



Draft National Planning Policy Framework: Consultation



Draft National Planning Policy Framework: Consultation

© Crown copyright 2011

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk.

This document/publication is also available on our website at www.communities.gov.uk

If you require this publication in an alternative format please email:
alternativeformats@communities.gsi.gov.uk

Any enquiries regarding this document/publication should be sent to us at:

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 030 3444 0000

July 2011

ISBN: 978-1-4098-3046-7

Contents

Summary Form	4
PART 1: About this consultation	6
PART 2: Introduction	8
PART 3: Consultation questions	16
PART 4: Consultation criteria	23
PART 5: Summary of suggestions	25

Summary form

Scope of the consultation

Topic of this consultation:	This consultation seeks your views on the draft National Planning Policy Framework. The Framework will replace the current suite of national Planning Policy Statements, Planning Policy Guidance notes and some Circulars with a single, streamlined document.
Scope of this consultation:	We are seeking views on the content and format of this new Framework.
Geographical scope:	England
Impact assessment:	A consultation stage impact assessment is published as part of this consultation.

Basic consultation information

To:	All individuals and organisations with an interest in planning including neighbourhood and community groups, local planning authorities, businesses of all sizes, developers, and interest groups and organisations .
Body responsible for the consultation:	Department for Communities and Local Government
Duration:	12 week public consultation
Enquiries:	Alan C Scott Department for Communities and Local Government National Planning Policy Framework Zone 1/H6 Eland House Bressenden Place LONDON SW1E 5DU Telephone: Alan C Scott 0303 4441665 Or by e-mail: planningframework@communities.gsi.gov.uk

How to respond:	<p>It would be helpful if you could respond to this consultation using the internet survey package SurveyMonkey [https://www.surveymonkey.com/s/KZKH35Z]. If you are commenting in detail, you may find it easiest to draft comments elsewhere before copying them into SurveyMonkey. This will help you complete the survey in a single session.</p> <p>If you are unable to use SurveyMonkey, you can email or post other written comments to the address above. It would be helpful if you could include references to paragraph numbers in your comments.</p> <p>If emailing, please ensure that any attachment is in a format which allows the copying of sentences or paragraphs, so that your exact words can readily be forwarded to the relevant policy teams for consideration.</p>
Additional ways to become involved:	We will be holding events during the consultation period to discuss the draft Framework.
After the consultation:	We shall take into account all responses to this consultation in finalising and implementing the new Framework.
Compliance with the code of Practice on Consultation	The consultation complies with the Code.

Background

Previous engagement:	<p>Between 20 December 2010 and 28 February 2011 the Department invited organisations and individuals to offer their suggestions on what the Framework should look like and what priorities and policies the Framework should adopt. The Department received approximately 3,400 responses (including correspondence from four campaign groups). An analysis of these responses is included in this document.</p>
-----------------------------	---

Part 1: About this consultation

1. This consultation seeks your views on the draft National Planning Policy Framework and the consultation stage impact assessment. We invite organisations and individuals to offer suggestions and comments to the Department. It is essential that everyone with an interest in planning has an opportunity to be involved in shaping the new Framework, including neighbourhood and community groups, planning professionals, local authorities, business and developers.
2. We would welcome your views on any aspect of the draft Framework, and in particular we would appreciate comments in response to the consultation questions set out in Part 3 of this document. You will find the draft Framework on our webpage: www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/
3. The consultation stage impact assessment makes a provisional assessment of the impact of introducing the new Framework. We would welcome your views on any aspect of the assessment, and in particular the questions set out in Part 3. The consultation stage impact assessment is also on our webpage: www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/

Consultation arrangements

4. We look forward to receiving comments and views on the draft National Planning Policy Framework and consultation stage impact assessment. Responses are invited by **17 October 2011**. Part 3 of this document sets out the questions on which we are seeking your views.
5. To facilitate our analysis of responses, we would request where feasible that you use the internet questionnaire (Survey Monkey) to respond. The internet questionnaire can be accessed via this link [<https://www.surveymonkey.com/s/KZKH35Z>].

If you are not able to use SurveyMonkey, or your comments exceed that package's capacity, you can email or post your response to the address below. It would be very helpful if you could tell us which paragraphs your comments refer to.

Responses (or queries about the consultation) should be directed to:

Alan C Scott
Department for Communities and Local Government
Zone 1/H6 Eland House
Bressenden Place
London SW1E 5DU
Telephone: Alan C Scott on 0303 4441665

Or by e-mail: planningframework@communities.gsi.gov.uk

6. When sending your comments by email, it would help us in our analysis and recording of responses if your comments are in a format that allows the copying and pasting of individual sentences or paragraphs.
7. It would also be helpful if responses from representative groups could give a summary of the people and organisations they represent.
8. We will publish a summary of responses to this consultation as soon as practicable on the Department's website. Paper copies of the summary will be available on request. All responses will be made public unless confidentiality is specifically asked for. However, correspondents should be aware that confidentiality cannot always be guaranteed, for example where a response includes evidence of a serious crime. Any automatic confidentiality disclaimer generated by your organisation's IT system will not be respected unless you specifically include a request to the contrary in the main text of your response.
9. This consultation is being conducted in accordance with the *Government's Code of Practice on Written Consultation*. The criteria are reproduced in Part 4. Any procedural observations or complaints about the consultation exercise should be sent to:

Department for Communities and Local Government Consultation
Co-ordinator
Zone 4/H3 Eland House
London SW1E 5DU

or by e-mail to: consultationcoordinator@communities.gsi.gov.uk

Part 2: Introduction

What is the National Planning Policy Framework?

10. The National Planning Policy Framework is a radical streamlining of existing Planning Policy Statements, Planning Policy Guidance Notes and some circulars to form a single consolidated document. The Framework condenses the near 900,000 words of national planning policies (over 1,000 pages) into a user-friendly and accessible document which can be understood and used by everybody who has an interest in shaping the development of their area.
11. This Framework sets out the Government's key economic, social and environmental objectives and the planning policies to deliver them. These policies will provide local communities with the tools they need to energise their local economies, meet housing needs, plan for a low-carbon future and protect the environmental and cultural landscapes that they value. We have sought to free communities from unnecessarily prescriptive central government policies, empowering local councils to deliver innovative solutions that work for their local area.
12. The Framework will have the same legal status as current Government policy documents. The provisions of the Planning and Compulsory Purchase Act 2004 already cover the status of national planning policy in plan preparation and decision making.
13. Local and neighbourhood plans and policy should be prepared having regard to the content of national planning policy. But there will be local circumstances where it is right for that community to depart from national policy. These circumstances would need to be justified by robust evidence.
14. The Framework covers a broad span of national planning policy. In many areas, policy has been streamlined but the core approach and principles remain in place. Below we discuss the main areas where a new approach is being introduced.

Presumption in favour of sustainable development

15. The planning system has a key role to play in rebuilding Britain's economy, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Framework introduces a strong presumption in favour of sustainable development. This is a key part of our package of reforms and is at the heart of the new, streamlined and consolidated policy framework.
16. The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. A positive planning framework is also critical to the provision of the infrastructure which underpins a successful modern economy, including the progressive decarbonisation of the energy generation and distribution system. The Chancellor made clear in this year's Budget the Government's expectation

that the answer to development and growth should wherever possible be ‘yes’, except where this would clearly conflict with other aspects of national policy.

17. The presumption turns this expectation into policy – a policy that works with the existing plan-led approach, by emphasising the role of up-to-date development plans in identifying and accommodating development needs. Where those plans are not up-to-date, or do not provide a clear basis for decisions, the policy establishes the clear presumption that permission should be granted, provided there is no overriding conflict with the National Planning Policy Framework as a whole.
18. The presumption will provide more certainty to communities, developers and investors, and reinforce the emphasis on a positive, plan-led approach to sustainable growth.

How the Framework supports planning reform and decentralisation

19. The Government believes that the current planning system is too centralised, bureaucratic, adversarial and remote from the communities it affects. We want to see a radical shift in the balance of power and to decentralise power as far as possible. The Government trusts people to take charge of their lives and we will push power downwards and outwards to the lowest possible level, including individuals, neighbourhoods, professionals and communities as well as local councils and other local institutions. This is why we are removing ineffective top-down targets and giving communities the ability to plan for themselves.
20. The Localism Bill, which is currently going through Parliament, is a major step towards delivering our localism agenda. The Bill contains a wide range of measures to devolve more powers to councils and neighbourhoods and give local communities greater control over local decisions like housing and planning. It quite simply shifts power from the central state back into the hands of individuals, communities and councils. Most radically of all, the Bill will allow people to have a stronger say in the planning process at a more local level.
21. The Government wants to ensure that the planning system is more responsive to changing economic conditions. Market signals, such as the price of land, can play a role in indicating relative demand for different uses of land in both plan making and decisions on planning applications.

Neighbourhood planning

22. Neighbourhood plans are being introduced through the Localism Bill, and their implementation will be supported by policies in the new Framework. Neighbourhood plans provide an exciting opportunity for communities to have a real say in the detailed planning of their area, in the context of national priorities. Communities will be able to use neighbourhood development plans to set policies for the development and use of land in their neighbourhoods and, through the use of neighbourhood development orders, can permit development – in full or in outline.

23. The new role given by neighbourhood planning to communities in the planning and development of their areas will see them becoming proponents of growth – particularly when allied with a range of incentives that will ensure they receive a greater share in the benefits of growth rather than just the costs. This is a community-owned planning process and therefore it will be for members of the local community to decide, in a referendum, if neighbourhood development plans or orders can come into force.

Duty to cooperate

24. We are introducing a duty to cooperate through the Localism Bill. It will require local councils, county councils and other public bodies to engage constructively, actively and on an ongoing basis in the planning process. The duty will be a key element of our proposals for strategic working once Regional Strategies are abolished.
25. Through a continual process of engagement the duty will promote a culture change and new spirit of partnership working. Working alongside the Community Infrastructure Levy, New Homes Bonus and our commitment to allow local communities to keep the additional business rate income generated by renewable energy projects, it will act as a strong driver to change behaviour.
26. Our policy in the Framework is that local councils should work collaboratively with other bodies to ensure that strategic priorities across local boundaries, including housing and economic growth, infrastructure, retail development and environmental management, are properly planned and coordinated. In two-tier areas, county and district councils should cooperate with each other on relevant issues.
27. Local councils will be required to demonstrate compliance with the duty to cooperate as part of the examination of Local Plans. If a local council cannot demonstrate that it has complied with the duty, its local plan will not pass the independent examination.

Housing

28. For many years now there has been a large gap between the demand for new homes and the supply. The system of bureaucratic, top-down housing targets failed, and created opposition to the very idea of housing growth. The shortage of new homes means that the housing needs and aspirations of communities are not being met, leading to significant problems of affordability, particularly for those seeking to buy their first home. Planning policy has a key role to play in giving the tools for local communities to take responsibility for the planning and provision of the new homes they need.
29. Local councils working with communities are best placed to understand their requirement for new housing, based on evidence of local demand for market and affordable housing. They are also best placed to decide which land is suitable for new homes, and need to be ambitious in addressing the lack of new supply in past years. Therefore local councils will need to maintain a rolling five-year supply of deliverable

housing sites and, to ensure choice and competition in the housing market, include an additional 20 per cent of sites within the five-year supply.

Viability

30. It is crucial that Local Plans are deliverable, otherwise there is no point in communities and business investing time and effort in making one. While it is right that development should contribute to the wider sustainable development of the area and be asked to mitigate direct impacts, local councils must recognise the economic realities and risks of development.
31. Local councils, parishes and neighbourhood forums should assess the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents, and policies that support delivery of the development plan, when added to nationally required standards. The cumulative impact of these standards and policies should not put the delivery of the development plan at serious risk across the economic cycle. This does not mean that developers will not be asked to fund infrastructure that is necessary to implement development.

Environment

32. We announced our intention to become the 'greenest government ever'. We take our responsibility to cut greenhouse gas emissions and protect the environment very seriously. We will not renege on our commitment.

Renewable energy

33. Planning plays a significant role in delivering the renewable energy that we need to meet our carbon goals and achieve energy security. The draft Framework makes it clear that local authorities should consider identifying suitable areas for renewable and low-carbon energy. When determining applications, the presumption in favour of sustainable development applies; and, once opportunity areas have been mapped, local councils should expect subsequent applications for commercial-scale projects outside these areas to demonstrate that the proposed location is consistent with the criteria used in plan-making.

Natural Environment white paper

34. The draft Framework complements the Natural Environment white paper published on 7 June. Promoting economic growth and protecting and enhancing our natural environment go hand in hand, and are two of the main ambitions of our planning reforms. High quality natural environments and green spaces foster healthy neighbourhoods and encourage social activity.

Protection of green areas

35. The Framework contains a new Local Green Space designation to protect locally significant green areas which are special to local communities. Local people will be able to use the new designation in their local and neighbourhood plans. We expect the new designation to be used in a way that complements – and does not undermine

– investment in homes, jobs and other essential services. Given the importance of green spaces to the health and happiness of local communities we are clear that the new designation should offer suitably strong protection to localised areas that are demonstrably special.

Habitats and Birds Directives

36. Taking into account the nature of the Framework as a document that sets out the Government’s key economic, social and environmental objectives and core planning principles, and taking into account also the content of the Framework (including express recognition that development likely to have a significant effect on sites protected under the Birds and Habitats Directives would not be sustainable), the Framework is not considered, either alone or in combination with other plans or projects, to be a plan likely to have significant effects on protected sites so as to necessitate any further assessment. Habitats Directive appraisals must be undertaken at plan and/or project level and the policies in the Framework are set out so as to ensure the EU obligations are not compromised in plan and decision making.

What is not covered by the Framework and why?

37. The following policy areas are not contained in the draft consultation version of the National Planning Policy Framework.

<p>Planning Policy Statement <i>Travellers</i></p>	<p>This Statement was published for consultation on 13 April. It is intended that the final policy will be incorporated into the Framework.</p>
<p>Planning Policy Statement <i>10 Planning for Sustainable Waste Management</i></p>	<p>This Statement will be revised and annexed to the National Waste Management Plan. Until that Plan is finalised, the Statement will remain in force. However, local authorities preparing waste plans should have regard to policies in the National Planning Policy Framework.</p>
<p><i>Eco-towns: A supplement to Planning Policy Statement 1</i></p>	<p>It is proposed, subject to further consultation, that this document will be withdrawn. The Government’s policy is that the shape and distribution of housing growth, including the potential for eco-towns and similar projects, should be led and determined at local level. The Government remains committed to high environmental standards in housing generally, and to the creation of sustainable communities in all areas.</p> <p>Local councils in the locations included in the Eco-towns supplement have now had the opportunity to consider whether and how to take forward eco-town developments in those locations, drawing on the strategic, environmental and other assessments published alongside the supplement.</p>

Which policy documents will be cancelled when the Framework is introduced?

38. It is proposed that the following policy documents should be cancelled by the Framework when the document is published in its final form.

Documents to be cancelled	Date of publication
Planning Policy Statement: <i>Delivering Sustainable Development</i>	31 January 2005
Planning Policy Statement: <i>Planning and Climate Change – Supplement to Planning Policy Statement 1</i>	17 December 2007
Planning Policy Guidance 2: <i>Green Belts</i>	24 January 1995
Planning Policy Statement 3: <i>Housing</i>	9 June 2010
Planning Policy Statement 4: <i>Planning for Sustainable Economic Growth</i>	29 December 2009
Planning Policy Statement 5: <i>Planning for the Historic Environment</i>	23 March 2010
Planning Policy Statement 7: <i>Sustainable Development in Rural Areas</i>	3 August 2004
Planning Policy Guidance 8: <i>Telecommunications</i>	23 August 2001
Planning Policy Statement 9: <i>Biodiversity and Geological Conservation</i>	16 August 2005
Planning Policy Statement 12: <i>Local Spatial Planning</i>	4 June 2008
Planning Policy Guidance 13: <i>Transport</i>	3 January 2011
Planning Policy Guidance 14: <i>Development on Unstable Land</i>	30 April 1990
Planning Policy Guidance 17: <i>Planning for Open Space, Sport and Recreation</i>	24 July 2002
Planning Policy Guidance 18: <i>Enforcing Planning Control</i>	20 December 1991
Planning Policy Guidance 19: <i>Outdoor Advertisement Control</i>	23 March 1992
Planning Policy Guidance 20: <i>Coastal Planning</i>	1 October 1992
Planning Policy Statement 22: <i>Renewable Energy</i>	10 August 2004
Planning Policy Statement 23: <i>Planning and Pollution Control</i>	3 November 2004
Planning Policy Guidance 24: <i>Planning and Noise</i>	3 October 1994
Planning Policy Statement 25: <i>Development and Flood Risk</i>	29 March 2010
Planning Policy Statement 25 Supplement: <i>Development and Coastal Change</i>	9 March 2010
Minerals Policy Statement 1: <i>Planning and Minerals</i>	13 November 2006

Documents to be cancelled	Date of publication
Minerals Policy Statement 2: <i>Controlling and Mitigating the Environmental Effects of Minerals Extraction In England</i> . (This includes its Annex 1: Dust and Annex 2: Noise)	23 March 2005 (Annex 1: 23 March 2005 and Annex 2: 23 May 2005)
Minerals Planning Guidance 2: <i>Applications, permissions and conditions</i>	10 July 1998
Minerals Planning Guidance 3: <i>Coal Mining and Colliery Spoil Disposal</i>	30 March 1999
Minerals Planning Guidance 5: <i>Stability in surface mineral workings and tips</i>	28 January 2000
Minerals Planning Guidance 7: <i>Reclamation of minerals workings</i>	29 November 1996
Minerals Planning Guidance 10: <i>Provision of raw material for the cement industry</i>	20 November 1991
Minerals Planning Guidance 13: <i>Guidance for peat provision in England</i>	13 July 1995
Minerals Planning Guidance 15: <i>Provision of silica sand in England</i>	23 September 1996
Circular 05/2005: <i>Planning Obligations</i>	18 July 2005
Government Office London Circular 1/2008: <i>Strategic Planning in London</i>	4 April 2008
Letter to Chief Planning Officers: <i>Addition of the Forestry Commission to the List of Non-Statutory Consultees</i>	15 March 1999
Letter to Chief Planning Officers: <i>Town and Country Planning (Electronic Communications) (England) Order 2003</i>	2 April 2003
Letter to Chief Planning Officers: <i>Planning Obligations and Planning Registers</i>	3 April 2002
Letter to Chief Planning Officers: <i>Model Planning Conditions for development on land affected by contamination</i>	30 May 2008
Letter to Chief Planning Officers: <i>National Policy Statements</i>	9 November 2009
Letter to Chief Planning Officers: <i>Local authorities' role in new consenting process for nationally significant infrastructure projects</i>	16 July 2009
Letter to Chief Planning Officers: <i>Planning for Housing and Economic Recovery</i>	12 May 2009

Documents to be cancelled	Date of publication
Letter to Chief Planning Officers: <i>Development and Flood Risk – Update to the Practice Guide to Planning Policy Statement 25</i>	14 December 2009
Letter to Chief Planning Officers: Implementation of <i>Planning Policy Statement 25 (PPS25) – Development and Flood Risk</i>	7 May 2009
Letter to Chief Planning Officers: <i>The Planning Bill – delivering well designed homes and high quality places</i>	23 February 2009
Letter to Chief Planning Officers: <i>Planning and Climate Change – Update</i>	20 January 2009
Letter to Chief Planning Officers: <i>New powers for local authorities to stop ‘garden-grabbing’</i>	15 June 2010
Letter to Chief Planning Officer: <i>Area Based Grant: Climate Change New Burdens</i>	14 January 2010
Letter to Chief Planning Officers: <i>The Localism Bill</i>	15 December 2010
Letter to Chief Planning Officers: <i>Planning policy on residential parking standards, parking charges, and electric vehicle charging infrastructure</i>	14 January 2011

Part 3: Consultation questions

A. Policy questions

Q. No.	Section	Consultation Question
1a	Delivering sustainable development	The Framework has the right approach to establishing and defining the presumption in favour of sustainable development. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
1b		Do you have comments? (Please begin with relevant paragraph number)
2a	Plan-making	The Framework has clarified the tests of soundness, and introduces a useful additional test to ensure local plans are positively prepared to meet objectively assessed need and infrastructure requirements. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree Do you have comments? (Please begin with relevant paragraph number)
2c	Joint working	The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
2d		Do you have comments? (Please begin with relevant paragraph number)
3a	Decision taking	In the policies on development management, the level of detail is appropriate. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
3b		Do you have comments? (Please begin with relevant paragraph number)

Q. No.	Section	Consultation Question
4a		Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
4b		What should any separate guidance cover and who is best placed to provide it?
5a	Business and economic development	The 'planning for business' policies will encourage economic activity and give business the certainty and confidence to invest. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
5b		Do you have comments? (Please begin with relevant paragraph number)
5c		What market signals could be most useful in plan making and decisions, and how could such information be best used to inform decisions?
6a		The town centre policies will enable communities to encourage retail, business and leisure development in the right locations and protect the vitality and viability of town centres. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
6b		Do you have comments? (Please begin with relevant paragraph number)
7a	Transport	The policy on planning for transport takes the right approach. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
7b		Do you have comments? (Please begin with relevant paragraph number)
8a	Communications infrastructure	Policy on communications infrastructure is adequate to allow effective communications development and technological advances. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
8b		Do you have comments? (Please begin with relevant paragraph number)

Q. No.	Section	Consultation Question
9a	Minerals	The policies on minerals planning adopt the right approach. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
9b		Do you have comments? (Please begin with relevant paragraph number)
10a	Housing	The policies on housing will enable communities to deliver a wide choice of high quality homes, in the right location, to meet local demand. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
10b		Do you have comments? (Please begin with relevant paragraph number)
11a	Planning for schools	The policy on planning for schools takes the right approach. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
11b		Do you have comments? (Please begin with relevant paragraph number)
12a	Design	The policy on planning and design is appropriate and useful. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
12b		Do you have comments or suggestions? (Please begin with relevant paragraph number)
13a	Green Belt	The policy on planning and the Green Belt gives a strong clear message on Green Belt protection. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
13b		Have you comments to add? (Please begin with relevant paragraph number)
14a	Climate change, flooding and coastal change	The policy relating to climate change takes the right approach. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
14b		Do you have comments? (Please begin with relevant paragraph number)

Q. No.	Section	Consultation Question
14c		The policy on renewable energy will support the delivery of renewable and low carbon energy. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
14d		Do you have comments? (Please begin with relevant paragraph number)
14e		The draft Framework sets out clear and workable proposals for plan-making and development management for renewable and low carbon energy, including the test for developments proposed outside of opportunity areas identified by local authorities Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
14f		Do you have comments? (Please begin with relevant paragraph number)
14g		The policy on flooding and coastal change provides the right level of protection. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
14h		Do you have comments? (Please begin with relevant paragraph number)
15a	Natural and local environment	Policy relating to the natural and local environment provides the appropriate framework to protect and enhance the environment. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
15b		Do you have comments? (Please begin with relevant paragraph number)
16a	Historic environment	This policy provides the right level of protection for heritage assets. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree
16b		Do you have comments? (Please begin with relevant paragraph number)

Q. No.	Section	Consultation Question
17a	Impact Assessment	The Framework is also accompanied by an impact assessment. There are more detailed questions on the assessment that you may wish to answer to help us collect further evidence to inform our final assessment. If you do not wish to answer the detailed questions, you may provide general comments on the assessment in response to the following question: Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?
18	Planning for Travellers	Do you have views on the consistency of the draft Framework with the draft planning policy for traveller sites, or any other comments about the Government's plans to incorporate planning policy on traveller sites into the final National Planning Policy Framework?

B: Impact assessment questions

QA1	We welcome views on this Impact Assessment and the assumptions/ estimates contained within it about the impact of the National Planning Policy Framework on economic, environmental and social outcomes. More detailed questions follow throughout the document.
QA2	Are there any broad categories of costs or benefits that have not been included here and which may arise from the consolidation brought about by the National Planning Policy Framework?
QA3	Are the assumptions and estimates regarding wage rates and time spent familiarising with the National Planning Policy Framework reasonable? Can you provide evidence of the number of agents affected?
QA4	Can you provide further evidence to inform our assumptions regarding wage rates and likely time savings from consolidated national policy?
QA5	What behavioural impact do you expect on the number of applications and appeals?
QA6	What do you think the impact will be on the above costs to applicants?
QA7	Do you have views on any other risks or wider benefits of the proposal to consolidate national policy?

QB1.1	<p>What impact do you think the presumption will have on:</p> <ul style="list-style-type: none"> i. the number of planning applications; ii. the approval rate; and iii. the speed of decision-making?
QB1.2	<p>What impact, if any, do you think the presumption will have on:</p> <ul style="list-style-type: none"> i. the overall costs of plan production incurred by local planning authorities? ii. engagement by business? iii. the number and type of neighbourhood plans produced?
QB1.3	<p>What impact do you think the presumption in favour of sustainable development will have on the balance between economic, environmental and social outcomes?</p>
QB1.4	<p>What impact, if any, do you think the presumption will have on the number of planning appeals?</p>
QB2.1	<p>Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?</p>
QB2.2	<p>Is 10 years the right time horizon for assessing impacts?</p> <p>Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?</p>
QB2.3	<p>How much resource would it cost to develop an evidence base and adopt a local parking standards policy?</p>
QB2.4	<p>As a local council, at what level will you set your local parking standards, compared with the current national standards?</p> <p>Do you think the impact assessment presents a fair representation of the costs and benefits of this policy change?</p>
QB2.5	<p>Do you think the impact assessment presents a fair representation of the costs and benefits of the policy changes on minerals?</p>

QB3.1	What impact do you think removing the national target for brownfield development will have on the housing land supply in your area? Are you minded to change your approach?
QB3.2	Will the requirement to identify 20% additional land for housing be achievable? And what additional resources will be incurred to identify it? Will this requirement help the delivery of homes?
QB3.3	Will you change your local affordable housing threshold in the light of the changes proposed? How?
QB3.4	Will you change your approach to the delivery of affordable housing in rural areas in light of the proposed changes?
QB3.5	How much resource would it cost local councils to develop an evidence base and adopt a community facilities policy?
QB3.6	How much resource would it cost developers to develop an evidence base to justify loss of the building or development previously used by community facilities?
QB3.7	Do you think the impact assessment presents a fair representation of the costs and benefits of the Green Belt policies set out in the Framework?
QB4.1	What are the resource implications of the new approach to green infrastructure?
QB4.2	What impact will the Local Green Space designation policy have, and is the policy's intention sufficiently clearly defined?
QB4.3	Are there resource implications from the clarification that wildlife sites should be given the same protection as European sites?
QB4.4	How will your approach to decentralised energy change as a result of this policy change?
QB4.5	Will your approach to renewable energy change as a result of this policy?
QB4.6	Will your approach to monitoring the impact of planning and development on the historic environment change as a result of the removal of this policy?

Part 4: The consultation criteria

The code of practice and this consultation

This consultation document and consultation process have been planned to adhere to the Code of Practice on (Public) Consultation issued by the Better Regulation Executive in the Department for Business, Innovation and Skills. The Code insists government's public consultation to satisfy the seven consultation criteria, as follows:

1. Formal consultation should take place at a stage when there is scope to influence the policy outcome.
2. Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for

disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

The Department for Communities and Local Government, will process your personal data in accordance with the Data Protection Act and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed these criteria? If not or you have any other observations about how we can improve our consultation process please inform DCLG Consultation Co-ordinator.

The postal address is:

Zone 4/H3
Eland House
London SW1E 5 DU

The e-mail address is:

consultationcoordinator@communities.gsi.gov.uk

Part 5: Summary of suggestions

Introduction

1. Greg Clark announced the Government's intention to create a National Planning Policy Framework on 20 December 2010, and invited organisations and individuals to offer their suggestions on what priorities and policies we might adopt to produce a shorter, more decentralised and less bureaucratic Framework.
2. The Consultation closed on 28 February. Some 3,426 responses were received. The vast majority of these (3,071) were stock responses in support of four campaigns – dark skies; permaculture; historic environment; and ancient woodland. See paragraph 31 below for details.
3. The invitation to comment did not set specific parameters or pose particular questions. Accordingly there was great variety in the length, detail and format of responses.

Key themes

4. A number of common themes were apparent from the responses.

Sustainable development

5. The Government has announced that there will be a presumption in favour of sustainable development, and that this will be set out in the Framework. Accordingly, a significant number of replies made reference to this presumption and how it might be framed.
6. There were many and varied suggestions as to how/where sustainable development should be defined. These included:
 - in local plans
 - taken from the 2005 UK Sustainable Development Strategy
 - using the Brundtland definition; and
 - employing the definition currently set out at para 69 of Planning Policy Statement 3: *Housing*
7. Others thought that the definition should:
 - be subject to Parliamentary scrutiny
 - also define what is meant by sustainable economic development
 - prioritise the meeting of housing need alongside economic and developmental priorities

- be set out not just be in urban terms but also recognise the needs of rural areas; and
 - be different in the case of sustainable minerals development which differs from other forms of development
8. There was general consensus that it was important both to get the definition right and the method of implementing it in practice, particularly in the context of the Growth Review (announced 23 March). This would govern how any presumption in favour of sustainable development would impact and operate.
 9. A number of submissions from development interests indicated that sustainable development should normally be permitted unless contrary to the approved development plan.

Spatial planning

10. Spatial planning is the consideration of what can and should happen where. It investigates the interaction of different policies and practice across 'larger than local' space, and sets the role of places in a wider context. It goes well beyond 'traditional' land-use planning and sets out a strategic framework to guide future development and policy interventions, whether or not these relate to formal land use planning control.
11. There was both support and opposition from respondents as to whether or not the Framework should include a spatial plan for England, which could, for example, map environmental designations and identify locations for sub-national infrastructure.
12. There was an even split between those who were against the Framework being spatial – mostly trade associations/developers – and those in favour of it being spatial – mostly green/environmental groups but also some professional bodies.
13. Even if the Framework itself is not a spatial document, there was support from some of the latter groups for a national spatial plan to be introduced alongside the Framework.

Duty to cooperate

14. Following the Government's announcement on the abolition of Regional Spatial Strategies (to be enacted through the Localism Bill), many respondents saw the need for cooperation on a greater than local basis between authorities, covering issues which crossed local authority boundaries – for example minerals and waste planning and energy infrastructure. There is a provision for the introduction of such a duty in the Localism Bill, although a number of respondents did not think that the version being debated during Commons Second Reading/Committee stage went far enough.
15. Many respondents believed that the Framework should set out broad advice on the role of, and approach to, larger-than-local or strategic planning.

16. It should also set out clearly the responsibilities and requirements of the duty to cooperate for local authorities and other bodies, so as to avoid any confusion caused by interpretation.

Other considerations

17. There was a degree of consensus that the Framework ought to include:

- The purpose and principles of the planning system as currently set out in Planning Policy Statement 1: *Delivering Sustainable Development*. This should make clear that the purpose is to manage change, and not seek its prevention.
- Advice stressing the importance of the evidence base in planning to the preparation (and amendment) of Local Plans.
- Advice on the respective role of various Government Departments and Agencies in the planning process, including requirements for them to be formally consulted where necessary.

18. The following were also considered important by some respondents:

- In order to give it a clear foundation, the Framework should be recognised in statute, or at least referred to on the face of the Localism Bill. Some went further and asked for the purpose of planning to be defined in the Localism Bill.
- The Framework should make clear its relationship with the National Infrastructure Plan and National Policy Statements; it should ensure consistency; and state that National Policy Statements have primacy for Nationally Significant Infrastructure decision making.
- The Framework should be written in plain English i.e. with less jargon than current Planning Policy Statements and other planning advice.
- The Government must avoid a policy vacuum between the phasing out of Planning Policy Statements and other policy documents and the coming into force of the Framework.
- A modular approach to the Framework document might be adopted to ease future updating.

Specific areas

19. A number of responses suggested that, rather than include everything in the core document, some material still considered to be useful could go into supporting advice. Such supporting advice did not necessarily have to be produced by the Government: it could be produced by partner organisations and 'endorsed' as best practice.
20. Many submissions argued for the need to retain directive policy and advice relating to their own specific interest areas. However, this did not necessarily have to be in the core Framework document itself but could go into supporting advice.

21. There was a degree of support for Framework to include material on:

- Development Plans (including Minerals and Waste Plans):
 - explaining how they work at the local/neighbourhood level
 - confirming the hierarchy of different plans e.g. that the Local Plan has precedence over neighbourhood plans; and
 - setting out whether the planning system should still be plan-led
- Housing – including arguments for either retaining or dropping existing policies on:
 - housing assessments/targets
 - the five-year supply of readily developable land
 - the economic viability of sites; and
 - affordable housing – definition, levels, and sites
- Protective designations e.g. Green Belt; landscape; historic or natural environment. Strong consensus that policy on these matters should be retained.
- A range of environmental issues, including protecting biodiversity.
- Tackling climate change and preparing for its impacts, including flooding.
- Setting out standards for community involvement and public engagement in the planning process.
- Design and quality of development.
- Minerals and Waste.
- Retaining the town centre first retail policy.
- Transport, including sustainability and modal shift to more sustainable modes, and safeguarding of land for transport purposes.
- Renewable energy (below the threshold for major infrastructure projects).
- Rural and agricultural development.

22. There was no great feeling that these subjects should stick rigidly to existing Planning Policy Statement subjects. Instead, they could be grouped by themes, for example those related to delivering specific Government objectives.

23. Whilst a number of respondents made suggestions on how material might logically be rearranged, there was no obvious consensus in this area.

Items not needed

24. There were very few specific suggestions as to what could be cut out of the Framework. But most respondents were content with the concept of reducing the length of existing policy.
25. Length – many were concerned that essential detail from existing policy might be lost in the rush for a shorter document. Some were concerned that demand for brevity would compromise the need for certainty, raising the danger of more litigation in future.
26. But some supported the scale of reduction achieved by the revised Planning Policy Statement 5: *Planning for the Historic Environment* (March 2010), which reduced the previous policy of about 70,000 words down to around 4,000. The view was expressed that reduction beyond this point risked losing clarity.
27. A few argued that there was no clear case for Planning Policy Statements and other documents to be reduced: in fact they should be strengthened, for example, in areas such as climate change mitigation.
28. There was some support for using the format of Welsh Assembly Government's *Planning Policy Wales* as a model.

Local authority views

29. No response was received from the Local Government Association, but 59 individual local authorities as well as the Planning Officers Society commented.
30. Authorities were very supportive of moves to empower communities, and some offered detailed thoughts on which parts of the existing national policy suite should be retained. Authorities drew attention to advice on how to prepare development plan documents, which states that policies already covered at the national level do not need to be imported into local plan documents. Authorities are therefore concerned about the effects on local plans when large swathes of the existing policy suite are deleted, and worry about the policy vacuum this might leave. Transitional arrangements were suggested, including whether authorities could 'save' relevant parts of the national policy suite into their plans, to plug any gaps, whilst they proceeded to update their plans.

Campaign responses

31. The vast majority of campaign responses followed the line suggested by the following groups:

Dark skies (British Astronomical Association): Argued that light pollution is a serious problem not only for astronomers but for the wider public. They campaigned for strong guidance in the new document to require all planning authorities to take

into account lighting when determining planning applications – so as to encourage good design and control, energy efficiency and sky friendly installation – and hence combat the growing problem of light pollution.

Permaculture (Permaculture Association, Freeconomy Group and others): argued for the following policies to be included in the Framework:

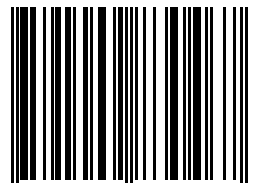
- Make it easier for small producers to get planning permission for agricultural buildings.
- Support for self-built homes, especially sustainable, ‘low impact’ homes, perhaps on the lines of the Welsh Assembly Government “One Planet Development” policy in section 4.15 of Technical Advice Note 6 (equivalent of Planning Policy Statement 7: *Sustainable Development in Rural Areas in Wales*).
- Recognise different classifications of need for people who wish to live or work on, or in close proximity to the land.
- Make it easier for people who prefer to live in caravans, mobile homes, cabins, yurts and so forth to do so, whether or not they are classed as gypsies or travellers.
- Include positive weighting towards Sustainable Rural Development.
- Provide a fuller, specific, and stringent definition of what “sustainable development” constitutes.
- Ease the definition of affordable housing (Planning Policy Statement 3: *Housing*) which currently restricts its use solely to housing for local people.

Ancient woodland (Woodland Trust): Argued that the Framework should empower local planning authorities to help their communities conserve the natural environment, and in particular the proposed Framework should offer explicit protection for ancient woods and trees.

Historic environment: the British archaeological community is concerned that just as they are getting to grips with Planning Policy Statement 5: *Planning for the Historic Environment* – which seems to have been a useful revision of previous planning policy – the planned process of consolidation might once more put archaeological heritage at risk.

ISBN: 978-1-4098-3046-7

ISBN 978-1-4098-3046-7



9 781409 830467