

**Cheltenham Borough Council**  
**Cabinet – 27 September 2011**  
**Consideration of draft National Planning Policy Framework**

<b>Accountable member</b>	<b>Leader, Councillor Steve Jordan</b>
<b>Accountable officer</b>	<b>Tracey Crews – Strategic Land Use Manager</b> <b>Robert Lindsey – Development Control Manager</b>
<b>Accountable scrutiny committee</b>	<b>Environment</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>On 25<sup>th</sup> July the Government published its draft National Planning Policy Statement (DNPPF), a 58 page document intended to replace 47 separate policy guidance notes, statements and letters. A consultation period is running until 17<sup>th</sup> October 2011. The appendix to this report contains a schedule of comments on the Framework.</p> <p>A draft of this report was considered by Planning Committee on 15<sup>th</sup> September 2011, Cabinet is invited to take issues arising from this meeting into account when considering the comments set out in the appendix. Following agreement of comments by Cabinet a formal submission will be made to the Department of Communities and Local Government.</p>
<b>Recommendations</b>	<b>To agree comments to the draft National Planning Policy Framework as set out in appendix 1 and submit to Department of Communities and Local Government no later than 17 October 2011.</b>

<b>Financial implications</b>	<p>No implications arising from this report.</p> <p><b>Contact officer: Head of Financial Services,  paul.jones@cheltenham.gov.uk, 01242 775154</b></p>
<b>Legal implications</b>	<p>The DNPPF is an emerging policy document and therefore needs to be taken into account as a material consideration in development control decisions. However the appropriate weight to attach to this document at present is limited. The weight will increase as it progresses past the consultation stage towards being published in its final form.</p> <p><b>Contact officer: Solicitor, jonathan.noel@tewkesbury.gov.uk</b></p>

<b>HR implications (including learning and organisational development)</b>	No implications arising from this report.  <b>Contact officer: HR operations manager, julie.mccarthy@cheltenham.gov.uk, 01242 264355</b>
<b>Key risks</b>	If the Draft National Planning Policy Framework is taken forward in the current format then risks will arise for the Borough Council due to the gaps in planning policy guidance, lack of clarity in certain areas and presumption in favour of development if a local plan is not in place. The details of these concerns are set out in appendix 1 of this report. If the framework is amended along the lines set out in the appendix to this report, then this risk will diminish. Risk will need to be reassessed when the final National Planning Policy Framework is published.
<b>Corporate and community plan Implications</b>	The National Planning Policy Framework will be delivered through the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and Cheltenham Local Plan - the spatial planning document which supports delivery of the Sustainable Community Strategy. The Council has identified the development of the JCS as one of its strategic priorities as set out in its business plan.
<b>Environmental and climate change implications</b>	

## 1. Background

- 1.1** On 25<sup>th</sup> July the Government published its draft National Planning Policy Statement (DNPPF); a copy of the Framework can be accessed via the following link <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951811.pdf> . Deadline for comments is 17<sup>th</sup> October 2011.
- 1.2** The basis of the DNPPF is the government's view that the current policy framework is too detailed, making it inaccessible to ordinary members of the public and preventing communities from becoming more involved on planning the future of their neighbourhoods and towns. The outcome is a 58 page document intended to replace 47 separate policy guidance notes, statements and letters
- 1.3** The DNPPF sets outs government policy on:
- A presumption in favour of sustainable development; setting out that Local Planning Authorities should plan positively for new development and approve all proposals that accord with statutory plans without delay. It sets out the principle that permission should be granted where the plan is absent, silent, indeterminate or where relevant policies are out of date.
  - A new system that will include local plans setting out the strategic priorities for the area and neighbourhood plans that give communities a power to plan and promote development.
  - Development management, reflecting the presumption in favour of sustainable development. There is emphasis on front-loading in terms of pre-application engagement; re-statement of the plan-led principle for the planning system; use of local development orders to relax controls; use of neighbourhood development orders to grant planning permission; guidance on use of conditions and obligations.
  - Business and economic development; transport; communications infrastructure; minerals; housing; design; sustainable communities; green belts; climate change and flooding;

natural environment; historic environment.

**1.4** The DNPPF omits reference to; inter alia:

- Planning enforcement
- Development of brownfield before greenfield land
- Any threshold for affordable housing

**1.5** Although the principle of simplifying the national policy and guidance regime is to be welcomed, the DNPPF needs considerable development before it can be used as a practical tool for decision-makers. It is to be hoped that Cheltenham Borough Council comments offered will be considered as constructive suggestions for improvement.

**2. Reasons for recommendations**

**2.1** To ensure Cheltenham Borough Council has the opportunity to influence planning policy guidance to be established within the national Planning Policy Framework.

**3. Alternative options considered**

**3.1** Not relevant

**4. Consultation and feedback**

**4.1** In preparing this report comments were sought from relevant officers across the Borough Council, all comments received are included within Appendix 1 of this report.

**4.2** Consultation was undertaken with Planning Committee on 15<sup>th</sup> September 2011. Comments arising will be circulated to Cabinet in advance of the Cabinet meeting on 27<sup>th</sup> September 2011.

**5. Performance management –monitoring and review**

**5.1** Not relevant to this report.

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<b>Appendices</b>	1. Cheltenham Borough Council comments on the Draft National Planning Policy Framework
<b>Background information</b>	None