

PAPER NO. 1

REPORT TO THE EXECUTIVE MEETING OF 26TH SEPTEMBER 2011

Status: For decision

Title: Draft Responses to Consultation on the draft National Planning Policy Framework (NPPF)

Originator: David Roberts – Planning Policy Officer

Where from: Management Board

Where to next: Implementation

1 Purpose of the Report

1.1 To agree a response to the consultation on the draft National Planning Policy Framework (NPPF), which closes on the 17th October 2011. The NPPF sets out the Government's economic, environmental and social planning policies for England.

2 Recommendations:

2.1 It is recommended that:

- i) The response to consultation on the draft National Planning Policy Framework (NPPF) set out at Appendix A is approved.
- ii) The potential implications of the draft NPPF are noted.

3 Summary of Reasons for the Recommendations

3.1 On final publication the NPPF will become a very important national planning policy document. The consultation allows the Council the opportunity to raise issues about it with Government which may result in changes to the benefit of Harborough. Members making planning decisions and shaping the preparation of planning policy need to be aware of the potential implications of the NPPF for their decision making.

4 Impact on Communities

4.1 Government believes that the impact of the NPPF will be positive nationally as it is intended that it help to provide for economic growth and additional house building. However at a local level there could be real and perceived negative impacts arising from this additional growth in terms of loss of valued countryside, reduced levels of amenity and increased traffic.

5 Key Facts

- 5.1 The impact statement accompanying the publication of the draft NPPF sets out why the Government intends to introduce the NPPF. The importance of the planning system to home building and job creation, the protection of the environment and the provision of infrastructure is acknowledged. It then states that the planning system has become top-heavy with policy and guidance with over 1,000 pages of policy guidance and over 6,000 pages of supporting documentation. Government believes this to be inefficient and sometimes contradictory, that it acts to reduce community understanding and participation in the planning process and that it is a barrier to economic growth
- 5.2 The draft NPPF therefore proposes to consolidate and streamline existing national planning policy to a document about 60 pages long. In addition, a small number of policy changes are proposed, the most important being to introduce a new presumption in favour of sustainable development. These changes are examined in more detail below.
- 5.3 On publication, existing national Planning Policy Guidance (PPG) and Planning Policy Statements (PPS) will be replaced by the NPPF¹. The NPPF will not complete the process of consolidation and streamlining as it is understood that the Government intends to replace existing Planning Circulars in a separate exercise. Since 1947 a series of Ministerial Circulars concerning planning matters have been issued many of which remain in force. These documents provide non-statutory advice and guidance on particular issues to expand on subjects referred to in legislation. Circulars are used to explain policy and regulation more fully. Many circulars are quasi-legislative and include a direction or requirement to take specific action or provide guidance on implementation of aspects of planning policy. The timetable for this exercise is unknown.
- 5.4 In any process of consolidation and streamlining there is a danger that important detailed advice and guidance will be lost.

Key Issues

- 5.5 Proposed comments on the draft NPPF are set out in Appendix A. Two particular issues can be highlighted. The first concerns the introduction of a presumption in favour of sustainable development. Paragraph 14 of the draft NPPF reads as follows:

“At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Local planning authorities should:

¹ With the exception of the Waste Planning Policy Statement which will remain in place until replaced by a new National Waste Management Plan. A list of the documents to be cancelled can be found in the second background document listed in paragraph 15.1 below.

- *prepare Local Plans² on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes*
- *approve development proposals that accord with statutory plans without delay; and*
- *grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date.*

All of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

- 5.6 This has been summarised as a developer’s charter by some commentators given that around half of local authorities have not yet adopted their Core Strategies and given the time needed to prepare new Local Plans (the Local Development Framework system was introduced in 2004 and national coverage has still not been achieved). Neither is it clear what will constitute an up to date plan or how much weight will be attached to existing adopted development plan documents (see the responses to questions 1b) and 3b)). It is assumed that the Harborough Core Strategy will be considered to be up to date and in conformity. This understanding is consistent with Ministerial statements but not with the text of the Draft NPPF, hence the proposed consultation response.
- 5.7 The presumption flags up the need to keep the Harborough development plan up to date, and founded upon a credible evidence base which will include the need for new housing. Elsewhere the draft NPPF makes it clear that for a plan to be found to be sound on examination, there will need to be evidence of collaborative working with neighbouring local authorities on cross-boundary matters (which will include housing numbers and their spatial distribution between authorities). The proposed response seeks to persuade Government to make a clear statement that plans adopted in the 5 years before the introduction of the NPPF will be considered to be up to date and in conformity with the NPPF for a 5 year period from plan adoption³. This would be in recognition of the effort and costs involved by authorities such as Harborough who have brought their Core Strategies through to adoption at the urging of Government.
- 5.8 A particular objective of Government is to increase the supply of housing. At paragraph 109 the draft NPPF requires local councils to identify and keep up to date, at least an additional 20% of deliverable⁴ housing sites against their

² The Local Development Framework system of a family of planning documents is to be scrapped and replaced by a system of single document Local Plans.

³ The extent of their conformity to be set out in a certificate of conformity

⁴ Defined by Government as: ‘To be considered deliverable, sites

should, at the point of adoption of the relevant Local Development Document:

Be **Available** – the site is available now; Be **Suitable** – the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities; Be **Achievable** – there is a reasonable prospect that housing will be delivered on the site within five years’.

five year housing requirement. In the case of Harborough and its Allocations Development Plan Document (DPD), this would currently mean identifying enough deliverable sites to meet our current 1,620 5 year homes requirement and then an additional set of sites capable of accommodating 324 homes (the additional 20%). Note that the overall housing target for the plan period is not increased by this measure which is intended to improve housing delivery by providing a greater choice of sites for developers. For most of the plan period to 2028 this should not involve any new sites, but in the final 5 year period from 2023, it must logically mean identifying new sites to provide developers with a choice of sites.

6 Legal Issues

- 6.1 The draft NPPF is a consultation document and will be subject to change before final publication. The Planning Inspectorate has advised its Inspectors that the draft NPPF gives a clear indication of the Government's approach to planning matters and is capable of being a material planning consideration, with the weight to be given to it to be a matter for the decision maker's planning judgement in each case.

7 Resource Issues

- 7.1 No direct resource issues have been identified for staffing, workloads, or finance other than the risk that the number of planning applications and appeals may increase.

8 Equality Impact Assessment Implications/Outcomes

- 8.1 The draft NPPF is accompanied by a comprehensive impact assessment document which identifies no adverse implications for equalities. A link to this document is provided in the Background Papers section of this report.
- 8.2 The impact assessment also looks at a range of economic, environmental and social impacts.

9 Impact on the Organisation

- 9.1 No direct implications have been identified. The report identifies issues of concern but these are not likely to have significant impacts upon staffing structures, workloads and objectives.

10 Community Safety Implications

- 10.1 No Community Safety implications have been identified.

11. Carbon Management Implications

- 11.1 No Carbon Management implications have been identified.

12. Risk Management Implications

12.1 No Risk Management Implications have been identified.

13 Consultation

13.1 The outcome of internal consultation with Development Control has been incorporated into the report.

14 Options Considered

14.1 Not responding to the consultation was an option, but this would not have provided any opportunity to influence the content of the NPPF.

15 Background Papers

15.1 Paper copies of the following background papers will be lodged in the Members room up to and including the date of the Executive Meeting:

Draft National Planning Policy Framework

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951747.pdf>

Draft National Planning Policy Framework consultation paper (including a schedule at pages 13, 14, and 15 of Government policy documents PPS/PPG to be cancelled on adoption of the NPPF)

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951747.pdf>

Draft National Planning Policy Framework Impact Assessment

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951736.pdf>

Planning for Traveller Sites consultation

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1886164.pdf>

Previous report(s): N

Information Issued Under Sensitive Issue Procedure: N

Ward Members Notified: N

Appendices:

A. Completed response form containing the Harborough response to Consultation on the draft National Planning Policy Framework (NPPF)

Appendix A

National Planning Policy Framework

Consultation questions

We are seeking your views on the following questions on the Government's proposal for a new National Planning Policy Framework.⁵

Email responses to: planningframework@communities.gsi.gov.uk

Written responses to:

Alan C Scott

National Planning Policy Framework

Department for Communities and Local Government

Zone 1/H6, Eland House,

Bressenden Place

London

SW1E 5DU

(a) About you

(i) Your details

Name:	David Roberts
Position:	Planning Officer
Name of organisation (if applicable):	Harborough District Council
Address:	Adam & Eve Street, Market Harborough, Leics, LE16 7AG
Email Address:	d.roberts@harborough.gov.uk
Telephone number:	01858 821142

(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response

Personal views

⁵ (see: <http://www.communities.gov.uk/publications/planningandbuilding/draftframeworkconsultation>)

(iii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group.

Yes

No

Name of group:

(iv) Please tick the *one* box which best describes you or your organisation:

Private developer or house builder

Housing association or RSL

Land owner

Voluntary sector or charitable organisation

Business, consultant, professional advisor

National representative body

Professional body

Parish council

Local government (i.e. district, borough, county, unitary,etc.)

Other public body (please state)

Other (please state)

(v) Would you be happy for us to contact you again in relation to this consultation?

Yes

No

(b) Consultation questions

Delivering Sustainable Development

The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.

1(a) – Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input checked="" type="checkbox"/> |

1(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 13 if, unchanged will serve to confuse and weaken the presumption. It suggests that planning for prosperity is more important than planning for people and planning for places which could result in harm to the environment and to communities.

Throughout the draft NPPF the planning system is seen as an impediment to growth and not its enabler. This fails to recognise the value attached locally to communities and the environment.

Paragraph 14 is of particular concern, especially when read with paragraph 26 concerning the definition of plans which are up to date which is limited to plans consistent with the NPPF. These new Local Plans will take time to come forward and be examined by the Planning Inspectorate. As written this is a recipe for confusion, and planning by appeal. It would on face value, make redundant the development planning work of the last seven years across England leading to a policy vacuum which could not be satisfactorily filled by the NPPF. Developers will see it as a green light to bring forward development proposals which have no local support either in adopted development plans or with the public. This would be contrary to localism, not serve to bring forward additional growth and lead to a loss of public confidence in planning.

As a solution, the Council proposes that paragraph 26 be amended by including a clear statement that to avoid

doubt, plans adopted in the 5 years before the NPPF is published and for 5 years from their adoption will be considered to be up to date and in conformity with the NPPF⁶. To do otherwise would be to treat all authorities the same whether they have recently adopted plans or not and would provide no incentive for authorities to press ahead with plans now in the pipeline. This is considered to be a simple and robust method of establishing conformity. The 5 year period is consistent with the time normally followed to renew development plans and with the 5 year rolling land supply period.

Little comfort is given by the Ministerial promise to allow local planning authorities to seek a certificate of conformity for their development plans after the NPPF is adopted as national policy. Given the existing text of the NPPF (paragraphs 26 and 62 in particular) nothing less than a new Local Plan could be found to be in conformity.

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.

2(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

2(b) Do you have comments? (please begin with relevant paragraph number)

Paragraphs 34, 35 and 36 concerning a proportionate evidence base are welcomed, as is much of paragraph 48. However the first bullet point text concerning meeting unmet requirements from neighbouring authorities is not supported. This is on the practical grounds that it could provide a disincentive for authorities to bring forward their Local Plans knowing that developers will always argue that they should also be providing for unmet requirements from elsewhere. Inspectors could be convinced by these

⁶ The extent of their conformity to be set out in a certificate of conformity

arguments if the other authority's plans are not so well advanced.

The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively.

2(c) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input checked="" type="checkbox"/> |

2(d) Do you have comments? (please begin with relevant paragraph number)

See comment 2 c). Paragraphs 44-48. Other than the implicit 'penalty' that where up-to-date plans are not in place developments will be assessed against the NPPF (which could be a comment on the bias inherent in the NPPF), there is no effective way of requiring local planning authorities (LPA) to cooperate on planning matters. The threat that a plan will be found to be unsound, only applies to the LPA bringing a plan forward for examination. That authority may have actively sought to cooperate on planning issues but have been spurned when seeking to agree a spatial distribution of growth affecting neighbouring authorities. A recalcitrant LPA (whether its reasons are good or bad) is in a strong negotiating position. The practical consequences of this could be that spatial planning across authorities at the County level will be undertaken but may prove to be abortive if agreement cannot be reached by consensus. The recent Inspector's letter dated 11 August 2011 to Rochford District Council concerning their Core Strategy makes it clear that a LPA cannot plan on the basis that some of its housing growth can take place in another LPA unless it has the agreement of that authority.

Decision taking

In the policies on development management, the level of detail is appropriate.

3(a) Do you agree

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input checked="" type="checkbox"/> |

3(b) Do you have comments? (please begin with relevant paragraph number)

<p>Paragraph 58 – the meaning of the final sentence is unclear.</p> <p>Paragraph 61 – the text concerning statutory consultees cannot be effectively enforced. In effect it is good practice guidance and not policy and so should not be included in the NPPF, but in accompanying guidance.</p> <p>Paragraph 62 – this makes no mention of existing development plans. It cannot be the intention that only new Local Plans (none of which will be in place for some years) will be the starting point for the determination of planning applications. As written, this effectively amounts to the withdrawal of all existing development plans which would have very serious consequences and is not something that can be done in this way.</p> <p>Paragraph 65 – it is unclear from this whether it will be possible to give conditional planning approvals to cover matters which cannot be determined at the time of decision.</p>

Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government.

4(a) Do you agree

- | | |
|---------------------------|--------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |

Disagree

Strongly Disagree

4(b) What should any separate guidance cover and who is best placed to provide it?

It is unclear why guidance should always be light-touch. The level of detail must be appropriate and proportionate to the issue involved. In addition there must be concerns about bias creeping in if guidance is provided by organisations outside Government. Who will choose such organisations and will they command public confidence?

Guidance should as a minimum cover detailed matters lost from existing PPG/PPS otherwise these will continue to be used and quoted. An example is Annex A to PPS7 (Sustainable Development in Rural Areas) which provides detail on agricultural, forestry and other occupational dwellings. Another example would be the definition of the setting of Listed Buildings from PPS5. Guidance will also be needed to clarify the presumption in favour of sustainable development and the meaning of such terms as 'viability' and 'acceptable returns'.

Business and economic development

The 'planning for business policies' will encourage economic activity and give business the certainty and confidence to invest.

5(a) Do you agree?

Strongly agree

Agree

Neither agree or Disagree

Disagree

Strongly Disagree

5(b) Do you have comments? (please begin with relevant paragraph number)

The planning system is not the main problem facing the economy, there is no shortage of land for economic development, hence the guidance in the NPPF to free up

such land for alternative uses such as residential.

Paragraph 73 – business will clearly have a part to play in addressing the listed potential barriers to development. There is unlikely to be sufficient funding available to local authorities to undertake these actions.

Paragraph 81 – second bullet point. The word ‘development’ has a specific planning meaning. Is this intended here or would the word ‘growth’ be more accurate?

5(c) What market signals could be most useful in plan making and decisions, and how could such information be best used to inform decisions?

Planning can be informed by market signals but should not be driven by them. Markets do not address matters such as demographics and housing need, or the value attached by local communities to open space, local amenity and the countryside. Short term market signals will change too quickly to be relevant to plan making and given the lag between plan making and site development cannot effectively be used to steer the operation of the planning system or provide a quick boost to the local economy. Plans need to address the whole economic cycle and be informed by signals that are evidence based and which need to be addressed over a plan period such as housing need, and changing demographics.

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.

6(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

6(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 76 – it is unclear whether the deletion of town centre office development from the ‘town centre first’ policy will boost such development elsewhere and it might hasten the decline of existing town centres. It may lead to more development in locations which can only be accessed by the car which would not be sustainable.

Transport

The policy on planning for transport takes the right approach.

7(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

7(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 93- the removal of the national maximum non-residential car parking standards could lead to more car based development.

Communications infrastructure

Policy on communications infrastructure is adequate to allow effective communications development and technological advances.

8(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

8(b) Do you have comments? (please begin with relevant paragraph number)

No comment.

Minerals

The policies on minerals planning adopt the right approach.

9(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

9(b) Do you have comments? (please begin with relevant paragraph number)

No comment.

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.

10(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input checked="" type="checkbox"/> |

10(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 109 – the proposed addition of at least 20% extra deliverable sites is not supported. It is not justified by any evidence that it will work to increase housing delivery or that increases of 10 or 15% would not be

sufficient. It seems rather to be an arbitrary centrally imposed figure which will be deeply resented by local communities. An arbitrary increase in the supply of land will weaken the spatial aspect of Local Plans as developers will be able to concentrate more house building in locations favoured by the current market. This could lead to some communities not being provided with much needed new housing to meet local needs.

Paragraph 113 – the guidance concerning isolated rural housing is an important policy area for rural authorities such as Harborough. Bullet point three provides a sweeping justification for such developments. The guidance in Annex A to PPG7 needs to be retained somewhere.

Planning for schools

The policy on planning for schools takes the right approach.

11(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

11(b) Do you have comments? (please begin with relevant paragraph number)

No comment.

Design

The policy on planning and design is appropriate and useful.

12(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input checked="" type="checkbox"/> |

12(b) Do you have comments? (please begin with relevant paragraph number)

Paragraphs 26, 50-52 and 118. It is unclear what the status of existing Parish Plans and Village Design Statements (and other similar documents) will be once the NPPF comes into force. Such documents are very common in rural areas and are good examples of localism in action and neighbourhood planning and often concern design issues. They must continue to be accorded weight in decision making.

In addition paragraph 118 should be amended by deleting the following strikethrough text: '~~Planning should not attempt to impose architectural styles or particular tastes~~'

and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles’.

If this is not changed the effect would be to undermine existing design guidance such as Parish Plans and Village Design Statements.

Green Belt

The policy on planning and the Green Belt gives a strong clear message on Green Belt protection.

13(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

13(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 147 – it is unclear why the policy guidance on community forests is included within this section of the NPPF. The paragraph may be better being moved to the section dealing with open space, sports and recreational facilities from paragraph 128.

Climate change, flooding and coastal change

The policy relating to climate change takes the right approach.

14(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

14(b) Do you have comments? (please begin with relevant paragraph number)

No comment. The NPPF does not appear to change existing national planning policy.

The policy on renewable energy will support the delivery of renewable and low carbon energy.

14(c) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

14(d) Do you have comments? (please begin with relevant paragraph number)

No comment. Also see the response to QB4.4 and QB4.5

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.

14(e) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

14(f) Do you have comments? (please begin with relevant paragraph number)

No comment. Also see the response to QB4.4 and QB4.5

The policy on flooding and coastal change provides the right level of protection.

14(g) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

14(h) Do you have comments? (please begin with relevant paragraph number)

No comment.

Natural and local Environment

Policy relating to the natural and local environment provides the appropriate framework to protect and enhance the environment.

15(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

15(b) Do you have comments? (please begin with relevant paragraph number)

No comment.

Historic Environment

This policy provides the right level of protection for heritage assets.

16(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input checked="" type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

16(b) Do you have comments? (please begin with relevant paragraph number)

Q16 b)

No comment.

Glossary

The entry for the General Permitted Development Order should be revised. The current definition only refers to telecommunications development.

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:

17a. Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?

No comment.

Planning for Travellers

18 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?

The draft planning policy for traveller sites is just over 6 pages long in contrast to the 2.5 pages devoted to housing in the draft NPPF. This would indicate a need to further consolidate and streamline planning policy for traveller sites to make it consistent with the NPPF. Any loss of detail could be covered in additional good practice guidance (see question 4b).

It would be inconsistent with the fair play for all approach of the Travellers Sites consultation document to maintain a separate planning policy document for travellers.

Specific questions on the impact assessment

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?

No comment.

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?

No comment.

QA4: Can you provide further evidence to inform our assumptions regarding wage rates and likely time savings from consolidated national policy?

No comment.

QA5: What behavioural impact do you expect on the number of applications and appeals?

An increase in the number of applications and appeals.

QA6: What do you think the impact will be on the above costs to applicants?

Costs will increase.

QA7: Do you have views on any other risks or wider benefits of the proposal to consolidate national policy?

No comment.

QB1.1: What impact do you think the presumption will have on:

- (i) the number of planning applications;
- (ii) the approval rate; and
- (iii) the speed of decision-making?

If landowners and developers see the NPPF changes as removing barriers to development which are opposed by existing development plan policy and the public, the number of planning applications may increase, which will affect the speed of decision making. It is difficult to comment on the approval rate as this is dependent upon the applications made.

QB1.2: What impact, if any, do you think the presumption will have on:
(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?

Producing one Local Plan rather than a Local Development Framework suite of documents will reduce costs particularly if the evidence base is more proportionate. This may assist business engagement. No definitive opinion on the number of Neighbourhood Plans likely to come forward is possible until there is more clarity on the cost of their production which will be significant for Parish Councils, especially as they will not be able to reduce housing numbers. Business backed Neighbourhood Plans may be in the majority because of the cost of their production.

QB1.3: What impact do you think the presumption in favour of sustainable development will have on the balance between economic, environmental and social outcomes?

Paragraph 13 if unchanged, will serve to confuse and weaken the presumption. It suggests that planning for prosperity is more important than planning for people and planning for places which could result in harm to the environment and to communities.

Throughout the draft NPPF the planning system is seen as an impediment to growth and not its enabler. This fails to recognise the value attached locally to communities and the environment.

QB1.4: What impact, if any, do you think the presumption will have on the number of planning appeals?

The presumption, read together with paragraph 26 which seems to say that only new Local Plans will be up to date, and paragraph 62 which ignores existing Development Plan Documents, will give developers confidence to make planning applications on sites opposed by the public, not included in adopted Development Plans or which may have been rejected in the past. The number of appeals could increase significantly.

QB2.1: Do you think the impact assessment presents a fair representation of the costs

and benefits of the policy change?

No, it underestimates the increased cost of appeals.

QB2.2: Is 10 years the right time horizon for assessing impacts?

Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?

No comment.

QB2.3: How much resource would it cost to develop an evidence base and adopt a local parking standards policy?

We would expect to do this in collaboration with the County Council and other District Authorities. The cost of this cannot be estimated at this time.

QB2.4: As a local council, at what level will you set your local parking standards, compared with the current national standards?

Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?

The level at which Harborough will set local parking standards is not known at this time.

QB2.5: Do you think the impact assessment presents a fair representation of the costs and benefits of the policy changes on minerals?

No comment.

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?

Little or no impact. The Harborough Core Strategy which should be adopted in late 2011, assumes that only around 16% of new homes can be provided on brownfield sites to 2028 given the lack of brownfield land in the District.

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?

It may be possible to identify an additional 20% additional land in Harborough, if this becomes a requirement, given the rural nature of the District. However it would require a more detailed search for sites and additional public consultation which would have a cost (currently unknown).

This arbitrary, centrally imposed figure is unsupported by any evidence that it will work and help the delivery of homes. No evidence is advanced to support the 20% formula. Why is a figure of 20% better than one of 10% or 30%?

An arbitrary increase in the supply of land will weaken the spatial aspect of Local Plans as developers will be able to concentrate more house building in locations favoured by the current market. This could lead to some communities not being provided with much needed new housing to

meet local needs.

QB3.3: Will you change your local affordable housing threshold in the light of the changes proposed? How?

Harborough is already moving to a threshold of 1 dwelling in its Core Strategy to be adopted later in 2011.

QB3.4: Will you change your approach to the delivery of affordable housing in rural areas in light of the proposed changes?

No. Harborough already provides for housing development in its rural centres and selected villages. Such development will be a mix of market and affordable housing in accordance with plan policy. Development outside development limits would only be allowed if such housing were all to be affordable.

QB3.5: How much resource would it cost local councils to develop an evidence base and adopt a community facilities policy?

This is unknown at this time.

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?

No comment.

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?

No comment.

QB4.1: What are the resource implications of the new approach to green infrastructure?

No comment.

QB4.2: What impact will the Local Green Space designation policy have, and is the policy's intention sufficiently clearly defined?

No comment.

QB4.3: Are there resource implications from the clarification that wildlife sites should be given the same protection as European sites?

No comment.

QB4.4: How will your approach to decentralised energy change as a result of this policy change?

If the NPPF provision is maintained, the Council will have to reconsider its planning policies including whether to

identify areas suitable for renewable and low-carbon energy sources and supporting infrastructure.

QB4.5 Will your approach to renewable energy change as a result of this policy?

If the NPPF provision is maintained, the Council will have to reconsider its planning policies including whether to identify areas suitable for renewable and low-carbon energy sources and supporting infrastructure.

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?

No comment.