Country House).

Nature Conservation

PPS8 was only short and most of it has been replicated here.

Flood Risk

No real change here although much of the guidance from PPS25 has been relegated to a "temporary" technical guidance note which also includes a lot of retained technical guidance on minerals development.

Some commentators are seeing the NPPF as a call to Local Authorities to take a more positive attitude towards development. It would seem unlikely that this document alone can achieve such a culture-change. As with any major change of this kind we will have to wait and see how things actually turn out when it is put into practice...

If you are concerned about how the NPPF may affect you then give Pure Town Planning a call. Also keep checking the Pure Town Planning website puretownplanning.co.uk (or follow us on Twitter twitter.com/puretownplanning) for the latest updates on any significant developments throughout the south.

[Did you find this Briefing Note helpful? We welcome all feedback – let us know your thoughts at info@puretownplanning.co.uk.](mailto:info@puretownplanning.co.uk)

This Briefing Note provides a general guide to the NPPF in England and is not a substitute for professional town planning advice.

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