

Part 3: Consultation questions

A. Policy questions

1a Delivering sustainable development

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

Answer: Agree

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

The objective of a presumption in favour sustainable development (my underlining) is laudable; however, defining what sustainable means in an operational sense is difficult. Paragraph 10 appears to define sustainability as economic, social and environmental which is all things to all people. It is too vague and will lead to uncertainty. Developers will focus on the economic role whereas protection organisation will focus on the environmental role. Development Management will have to decide on the balance but this vague definition will not provide any clarity or certainty and lead to appeals.

2a Plan-Making

Q: '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.'

Answer: Neither Agree or Disagree

Comments: Unfortunately our experience with appeal inspectors is that need is often confused with demand and, in turn, this is sometimes given more weight than the protection of the countryside . Again 'positively' needs further definition, protection of the environment can be interpreted as a positive.

2c Joint Working

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

Answer: Agree

Comments: strategic planning is critical to the success of the new planning system especially in relation to new infrastructure provision. However, who will ensure that councils do work together effectively?

3a Decision taking

Q: 'In the policies on development management, the level of details is appropriate.'

Answer: Strongly Disagree

Comments: If PPGs and PPSs are going to be superseded then the NPPF is inadequate as a single document for Development Management. It is not fit for purpose.

4a Decision taking

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

Answer: Disagree

Comments: 'light-touch' is a vague term but, moreover, non-government organisations tend to act as pressure groups. The good point about government policy is that it is in essence neutral. Development Management is dominated by appeals and judicial reviews, it is, in effect, quasi-legal and therefore national government policy needs to be clear and robust and so an element of detail is required.

4bQ: 'What should any separate guidance cover and who is best placed to provide it?'

Comments: Generally speaking, matters covered by Circulars need to be the subject of separate guidance as well as specialist areas such as retail, heritage and transport. It is considered that central government should take a lead on such matters.

5a Business and Economic Development

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

Answer: Disagree

Comments: It is certainly considered that expectations will be raised significantly in the business community but (as stated above) the presumption in favour of sustainable development is rather vague. Protectionist groups will focus on the environmental policies in particular. However, we are concerned that planning is being used as something of a 'scapegoat' for the state of the economy. Global confidence and the attitude of banks to lending to developers is far more important than planning. Whilst planning is a factor in business decisions it is not the key factor. Planning is often blamed for delays to business

but in our experience this is more to do with business not investing constructively in the planning process and cutting corners at the planning stage.

5cQ: 'What market signals could be most useful in plan making?'

Comments: sale prices of buildings and land, rents, yields, deposits on houses, vacant stock etc.

6aQ: '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.'

Answer: Agree

Comments: Supermarkets, in particular, wish to be of a certain floor area and incorporate a certain sized car park. Often town centres do not contain sufficient available space and so there is often a market push for peripheral locations. There needs to be more policy support for resisting out of town retail developments perhaps introducing a size threshold.

7a Transport

Q: 'The policy on planning for transport takes the right approach.'

Answer: Disagree

Comments: This section reads as a series of platitudes which do very little to reduce vehicle emissions. Paragraph 93 is particularly disappointing in that certain peripheral areas have very high level local car ownership and high commuting distances but planning authorities must accept this as the status gives in framing parking standards so the current situation will continue into the future.

8a Communications Infrastructure

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

Answer: Strongly Disagree

Comments: Far more detailed guidance is needed on this controversial subject.

9a Minerals

Q: 'The policies on minerals adopt the right approach.'

Answer: Neither Agree nor Disagree

10a Housing

Q: 'The policies on housing will enable communities to deliver a wide choice of high quality homes in the right location, to meet local demand.'

Answer: Neither Agree or Disagree

Comments: With regard to paragraph 109, this Council is concerned with the proposed 20% contingency. This, in effect, increases the total number of housing units by 20% but such totals have been the subject of years of consultation and planning. There is still a low percentage of English LPAs with adopted LDFs and this will not help to speed the process up. Secondly, in the fourth bullet point, a lot of onus is put on SHLAAs but there are theoretical documents based on landowners coming forward with available sites. However, this Council supports paragraph 112 and the need for rural affordable housing to be located in villages of a certain size which enjoy basic services such as a primary school, shop and doctors surgery. This Council's experience is that affordable housing in rural areas is a response to demand rather than genuine local housing need.

11a Planning for Schools

Q: 'The policy on planning for schools takes the right approach.'

Answer: Neither Agree nor Disagree

12a Design

Q: 'The policy on planning and design is appropriate and useful.'

Answer: Neither Agree or Disagree

Comments: This Council strongly supports the government's commitment to good design in particular the sentence 'Good design is indivisible from good planning and should contribute positively to making places better for people' (paragraph 114).

However, we suggest that good landscaping is specifically referred to as integral to good design. Secondly, it is considered that creativity and flexibility in the approach to a design problem is key and consider that design policies will be limited in their impact because, by their very nature, they involve reducing choices for architects.

13a Green Belt

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

Answer: Agree

14a Climate change, flooding and coastal change

Q: 'The policy relating to climate change takes the right approach.'

Answer: Disagree

Comment: Whilst the objectives are fully supported, it is considered that adherence to clear minimum standards should be specifically supported. For example, specific support for a minimum of Level 3 of the Code for Sustainable Homes.

14c

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

Comment: See response to question 14a.

14e

Q: '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.'

Answer: Neither Agree or Disagree

Comments: Again, paragraphs 152 and 153 contain laudable objectives but the methodology for the delivery is vague and so these objectives read as platitudes.

14a

Q: 'The policy of flooding and coastal change provides the right level of protection.'

Answer: Agree

15a Natural and Local Environment

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

Answer: Disagree

Comment: There appears to be no protection for the countryside for its own sake. Again, this section is vague. A second major concern is paragraph 166 in terms of weight given to locally designated sites. Similarly, how much weight will be given to locally important flora and fauna by Planning Inspectors?

16a Historic Environment

Q: 'The policy provides the right level of protection for heritage assets.'

Answer: Disagree

Comment: There is no clear definition of 'heritage assets' and, as a result, this will not bring certainty to the planning system.

17a Impact Assessment

Q: '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?'

Comment: the transitional arrangements outlines in the 'Planning for Prosperity' section will have a high cost. Secondly, our major concern with the draft NPPF is that it does not do enough to protect the countryside for its own sake.

Supplementary Question: -

Q: 'The Government has consulted on a draft planning policy for traveller sites. The consultation period on 3 August and a new Planning Policy Statement for traveller sites will be published as soon as possible following due consideration of the consultation responses. The new Planning Policy Statement for traveller sites will be received in the light of all comments received and incorporated into the final National Planning Policy Framework. As part of this consultation on the National Planning Policy Framework the Government would welcome responses to the following question:-

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 plans to incorporate planning policy on traveller sites into the final National Planning Policy Framework?

Comment: It is now over a year since Mr Pickles stated that he was going to tackle issues surrounding gypsy policy. This raised expectations with the public. Unfortunately, there has been no policy changes delivered. It is recommended that the Government actually deliver new policies as a matter of urgency.