

**Campaign to Protect Rural England (CPRE), Avonside  
Response to the Draft National Planning Policy Framework  
(NPPF) consultation  
October 2011**

While we welcome the objective of simplifying the planning system so that it is more transparent and easily understood; so that the concept of “sustainability” can be incorporated into every kind of development; and so that planning applications can be processed more effectively, we are concerned that the present draft has resulted in a document which is too vague and ambiguous, with a text that places over-emphasis on the primacy of economic development over protection of countryside and green spaces of all kinds.

There are many parts of the text where we feel more clarity and guidance is required, but our main areas of concern are:

**1. Presumption in favour of “sustainable” development:**

Repeated reference throughout the text to this presumption appears to override all other considerations, despite the claim that the countryside will be protected. Environmental sustainability seems to be ignored. The document projects the view that all decisions on land use must be driven by the judgement that “development is best”, with protection of the countryside delegated to subjective decisions, rather than subject to clear guidance. Even the loss of irreplaceable habitats can be sanctioned if the benefits of the proposed development outweigh the loss. How this crucial judgement is to be made is unclear. This is just one example of the vague and ambiguous nature of the document which we feel will lead to uncertainty about decisions, damaging errors of judgement, or lengthy and costly appeals.

This emphasis on the supremacy of development is further strengthened by the use of terminology - there is a glaring contrast between the use of emphatic vocabulary when describing action in favour of development (eg approve wherever possible, incentives, proactively drive, boost, default answer, power to promote) and the timid terminology associated with protection of the environment and countryside (eg aim to, take account of, seek to). This strengthens the view that protection of the countryside and the value of green space of all kinds is considered in the framework to be of minor importance.

The key presumption should be in favour of adhering to local development plans which have been drawn up following extensive community involvement.

## **2. The concept of “sustainability” in the text:**

It is totally unclear what is meant by “sustainable development” within the context of the document. The second bullet point in paragraph 19 which is headed **Core Planning Principles** refers to “the key sustainable development principles set out in this Framework” but it is unclear exactly where these principles are set out. Does this refer to paragraph 10 (“delivering sustainable development means: ...”), where the economic, social and environmental roles of a planning system are listed? If so, some re-ordering of the text is required, so that the “key sustainable development principles” are clearly laid out as a subset of the Core Planning Principles. Or are the “key sustainable development principles” what paragraph 12 refers to: “when taken as a whole, the policies in this Framework set out the Government’s view of what constitutes sustainable development in practice...” This would be a hugely cumbersome tool to use in determining individual planning applications.

We are aware that there has been some discussion about the feasibility of setting out a definition of “sustainability” for the purposes of a national planning framework. We are of the view that there must be some clear indicators or measurements of sustainability laid down, against which proposed developments can be judged. It may be helpful to give guidance on what is not sustainable, with a clear long term vision of how a development may be affected by climate change, peak oil and other scarce resources. Otherwise subjective arguments about what is or isn’t a sustainable development will cloud and delay decisions.

## **3. Lack of balance between economic, social and environmental considerations**

The introductory paragraphs in the section **Delivering Sustainable Development** are an indicator of the emphasis which is placed on economic considerations. Paragraph 10 sets out three roles for a planning system delivering sustainable development: economic, social and environmental. However the paragraphs which follow (13-18) all lay emphasis on the economic aspects. Yet economic growth is not necessarily the key driver for all people to be able to satisfy their basic needs and enjoy a better quality of life. Paragraph 13 refers to a planning system which does “everything it can to support sustainable economic growth”. There is no parallel paragraph relating to social and environmental considerations.

Throughout the document the countryside plays second fiddle to the professed short term economic advantages of development. Sections of text which appear to give protection to valued areas of the countryside and to the Green Belt are continually qualified by exceptions where development should be allowed because perceived benefits outweigh any loss. The value of countryside and open spaces as a whole, including urban green spaces, is not recognised as it should be, both for its intrinsic value and for the role it plays in enhancing peoples’ quality of life. This subordination to the

requirement for development is unbalanced and has long term implications for the overall health of our environment.

#### **4. Transitional Arrangements for Local Plans**

We understand that consideration is being given to transitional arrangements for existing and shortly to be adopted Core Strategies. These need to be developed urgently so that local planning authorities have time to ensure that Local Plans take new national policy into consideration. Otherwise no current plans can possibly be in conformity with the finalised NPPF at the time it is published and the default presumption in favour of development will undermine the concept of a plan-led system.

We are concerned that the current uncertainty is starting to compromise Local Authorities' ability to make authoritative decisions on applications which do not conform to existing plans.

#### **5. The lack of a clear "Brownfield first" policy**

The requirement in paragraph 165 for Plans to "allocate land with the least environmental or amenity value where practical" is not sufficient to ensure that brownfield land will be prioritised for development. It has become clear in the years since a "brownfield first" policy has been in place that it has played a crucial role in urban regeneration and making the most efficient use of land, ensuring that development has been prioritised in sustainable locations within communities with an existing supportive infrastructure.

Careful reuse of previously developed land can provide replacement buildings on the original building footprints as well as maintaining urban green spaces.

Without such a policy the objective of paragraph 72 of the Framework to promote the vitality and viability of town centres will be harder to achieve.

#### **6. Requirement to identify 20% more land**

We would like to see Para 109 deleted.

We believe that the requirement for local authorities to identify five years' worth of developable land for new housing with an additional allowance of 20% is too onerous and could encourage poor use of land. Developers already have 'land banks' with permissions and identifying even more land could have a detrimental impact on a sequential approach that uses the most suitable land first, recognising that higher densities (30-50 dwellings per hectare) can also be well designed, energy efficient and are better able to make use of efficiencies of scale for public transport.

In terms of supply, the sequential approach of 'brownfield first' allows best use of land. With phased development and windfall sites should also be taken into account.

Incentives should be given to bring empty premises back into use

## **7. Green Belt**

We welcome the Government's voiced commitment to protect Green Belt but are concerned that there are aspects of the NPPF proposals that dilute protection for the Green Belt and this, together with the NPPF Impact Assessment acknowledging that there may be a 'small scale loss of Green Belt' will not achieve that protection.

We support greater involvement of communities but have concerns that Community Right to Build orders and undefined forms of 'local transport infrastructure' will now be deemed '**not inappropriate**'. This weakens the protection of Green Belt and we are particularly concerned that the PPG2 presumption against inappropriate development in Green Belt has been removed.

There also should be no general presumption against the creation of new areas of Green Belt (or Local Green Space), which should be debated and agreed locally. Local communities should be fully supported in protecting their local Green Spaces which are important for health and quality of life.

## **8. Transport Infrastructure**

Strong emphasis is required in the policy to provide accessible public transport. The wording currently such as 'where practical' and 'reasonable' are too weak to ensure appropriate infrastructure is considered within the whole proposals. Development should not be allowed where there is no planned public transport.

## **9. Protecting countryside, health, thriving communities**

The NPPF needs to recognise that there is a benefit for us all to protect the countryside for its own sake. The character of local landscapes and local distinctiveness are at the heart of rural communities. Urban communities also need their 'green spaces' and need to provide a mix of businesses not only retail and leisure but offices and small businesses and residential.

It is as important for towns and cities to be thriving, vital places where people want to live and work, as it is for countryside areas to use the best quality land for our food production.

## **10. Connection with other policies/designations, neighbourhood plans**

We applaud the Government's ambition for a planning system that recognises that if local communities take part in planning and implementing the vision for their own area there will be a better sense of ownership and value. Implemented well, it could give pride in place, develop entrepreneurship and build social capital. We realise this is an immense task and although started in some areas, will take many years to provide a real 'bottom up' plan. Communities are inexperienced in this planning role will need clear guiding principles and policies to then apply their own vision in developing their community.

Time and resources are required for all communities to prepare plans in order to input into revised Local Plans, the current proposals make no allowance for this necessary time frame. Transition arrangements are required and existing Local Plans should remain in force until superseded by new Local Plans where the starting point could then be the 'Neighbourhood Plans'.

### **11. Affordable housing**

We do not agree with Para 112 that 'Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs'.

We believe communities and not local authorities should decide what and where affordable housing is provided in their area and for this to be directly related to local need.

Allowing market housing to facilitate additional affordable housing particularly where this involves the loss of green fields is a recipe for disaster in communities. We believe that the use of exception sites is a much better way both economically and environmentally of providing a process where land-owners who wouldn't normally expect to develop their land are able to do so and those wanting to build affordable housing are able to acquire land at a much reduced price. There is no mention of exception sites in the draft NPPF and we believe this to be a serious omission.

Where developers are to provide market housing with a proportion of them being affordable Para 39 talks of 'acceptable returns' to both land owner and willing developer - 'acceptable returns' is not defined and could mean different things to different local authorities. It allows the developer to argue that providing affordable housing does not give an 'acceptable return' with the result that no affordable housing is provided.

### **12. The Framework doesn't meet its own objectives**

In an attempt to simplify the planning system, the problem of interpreting its intentions has become more complex.

Ambiguities or lack of clarity in the text may delay decisions on planning applications, or lead to an increased number of appeals, thus slowing the process rather than speeding it up.

The requirement for Local Plans to conform to the NPPF means that time and resources will be needed to draft, consult on and rewrite existing Core Strategies, some of which have only recently been adopted. This will have a major cost implication for local authorities reducing their opportunities to allocate resources to projects promoting local economic growth.

The requirement to reduce the number of supplementary documents in local plans, which at the same time will have to include provisions which were formerly covered by national guidelines, or which are locally important, will

mean that it will be impossible for many core plans to be “succinct” and thus conform to a competing requirement of the NPPF.

The principle stated in paragraph 19 that the system should be “genuinely” plan led will be unachievable given the provisions for allowing development which is not included in the Local Plan.

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