

# Consultation on proposed changes to the NPPF: A briefing for local groups

April 2018

**This briefing provides guidance on Friends of the Earth's position on the proposed changes to the National Planning Policy Framework (NPPF) for campaigners who wish to respond to the [government consultation](#). The deadline for submitting your response is 11:45pm 10 May 2018.**

**Below we set out a range of issues we intend to comment on. You do not have to comment on every issue or answer every question in the response form online. Please do submit a response from your group and also encourage members to put in individual responses.**

The NPPF sets out the overarching national planning policy for England which dictates what can be built, where. At the local level, the NPPF guides the preparation of development plans and decisions on planning applications. The Government is currently consulting on a revised NPPF.

Friends of the Earth believes the nature, scale and location of development has profound consequences for the environment. The ability of local planning authorities to manage land use and development in the public interest and of local communities to plan and influence how and what development takes place in their area is largely determined by the planning system.

The draft revised NPPF chapters cover the following areas:

2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications
11. Making effective use of land
12. Achieving well-designed places
13. Protecting Green Belt land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment
17. Facilitating the sustainable use of minerals

## Key issues identified

Below we set have identified 8 priorities and suggested responses.

**1. Unclear definition and approach to sustainable development:** The draft NPPF contains no reference to the [UK Sustainable Development Strategy](#) or [UN Sustainable Development Goals \(SDG\)\(Agenda 2030\)](#), which the UK is signed up to and which inform DEFRA's 25 Year Environment Plan.

**Suggested response:** Chapter 2 of the final version of the NPPF should refer to the UK Sustainable Development Strategy objectives and UN SDGs. The NPPF as a whole (all chapters),

should reflect sustainability principles, rather than selected parts of it, to provide a coherent set of planning principles to guide planning decisions and policies.

**2. Ambiguous use of the phrase ‘net gain’** in connection with sustainable development objectives, the environment and biodiversity. Depending on how ‘net gain’ is interpreted there is a risk of damaging trade-offs.

**Suggested response:** The final version of the NPPF should clarify the meaning of the following: ‘net gains in environmental quality’ (Chapter 9, paragraph 103d); ‘measurable net gains for the environment’ (Chapter 15 paragraph 173d) and with regard to economic, social and environmental objectives, opportunities for net gains (paragraphs 8 (Chapter 2) and 35 (Chapter 3)). To avoid damaging trade-offs, the NPPF should set out that the aim should always be to achieve gains across all three objectives and avoid losses on any one.

With regard to minimising impacts and providing net gains for biodiversity (Chapter 15 paragraph 168d), it should be made clear that the approach taken should reflect the mitigation hierarchy so that offsetting damage is viewed as a last resort after first looking to avoid, mitigate and then finally compensate for damage to habitats and landscape.

Net gain for biodiversity is essential to restore and connect habitats so that wildlife can thrive, and people have access to nature, as recognised in the Government’s 25 Year Environment Plan.

**3. Possible loss of protection for local wildlife sites.** Text in the current NPPF (paragraphs 113 and 117) on locally designated sites is omitted from the revised draft NPPF (Chapter 15). Local designations play a valuable role in providing a network of varied sites and habitats.

We are also concerned by the deletion of wording that AONBs and National Parks ‘have the highest status of protection’ (2012 NPPF paragraph 115).

**Suggested response:** The final version of the NPPF should recognise the value of local wildlife sites and set out how they are to be protected in development plans and decisions (Chapter 15). Paragraph 170 should make clear, as does the current NPPF (paragraph 115) that AONBs and National Parks ‘have the highest status of protection’.

**4. Weaker wording relating to plans mitigating and adapting to climate change** The draft replaces ‘In line with the objectives and provisions of the Climate Change Act 2008’ (footnote 16 current NPPF) with ‘within the context provided by the Climate Change Act 2008’ (footnote 39 revised draft).

**Suggested response:** The final version of the NPPF (Chapter 14) should reinstate the current wording in footnote 16 (paragraph 94) ‘In line with the objectives and provisions of the Climate Change Act 2008’ as this wording is considered more robust than the proposed, somewhat vague, replacement wording in footnote 39 (paragraph 148).

**5. The NPPF favours fracking over wind energy development.** Revised wording incorporating a Written Ministerial Statement will make it much harder for new onshore wind energy schemes to come forward by specifying additional requirements to demonstrate community support and a local or neighbourhood plan site allocation (Chapter 14 paragraph 153b). Oil, gas and hydrocarbons exploration and extraction are, by contrast, to be positively planned for (Chapter 17 paragraph 204). This approach is at odds with commitments to move away from use of fossil fuels and embrace renewables.

**Suggested response:** Friends of the Earth objects to the overly restrictive approach to wind energy development set out in Chapter 14 paragraph 153b and footnote 40 as this is likely to block new schemes from coming forward or existing ones from repowering. Onshore wind power is now the [cheapest form of electricity generation in the UK](#), with significant public support, and given the need to switch to clean energy, should be favoured by the planning system, not

disadvantaged. We recommend that the NPPF exempt schemes of less than 5MW from the additional requirements set out in paragraph 153b and footnote 40. This would be consistent with paragraph 151 which states that local planning authorities should support community led initiatives for renewable energy. We also recommend that schemes applying for permission to repower are also exempt.

We agree that local planning authorities should not require applicants to demonstrate the need for renewable energy and should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions as paragraph 153a states.

The approach to oil, gas and coal exploration and extraction set out in Chapter 17 is considered incompatible with the UK government's climate change goals and aims of the Paris climate agreement UK carbon budgets and with the requirement for plan policies to address climate change mitigation and adaptation. This chapter should be reviewed and amended in light of these inconsistencies.

While there may be a need for certain locally sourced minerals and aggregates such as for industry and construction, it makes no sense to plan for further extraction of energy minerals when viable renewable alternatives such as wind and solar are readily available. We recommend that use of the term 'great weight' be qualified and that the NPPF makes clear that this does not apply to hydrocarbons.

With regard to coal, we recommend the NPPF adopt a similar approach to that set out in [Planning Policy Wales draft consultation guidance](#) (paragraph 4.161):

*Proposals for opencast, deep-mine development or colliery spoil disposal should not be permitted. Should, in wholly exceptional circumstances, proposals be put forward they would need to demonstrate why they are needed in the context of climate change emissions reductions targets and for reasons of national energy security.*

**6. Failure to set out a clear purpose on the role of planning in managing land use and development in the public interest,** compared with the current (2012) NPPF: deletion of Core Planning Principles; deletion of text 'involving all sections of the community in local plans and planning decisions.

**Suggested response:** We are concerned by the overall tone and approach set out in the draft revised NPPF regarding the purpose of planning and role of local people. Of particular concern is the deletion of the following wording which is set out within the current 2012 NPPF "it [the NPPF] provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities (Chapter 1 paragraph 1), 'core planning principles' (Chapter 2 paragraph 17) and 'involving all sections of the community in local plans and planning decisions' (Chapter 8 paragraph 69).

We recommend these statements be retained within the final NPPF Chapters 1, 2 and 8, that paragraph 1 refers to at least some other examples of development to housing (rather than just 'housing and other development') and that core planning principles are set out in Chapter 2. This would present a more accurate, balanced, picture of planning which must address a variety of different land uses in the public interest.

**7. The proposed changes mean local authorities would no longer have to prepare a local plan but would be required to set out strategic plans and policies.** Absence of detailed policy, eg on design, may lead to poorer planning outcomes which fail to address local community concerns.

**Suggested response:** We are concerned by the apparent shift away from Local Plans towards strategic plans. Where a planning authority decides not to produce a local plan, this may lead to a loss of detailed policy needed to address matters the NPPF does not define as strategic

(paragraph 20), such as a design or site/location specific policy, and as a consequence poorer planning outcomes. While we recognise the importance of strategic planning, we suggest the NPPF also makes clear the need for local plan (non strategic) policies in delivering sustainable development on the ground.

**8. Economy chapter lacks environmental context (outside rural areas),** fails to link to the objective of moving to a low carbon economy set out in Chapter 2, or to set out ways the planning system can foster sustainable economic growth.

**Suggested response:** We are concerned by the failure in Chapter 6 'Building a strong, competitive economy' to recognise the need to move towards a sustainable economy. Chapter 2 'Achieving Sustainable Development' paragraph 8 environmental objective C refers to '*moving to a low carbon economy*' yet this chapter is silent on this. We recommend this omission be addressed by:

- adding new text to Chapter 6 explaining how the planning system, through development plans and decisions, should facilitate a sustainable, low carbon economy; provide for (and retain) sustainably located business premises; and promote localised, resilient economies that are energy and resource efficient.
- amending paragraph 82 (second sentence) so that it reads 'Significant weight should be placed on the need to support **sustainable** economic growth and productivity, taking into account both local business needs and wider opportunities for development'.

### **Draft NPPF and consultation questions (set out in consultation proposals document)**

[www.gov.uk/government/consultations/draft-revised-national-planning-policy-framework](http://www.gov.uk/government/consultations/draft-revised-national-planning-policy-framework)

### **The current (2012) NPPF is available here:**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

### **Ways to respond**

**Online** <https://www.surveymonkey.co.uk/r/NPPFconsultation>

**Email** [planningpolicyconsultation@communities.gsi.gov.uk](mailto:planningpolicyconsultation@communities.gsi.gov.uk)

### **Post**

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