

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Cabinet Member for Planning	Report Number: BCa/17/71
To: Babergh Cabinet	Date of meeting: 10 May 2018

‘DRAFT REVISED NATIONAL PLANNING POLICY FRAMEWORK’ CONSULTATION PROPOSALS

1. Purpose of Report

- 1.1 To present and describe the Government’s proposals as set out in their consultation titled ‘Draft revised National Planning Policy Framework’.
- 1.2 Identify the potential implications in relation to Babergh and Mid Suffolk districts and the District Councils, and the production of the Babergh and Mid Suffolk Joint Local Plan.
- 1.3 Provide recommendations and seek agreement on the Babergh and Mid Suffolk District Councils response to the consultation.

2. Reason for Decision

- 2.1 To ensure that Cabinet are aware of the content and potential implications of the Government’s consultation titled ‘Draft revised National Planning Policy Framework’, in order that Cabinet endorse the response to the consultation.

Recommendations

- 2.2 That Cabinet note the content and potential implications of the Government’s consultation titled ‘Draft revised National Planning Policy Framework’ (and accompanying documents).
- 2.3 That Cabinet endorse the recommended response to the consultation (as contained in Appendix 1).

The Cabinet is able to resolve this matter.

3. Financial Implications

- 3.1 Responding to this consultation does not raise any direct financial implications other than those associated with officer time in responding to the consultation. However, there are significant potential financial implications arising from the proposals if these are to be implemented. In particular, the potential impact on financial and staff resources from additional viability and infrastructure evidence required to support site allocations, as well as the potential impact on the allocation of funding through the New Homes Bonus.

4. Legal Implications

- 4.1 Responding to this consultation does not raise any direct legal implications. Any legal implications for the Councils arising from any resultant future changes to national planning policy would be considered in due course.

5. Risk Management

- 5.1 This report is most closely linked with the Council's Significant Business Risks in respect of housing delivery; business growth and increased productivity; and community capacity building and engagement in respect of neighbourhood planning. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Housing delivery – having the right evidence base. There is a risk of the proposed national method of identifying housing need not reflecting the Districts' circumstances.	3 – Probable	3 – 'bad', should the housing numbers planned for not reflect need.	In calculating the housing requirement for the Districts, it will be necessary to undertake a local housing needs assessment in line with the proposed national method.
If development does not come forward in a timely way, then we may be unable to deliver the right housing in the right locations. This would also impact on our ability to meet the proposed housing delivery test and may affect the payment on New Homes Bonus to the Councils.	3 – Probable	3 – 'bad', should the housing number not be deliverable, and if it falls below 75% of the housing required from 2020 then the proposal is the presumption in favour of sustainable development will apply.	Responding to this consultation provides an opportunity to influence the level whereby the presumption in favour of sustainable development applies.
Housing delivery – if we do not secure investment in infrastructure (schools, health, broadband, transport etc.), then development is stifled and/or unsustainable.	2 – Unlikely	3 – 'bad'	Adopted Community Infrastructure Levy. Responding to this consultation provides an opportunity to comment on proposals to promote health, sustainable transport and high quality communications.

Risk Description	Likelihood	Impact	Mitigation Measures
If we do not identify and provide the right amount of employment land and property in the right places our current businesses may not be able to remain in our districts and we may not attract new businesses.	2 – Unlikely	3 – ‘bad’	The proposals strengthen supporting business growth and productivity. Responding to this consultation provides an opportunity to comment on these proposals.
Community capacity building and engagement – failure to deliver Neighbourhood Plans.	2 – Unlikely	2 – ‘noticeable’	The proposals provide additional certainty for neighbourhood plans. Responding to this consultation provides an opportunity to comment on these proposals.

6. Consultations

- 6.1 Internal consultation has taken place with Planning Policy, Development Management, Strategic Housing, Economic Development, and Infrastructure officers within Babergh and Mid Suffolk District Councils.

7. Equality Analysis

- 7.1 There are no equality and diversity implications arising directly from the content of this report.

8. Shared Service / Partnership Implications

- 8.1 Whilst the Councils are producing a Joint Local Plan and there are potential implications arising from the Government’s consultation in relation to this, there are no direct Shared Service or Partnership Implications arising from this report.

9. Links to Joint Strategic Plan

- 9.1 This Consultation introduces changes to national planning policy which will contribute to all the three main priority areas that Councillors identified in the Joint Strategic Plan: Economy and Environment, Housing, and Strong and Healthy Communities.

10. Key Information

- 10.1 In February 2017 the Government a consultation on the Housing White Paper 'Fixing our Broken Housing Market'. The Housing White Paper set out a number of proposals on changes to national housing policy including some proposals related directly to planning, with the intention that the details around these would be followed up with further consultation and amendments to the National Planning Policy Framework (NPPF).
- 10.2 The Councils submitted a response to the Housing White Paper consultation and their response can be viewed at: <http://www.babergh.gov.uk/assets/The-Council/Consultations/Final-responses-FTBHM-28.4.17.pdf> and <http://www.midsuffolk.gov.uk/assets/The-Council/Consultations/Final-responses-FTBHM-28.4.17.pdf>.
- 10.3 In September 2017 the Government followed this with a consultation on 'Planning for the Right Homes in the Right Places'. This consultation set out a number of proposals covering topics that included: a proposed approach to calculating the local housing need; a statement of common ground; planning for a mix of housing needs; neighbourhood planning; a proposed approach to viability assessment; planning fees; and other issues including build out, prematurity and an opportunity to review other Housing White Paper responses.
- 10.4 The Councils submitted a response following Cabinet meetings in November 2017 and the Cabinet reports can be viewed at: <http://babermhidsuffolk.moderngov.co.uk/documents/s7727/Planning%20Consultation%20Report%20-%20Andrea%20Mc.pdf> and <http://babermhidsuffolk.moderngov.co.uk/documents/s7717/Planning%20Consultation%20Report%20-%20Andrea%20Mc.pdf>.
- 10.5 On 5th March 2018, the Government launched its consultation entitled 'Draft revised National Planning Policy Framework'. This consultation follows on from those outlined in paragraphs 10.1 and 10.3 of this report. The consultation is open until 11.45pm on Thursday 10th May 2018.
- 10.6 The consultation documents, which are detailed below, can be viewed at: <https://www.gov.uk/government/consultations/draft-revised-national-planning-policy-framework>.
- National Planning Policy Framework: consultation proposals;
 - National Planning Policy Framework: draft text for consultation;
 - Draft planning practice guidance; and
 - Housing Delivery Test: draft measurement rule book.
- 10.7 There is also a further consultation on supporting housing delivery through developer contributions which is subject to a separate Cabinet Report.
- 10.8 This report focuses on the National Planning Policy Framework (NPPF) consultation proposals and sets out the key issues with implications for Babergh and Mid Suffolk District Councils. There are 43 questions which are outlined together with the suggested response in Appendix 1.

11. Key Issues for Babergh and Mid Suffolk District Councils

Introduction

- 11.1 This chapter proposes that the recommendations of the National Infrastructure Commission may be material when preparing plans or determining planning applications.

Achieving sustainable development

- 11.2 The presumption in favour of sustainable development is now set out in paragraph 11 and the draft text sets out an expectation for objectively assessed needs for housing to be accommodated unless there are strong reasons not to, including any unmet need from neighbouring areas.
- 11.3 It is proposed to that the 'core planning principles' section in the existing NPPF is deleted and to ensure that important policy messages are aligned with relevant topic chapters to maximise their effectiveness. The content of the core principles has been retained, and moved to the most appropriate parts of the revised NPPF.

Plan-making

- 11.4 A number of changes to plan-making policy are reflected in the plan making chapter as follows. These include:
- Amendments to the tests for a 'sound' plan, so it should set out 'an' appropriate strategy rather than 'the most appropriate strategy';
 - A new requirement to review plan policies every five years following the date of adoption and update where necessary;
 - Allowing a more proportionate approach to the evidence expected in respect of both local and strategic policies to support a 'sound' plan;
 - An expectation that plans should use digital tools to assist consultation and presentation of policies.
 - To meet the tests of soundness, a statement of common ground will need to be prepared and maintained as evidence of the statutory duty to co-operate; and
 - A new approach to viability, through which plans are expected to be clear about the contributions expected in association with development.

Decision-making

- 11.5 Proposals include that where a proposed development accords with all relevant policies in the plan there is no need for a viability assessment to accompany the planning application. Viability assessments are to reflect the Government's recommended approach which is set out in draft revised national planning guidance published alongside the draft revised NPPF. This has significant potential implications for the Councils resources in respect of the level of detail required at the plan-making stage.

Delivering a wide choice of high quality homes

- 11.6 A new standard method for the calculation of local housing need is introduced with the details of the standard method set out in the draft revised national planning guidance. This follows on from proposals in the 'Planning for the Right Homes in the Right Places' consultation in September 2017 and supersedes the housing requirement identified in the Councils' Strategic Housing Market Assessment when implemented.
- 11.7 Other proposals include setting clear policies to address the housing requirements of groups with particular needs, including students, travellers and people who rent their homes.
- 11.8 There is a proposal that at least 10% of homes on major sites should be available for affordable home ownership and that local authorities should provide a housing requirement figure for designated neighbourhood areas. In addition, there is the proposal that local authorities should ensure at least 20% of the sites allocated for housing in their plans are of half a hectare or less.
- 11.9 A Housing Delivery Test is introduced and from 2020, the presumption in favour of sustainable development will apply where delivery is below 75% of the authority's housing requirement, even if there is a demonstrable five-year housing land supply.
- 11.10 The five-year housing land supply position should be capable of being agreed for a one-year period, and this should be demonstrated either through a recently adopted plan, or through a subsequent annual position statement.
- 11.11 There is a suggestion that the payment of the New Homes Bonus could be linked to the housing delivery test or the standard approach to local housing need and more detail would be consulted on before proposed implementation in 2019-20.
- 11.12 It is proposed that authorities should consider imposing a planning condition to bring forward development within two years, except where a shorter timescale could hinder the viability or deliverability of a scheme.
- 11.13 In addition, there is the idea that local planning authorities should support the development of entry level exception sites, suitable for first time buyers or those looking to rent their first home, unless the need for such homes is already being met within the authority's area. These sites should be outside existing settlements, on land which is not already allocated for housing.

Economy, town centres, healthy and safe communities, sustainable transport, communications, effective use of land and design

- 11.14 There are references to the Government's Industrial Strategy and the importance of supporting business growth and improved productivity, as well as the approach to accommodating sites for local business and community needs outside existing settlements.
- 11.15 In respect of allocating sites for town centre uses, policies should look ten years ahead and the 'sequential approach' to planning applications is amended, so out-of-centre sites should be considered only if suitable town centre or edge of centre sites are unavailable within a reasonable period.

- 11.16 There is additional recognition to the role that planning can play in promoting social interaction and healthy lifestyles, through active street frontages, provision of safe and accessible green infrastructure, and local shops for example.
- 11.17 Assessing the transport impact of proposals should now also refer to highway safety as well as capacity and congestion, with access to high quality public transport where possible.
- 11.18 Reference should be made in plan policies to the delivery of high quality digital infrastructure.
- 11.19 There is a focus on avoiding building homes at low densities in areas of high demand, and pursuing higher-density housing in accessible locations well served by public transport, whilst reflecting the character and infrastructure capacity of each area, unless it can be shown there are strong reasons why this would be inappropriate.
- 11.20 Plans should set out a clear design vision and expectation, supported by visual tools such as design guides and codes.

Conserving and enhancing the natural and historic environment

- 11.21 This recognises the Government’s 25-year Environmental Plan and includes additional policy on strengthening existing networks of habitats and taking air quality fully into account.
- 11.22 In respect of designated heritage assets, decision-makers should give great weight to the asset’s conservation.

12. Appendices

Title	Location
Response to ‘Draft revised National Planning Policy Framework’ consultation	Appendix 1

13. Background Documents

- 13.1 Links to key documents are included within the report.

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