



National Planning Policy Framework

**Evidence to the House of Commons
Communities and Local Government
Committee**

September 2011

1. The new National Planning Policy Framework (NPPF) has a central role to play at the heart of the planning decisions which affect the future quality of our cities, towns and villages. Civic Voice welcomes the opportunity to shape the framework of national planning policies as part of wider reforms to the planning system. As the new national charity for the civic movement and the network of hundreds of volunteer-led and community-based civic societies across England we are excited by the prospect of reforming the planning system to help people shape their surroundings more effectively. We work to make the places where everyone lives more attractive, enjoyable and distinctive and to promote civic pride and we know how important effective planning is to these goals. Given this role it is no surprise that civic volunteers are the most numerous participants in the planning system and these views are informed by their practical experience and local outlook.

The role of planning

2. Civic Voice believes the planning system has untapped potential to engage people in becoming more actively involved in their community as well as managing land use change and development for the widest public good. It combines vision with necessary regulation and already plays a critical role in protecting and improving the quality and prosperity of local places. We believe this needs to be strengthened and supported through improved opportunities for public engagement, selective extension of planning controls (not deregulation) and stronger safeguards against abuse. This needs to be further supported by action to remove the mystique, jargon and complexity of planning vocabulary and processes which act as a deterrent to community engagement. The planning system also needs to have resources, particularly at a local authority level, commensurate with the important role it plays. The value of effective planning in the public interest also needs strong defence against vested interests who seek to weaken safeguards or promote exceptions to bypass the system.

3. The review of national planning policies has an important role to play in achieving this potential for planning. We share the ambition for a more localist and user friendly approach which only addresses those issues which need to be included. A clear and effective national planning policy framework is fundamental to the overall effectiveness of spatial planning, providing certainty for both developers and communities. It needs to both establish a favourable policy direction and be written in accessible language. It also needs to provide a clear foundation for preparing development plans.

4. These are the expectations against which we have judged the draft NPPF. We do not find it fit for purpose.

Planning as the solution not the problem

5. Our fundamental concern with the draft NPPF lies not in the detail of policy wording but the underlying assumptions on which it appears to be based. Its drafting and the political rhetoric surrounding its publication and the ensuing public debate asserts that planning policy and decisions are an obstacle to economic growth at a time of stark national need. We fundamentally dispute this starting point and urge the Government to focus more on demand than supply side interventions to supporting economic growth. Planning is a means for informed discussion about the kind of society we want to live in and the places we want to inhabit. Even as a regulatory tool we see over 80% of planning decisions granting permission¹ and over 30% of planning appeals are successful². Less than 1% of planning applications take more than a year to be determined³. There is also significantly more land earmarked for housebuilding than demand for its development and this surplus is growing. Outside London and the South East there are large areas of land earmarked for economic development. It is a lack of demand not a lack of land or planning consent that explains why development is not happening. Any changes in the NPPF need to be accompanied by a new and more positive attitude from the Government as a whole to the role of planning in delivering economic progress and providing certainty for investment in land and buildings, as well as addressing social, environmental and cultural considerations.

Other issues

6. We urge the Committee to consider the following issues as part of its inquiry:

Brevity and clarity - There are significant advantages in having national planning policy in one place and in a much briefer format. Generally, the NPPF is written less clearly than existing policy, however, and leaves more room for interpretation. The brevity and ease of access of a single NPPF is also being undermined by the series of ad hoc policy developments being made through DCLG's Chief Planner letters on issues as varied as shop fronts and schools.

Everyday England – Our primary concern is for “everyday England” – the local streets, buildings, green areas, town centres, views and open spaces of daily life for the vast majority of people. The civic movement itself is testimony to the fact that people care passionately about their local area and wish to see it valued and for its best qualities to endure. There is already widespread concern about the impact of development and change which results from the cumulative effect of tens of thousands of local planning decisions over time. This is one reason why the Government's commitment to localism and neighbourhood planning has won support. Civic Voice's 2010 Love Local survey showed that more than three quarters of people know something in their area which they value and which they believe to be at risk. People expect the planning system to play its part in addressing and valuing what they care about. By contrast, the draft NPPF is

¹ DCLG *Planning statistical release* 24 June 2011

² Planning Inspectorate *Statistical report England 2011/12 Quarter one*

³ RTPI *Myth busting: the truth about planning* 2011

(helpfully) strong in its advocacy of the importance of places designated for the benefit of wildlife and natural beauty and of the Green Belt but not for undesignated, everyday places.

Local voice – The Government has placed a strong emphasis on giving communities more control over the future of their local area and ensuring their views are heard. This has provided a welcome tonic to communities which so often feel ignored or unable to influence planning and other decisions. It is all the more disappointing, therefore, that the guidance currently in PPS5 on planning and the historic environment that:

“If the evidence suggests that the heritage asset may have a special significance to a particular community that may not be fully understood from the usual process of consultation and assessment, then the local planning authority should take reasonable steps to seek the views of that community” (HE7.3)

has been dropped in the draft NPPF. It is precisely this local knowledge and insight which can only be provided by local community voices that needs to be recognised in the evidence base requirements set out in the NPPF if communities are to have the confidence that what they say will be listened to. The draft NPPF could also be stronger in recognising the important role to be played by communities well before pre-application consultation or design review is required and ahead of planning policies being drafted in development plans.

Fair planning – The draft NPPF introduces a new “*presumption in favour of sustainable development*” where the default answer to development is “yes” and local planning authorities should “*approve all individual proposals wherever possible*”. This is a fundamental and destabilising change which biases the way all development plans will be prepared and all planning applications determined. Where the development plan is “*silent, indeterminate or where relevant policies are out of date*” then a free-for-all is introduced where local planning authorities are simply told to “*grant permission*”. There is no explicit recognition of any circumstances where development should be refused and there is every incentive for a major growth in planning by appeal. This bias will not only skew planning decisions but also deter many communities from becoming involved in neighbourhood and other planning as the sense of trust in the very purpose of the planning system is undermined.

Devaluing “sustainable” and doubling the presumption – The principles of sustainable development have been a focus of international discussion for 25 years and the concept was introduced into national planning policy in 1992, shortly after the Rio Earth Summit. Planning has been dealing with sustainable development for nearly 20 years. The principles agreed in Defra’s *Securing the future – delivering UK sustainable development strategy* (2005) were widely praised among a wide variety of stakeholders:

- Ensuring a strong, healthy and just society
- Achieving a sustainable economy
- Promoting good governance
- Using sound science responsibly
- Living within environmental limits

Critically, sustainable development is about ensuring these principles are integrated and achieved together. This provides the necessary bridge from the Brundtland Commission definition to its application through planning practice. The Government has indicated it supports the 2005 Sustainable Development Strategy but this is not reflected in the NPPF. Instead, this rewrites more than two decades of intense discussion and redefines the very meaning of sustainable development in terms that misconstrue the term as equivalent to “*sustainable economic growth*”. The overall effect is to introduce what is in effect a double presumption in favour of development. There is already a legal presumption in favour of planning applications being determined “*in accordance with*” the development plan (which Ministers have described in terms of the plan being “*sovereign*”). This is very welcome but only insofar as development plans are themselves prepared in an unbiased way. Instead, the draft NPPF requires them to be based on an assumption that development should be permitted wherever possible and that “*significant weight should be placed on the need to support economic growth*”. No equivalent statements exist in the draft NPPF for the weight to be placed on other aspects of sustainable development.

More not less - We are concerned by the general doctrine espoused by Ministers of planning for more not less development when the full implications of accommodating certain development levels are not known and there are environmental limits which may be placed at risk. This is particularly evident in relation to housebuilding, the largest consumer of land for new building. By requiring local planning authorities to identify more than five years supply of land for housebuilding and not take account of windfall sites the draft NPPF will cause significantly more land to be earmarked for housing development than is either needed or demanded. The inevitable result will be that the most profitable sites are cherry picked and other sites where development could achieve either more public benefits or result in less harm will be left fallow. It will also lead inexorably to pressure to relax Green Belt boundaries despite the strong support for the Green Belt in the NPPF. A similarly lax approach to building land applied in the 1980s and early 1990s and was the cause of public outcry at the effects, which led to the introduction of a much more measured “plan, monitor and manage” approach and less emphasis on demand-led household projections. There is also a risk that the pattern of development which would follow introduction of the NPPF would carry a much greater economic deadweight for both the public and private sectors in terms of the additional infrastructure, travel and other costs associated with sprawl.

Brownfield first – New development provides an opportunity to enhance and reclaim otherwise declining areas in our towns and cities through fresh investment. This potential should be a starting point when considering its location and the brownfield first policy of the last decade has brought many benefits. It is important not to apply this approach too simplistically and to recognise the value of open space in towns and cities as well as protect rural greenfield sites. Generally, there is more potential than is realised for using existing land and buildings in urban areas to meet housing needs and support economic development which also improves them as places to live and work and provides an alternative to greenfield locations. The NPPF should do more to promote this “urban renaissance”.

Town centre first – There is a welcome emphasis on promoting town centres in the NPPF but the detailed wording diminishes its impact. Retail and leisure developers are no longer “*required wherever possible*” to locate in town centres but only “*where*

practical". It is important that developers are required to adapt the size of their proposals to meet the supply of available buildings and sites in town centres. The sequential approach to office development is also weakened despite the importance of their location to town centres and the demand for car-borne trips.

Design and heritage – The draft NPPF includes welcome policy commitments to the importance of both quality design and the historic environment. This includes recognition of the value of design review. We are concerned, however, that these commitments will not stand up as effective reasons for refusal in the face of the strong emphasis on supporting development. There are also important changes to the policy detail. The draft NPPF drops the current requirements to seek community views on the importance of local heritage, drops references to the importance of local historic character and makes no reference to local listing. This is a key way in which the local community can express a view about what matters in their area. On design there is the re-introduction of the discredited wording used in Circular 22/80 that only "*obviously poor design*" can be refused and on heritage the presumption in favour of the conservation of designated heritage has been dropped. Crucially, there is no support to decision makers dealing with proposals that may impact only moderately on heritage assets and the implication is that the strong presumption in favour of development will apply. We are also concerned by the weakening of the sequential approach to the loss of open space which currently requires a full range of alternative open space uses to be considered before permitting irreversible change.

Smart growth

7. Looking forward, we seek an approach that recognises the need for a stronger role for planning in securing a pattern and quality of development which supports economic, social and environmental progress and provides certainty for investment. This will need to be based on an approach which delivers "smart growth" and in particular:

- An integrated approach to plan-led sustainable development which reflects key principles, including environmental limits and social justice
- A stronger role for local communities and the value of the undesignated everyday environment
- An enhanced focus on the role of towns and cities as the source of economic progress
- Recognition of the importance of quality architecture, urban design, culture and heritage protection in securing physical and economic regeneration and economic growth in our towns and cities
- A clearly articulated ambition to shape the geography and location of new housing, economic and other development based on firmer implementation of the principles of town centre first, brownfield first and reducing the need to travel in order to deliver smart growth.