

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

22 February 2011

Report of the Director of Planning Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 NATIONAL PLANNING POLICY FRAMEWORK

Summary

The Government intends to consolidate existing Planning Policy Statements and Guidance into a single National Planning Policy Framework and is consulting on what it should include.

1.1 Introduction

1.1.1 The Government has announced a radical overhaul of national planning policy statements, guidance and circulars with the aim of consolidating these into a single National Planning Policy Framework (NPPF). The government says that the new Framework will be:

- Localist in approach, handing power back to local communities to decide what is right for them;
- Used as a mechanism for delivering Government objectives only where it is relevant, proportionate and effective to do so, and
- User-friendly and accessible, providing clear policies on making robust local and neighbourhood plans and development management decisions.

1.1.2 The Government is inviting planning professionals, local authorities, community groups and members of the public to offer suggestions on what priorities and policies might be included in a shorter, more decentralised and less bureaucratic statement of national planning policy.

1.2 Commentary

1.2.1 In principle, a rationalisation and consolidation of existing national planning policy is to be welcomed provided it is clear and unambiguous and deals comprehensively with those matters that need to be dealt with at the national level to ensure a fair and consistent approach. I do have a concern that the current suite of PPG/PPS documents have evolved over time and have largely withstood

robust challenge. The key to the current exercise will be to ensure that the good and appropriate parts of these documents are covered by the new NPPF.

- 1.2.2 The NPPF should start out by establishing what the Government's sees as the purpose of planning and should establish certain high level basic planning principles; eg a presumption in favour of sustainable development which is in accordance with the development plan. Policies on matters such as climate change and biodiversity should be included here.
- 1.2.3 It should then clearly explain the new development plan process and, in particular, explain the relationship between the Local Development Framework and Neighbourhood Plans, making it clear that Neighbourhood Plans must be in general accordance with the LDF. It should also make clear what level of evidence is required for each tier of planning and who should provide that evidence. In particular, it should explain how housing needs are to be assessed at the local level in the absence of any top-down distribution. Similar, generic advice should be included on establishing a five year supply of housing land, retail and employment needs. This is important in terms of ensuring a consistent approach to evidence across the country.
- 1.2.4 In terms of detailed content the NPPF should, for each topic area, set out the planning objective or planning objectives and then the planning policy or policies to meet those objectives. It should differentiate between those policies which apply to plan-making and those that apply to development management. It should not include unnecessary explanation or examples of best practice, but could provide web-links where appropriate.
- 1.2.5 Specifically, it should include policies on key statutory designations such as Green Belts, AONB, SSSIs, Listed Buildings, Conservation Areas and Ancient Monuments and on matters such as flooding. These national policies should be expressed in such a way that they do not need to be repeated or included in local planning documents. The purpose of the development plan is then simply to identify where those national planning policies apply.
- 1.2.6 The NPPF should not include or duplicate the policies to be included in the various National Policy Statements on Major Infrastructure.
- 1.2.7 The NPPF should clearly set out what the minimum requirements are for monitoring.
- 1.2.8 **Annex A** identifies those key elements in the existing Planning Policy Statements and Planning Policy Guidance which we believe are important, in general and especially to the Borough, and should be retained and/or clarified in the NPPF.

1.3 Legal Implications.

1.3.1 The NPPF, once finally approved by Government, will be the most important planning policy document and will form the basis of all planning decisions.

1.4 Financial and Value for Money Considerations

1.4.1 None arising from this report.

1.5 Risk Assessment

1.5.1 There is a risk that if the Government does not get this right that there will be far more planning disputes and appeals.

1.6 Equality Impact Assessment

1.6.1 See 'Screening for equality impacts' table at end of report.

1.7 Recommendations

1.7.1 That the content of this report and its Annex be transmitted to the Government as this Council's response to the consultation on the content of the National Planning Policy Framework.

The Director of Planning Transport and Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Brian Gates

Nil

Steve Humphrey

Director of Planning Transport and Leisure

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	This is a response to a Government consultation

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	This is a response to a Government consultation

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.