

TONBRIDGE & MALLING BOROUGH COUNCIL
PLANNING and TRANSPORTATION ADVISORY BOARD

05 June 2018

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

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

1 NATIONAL PLANNING POLICY CONSULTATION RESPONSE

This report summarises the key changes proposed in the recent consultations for a revised National Planning Policy Framework and seeks endorsement of the response returned by the deadline of 10th May 2018 appended to this report.

1.1 Introduction

- 1.1.1 On the 5th March 2018 the Government published a number of consultation documents for comment. The most important document is the draft revised wording of the National Planning Policy Framework (NPPF), which has not been revised since it was originally published in March 2012. The revised NPPF will introduce a number of planning reforms first suggested in last year's Housing White Paper and more recently in last autumn's consultation 'Planning for the Right Homes in the Right Places'.
- 1.1.2 Members were advised of the launch of the consultation exercise at the last meeting of the Board on 6th March and importantly the proposed transitional arrangements for introducing the revisions.
- 1.1.3 The Government invited comments to 43 set questions, which were completed and returned by the deadline. Endorsement is now sought for the comments found at Annex 1 to this report.

1.2 Summary of the main changes

- 1.2.1 There are no major surprises in the draft revised NPPF following the Government's earlier consultation proposals, with one exception, which is the introduction of a transitional period for the implementation of the majority of the new NPPF enabling those Local Planning Authorities who are able to submit a Local Plan to the Secretary of State within 6 months of final publication to rely on their own housing need assessments. This is set out in Annex 1 to the draft NPPF.

- 1.2.2 At the March meeting of this Board Members recommended amendments to the Local Plan timetable to submit the Local Plan in December, which is anticipated to be within this window of opportunity.
- 1.2.3 Paragraph 209 of the draft NPPF states that:
 ‘The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before [*this will be the date which is 6 months after the date of the final Framework’s publication*]. In these cases the examination will take no account of the new Framework.’
- 1.2.4 For determining planning applications, the revised NPPF will replace the current Framework as a material consideration on publication, expected to be during the summer.
- 1.2.5 The section on implementation goes on to explain that the proposed Housing Delivery Test will apply from November 2018.
- 1.2.6 The response appended to this report seeks clarification of how these matters will be taken into account alongside the Local Plan process, which will be based on the previous Framework.
- 1.2.7 The Council’s concerns in relation to the standardised methodology for calculating housing need are reiterated in response to question 11 as there appears to be no significant change to the way the methodology is applied. Unless there are any further amendments to methodology the anticipated uplift in housing need will have to be addressed when the Local plan is reviewed within five years of adoption.
- 1.2.8 The remainder of the responses either seek further clarification or reiterate concerns already expressed through earlier consultations.

1.3 Legal Implications

- 1.3.1 The revised NPPF will be a material consideration in determining planning applications where the development plan is silent or out of date and will replace the current Framework on final publication expected to be this summer.

1.4 Financial and Value for Money Considerations

- 1.4.1 There are no direct financial implications arising from this report. If the final NPPF includes the requirement that Local Plans are revised within 5 years of adoption there will be a resource implication for all Local Planning Authorities.

1.5 Risk Assessment

- 1.5.1 The Government will take into consideration any comments it receives. Not responding carries the risk that the Council’s concerns will not be included in this process.

1.6 Recommendations

- 1.6.1 That the content of this report be noted and Annex 1 be endorsed as the Council's formal response to this consultation.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and policy Framework.

Background papers:

National Planning Policy Framework – Draft Text for Consultation (MHCLG March 2018)

contact: Ian Bailey
Planning Policy Manager

Chief Officer

Steve Humphrey Director of Housing, Planning and Environmental Health