

MAIDSTONE BOROUGH COUNCIL

LEADER OF THE COUNCIL

REPORT OF DIRECTOR OF CHANGE, PLANNING AND THE ENVIRONMENT

**Report prepared by Flo Churchill,
Interim Head of Core Strategy Development**

15 September 2011

PROPOSED CONSULTATION RESPONSE TO THE DRAFT NATIONAL PLANNING POLICY FRAMEWORK

1.1 Key Issue for Decision

- 1.1.1 To consider the proposed response to the DCLG consultation on the Draft National Planning Policy Framework, (NPPF)

1.2 Recommendation of Director of Change, Planning and The Environment

That the Leader endorses this report and the attached completed Questionnaire and submits it as the formal response on behalf of Maidstone Borough Council to the current consultation on the draft National Planning Policy Framework prior to the deadline date of 17, October 2011. This report incorporates the recommendations of the Planning Committee held on 1st September 2011 and the Overview and Scrutiny Committee held on 5th September 2011.

1.3 Reasons for Recommendation

Background

- 1.3.1 The Government's stated intention in bringing together all planning policy guidance within one document was to simplify the rules and regulations governing planning in England. Extant planning guidance provides a massive amount of information about how development plans should be produced and how decisions on development management should be made and the draft NPPF states:

"The policies set out in this Framework apply to the preparation of land and neighbourhood plans, and to development management decisions. Planning policies and decisions should be compatible with and where appropriate further the achievement of relevant EU obligations and statutory

requirements set out in domestic legislation. The Framework should be read and interpreted as a whole.”¹

1.3.2 Current extant guidance comprises:

- PPS1 – Delivering Sustainable Development and its supplement Planning and Climate Change.
- PPG2 – Green Belts
- PPS3 – Housing
- PPS4 – Planning for Sustainable Economic Growth
- PPS5 – Planning for the Historic Environment
- PPS7 – Sustainable Development in Rural Areas
- PPG8 – Telecommunications
- PPS9 – Biodiversity and Geological Conservation
- PPS12 – Local Spatial Planning
- PPG13 – Transport
- PPG14 – Development on Unstable Land
- PPG17 – Open Space, Sport and Recreation
- PPG18 – Enforcing Planning Control
- PPG19 – Outdoor Advertisement Control
- PPG20 – Coastal Planning
- PPS22 – Renewable Energy
- PPS23- Planning and Pollution Control
- PPG24 – Planning and Noise
- PPG25 – Development and Coastal Change
- Minerals Policy Statements 1& 2, and Minerals Policy Guidance 2, 3, 5, 7, 10, 13, and 15
- Circular 02/2005 Planning Obligations
- Letters to Chief Planning Officers dated Mar 1999, April 2003, April 2002, May 2008, November 2009, July 2009, May 2009 x 2, December 2009, February 2009, January 2009, June 2010, January 2010, December 2010 and January 2011.

1.3.3 It is important to note that the draft NPPF is a “Radical streamlining of existing Planning Policy Statements, Planning Policy Guidance Notes and **some** circulars to form a single consolidated document.” (My emphasis)² There is currently no suggestion to cancel Circular 11/95 – Use of Conditions in Planning Permission, Circular 10/97 – Enforcing Planning Control, and Circular 03/2009 Costs Awards in Appeals and Other Planning Proceedings. The Department for Communities and Local Government has informally indicated that they intend to carry out a similar ‘slimming down’ exercise on Circulars once the draft National Planning Policy Framework has been adopted.

¹ Draft National Planning Policy Framework Paragraph 8

² Draft National Planning Policy Framework Consultation Paragraph 10

- 1.3.4 The Department for Communities and Local Government has indicated that it is intending to produce a Best Practice Guide to accompany the draft NPPF and this is welcomed however it is considered that it would be more appropriate to publish a draft Practice Guide to accompany the draft NPPF.
- 1.3.5 Given that it is the intention of the exercise to reduce the amount of guidance currently in use within the planning system the practice of continuing to issue draft guidance for consultation is somewhat confusing and does not aid clarity of understanding. A question is currently being posed in connection with the recent consultation on guidance for gypsies and travellers by CLG that states:

“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?”

- 1.3.6 It is considered that given the government's current stance towards treating Gypsy and Traveller Accommodation as part of the general housing stock planning policy on all planning matters, it should form part of the National Planning Policy Framework and therefore guidance on gypsy and traveller sites should be fully incorporated within the final National Planning Policy Framework. Maidstone Borough Council would suggest that this occurs without delay.
- 1.3.7 The Consultation on the draft National Planning Policy Framework also contains a Consultation Questionnaire and this has been completed and is attached as Appendix 1 to this report.

Main Issues

- 1.3.8 The main changes introduced by the draft NPPF include:
- Presumption in favour of development
 - Removing office development from 'Town Centre First' policy
 - Time Horizon for assessing impacts
 - Removing the maximum non-residential car parking standards for major developments
 - Peat
 - Landbanks
 - Removing the brownfield target for housing development

- Requiring local councils to allocate an additional 20% of sites against the five year housing requirement
- Removing the national minimum site size threshold for requiring affordable housing to be delivered
- Removing rural exceptions sites policy
- Protecting community facilities
- Green Belt
- Green Infrastructure
- Green Space Designation
- Clarification on which wildlife sites should be given the same protection as European sites.
- Proactive approach to identifying opportunities for renewable and low carbon energy
- Historic Environment

All the main changes are important but not all of them have major implications for Maidstone Borough Council, in particular changes to guidance on Peat Banks. This report is concerned with those major changes that will have the most impact within Maidstone, namely:

- Presumption in favour of development
- Removing Office development from Town Centre First policy
- Removing the maximum non-residential car parking standards for major developments
- Removing the brownfield target for housing development
- Requiring local councils to allocate an additional 20% of sites against the five year housing requirement
- Removing the national minimum site size threshold for requiring affordable housing to be delivered
- Removing rural exceptions sites policy
- Green Space Designation

A general commentary on other aspects of the proposed draft NPPF is also included at paragraph 1.3.28 of this report.

Presumption in favour of development

- 1.3.9 There is no explicit definition of what comprises 'Sustainable Development' despite the Minister's statement on 15 June 2011 (Attached as Appendix 2) It would appear that what is actually being suggested is that development will need to accord with the requirements of the National Planning Policy Framework and not any particular definition of what comprises sustainable development. Clarity on the definition should be sought and would be welcome as it would bring a degree of certainty in somewhat uncertain planning times. It is however acknowledged that the draft NPPF references the Bruntland Commission in 1987 in paragraph 9 stating:

"Sustainable development means development that meets the needs of the present without compromising the ability of future generations to meet their own needs."³

1.3.10 It is proposed that the default decision when it comes to development should be a presumption in favour of sustainable development. The Draft Framework states:

"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:

- Prepare local plans 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 planning 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."⁴

1.3.11 What is not clear from the draft NPPF is whether the primacy of the development plan will continue and compared with the presumption in favour the question as to which will be the dominant policy tool must be posed? Whilst it is recognised that paragraph 62 states that the planning system is plan led, clarity on this point would be welcomed.

Removing Office Development from Town Centre First policy

1.3.12 This proposes the removal of the requirement to meet the sequential test when considering the location of office development. It allows for applications for office development to be judged on their individual merits whilst taking account of local and national policies on the location of new development that generates significant movements of people. The potential impact of this change combined with the changes expected in the General Permitted Development Order (GPDO) regarding change of use from office to residential could result in impacts on Maidstone Town Centre that would be difficult to resist and that may result in a town centre that is not capable of continuing its

³ Draft National Planning Policy Framework Paragraph 9, Our Common Future 1987

⁴ Draft National Planning Policy Framework Paragraph 13

role as the County Town of Kent. It is therefore recommended that additional guidance is requested to avoid the overconcentration of residential development within town centres without the necessary accompanying social infrastructure.

- 1.3.13 Additionally as a result of taking office development out of Town Centre First policy this could cause damage to the lunch time economy of the town centre and it is therefore recommended that the policy be strengthened to ensure that local authorities retain the ability to direct the broad location of office development.

Removing the maximum non-residential car parking standards for major developments

- 1.3.14 The proposal to remove the maximum non-residential car parking standards for major developments is welcomed as it allows Maidstone Borough Council the freedom to determine standards that are appropriate for local circumstances.

- 1.3.15 It is also noted that there will be a key requirement to have a travel plan. Paragraph 90 specifically states:

“A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement, as determined by local criteria, should be required to provide a Travel Plan.”⁵

- 1.3.16 Again the freedom to determine locally what constitutes significant amounts of movement is welcomed as this will allow in particular the concerns of Members about the impact of development on the rural road network to be given full and proper consideration. The requirement for development applications to incorporate Travel Plans will need to be included in the Development Delivery Document following on from the Core Strategy.

Removing the brownfield target for housing development

- 1.3.17 Whilst removing the target for brownfield housing development is to be welcomed in so far as this allows greater flexibility to determine the most appropriate locations for housing according to local circumstances it is still considered appropriate to look to previously developed land as a sustainable source of sites for housing. Maidstone Borough Council has traditionally been successful at locating a very high percentage of housing developments on previously developed land but recognises that such land is a finite and dwindling resource.

⁵ Draft National Planning Policy Framework, Paragraph 90.

Requiring local councils to allocate an additional 20% of sites against the five year annual requirement.

1.3.18 The requirement to allocate an additional 20% of sites against each year of the first five years of the annual housing requirement to allow for flexibility and choice is not considered to be appropriate and should be reconsidered. Maidstone Borough Council in determining an appropriate level of housing for the council's area have taken into account the environmental capacity of the borough and consider that the level of housing provision in the Draft Core Strategy represents the maximum level that can be accommodated without causing serious impacts that cannot be sufficiently mitigated against.

1.3.19 In determining the amount of housing the following factors were taken into consideration:

- The need for affordable housing;
- Synergy with the Kent Growth areas;
- The achievement of sustainable development;
- The focus of new development on the existing urban area;
- Supporting transport infrastructure;
- The impact of development on the environment; and
- The impact on water supply and flooding.

1.3.20 If the Council is now required to provide additional allocations during the first five years of the annual requirement this would mean that the Core Strategy would have to be delayed until such time as additional research had been carried out to investigate where the additional allocations could be located.

1.3.21 It is considered that the level of provision of housing included in the Core Strategy already includes a level of provision above that needed strictly to deal with demand to allow for choice and flexibility. There is a danger in making an additional allowance that the market, already moribund due to national economic circumstances, will become flooded with inappropriate additional provision.

1.3.22 It is therefore considered that the requirement to provide an additional 20% above the first five years supply should be removed from the draft framework due to the reasons stated above.

Removing the national minimum site size threshold for requiring affordable housing to be delivered

1.3.23 The removal of the national minimum site size threshold for requiring affordable housing to be delivered is to be welcomed as this allows Maidstone Borough Council the flexibility to determine the most appropriate local thresholds. In the absence of the practice guide to accompany the framework it is not possible to determine if the council will be permitted to have a range of thresholds across the Borough to reflect local circumstances.

1.3.24 Maidstone Borough Council welcomes the removal of the minimum site size threshold as it believes that this will help to avoid the situation whereby developers deliberately seek to divide sites to avoid this requirement.

Removing the Rural Exceptions Sites Policy

1.3.25 If the intention of this is to allow for the provision of more affordable housing then it is welcomed. However it is considered that the burden of the requirement (To prove that the provision of market housing will allow for the provision of additional levels of affordable housing on such exception sites) should fall on those proposing to develop the housing.

Local Green Space Designation

1.3.26 The ability to locally designate green spaces that are valued on a local basis is to be welcomed as this will allow the community to protect those areas and parts of the Borough that are important to them. It is noted that development on areas designated as Local Green Space will be subject to the same policy treatment as potential development within Green Belts.

1.3.27 Whilst this level of protection for the new designation is welcomed it is noted that elsewhere in the draft NPPF it is proposed to extend the definition of Major Developed Sites in areas of Green Belt to any such sites whether or not they have been previously identified. It is considered that the proposed extension of building rights in the Green Belt is inappropriate and should be removed. Clarity on what will comprise 'exceptional circumstances' for the purposes of development within Local Green Spaces would be welcomed as it is considered that given the changes to Green Belt policy more generically there is now some confusion as to what such circumstances might be.

Conclusions and Summary

1.3.28 In general the clarity that the draft National Planning Policy Framework brings is to be welcomed, however the following comments should be noted:

- The draft does little to encourage a balanced approach between the provision of employment land and the provision of housing. Maidstone Borough Council has been at pains to ensure that the Core Strategy represents a balance between jobs and housing and the potential requirement to provide additional housing upsets this balance.
- The need for additional infrastructure required to service additional housing appears not to have been mentioned and it is important that infrastructure provision keeps pace with housing provision.
- The emphasis on the need for affordable housing is welcomed
- The need for an additional 20% on top of the first five years annual housing requirement is considered to be inappropriate and should be deleted.
- Clarity is required on several points:
 - The ongoing production of draft guidance not included within the draft National Planning Policy Framework is confusing and should cease.
 - Is the government intending to carry on using the Bruntland definition of sustainable development? Some thought should be given to updating this definition to make clear where government priorities lie
 - The relative positions of the presumption in favour of development as opposed to the plan led system requires clarification
 - Will the same 'exceptional circumstances' apply to development with Local Green Spaces as currently applied to Green Belt development or is this definition to be updated?
 - Clarity on what comprises 'Conformity with the National Framework' and what it means in practice should be given
- Consideration should be given to introducing some transitional arrangements that will allow local authorities some time to come into conformity with the Framework. A transitional period of at least 18 months is suggested as reasonable.
- Whilst the intention to produce a practice guide is noted Maidstone Borough Council considers that this practice guidance should be produced as soon as possible.
- It is considered that there are some changes to primary legislation required by the changes introduced by the draft National Planning Policy Framework and an indication of whether

these changes are incorporated within the Localism Bill would be welcomed.

- Consistency on terms used throughout the document would be welcomed as the terms 'development' and 'sustainable development' appear to be used interchangeably.
- If Planning Circulars are to be subject to a similar 'slimming down' exercise this should be carried out as soon as is possible.

1.4 Alternative Action and why not Recommended

1.4.1 The alternative action of not completing the Consultation Questionnaire and responding formally to the consultation exercise on the draft National Planning Policy Framework would mean that MBC did not take the opportunity to influence how the NPPF develops and to put forward concerns about the apparent contradictions and need for clarity.

1.5 Impact on Corporate Objectives

1.5.1 The new Strategic Plan 2011 – 2015 sets out a priority for Maidstone to 'Have a growing economy' and 'to be a decent place to live.' The draft National Planning Policy Framework will have an undeniable impact on the Core Strategy and other Local Development Framework Documents that are a priority for the Council in achieving the Corporate Objectives.

1.6 Risk Management

1.6.1 Risks related to the draft National Planning Policy Framework centre around the Framework including within it clauses that would create great difficulty in progressing the Core Strategy towards adoption. These risks are being managed by producing a full response in conjunction with the Head of Development Management to the current consultation exercise including the completion of the consultation questionnaire that accompanies the consultation response and is attached as Appendix 1 to this report.

1.7 Other Implications

1.7.1

1.	Financial	
1.	Staffing	
2.	Legal	X
3.	Equality Impact Needs Assessment	
4.	Environmental/Sustainable Development	X

5. Community Safety
6. Human Rights Act
7. Procurement
8. Asset Management

1.7.2 The draft National Planning Policy Framework will require changes to primary legislation. Such changes are widely anticipated to be incorporated within the Localism Bill. Legal advice previously sought from Counsel resulted in a report to Cabinet on 10th August 2011 when it was resolved to accord little weight to the draft Framework at this stage in its consultation.

1.7.3 The incorporated Presumption in Favour of Sustainable Development will have significant implications for how decisions are made on what comprises sustainable development through the Development Management decision making process.

1.8 Relevant Documents

1.8.1 Appendices

1.8.2 Appendix 1 – Consultation Questionnaire
Appendix 2 – Ministerial Statement

1.8.3 Background Documents

1.8.4 Draft National Planning Policy Framework July 2011

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

.....

This is a Key Decision because:

.....

Wards/Parishes affected:

.....

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

Flo Churchill

Interim Head of Core Strategy Development

Telephone: 01622 602762

E-mail: flochurchill@maidstone.gov.uk

Appendix 1 Consultation questionnaire

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: 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. The 20% contingency suggested in the draft NPPF removes control from local authorities.

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? It is also considered that there should be stronger protection for the countryside and that there was no specific ability for local authorities to protect large swathes of land

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.

Presumption in favour of sustainable development

Potential approach

This statement indicates an approach that the Government could take to introducing a presumption in favour of sustainable development in the forthcoming National Planning Policy Framework. It fulfils our commitment in the [Plan for Growth](#) (external link), published on 23 March 2011, and will help to inform discussion about the way it would operate.

Sustainable development and planning

The Government is committed to ensuring that the planning system does everything it can to support long term, sustainable economic growth, and has made it clear that significant weight should be placed on the need to support economic recovery through the planning system and related consent regimes.

Our approach to sustainable development involves making the necessary decisions now to realise our vision of stimulating economic growth and tackling the deficit, maximising wellbeing and protecting our environment, without negatively impacting on the ability of future generations to do the same.

The three 'pillars' of the economy, society and environment are interconnected. Our long term economic growth relies on protecting and enhancing the environmental resources that underpin it, and paying due regard to social needs.

To help achieve this, the Government's clear expectation is that we move to a system where the default answer to development is 'yes', except where this would compromise the key sustainable development principles set out in national planning policy. Planning should help to deliver:

- a strong, flexible and sustainable economy, by ensuring that sufficient land of the right type, and in the right places, is available to allow growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure
- protection and enhancement of our natural, built and historic environment, prudent use of natural resources and actions to mitigate and adapt to climate change, including moving to a low carbon economy

- strong, vibrant and healthy communities, by providing an increased supply of housing to meet the needs of present and future generations; and by creating a good quality built environment, with accessible local services, that reflects community needs and supports well-being

A presumption in favour of sustainable development

The presumption is key to delivering these ambitions, by creating a positive, pro-development framework, but one underpinned by the wider economic, environmental and social provisions in the National Planning Policy Framework. The presumption is as follows:

There is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to 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:

- Prepare local plans 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 policy objectives in the National Planning Policy Framework taken as a whole.

15 June 2011