

Agenda Item No 6

Planning and Development Board

3 September 2018

**Report of the
Head of Development Control**

**The National Planning Policy
Framework 2018**

1 Summary

- 1.1 The Government has reviewed the existing National Planning Policy Framework and following consultation during the last few months, it has now published a new version. It replaces the existing 2012 Framework with immediate effect.

Recommendation to the Board

That the report be noted.

2 Background

- 2.1 Members will recall that a draft review of the 2012 Framework was published earlier this year for consultation. The Government has considered the representations received and amended the Framework with immediate effect in respect of the determination of planning applications. It therefore supersedes the 2012 version and becomes a material planning consideration in the determination of planning applications. The Inspector dealing with the forthcoming Examination into the submitted Local Plan has made it clear that his Inquiry will be against the 2012 version of the NPPF. The 2018 document can be viewed on the Government's website.

3 Observations

- 3.1 It is not proposed to outline all of the changes to the former Framework, but to set out below, the most significant of these.
- i) There is to be a standard methodology for assessing local housing need and this comes into effect in November 2018. Housing needs will be expressed a "minimums". Members may have been aware that there were two different methodologies in use in recent years and these have given rise to lengthy involvement of the Planning Inspectorate and the Courts. A standard method for this calculation therefore introduces consistency. This will not affect the Council's submitted Local Plan as it was forwarded to the Secretary of State before this takes effect.

- ii) There is to be a Housing Delivery Test in order to maintain housing land supply. Essentially planning permission should be granted where planning policies relating to the determination of planning applications are deemed to be out of date. This will apply where there is no five year housing land supply OR, where the November 2018 results (in (i) above), indicate that housing delivery is below 25% of the housing required over the previous three years. The results of the Housing Delivery Test begin in November 2018, but there is a transition period until 2020. Provided the Council's submitted Local Plan is adopted and planning permissions follow on, there should not be problem with this particular test.
- iii) The new NPPF sets out new criteria to satisfy the release of Green Belt land to meet development needs. These include the assessment of all other reasonable options for meeting those needs; demonstrating whether there as much use made of suitable brown field and underutilised land, optimises the density of development and is informed by a Statement of Common Ground with neighbouring Authorities as to whether they could accommodate some of the needs.
- iv) The NPPF requires at least 10% of homes on major sites to be affordable. The definition of affordable has been broadened to include rented accommodation, starter homes, discounted market sales and other shared equity schemes.
- v) There is to be greater transparency in respect of viability. The recommended acceptable profit for developers reduces from 20% on GDV to 15 to 20%; the price paid for the land should become more explicit and this is no longer to be a relevant justification for failing to accord with Development Plan policy, and all viability assessments are likely to be published in full.
- vi) The NPPF now explicitly seeks 10% of the supply of housing to come from small and medium sized sites (smaller than a hectare). The sub-division of larger sites is also to be encouraged.
- vii) To be included in a five year housing supply, Council's will need to evidence that housing completions will begin on sites within five years of the grant of permission. This now places the onus on the Council to demonstrate deliverability, rather than the developer to prove a site is undeliverable.
- viii) Design quality needs to be considered throughout the evolution and assessment of sites and greater weight should be given where applicants have had effective engagement with the local communities. Councils should also ensure that the quality of a development is not diminished after a planning permission is granted – eg. changes to materials.
- ix) In recognition of the difficulties facing town centre vitality, the need to identify primary and secondary frontages and the uses allowed in them has been removed in order to increase flexibility for the inter-changeability of uses. Policies should therefore allow greater diversity and allow for rapid changes in the leisure and retail industries.

- x) Development can now be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. This now gives more weight to highway safety than the earlier NPPF.
- xi) In terms of heritage impacts, then greater weight is placed on the impact of a proposed development on the significance of a designated heritage asset. Weight is to be given to the asset's conservation, irrespective of the degree of harm caused.
- xii) There is to be greater weight given to Neighbourhood Plans – particularly in influencing the location of new development – and its policies could outweigh existing non-strategic policies in a local plan.

3.2 As planning applications are referred to Board, then the consequences of the content of the 2018 NPPF will be reported as appropriate

4 Report Implications

4.1 Environment, Sustainability and Health Implications

4.1.1 The new NPPF becomes a material planning consideration in the determination of planning applications and could have a material impact on future recommendations in respect of new housing proposals in order to ensure a five year housing land supply and to meet the new housing delivery test.

The Contact Officer for this report is Jeff Brown (719310).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date