

Your guide to...

NATIONAL PLANNING POLICY

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The **National Planning Policy Framework (NPPF)** sets out the government's planning policies for England and how these are expected to be applied. The NPPF provides a framework within which locally-prepared plans can provide for development in a sustainable manner. Preparing and maintaining up-to-date plans should be seen as a priority in meeting this objective.

The NPPF must be taken into account in preparing the **development plan⁽¹⁾**, and is a **material consideration⁽²⁾** in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

The NPPF confirms that planning policies and decisions should contribute to, and enhance, the natural and local environment by (among other things) protecting and enhancing valued landscapes, sites of biodiversity or geological value and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services. Planning policies and decisions should also prevent new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.

The NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. Permission for **major development⁽³⁾** within these areas should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

The NPPF states that when determining planning applications, local planning authorities⁽⁴⁾ should apply the following principles:

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- a)** if significant harm to biodiversity cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b)** development on **land within or outside a Site of Special Scientific Interest (SSSI)**, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted (the only exception being where the benefits of the development clearly outweigh both its likely impact on the features of the site that make it of special scientific interest);
- c)** development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d)** development whose primary objective is to conserve or enhance biodiversity should be supported.

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless a **Habitats Regulations Assessment (HRA)** has concluded that the plan or project will not adversely affect the integrity of the habitats site. [A habitats site includes a **Special Area of Conservation (SAC)**, **Special Protection Areas (SPAs)**, Ramsar site (a wetland of international importance under the Ramsar Convention on Wetlands), potential SPA, possible SAC, proposed Ramsar site and sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential SPAs, possible SACs and listed or proposed Ramsar sites]

The NPPF also confirms that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Planning policies and decisions should also sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account

the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of **Technical Advice Notes (TANs)**, **Mineral Technical Advice Notes (MTANs)**, Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales. PPW, the **TANs**, **MTANs** and **policy clarification letters** comprise national planning policy.

Glossary

- 1. Development Plan** - A development plan sets out the policies and proposals for the development, conservation and use of land and buildings in a particular local planning authority area. The development plan is the most important consideration for local planning authorities when they decide on a planning application. The development plan generally includes development plan documents (DPDs) that are part of a local planning authority's local plan. This includes waste and minerals documents prepared by county councils. You can read more about them in our [Guide to Local Development Plans](#).
- 2. Material Consideration** - A factor which will be taken into account when reaching a decision on a planning application or appeal. Under section 38 of the Planning and Compulsory Purchase Act (2004), decisions on planning applications 'must be made in accordance with the [development] plan unless other material considerations indicate otherwise'. The courts ultimately decide what constitutes a material consideration. However, case law gives local planning authorities⁽²⁾ a great deal of leeway to decide what considerations are relevant, and how much weight should be given to them, each time they decide on a planning application. In practice, government planning policy is often the most important material consideration, other than the development plan. Government policy may override the development plan if it has been consulted on and published more recently.
- 3. Major Developments** - A major development is a development that consists of mineral working; development of ten or more houses; a residential development with a site area of 0.5 hectares or more; development of floorspace of 1,000 square metres or more; and development of a site of one hectare or more.
- 4. Local Planning Authority** - The local government body responsible for formulating planning policies, controlling development and determining planning applications. This could be a **district council**⁽⁵⁾, **unitary authority**⁽⁶⁾, metropolitan council or national park authority. When development involves minerals or waste, the

county council⁽⁷⁾ or **unitary authority**⁽⁶⁾ is normally the local planning authority, and is referred to also as the minerals planning authority or the waste planning authority.

5. **District Council** - The lower tier, or where parish or town councils exist, middle tier, of the two or three-tier county shire local authority structure in England. District council responsibilities include planning, waste collection and provision of leisure facilities.
6. **Unitary Authority** - Unitary authorities provide a one-tier, or where parish or town councils exist a two-tier, structure of local authority in England. The responsibilities of unitary authorities include registering births, marriages and deaths, waste collection and disposal, social services, and provision of social housing.
7. **County Council** - The upper tier of the two- or three-tier county shire local authority structure in England. County council responsibilities include transport, schools and administering births and marriages.