

MUNICIPAL YEAR 2011/2012 REPORT NO. **248**

MEETING TITLE AND DATE:

LDF Cabinet Sub Committee
25th April 2012

REPORT OF:

Director of Regeneration,
Leisure and Culture

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Agenda – Part: 1

Item: 4

Subject:

National Planning Policy Framework

Wards:

All

Cabinet Member consulted:

Cllr Goddard, Cabinet Member for Business and
Regeneration

1. EXECUTIVE SUMMARY

- 1.1 On 27th March 2012 the Government published the final version of its National Planning Policy Framework (NPPF). The NPPF provides guidance for local planning authorities in preparing local plans and is a material consideration in determining planning applications. It is a concise document (approximately 60 pages) that takes immediate effect and replaces the national planning policy set out in the previous topic based Planning Policy Statements and Planning Policy Guidance Notes.
- 1.2 The NPPF is a key part of the Government's reforms that seek to make the planning system less complex and more accessible, to protect the environment and promote sustainable growth.
- 1.3 At its meeting on 14th March 2012, the LDF Cabinet Sub Committee agreed the Draft Development Management Document (DMD) for public consultation starting on 8th May 2012. Members agreed that, on the assumption that the final version of the NPPF would be published before the start of the formal consultation period, the document would be amended to reflect this and references to national policy updated as necessary.

2. RECOMMENDATIONS

- 2.1 That Members note the National Planning Policy Framework (Appendix 1) and its role in informing planning policy and decisions on planning applications.
- 2.2 That Members note that an internal assessment has concluded that the Draft DMD is in general conformity with the NPPF and in accordance with the decision made by the LDF Cabinet Sub Committee on 14th March, minor changes will be made to the Draft DMD with regards to references to national policy.

3. BACKGROUND

- 3.1 The publication of the NPPF follows consultation on the Draft NPPF published in July 2011. The final version contains some relatively minor changes from the draft together with some useful and necessary clarifications, for example providing further explanation on the presumption in favour of sustainable development.
- 3.2 Linked to the publication of the NPPF, revised regulations for plan making came into force on 6th April 2012 (Town and Country Planning (Local Planning) (England) Regulations 2012).
- 3.3 It should be noted that the NPPF and 2012 Regulations refer to Local Plans (comprising of Development Plan Documents and saved Unitary Development Plan policies) and Supplementary Planning Documents rather than the previously used term: 'Local Development Framework'.

4. NATIONAL PLANNING POLICY FRAMEWORK

- 4.1 The NPPF removes top down targets and central prescription, giving local authorities greater discretion in those areas which national policy no longer covers. It includes a presumption in favour of sustainable development and gives effect to the duty to cooperate and neighbourhood planning. Many of the key longstanding principles of planning policy including the primacy of the development plan and plan-led system, green belt policy and town centre first approach remain broadly the same under the new regime.
- 4.2 The Government has also published a Technical Guidance document that provides additional guidance on the implementation of policies in the NPPF relating to development in areas at risk of flooding and in relation to mineral extraction. This is an interim measure pending a wider Government review of guidance needed to support planning policy.
- 4.3 The NPPF provides guidance for local planning authorities in preparing local plans and is a material consideration in determining planning applications. The Draft Development Management Document (DMD) agreed by the LDF Cabinet Sub Committee on 14th March 2012, was prepared in accordance with the Draft NPPF. An internal assessment of the Draft DMD has confirmed that it is in general conformity with the final version of the NPPF. Furthermore, the Edmonton Green Issues and Options report (agreed by the LDF Cabinet Sub Committee on 27th March 2012), and the Central Leaside report and Meridian Water Master Plan (subject to separate reports on this meeting agenda) also comply with the final NPPF.
- 4.4 The NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. The draft NPPF applied this approach for retail and leisure uses only and not to office development. The Draft DMD, as agreed, reflects the Draft NPPF position. Subject to the outcome of the consultation on the DMD a recommendation will be made to amend the DMD to ensure that office development is subject to the sequential approach.

- 4.5 A transitional period of 12 months has been allowed during which policies in development plans adopted since 2004 will not be considered out of date and still accorded full weight, even where there is limited conflict with the NPPF. Enfield is in a favourable position in this regard having adopted its Core Strategy in November 2010. In addition, work is progressing on the DMD and Area Action Plan documents to which increasing weight can be attributed as they progress towards adoption. The DMD will replace the remaining Unitary Development Plan (1994) policies saved in 2007. It is considered that the current saved UDP policies are consistent with the NPPF.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 None. This report is for information.

6. REASONS FOR RECOMMENDATIONS

- 6.1 To provide an update to Members on the publication of the NPPF and to advise that officers consider the Draft DMD to be in general conformity with it.

7. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

a. Financial Implications

None. This report is for information only.

b. Legal Implications

The Planning and Compulsory Purchase Act 2004 requires that the local planning authority produce a Local Development Plan which is in conformity with national planning policy. The Council adopted its Core Strategy in December 2010. The National Planning Policy Framework replaces the planning guidance that has previously been issued by the government and came in to effect on 27th March 2012. The National Planning Policy Framework is now a material consideration and must be taken into account when making planning decisions and when preparing all local and neighbourhood plans.

The NPPF in Annex 1 provides useful guidance on the immediate and transitional arrangements and weight that can be afforded to those documents recently adopted and emerging.

c. Property Implications

None

8. KEY RISKS

Compliance with the NPPF should help produce a streamlined approach to planning applications.

9. IMPACT ON COUNCIL PRIORITIES

9.1 The NPPF reduces the amount of guidance at the national level to enable local authorities and communities to decide what policies they want to guide future development in their areas. The Council's Local Plan and Supplementary Planning Documents will help deliver each of the Council's priorities of fairness for all, growth and sustainability and strong communities.

10. EQUALITIES IMPACT IMPLICATIONS

None

11. PERFORMANCE MANAGEMENT IMPLICATIONS

None

Background Papers

- Enfield Council's response to the Draft NPPF dated 17th October 2011
- Draft Development Management Document (DMD) (March 2012)
- Localism Act 2011
- Town and Country Planning (Local Planning) (England) Regulations 2012
- Planning and Compulsory Purchase Act 2004
- National Planning Policy Framework (27 March 2012)