

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 6
6 SEPTEMBER 2011	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller, Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Simon Machen - Head of Planning, Transport and Engineering Richard Kay – Group Manager – Strategic Planning and Enabling	Tel. 453475 Tel. 863795

THE DRAFT NATIONAL PLANNING POLICY FRAMEWORK

R E C O M M E N D A T I O N S	
FROM : Simon Machen, Head of Planning, Transport and Engineering	Deadline date : Cabinet Member Decision Notice ahead of response to the Department of Communities and Local Government by 17 th October 2011
The Committee is recommended to note the contents of the draft National Planning Policy Framework, its potential for use as a material planning consideration and the intention of the Cabinet Member for Housing, Neighbourhoods and Planning to approve a response to the consultation via Cabinet Member Decision Notice.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Committee following a request from Councillor Hiller to present a summary of the draft National Planning Policy Framework.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide a summary of the draft National Planning Policy Framework, highlighting the proposed key changes to the planning system which will arise once the Framework has been finalised. The council will be submitting a formal response to the Department for Communities and Local Government, following approval by Councillor Hiller via a Cabinet Member Decision Notice.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	
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4. SUMMARY OF THE DRAFT NATIONAL PLANNING POLICY FRAMEWORK

- 4.1 As part of Government's continuing reform of the planning system through the Localism agenda, the draft National Planning Policy Framework (NPPF) intends to replace all existing national Planning Policy Statements (PPSs), all Planning Policy Guidance Notes (PPGs) and some Circulars into one single national planning policy document. Annex A to this report provides a full list of all existing guidance to be replaced.

4.2 It is important for Members of the Planning and Environmental Protection Committee to be fully aware, and understand the contents, of the NPPF because it will be a key material planning consideration in the determination of planning applications. At the same time, the council will no longer be able to rely on the existing detailed set of national guidance once this has been superseded by the NPPF. The full consultation document and impact assessment can be viewed on-line here:

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>.

4.3 The publication of the draft NPPF stems from the Coalition Agreement, which committed the Government to preparing a clearer, simpler, more coherent national planning policy framework that is intended to be easier to understand and easier to put into practice.

4.4 Members may have read media reports at the point of publication of the draft NPPF, and it has certainly created debate amongst, in particular, those bodies which tend to lobby on 'environmental' issues. It is therefore worth emphasising to Members what the key thrust of the draft NPPF is, as officers see it:

- The NPPF does not propose a fundamental shift in the way the planning system operates. It still promotes (indeed reinforces) the local plan-led system i.e. planning applications should be approved in accordance with up to date local planning policies.
- The NPPF aims to remove large elements of 'detailed' national guidance and instead focus on national priorities and rules only where Government thinks it is necessary to do so (with the aim of allowing local authorities and communities to produce their own plans that reflect local issues).
- The NPPF reflects what is already contained within the suite of PPSs, PPGs and Circulars, albeit at around 5% of the length of all those guidance notes. There is no fundamental shift in national policy – other than a new default position of 'yes' to sustainable development proposals where there is no local plan, or where it is out-of-date or silent on an issue. (An up to date Local Plan is defined as being one that is consistent with the National Planning Policy Framework. It will be open to local planning authorities to seek a certificate of conformity with the framework).
- The NPPF makes it clear that Government wants to ensure the planning system achieves growth and sustainable development (Government defines 'sustainable' as ensuring that better lives for ourselves does not mean worse lives for future generations).
- The NPPF is very much 'pro-growth', with sustainable development being about positive growth – making economic, environmental and social progress for this and future generations.

4.5 A summary of the main points of the NPPF are as follows.

Protecting and Enhancing the Natural Environment

4.6 The draft framework:

- Retains protection for Areas of Outstanding Natural Beauty, National Parks, Sites of Special Scientific Interest and other environmental designations. It aims to improve the quality of the natural environment across England and halt the decline in habitats and species.
- Retains Green Belt protections.
- Sets out a new right for local communities to protect green areas of particular importance to them.
- Makes clear that local authorities should seek to ensure good access to high quality local public transport for new developments, with priority given to cyclists and pedestrians. It encourages decision makers to provide charging points for electric

cars and other low emission vehicles. Schools, shops and other key facilities should be within walking distance of most properties, wherever possible.

- Requires the planning system to seek to protect and enhance biodiversity.
- Requires planners to seek to avoid noise pollution as a result of new developments, and to protect areas that are prized for their peace and quiet.
- Requires planners to limit the impact of light pollution by encouraging good design.
- Confirms planning's important role in tackling climate change and making the transition to a low carbon economy.
- Requires planning to ensure new development is future proofed against climate change.
- Requires planners to prevent unnecessary building in areas of high flood risk.
- Promotes growth for the telecoms industry, but reiterates that this growth should be sensitive to local areas.
- Aims to secure an adequate and steady supply of indigenous minerals needed to support sustainable growth, whilst limiting impact on the natural and local environment.

Promoting Sustainable growth and prosperity

- 4.7 The NPPF makes clear that local councils should be positive and proactive in encouraging sustainable growth and addressing barriers to investment by setting a clear economic vision and strategy based on understanding of local business needs.

Presumption in favour of sustainable development

- 4.8 The NPPF requires councils to work closely with businesses and communities to plan positively for the needs of the local area and provide sufficient flexibility to respond to rapid shifts in demand or other economic changes.
- 4.9 The presumption in favour of sustainable development is aimed at encouraging plan-making by councils and communities to meet local development needs; and will be applied if an up to date Local Plan is not in place.

Duty to Co-operate

- 4.10 The Localism Bill will place a new Duty to Co-operate on councils and other bodies to work together to address planning issues that impact beyond local boundaries; and this is supported in the draft framework. The duty to co-operate will form one of the 'soundness' tests for key parts of the local development framework.

Housing

- 4.11 In terms of housing, the draft framework requires councils to:
- Be ambitious in delivering new homes that local communities need. The Local Plan must meet the full demand for market and affordable housing in their areas.
 - Have a rolling five year supply of deliverable sites to meet their housing needs with at least 20% additional allowance to create competition and choice in the land market.
 - Bring back into use empty homes and buildings wherever possible.
- 4.12 The framework removes the existing target specifying the levels of housing development that should take place on previously developed ('brownfield') land.

Town centres

- 4.13 The framework maintains the 'town centre first' policy approach which means that retail and leisure development should look for locations in town centres first, and only if suitable

sites are not available, should decision makers look for edge of centre and then out of centre sites.

Neighbourhood planning

- 4.14 The NPPF supports Neighbourhood Planning, which is introduced in the Localism Bill. The NPPF states that proposals put forward by neighbourhoods should be aligned with the strategic needs and priorities of the local area and therefore must be in general conformity with the strategic priorities of the Local Plan. Secondary legislation will accompany the Localism Bill and should provide further information on the matter.

Historic Environment

- 4.15 The draft framework reaffirms protections for the historic environment and heritage. It requires councils to have up to date evidence about the historic environment in their areas and use it to assess the significance of heritage assets and the contribution they make to the environment.

Design

- 4.16 The framework requires the planning system to promote high quality design for all development. Local Plans, including any neighbourhood plans, should set out the quality of development expected for an area; ensuring development reflects the character and identity of local surrounding areas.
- 4.17 Developers will be expected to work closely with those directly affected by their proposals to evolve design proposals that take account of the views of the community.

How does existing and emerging Peterborough Planning Policy fit with the NPPF?

- 4.18 The draft NPPF has been published for consultation. Officers in Planning, Transport and Engineering are currently reading and analysing the draft framework to see what it means in detail for planning for the future of Peterborough. In particular, officers are checking that, with the deletion of large quantities of national advice to be replaced by very limited advice, an important national policy has not been 'lost' in the process, especially one which this council has relied upon in the past in helping to determine planning applications. Officers will recommend a final response for approval by the Cabinet Member for Housing, Neighbourhoods and Planning, and subsequent submission to the Department for Communities and Local Government.
- 4.19 However, officers' initial views are that the council is in a good position to fit with the NPPF. As Members will be aware, the council has a recently adopted Core Strategy, a Site Allocations Document which is at its final 'Examination' stage, a collection of Supplementary Planning Documents (such as the one on development in villages), a well advanced Planning Policies Document (which we are aiming to put to Members in November), an adopted Minerals and Waste Core Strategy and an almost complete Minerals and Waste Site Allocations Document. By having such an up to date set of 'local' plans in place, means that the council will still be able to take advantage of the brief national planning policy guidance in the NPPF whilst having the local policies in place to deliver high quality development, where and when we want it.
- 4.20 Not many other councils are in as fortunate a position as this council is. Many other councils have far more limited, or even non-existent, up to date local plans meaning that, on final publication of the NPPF, they will likely be subject to high levels of speculative, uncoordinated development proposals which will be hard to refuse.
- 4.21 It is important, therefore, that this council continues to make good progress in finalising its set of local planning policy documents, and ensures they remain up to date in the future.

- 4.22 Taken from an advice note produced by the Planning Inspectorate for use by its Inspectors, Annex B to this report highlights (as the Inspectorate sees it) the key changes that the draft NPPF makes to existing national policy. Whilst some of the advice is quite detailed and technical, Members may find elements of it useful and interesting. The Planning Inspectorate's advice also hints at how the draft NPPF can be used: *'Whilst it is a consultation document and, therefore, subject to potential amendment, nevertheless it gives a clear indication of the Government's 'direction of travel' in planning policy. Therefore, the draft National Planning Policy Framework is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's planning judgement in each particular case'*. However, existing national planning policy statements, guidance and circulars still remain until the guidance in NPPF is finalised and published by the Government.

5. CONSULTATION

- 5.1 Consultation is currently being undertaken within the Planning, Transport and Engineering Service.
- 5.2 The Head of Assets and School Place Planning has provided feedback in relation to planning for schools.
- 5.3 Councillor Peter Hiller will be asked in due course to sign off Peterborough City Council's formal response to the consultation draft NPPF via the Cabinet Member Decision Notice (CMDN).

6. ANTICIPATED OUTCOMES

- 6.1 To provide information to the Planning and Environmental Protection Committee on the Coalition Government's Draft NPPF, which is capable of being used as a material planning consideration in the determination of planning applications.

7. REASONS FOR RECOMMENDATIONS

- 7.1 To ensure Members are aware of the draft NPPF, the implications of it for planning in Peterborough and the intention, via a CMDN, to formally respond to the consultation.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 An alternative option would be not to respond to the national consultation. This option has been rejected because the Department for Communities and Local Government has requested feedback and officers think it is important to provide a response to important changes to national planning policy.

9. IMPLICATIONS

- 9.1 The contents of the NPPF will primarily impact on how planning applications are decided, especially once the NPPF is finalised by government.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

The Draft National Planning Policy Framework, Department of Communities and Local Government, London, July 2011.

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

The Draft National Planning Policy Framework Impact Assessment, Department of Communities and Local Government, July 2011.

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

Advice produced by the Planning Inspectorate for use by its Inspectors. National Planning Policy Framework: Consultation Draft, the Planning Inspectorate, Bristol, July 2011 (revised 9th August 2011).

http://www.planningportal.gov.uk/uploads/pins/advice_for_inspectors/nppf_consult.pdf

Which national policy documents will be cancelled when the Framework is introduced?

It is proposed that the following policy documents should be cancelled by the Framework when the document is published in its final form.

National Planning Policy documents to be cancelled
Planning Policy Statement: <i>Delivering Sustainable Development</i>
Planning Policy Statement: <i>Planning and Climate Change – Supplement to Planning Policy Statement 1</i>
Planning Policy Guidance 2: <i>Green Belts</i>
Planning Policy Statement 3: <i>Housing</i>
Planning Policy Statement 4: <i>Planning for Sustainable Economic Growth</i>
Planning Policy Statement 5: <i>Planning for the Historic Environment</i>
Planning Policy Statement 7: <i>Sustainable Development in Rural Areas</i>
Planning Policy Guidance 8: <i>Telecommunications</i>
Planning Policy Statement 9: <i>Biodiversity and Geological Conservation</i>
Planning Policy Statement 12: <i>Local Spatial Planning</i>
Planning Policy Guidance 13: <i>Transport</i>
Planning Policy Guidance 14: <i>Development on Unstable Land</i>
Planning Policy Guidance 17: <i>Planning for Open Space, Sport and Recreation</i>
Planning Policy Guidance 18: <i>Enforcing Planning Control</i>
Planning Policy Guidance 19: <i>Outdoor Advertisement Control</i>
Planning Policy Guidance 20: <i>Coastal Planning</i>
Planning Policy Statement 22: <i>Renewable Energy</i>
Planning Policy Statement 23: <i>Planning and Pollution Control</i>
Planning Policy Guidance 24: <i>Planning and Noise</i>
Planning Policy Statement 25: <i>Development and Flood Risk</i>
Planning Policy Statement 25 Supplement: <i>Development and Coastal Change</i>
Minerals Policy Statement 1: <i>Planning and Minerals</i>
Minerals Policy Statement 2: <i>Controlling and Mitigating the Environmental Effects of Minerals Extraction In England.</i> (This includes its Annex 1: Dust and Annex 2: Noise)
Minerals Planning Guidance 2: <i>Applications, permissions and conditions</i>
Minerals Planning Guidance 3: <i>Coal Mining and Colliery Spoil Disposal</i>
Minerals Planning Guidance 5: <i>Stability in surface mineral workings and tips</i>
Minerals Planning Guidance 7: <i>Reclamation of minerals workings</i>
Minerals Planning Guidance 10: <i>Provision of raw material for the cement industry</i>
Minerals Planning Guidance 13: <i>Guidance for peat provision in England</i>
Minerals Planning Guidance 15: <i>Provision of silica sand in England</i>
Circular 05/2005: <i>Planning Obligations</i>
Government Office London Circular 1/2008: <i>Strategic Planning in London</i>
Letter to Chief Planning Officers: <i>Addition of the Forestry Commission to the List of Non-Statutory Consultees</i>
Letter to Chief Planning Officers: <i>Town and Country Planning (Electronic Communications) (England) Order 2003</i>
Letter to Chief Planning Officers: <i>Planning Obligations and Planning Registers</i>
Letter to Chief Planning Officers: <i>Model Planning Conditions for development on land affected by contamination</i>
Letter to Chief Planning Officers: <i>National Policy Statements</i>
Letter to Chief Planning Officers: <i>Local authorities' role in new consenting process for nationally significant infrastructure projects</i>
Letter to Chief Planning Officers: <i>Planning for Housing and Economic Recovery</i>
Letter to Chief Planning Officers: <i>Development and Flood Risk – Update to the Practice Guide to Planning Policy Statement 25</i>
Letter to Chief Planning Officers: <i>Implementation of Planning Policy Statement 25 (PPS25) – Development and Flood Risk</i>
Letter to Chief Planning Officers: <i>The Planning Bill – delivering well designed homes and</i>

National Planning Policy documents to be cancelled
<i>high quality places</i>
Letter to Chief Planning Officers: <i>Planning and Climate Change – Update</i>
Letter to Chief Planning Officers: <i>New powers for local authorities to stop ‘garden- grabbing’</i>
Letter to Chief Planning Officer: <i>Area Based Grant: Climate Change New Burdens</i>
Letter to Chief Planning Officers: <i>The Localism Bill</i>
Letter to Chief Planning Officers: <i>Planning policy on residential parking standards, parking charges, and electric vehicle charging infrastructure</i>

Advice produced by the Planning Inspectorate for use by its Inspectors

NATIONAL PLANNING POLICY FRAMEWORK: CONSULTATION DRAFT

Changes to national planning policy noted in NPPF Impact Assessment part B

This annex highlights key policy changes in the single policy document. The text below is the text as it appears in Part B of the Impact Assessment ('Changes to National Planning Policy'), with the exception of the text in parts (v) & (vi) of paragraph 23, on Green Belts, which is taken from paragraphs 137 and 138 of the NPPF. Inspectors are strongly advised to familiarise themselves with the entirety of the draft NPPF and also with Part B of the Impact Assessment.

i. Presumption in favour of sustainable development

1. The presumption in favour of sustainable development (the 'presumption') is central to the policy approach in the Framework, as it sets the tone of the Government's overall stance and operates with and through the other policies in the document. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers.

2. It does this by placing increased emphasis on the importance of meeting development needs through plans; on the need to approve proposals quickly where they are in line with those plans; and on the role of the Framework as a basis for decisions where plans are not an adequate basis for deciding applications.

ii. Removing office development from 'Town Centre First' policy

3. Current town centre policy applies to office development as it does to retail, leisure development. This means that office development is subject to the requirement to demonstrate compliance with the sequential test and assess the likely impacts of the scheme on a range of impact considerations.

4. The objective of the change is to free office development from the need to follow the requirements of the 'Town Centre First' policy and for proposals to be judged on their individual merits including taking account of local and national policies on the location of new development that generates significant movement of people and the relative supply and demand of/ for office space in different locations.

iii. Time horizon for assessing impacts

5. The time horizon for assessing impacts of unplanned, retail and leisure schemes in the edge or out of centre locations is currently set at up to 5 years from the time the planning application is made. In some cases this is too short a time to allow the full impacts of large schemes to be assessed (especially for large sites and those that take considerable time to build). Often new retail and leisure development will have substantial consequences for other local businesses, local residents, transport infrastructure and the environment. When a development takes a number of years to build, and then takes a number of years to establish itself in a new market, five years may not be long enough to capture the full extent of the costs and benefits of the new development. This may restrict local councils from making the best choices in determining planning applications, and restrict their ability to plan for the long term.

6. Changing the time horizon to 10 years would allow a reasonable period of time from the time at which a planning application is made for planning permission to be granted, the planning permission implemented and the development to realise its full operational impacts on town centre vitality and viability. This will allow local authorities to have full information when making a decision over future retail and leisure development.

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

7. The current policy (Planning Policy Guidance Note 13: Transport)¹ sets out national maximum parking standards for non-residential uses (i.e. the upper level of acceptable car parking provision) and size thresholds at which these maximum standards should apply. The aim of the policy was to encourage councils and developers to use land efficiently and where possible to take measures to minimise the need for parking. Local councils could set lower standards if there was an evidenced local need to do so.

8. Current Government policy on non-residential parking standards for major developments, such as retail and leisure developments over 1,000m² and offices over 2,500m² is too centralised and prevents local councils from developing policies that are most appropriate to their local circumstances and communities. Centrally prescribed maximum non-residential parking standards do not reflect local circumstances.

v. Peat – removing the requirement for local councils to set criteria for the selection of sites for future peat extraction (i.e. to identify new sites).

9. This policy will allow the planning system to support the Government’s aim to phase out the use of peat in the UK. In 2010 Department for Environment, Food and Rural Affairs consulted on dates for phasing out the use of peat, which were 2020 for the amateur sector and 2030 for the professional sector. This will have environmental benefits by reducing greenhouse gas emissions and the destruction of rare habitats and archaeology. This policy will remove a requirement on local councils and will ensure that the planning system supports the Government objective (led by Department for Environment, Food and Rural Affairs) to phase out the use of peat.

vi. Landbanks

10. The policy change amends the length of landbanks in national policy, making it less prescriptive for scarcer/non-aggregate minerals. The wording is proposed to change from: “at least 10 years for silica sand; at least 15 years for primary materials and secondary materials where these materials aim to supply an existing cement plant only; 25 years for brick clay and 25 years where it is needed to support a proposed cement plant” to: “allocating sufficient land to maintain landbanks by ensuring landbanks of...at least 10 years for crushed rock. Landbanks for scarcer minerals, (silica sand and brick clay) should be for at least 10 years and longer landbanks may be justified in specific circumstances, such as the need to ensure the viability of proposed new investment”.

vii. Removing the brownfield target for housing development

11. A specific target for brownfield land was first established by the 1995 housing white paper, which aspired to 50 percent of all new dwellings being built on brownfield land. In 1998, this was increased to 60 percent.

12. Government wants to move away from a prescriptive designation of land towards a concept of “developable” land where local areas decide the most suitable locations for housing growth based on their local circumstances. This approach will enable local councils to assess land for its suitability for development based on its characteristics and their needs without top down central government intervention.

13 The preferred option would be to remove the target to allow local councils to determine the most suitable sites for housing, giving greater discretion and decision-making powers to local councils reflecting the fact that land supply constraints vary across local councils.

14. The removal of the brownfield target may impact on sites brought forward for housing development in the local plan. Local councils will be able to allocate sites that they consider are the most suitable for development without being constrained by a national brownfield target.

¹ <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1758358.pdf>

viii. Requiring local councils to allocate an additional 20% of sites against their five year housing requirement.

15. The Government's policy objective is that local councils should plan to meet their full requirement for housing and ensure there is choice and competition in the land market to facilitate the delivery of homes on the ground.

16. The preferred option is that local councils identify additional 'deliverable' sites for housing. The proposal is for this to be a minimum additional 20 per cent on top of current five year land supply. For example, in the first five years, local councils should identify sites to meet at least 120% of the annual housing requirement.

ix. Remove the national minimum site size threshold for requiring affordable housing to be delivered.

17. Current national planning policy sets a minimum site threshold of 15 units for requiring affordable housing to be delivered for all local councils. This means that any development of 15 units or more will trigger a negotiation over a contribution (paid by the developer) for affordable housing via a section 106 agreement.

18. By removing the centrally set 15-unit threshold for affordable housing, complete control will be given to local councils. This will allow greater flexibility for local councils to seek optimum solutions for their local areas.

x. Removing rural exception sites policy

19. Current policy allows local councils to set 'rural exception site' policies which allocate and permit sites solely for affordable housing in perpetuity for local people in small rural communities. This is where housing would not normally be considered appropriate due for example to policy constraints, such as Areas of Outstanding Natural Beauty. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. However, currently, the rigid requirement for sites to be only for affordable housing limits local councils' options for meeting the full range of housing needs. This can lead to local councils being discouraged from taking a wider view on the need for housing in those rural areas and considering the balance to be struck between the benefits of meeting housing needs and maintaining current constraints.

20. The Government's objective is to maintain the focus on affordable housing but give local councils greater flexibility to set out their own approach to delivering housing, including allowing for an element of market housing where this would facilitate significant additional affordable housing to meet local requirements. To ensure development is sustainable, rural housing that is distant from local services should not be allowed.

xi. Protecting community facilities

21. Government's Coalition Agreement included a commitment to help support important community facilities and services. In line with this, the proposed policy strengthens the current policy by asking local councils to consider the availability and viability of community facilities as part of the plan making process and to develop policies to safeguard against their unnecessary loss. This policy is applied to all community facilities and not just those within defined local centres and villages.

22. Strengthening the current policy to apply to all community facilities would provide local councils and communities with greater control over how they can most appropriately protect important community facilities. The policy cannot prevent unviable businesses closing but it can send a strong signal of the importance the local community attach to the continuation of a community asset and encourage innovation and diversification to maintain viability. However, the proposed policy might impose modest additional costs on local councils as they would need to develop an understanding of the availability and viability of community facilities within their areas. Costs may also be incurred by developers in instances where they need to produce evidence to demonstrate

a building or development previously used by a community facility is no longer required or viable for community use.

xii. Green Belt

23. Core Green Belt protection will remain in place. Four changes to the detail of current policy are proposed:

i. Development on previously-developed Green Belt land is already permissible if the site is identified in the local plan as a major developed site – it is proposed to extend this policy to similar sites not already identified in a local plan;

ii. Park and Ride schemes are already permissible – it is proposed to extend this to a wider range of local transport infrastructure;

iii. Community Right to Build schemes will be permissible if backed by the local community.

iv. The alteration or replacement of dwellings is already permissible – it is proposed to extend this to include all buildings.

In all cases, the test to preserve the openness and purposes of including land in the Green Belt will be maintained.

v. Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances.

vi. The appropriateness of existing Green Belt boundaries should only be considered when a Local Plan is being prepared or reviewed. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

xiii. Green infrastructure

24. The objective is to secure more and greater coherence of strategic networks of green infrastructure² by planning positively for their creation, protection, enhancement and management. This will help support the natural environment, as well as providing green space for the use of local communities, supporting sustainable development and preserving green space for the use of future generations.

25. The preferred option would encourage local planning councils to take a more strategic approach to green infrastructure and give them a better understanding of the existing green infrastructure network and its functions in their area. This should contribute to better decisions being made about the protection and management of green infrastructure.

xiv. Green Space designation

26. The preferred option would be to introduce a new protection for locally important green space that is not currently protected by any national designation, giving greater discretion and decision-making powers to local councils and local communities reflecting the fact that some land is particularly valued by communities and requires additional protection. The new protection through a new designation³ would fill the gap where land was important locally – for example for local amenity – but where a national designation would not apply.

² 'Green infrastructure' is a strategic network of multi-functional green space, both new and existing, both rural and urban, which supports natural and ecological processes and is integral to the health and quality of life in sustainable communities. The Natural England definition of green infrastructure includes high quality green spaces and other environmental features, encompassing varied space such as urban parks, domestic gardens, waterways and churchyards.

³ The draft NPPF uses the term Local Green Space (paras 130-132).

xv. Clarification on which wildlife sites should be given the same protection as European sites

27. The Habitats Regulations apply specific provisions of the Habitats Directive to candidate Special Areas of Conservation, Special Areas of Conservation and Special Protection Areas which require special considerations to be taken in respect of such sites. Local councils are required to have regard to the Directive in the exercise of their planning functions in order to fulfil the requirements of the Directive in respect of the land use planning system.

28. As a matter of policy, the Government has in the past chosen to apply the provisions which apply to European sites to Ramsar sites and potential Special Protection Areas, even though these are not European sites as a matter of law. This is to assist the UK Government in fully meeting its obligations under the Birds Directive and Ramsar Convention.

29. To ensure that its obligations in respect of the Habitats Directive, the Birds Directive and the Ramsar Convention are fully met in future, and to reduce the risk that any consents granted when a site is being considered for classification would subsequently have to be reviewed (and either revoked or modified at potentially very significant cost) after classification, the Government is proposing to clarify that the provisions which apply to European sites should as a matter of policy also apply to:

- possible Special Areas of Conservation;
- proposed Ramsar sites; and
- sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

30. This will provide certainty for local councils, developers and others about how to treat possible European sites, and should therefore ensure that a consistent approach is taken. This should contribute to better decisions being made about the protection of biodiversity, and reduce the risk of local councils paying compensation for any planning permissions that are revoked as a result of a site becoming classified as a European site.

xvi. Decentralised energy targets

31. The Government expects local councils to continue to support decentralised energy but does not need to require local councils through national planning policy to set council wide decentralised energy targets. The Government is committed to the zero carbon initiative, which is looking to reduce carbon emissions from new development. The increasing standards under the zero carbon initiative will help to drive decentralised energy, reducing the need for council wide targets. If local councils wish to set their own targets they can, and the policies in the Framework would not prevent such targets provided in their implementation they do not make development unviable.

xvii. Proactive approach to identifying opportunities for renewable and low carbon energy

32. The objective is to ensure that the planning system contributes effectively to the delivery of the Government's energy and climate change policy. The preferred option expects local authorities to consider identifying suitable areas for renewable and low-carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources. Where developers bring forward proposals outside opportunity areas mapped in a local or neighbourhood plan they are asked to demonstrate that the proposed location meets the criteria used in plan making. This should provide transparency, and bring greater predictability to the planning application process.

xviii. Historic environment:

33. The heritage section of the Framework incorporates – and streamlines - the existing policies contained in Planning Policy Statement 5. It does not alter those policies or create new ones. Certain policies in Planning Policy Statement 5 have been omitted from the heritage section and are incorporated, more appropriately, in other sections of the Framework. These are:-

- Part of policy HE1 (Heritage Assets and Climate Change)
- Policy HE2 (Evidence Base for Plan-making)
- Policy HE4 (Permitted Development and Article 4 Directions)

One policy - HE5 (Monitoring Indicators) - from Planning Policy Statement 5 has not been incorporated as a specific policy within the Framework. All other Planning Policy Statement 5 policies have been condensed and included within the heritage section. Some of the detail of these policies in Planning Policy Statement 5 is considered to constitute guidance rather than policy and could more suitably be issued as such.