



Planning Bulletin: August 2018

This monthly note highlights some of the recent and forthcoming developments in the world of planning from a heritage perspective. For further information about any of the items, please follow the links provided or use the contact information on the last page. Please note that this is not necessarily a complete review of matters and is not intended to provide any legal advice on the issues raised. Unless otherwise stated, it does not comprise the formal position of Historic England on these matters.

Legislation and Matters Arising

Emerging Legislation

Government Bills

- *High Speed Rail (West Midlands - Crewe) Bill*: the hybrid Bill makes provision for a railway between a junction with Phase One of High Speed 2, near Fradley Wood in Staffordshire, and a junction with the West Coast Main Line near Crewe in Cheshire. Second reading took place on 30 January; a date for committee stage has not yet been scheduled. Explanatory notes are available [here](#).
- *Automated and Electric Vehicles Act*: the Act makes provisions about automated vehicles and electric vehicles, including in relation to charging points, and gained Royal Assent on 19 July.
- Another Bill mentioned in the Queen's Speech which is of potential interest is the Agriculture Bill (to support UK farmers and protect the natural environment). The Bill will allow the delivery of many of the reforms set out in Defra's consultation on proposals for future agricultural policy in England (*Health and Harmony: the Future for Food, Farming and the Environment in a Green Brexit*).
- Defra has consulted on the development of an *Environmental Principles and Governance Bill*. The Bill will mark the creation of a new statutory and independent environmental watchdog to hold government to account on environmental ambitions and obligations once the UK has left the EU.

Private Members' Bills

- *Bat Habitats Regulation Bill*: the Bill makes provision to enhance the protection available for bat habitats in the vicinity of a building site, and to limit the protection for bat habitats in buildings used for public worship. Second reading took place on 27 April; committee stage has yet to be scheduled. A briefing is available [here](#).
- *Bat Habitats Regulation (No. 2) Bill*: the Bill makes provision to enhance the protection available for bat habitats in the non-built environment and to limit the protection for bat habitats in the built environment where the presence of bats has a significant adverse impact upon the users of buildings. The Bill was presented to Parliament on 5 September; second reading is expected on 26 October.
- *Equality Act 2010 (Amendment) (Disabled Access) Bill*: the Bill amends the *Equality Act 2010* to improve access to public buildings by introducing six- and twelve-inch rules for step-free access. Second reading took place on 24 November, and Committee stage has yet to be scheduled.

- *Kew Gardens (Leases) Bill*: the Bill provides that the Secretary of State's powers in relation to the management of the Royal Botanic Gardens, Kew, include the power to grant a lease in respect of land for a period of up to 150 years. First reading took place on 13 July, and second reading has yet to be scheduled. Explanatory notes are available [here](#).
- *Planning (Agent of Change) Bill*: the Bill requires specified planning controls in relation to developments likely to be affected by existing noise sources. It was introduced on 10 January, and is expected to have its second reading on 26 October.
- *Green Belt (Protection) Bill*: the Bill provides for the establishment of a national register of Green Belt land in England, the restriction of the ability of local authorities to de-designate Green Belt land, and provision about future development of de-designated Green Belt land. First reading took place on 5 September 2017; second reading is scheduled for 23 November.
- *Clean Air Bill*: the Bill requires the Secretary of State to set, measure, enforce and report on air quality targets; to make provision about mitigating air pollution; to make provision about vehicle emissions testing; and to restrict the approval and sale of vehicles with certain engine types. First reading took place on 22 November 2017; second reading is scheduled for 26 October.

Secondary Legislation

- *The New Towns Act 1981 (Local Authority Oversight) Regulations*: the Regulations were made on 23 July, and came into force on 24 July. They provide the detailed provisions which enable the creation of New Town Development Corporations that are overseen by the local authority or authorities covering the area designated for the new town. MHCLG had previously issued *Guidance on the New Towns Act 1981 (Local Authority Oversight) Regulations 2018*, which sets out how the government expects the process of setting up a locally-led new town development corporation to work.

Heritage Planning Case Database

- Historic England maintains a [searchable online database of appeal and call-in decisions](#) relating to planning permission (that affects a heritage asset) and listed building consent. Cases have been summarised using a [standard list of search terms](#), for ease of use; searches can also be carried out by address, date or decision reference.

Committees

BEIS Committee: Draft National Policy Statement for Geological Disposal Infrastructure Inquiry

- The BEIS Committee has published the [report](#) of its inquiry into the Draft National Policy Statement (NPS) for Geological Disposal Infrastructure (the draft NPS was published for [consultation](#) in January). The inquiry examined the objectives and scope of the guidance for those considering applications, and the framework for granting development consents. It also considered how it fits in with the Government's Industrial Strategy and emphasis on regional growth. The report focuses on four issues:
 - National Parks and Areas of Outstanding Natural Beauty
 - Using geological disposal infrastructure to dispose of waste from new nuclear build
 - The place of local community consent in the NPS

- How the NPS is linked with the Industrial Strategy to deliver socioeconomic benefits to host communities.
- Overall, the report concludes that the draft NPS is fit for purpose, and contains adequate guidance and details needed for the developer, the Planning Inspectorate, and the Secretary of State to put forward and make recommendations on development consent orders.

Policy

National Planning Policy Framework

- MHCLG issued the revised *National Planning Policy Framework* (NPPF) on 24 July. The new NPPF replaced the 2012 version with immediate effect, except for plans submitted for examination in the six months following the publication of the new NPPF (i.e., up to and including 24 January 2019): these will be tested for their consistency against the 2012 NPPF.
- A Historic England briefing on the new NPPF is set out at Appendix II to this Bulletin, and is also available [here](#).
- Alongside the consultation, MHCLG also issued the following:
 - *Government Response to the Draft Revised National Planning Policy Framework Consultation*, which states that '[t]he Government recognises the importance of the historic environment and has no intention to reduce, whether through the Framework or otherwise, the important protections that exist for it'. It further suggests that some of the issues raised in response to the draft NPPF may be addressed further in the Planning Practice Guidance (e.g. plan-making process, retail policy, the role of planning in reducing crime, high density development, design, compensatory improvements to Green Belt, and the assessment of the impact of proposed development on the significance of heritage assets).
 - Updates to the Planning Practice Guidance (PPG), relating to housing and economic development needs assessments and viability: (discussed further under 'Planning Practice Guidance', below).
 - The *Housing Delivery Test Measurement Rule Book* sets out the method for calculating the Housing Delivery Test result. As the *Rule Book* notes, the Housing Delivery Test does not apply to National Park Authorities, the Broads Authority or to development corporations without full plan-making and planning decision-making powers. The first Housing Delivery Test results will be published in November 2018.

National Policy Statement for Nuclear Power with Single Reactor Capacity Over 1 Gigawatt Beyond 2025

- Following the December 2017 consultation on *National Policy Statement for Nuclear Power with Single Reactor Capacity Over 1 Gigawatt Beyond 2025*, the Government has now issued its response. The Government has advised that it will publish a draft NPS for public consultation in 2019.

Guidance

Planning Practice Guidance

- The following sections of the Planning Practice Guidance (PPG) website were amended on 24 July:

- Housing and economic development needs assessments: guides councils in how to assess their housing and economic development needs. MHCLG advises that the new guidance does not constitute the full guidance for this section, and that further content will be added in due course. MHCLG also refers to the Government response to the draft revised NPPF consultation, which notes that the Government will consider adjusting the local housing need method after the household projections are released in September 2018.
- Viability: sets out key principles in understanding viability in plan-making and decision-taking.
- MHCLG has advised that, where plans are being prepared under the transitional arrangements set out in Annex 1 to the revised National Planning Policy Framework, the policies in the previous version of the framework published in 2012 will continue to apply, as will any previous guidance which has been superseded since the new framework was published in July 2018.

Advice

Historic England Advice

- Good Practice Advice notes (GPAs) and Historic England Advice notes (HEANs) are all available on the Historic England website, and listed in Appendix I to this Bulletin, for ease of reference.

Forthcoming Historic England Advice

- Following earlier public consultation, a HEAN on neighbourhood planning and the historic environment will be published in coming weeks, as will a revised edition of *HEAN 1: Conservation Areas: Designation, Appraisal and Review*.
- A draft of a new HEAN on World Heritage will also be published shortly for consultation.

Training

- Historic England provides training and guidance to help local authorities, heritage professionals, owners and voluntary organisations look after England's heritage. Training currently available covers a wide range of topics, many directly linked to planning matters and Historic England advice:
 - Historic Environment Local Management (HELM): training on managing the historic environment for local authorities, regional agencies and national organisations. The new training programme for the Autumn/Winter of 2018 has now been published. Visit the webpages for details of courses on:
 - Farm Buildings: Policy & Practice
 - Understanding & Managing World Heritage Sites
 - Unlocking Traditional Buildings
 - Managing Local Authority Heritage Assets
 - Coastal Development Projects and the Historic Environment
 - NPPF Decoded: Plan Making (booking now open)
 - NPPF Decoded: Development Management and Archaeology (dates to be published soon)

- Heritage Practice: training courses for heritage specialists in technical subjects and techniques. Courses available are: *Understanding Historic Buildings*, *Measured Survey for Cultural Heritage Summer School*, and an *Introduction to Landscape Archaeology*.
- Online training: webinars and other resources to help supplement the short course training opportunities and make them more widely available. The online training includes recordings of webinars and other, longer courses to work through.
- Essentials training: this programme, delivered in partnership with Locus Consulting, covers the building blocks of historic environment management and explores key concepts, methodologies, legislation and policies that govern how the historic environment is understood, protected and managed through the planning system. It is aimed mainly at planners within local authorities.

Infrastructure

Shale Gas

- The MHCLG/BEIS Written Ministerial Statements on Energy and Planning Policy (May 2018) announced a range of measures to do with shale planning applications, including:
 - Consultation on the principle of whether non-hydraulic fracturing shale exploration development should be granted planning permission through a permitted development right. That consultation has now been launched. Permitted Development for Shale Gas Exploration runs until 25 October, and covers the following:
 - Whether to introduce a permitted development right for non-fracturing shale gas exploration development
 - Definition of non-hydraulic fracturing shale gas exploration
 - Development not permitted (the consultation advises that the ‘formulation of any permitted development right will have regard to environmental and site protection laws such as those for Areas of Outstanding Natural Beauty, Scheduled Monuments, conservation areas, Sites of Special Scientific Interest and World Heritage Sites, National Parks or Broads’)
 - Development conditions and restrictions
 - Prior approval
 - Time-limited or permanent permitted development right.
 - Consultation on the criteria required to trigger the inclusion of shale production projects into the Nationally Significant Infrastructure Projects regime: the Inclusion of Shale Gas Production Projects in the Nationally Significant Infrastructure Project (NSIP) Regime consultation is an early stage consultation to determine which criteria would be appropriate to trigger inclusion of major shale gas production projects in the NSIP regime (closing date 25 October).
 - A third commitment relates to publishing revised planning practice guidance on shale development, ensuring clarity on cumulative impact, local plan making, and confirmation that planners can rely on the advice of regulatory experts: this has not yet been issued.

Other Initiatives

Independent Review of Planning Appeal Inquiries: Call for Evidence

- In March, MHCLG announced an independent end-to-end review of the planning appeal inquiries process. A call for evidence has now been issued, seeking views on the current operation of the planning appeal inquiries process and how it could be improved, so that decisions can be made sooner, but without compromising the quality of the decisions (closing date 18 September). The call for evidence is accompanied by some of the information which is already available, including:
 - Key appeal statistics
 - Planning appeal statistics
 - Planning appeal inquiries process timeline
 - Case studies: issues arising during the inquiry process.

Strengthened Local Enterprise Partnerships

- In the *Industrial Strategy*, Government committed to work with Local Enterprise Partnerships (LEPs) to bring forward reforms to leadership, governance, accountability, financial reporting and geographical boundaries. *Strengthened Local Enterprise Partnerships* sets out the conclusions of MHCLG's policy review into LEPs. It outlines a series of Government commitments, including:
 - Publishing a statement on the role and responsibilities of LEPs (their focus on enhancing productivity will be achieved through the development and delivery of their Local Industrial Strategy)
 - Publishing a further statement over the summer on Local Industrial Strategies to guide locally-led work (the Government will aim to agree Local Industrial Strategies with all areas of England by early 2020)
 - Providing up to £20 million between 2018-19 and 2019-20 in additional capacity funding
 - Providing a secretariat independent of local government to support the Chair and board in decision making
 - Developing a strong local evidence base of economic strengths, weaknesses and comparative advantages within a national and international context
 - Continuing to maintain overall accountability for the system of Local Enterprise Partnerships and local growth funding
 - Asking LEP Chairs and other local stakeholders to come forward with considered proposals by the end of September on geographies which best reflect real functional economic areas, remove overlaps and, where appropriate, propose wider changes such as mergers (to which the Government will respond in the autumn)
 - Supporting LEPs to collaborate across boundaries where interests are aligned when developing strategies and interventions to maximise their impact across their different objectives.

The Future for Small-scale Low-Carbon Generation

- BEIS has launched a call for evidence on *The Future for Small-scale Low-Carbon Generation*, seeking views on the future of small-scale low carbon electricity generation

support, and evidence on the challenges and opportunities for the sector (closing date 30 August).

Energy Performance Certificates for Buildings

- BEIS and MHCLG have launched a call for evidence on energy performance certificates (EPCs) for buildings, seeking views on how they are currently performing, and feedback on suggestions for improvement (closing date 19 October).

Future Telecoms Infrastructure Review

- DCMS has issued its Future Telecoms Infrastructure Review, as first announced in the Industrial Strategy. It addresses key questions that could affect the evolution of the UK's digital infrastructure, and sets out a national, long-term strategy for digital connectivity. The strategy includes a package of policy measures that the Government will take forward in the short term, including:
 - Consulting on new legislation to reform existing wayleaves arrangements – to provide a 'right to entry' for communications providers – and ensure full fibre connections to new build developments
 - Streamlining the permits regime and introducing best practice and guidance toolkit for street works
 - Keeping planning regulation under review, and continuing to work with the sector to promote take-up of the wide range of planning reforms brought forward, and to understand where the current planning regime could further support the deployment of digital infrastructure.

Expert Advisory Panel on High Streets

- MHCLG has appointed an expert panel to advise on the future of the high street, diagnosing issues that affect health of high streets, and advising on the best practical measures to help them thrive. The panel is to be chaired by Sir John Timpson. It will put out a call for evidence later in the summer, asking what consumers and local communities want from their high streets.

Future of mobility call for evidence

- DfT has issued a call for evidence to inform the Government's work on the 'Future of Mobility Grand Challenge' (closing date 10 September). It is split into two main parts:
 - Part 1 seeks views and evidence to inform the Future of Urban Mobility Strategy, and is structured as follows:
 - The background against which changes to transport are occurring
 - Assessment of the emerging trends that will shape urban mobility in the next two decades
 - Consideration of the approach Government should take to help cities harness the opportunities and address any challenges presented by these trends.
 - Part 2 looks beyond the urban context to inform wider work on the Future of Mobility Grand Challenge. It asks how best Government can support innovation across the country, with a focus on:
 - 'Mission-oriented' policy-making

- Ensuring a regulatory framework that evolves with the times
- Resolving barriers to data sharing and use.
- A summary of responses will be published within three months of the call for evidence ending. Analysis of responses will inform work on the Future of Mobility Grand Challenge, including the Future of Urban Mobility Strategy, to be published by the end of 2018, and the Government's early priorities for regulatory review.

Current Consultations

- Defra's consultation on the development of an *Environmental Principles and Governance Bill* (closing date 2 August).
- Defra's consultation on a Clean Air Strategy (closing date 14 August).
- BEIS's call for evidence on The Future for Small-scale Low-Carbon Generation (closing date 30 August).
- DfT's call for evidence to inform government's work on the 'Future of Mobility Grand Challenge' (closing date 10 September).
- The Independent Review of Planning Appeal Inquiries has issued a call for evidence (closing date 18 September).
- DfT's consultation on WebTAG (closing date 15 October).
- BEIS/MHCLG's call for evidence on energy performance certificates for buildings (closing date 19 October).
- MHCLG's consultation on Permitted Development for Shale Gas Exploration (closing date 25 October).
- BEIS's consultation on Inclusion of Shale Gas Production Projects in the Nationally Significant Infrastructure Project (NSIP) Regime (closing date 25 October).

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If you did not receive this edition of Planning Bulletin direct from Historic England, you may find the current edition online [here](#). If you would like to sign up for notifications when a new edition is issued, please contact governmentadvice@HistoricEngland.org.uk.

APPENDIX I: HISTORIC ENGLAND PLANNING ADVICE

Good Practice Advice notes (GPAs)

- The GPAs provide information on good practice, particularly looking at the principles of how national policy and guidance can be applied. They are the result of collaborative working with the heritage and property sectors in the Historic Environment Forum, and have been prepared following public consultation:
 - *GPA 1: The Historic Environment in Local Plans* (March 2015)
 - *GPA2: Managing Significance in Decision-Taking in the Historic Environment* (March 2015)
 - *GPA3: The Setting of Heritage Assets* (December 2017)
 - *GPA4: Enabling Development* (forthcoming)

Historic England Advice Notes (HEANs)

- The HEANs include detailed, practical advice on how to implement national planning policy and guidance. They have been prepared by Historic England following public consultation:
 - *HEAN 1: Conservation Areas: Designation, Appraisal and Review* (February 2016)
 - *HEAN 2: Making Changes to Heritage Assets* (February 2016)
 - *HEAN 3: Site Allocations* (October 2015)
 - *HEAN 4: Tall Buildings* (December 2015)
 - *HEAN 5: Setting up a Listed Building Heritage Partnership Agreement* (November 2015)
 - *HEAN 6: Drawing up a Local Listed Building Consent Order* (November 2015)
 - *HEAN 7: Local Heritage Listing* (May 2016)
 - *HEAN 8: Sustainability Appraisal and Strategic Environmental Assessment* (December 2016)
 - *HEAN 9: The Adaptive Reuse of Traditional Farm Buildings* (October 2017)
 - *HEAN 10: Listed Buildings and Curtilage* (February 2018)

APPENDIX II: HISTORIC ENGLAND NPPF BRIEFING

Context

- The Government published the revised version of the *National Planning Policy Framework* (NPPF) on 24 July.
- It was accompanied by a number of other documents, including:
 - Updated planning practice guidance on viability and housing and economic development needs assessments
 - The Government's response to the consultation on the revised NPPF (March 2018)
 - The *Housing Delivery Test Measurement Rule Book*.
- This briefing focuses on the changes between the 2018 and 2012 editions of the NPPF, with some reference to changes since the consultation draft, and particular reference to matters affecting the historic environment.

Overview

- The structure of the 2018 NPPF differs markedly from the 2012 edition, bringing forward the chapters on plan- and decision-making, and on housing. A new chapter has been added on 'making efficient use of land'.
- A distinction is drawn throughout between strategic policies (policies and site allocations which address strategic priorities, in local plans prepared jointly or independently by local planning authorities, or in spatial development strategies), and non-strategic policies (in either local or neighbourhood plans).
- Reference is now made to policies maps rather than proposals maps (and key diagrams for broad locations for development). The emphasis on up-to-date plans is also pronounced, as is the emphasis on joint working, and the increased reference to the role of statutory and non-statutory consultees.
- In addition to new policy areas, there have also been many detailed changes to policy wording since the 2012 edition: the new NPPF warrants a thorough reading. Some of the key changes are flagged chapter-by-chapter, below, but it should be noted that this list is not definitive.
- The majority of the 2018 document has not changed since the consultation draft, but particular areas of change in the final version include:
 - Clarification that the NPPF should be read as a whole, including footnotes and annexes (as an aside, there are now 70 footnotes – compared to 59 in the consultation draft, and 41 in the 2012 NPPF – some containing text that was previously in the main body of the document)
 - Clarification as to when viability assessments should accompany planning applications
 - Changes to the policy on bringing forward small housing sites (now includes medium-sized sites, and sets a lower overall target)
 - Removal of the requirement for entry-level exception sites to be outside existing settlements, and a new requirement that they should not exceed 5% of the size of the existing settlement; additionally, they should not be permitted in National Parks, Areas of Outstanding Natural Beauty (AONBs), the Broads, or Green Belt. There are also amendments to the policy on larger-scale development, to address its location, required infrastructure and services, and quality (the latter with specific reference to Garden City principles)
 - New reference to planning for the requirements of different employment sectors

- Amendments to town centre policy, emphasising the need to respond to rapid changes in retail and leisure, but removing the expectation that primary and secondary frontages will be identified
- The addition of further detail on the need to provide for large scale transport facilities such as ports and airports, and amended references to general aviation airfields
- Amendments to allow maximum parking standards where they optimise the density of development in central or accessible locations, and reference to overnight lorry parking facilities
- New text on the proactive role for planning in land assembly
- The addition of a new introductory paragraph to the design chapter, emphasising the importance of high quality buildings and places, and policy to ensure that the quality of approved development is not diminished between permission and completion
- Clarification that exceptional circumstances for the alteration of Green Belt boundaries need to be fully evidenced and justified
- Amendments to align the NPPF with the 25 Year Environment Plan, and to clarify that the existing protection for local wildlife sites is maintained
- Reinstatement of the reference to the ‘highest status of protection’ in relation to National Parks, AONBs and the Broads, and an amendment to the definition of irreplaceable habitats to include ancient (formerly ‘aged’) and veteran trees
- An amendment to the transitional arrangements for spatial development strategies.
- The summary of consultation responses also suggests that some of the issues raised in response to the draft NPPF may be addressed further in the Planning Practice Guidance (e.g. plan-making process, retail policy, the role of planning in reducing crime, high density development, design, compensatory improvements to Green Belt, and the assessment of the impact of proposed development on the significance of heritage assets).
- Heritage policy remains largely unchanged, with some amendments since the consultation draft, in light of the responses received (discussed further below).

Chapter 1: Introduction (paras. 1-6)

- The introduction clarifies that the footnotes and annexes are to be read with the rest of the NPPF (the consultation response further confirms that footnotes have equal weight to the rest of the text).
- The introduction further clarifies that endorsed recommendations of the National Infrastructure Commission may be material when preparing plans or deciding applications.

Chapter 2: Achieving Sustainable Development (paras. 7-14)

- The way in which the NPPF supports the delivery of sustainable development has been altered. The policy paragraphs no longer constitute the Government’s view of what sustainable development means for the planning system, the three ‘dimensions’ to sustainable development are now ‘objectives’, and it is confirmed that they are not criteria against which decisions can or should be judged. Economic, social, and environmental gains are no longer to be sought ‘jointly and simultaneously’; instead, the objectives are to be pursued in ‘mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)’.
- The presumption in favour of sustainable development is retained, but some changes have been made to its detailed articulation. These include an expectation that strategic plans should, ‘as a minimum’, provide for objectively assessed needs, and clarification

that 'the policies which are most important for determining the application' need to be up-to-date. The old footnote 9 (now footnote 6) list of policies which might provide a reason for refusal has been extended to include both 'irreplaceable habitats' (which include ancient woodland and ancient and veteran trees), and nationally important but non-scheduled assets of archaeological interest; the application of these policies must now provide a 'strong' (plan-making) or 'clear' (decision-taking) reason.

- The core planning principles have been deleted (though their content is largely reassigned to the relevant chapters).

Chapter 3: Plan-Making (paras. 15-37)

- Policies to conserve and enhance the natural, built and historic environment remain on the list of required strategic policies; reference to green infrastructure has been added. Strategic policies should also address relevant cross-boundary issues.
- Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and provide a clear strategy for bringing sufficient land forward to meet identified needs for to deliver the strategic priorities of the area, 'except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or non-strategic policies'.
- Specific reference is made to the potential for non-strategic policies to address the conservation and enhancement of the natural and historic environment.
- The preparation and review of all policies should be underpinned by relevant and up-to-date evidence, which should be adequate and proportionate, and take into account relevant market signals. The detailed references to historic environment-related evidence from old para. 169 have been moved to Chapter 16.
- Sound plans will provide a strategy that 'as a minimum, seeks to meet the area's objectively assessed needs', and will deliver 'an' appropriate strategy, rather than 'the most appropriate'.

Chapter 4: Decision-Making (paras. 38-58)

- Local planning authorities should publish lists of information requirements relating to applications for planning permission (previously 'applications'). Information requirements are to be kept to the minimum (and are no longer described as being proportionate), and should be reviewed at least every two years.
- Planning performance agreements are likely to be needed for applications that are particularly large or complex to determine.
- Decisions are to be made as quickly as possible.
- Planning conditions should be kept to a minimum, and pre-commencement conditions should be avoided 'unless there is a clear justification'.
- Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. All viability assessments should reflect the recommended approach in national planning guidance, including standardised inputs, and be made publicly available.

Chapter 5: Delivering a Sufficient Supply of Homes (paras. 59-79)

- The chapter has been retitled 'delivering a sufficient supply of homes' (it was previously 'delivering a wide choice of high quality homes').
- It is recognised as important that land with permission is developed without unnecessary delay. Local planning authorities should consider imposing a planning condition expediting commencement and assess why earlier grants of planning permission for major development on the same site did not start.

- Strategic policies are to be informed by a standard local housing need assessment; the Government will consider adjusting the methodology after the household projections are released in September.
- The provisions in respect of affordable housing are significantly amended.
- Within their overall housing requirement figure, strategic policies should set out a housing requirement for designated neighbourhood areas, which reflects the overall strategy for the pattern and scale of development and any relevant allocations.
- The use of small and medium-sized sites for housing is promoted, and targets set.
- Reference to the protection of residential gardens is retained.
- Sites are to be allocated adjacent to existing settlements for entry level exception sites (these should not compromise the protection given to areas or assets of particular importance, should not be permitted in National Parks, AONBs, the Broads or Green Belt, and should not exceed 5% of the size of the existing settlement).
- New settlements and significant extensions are encouraged, subject to location, design, infrastructure and services, and quality (the latter with specific reference to Garden City principles); the opportunities presented by existing or planned infrastructure should be considered, and opportunities for supporting rapid implementation should be identified.
- The Housing Delivery Test is introduced.
- The policy relating to ‘truly outstanding or innovative’ houses in the countryside is retained.

Chapter 6: Building a Strong, Competitive Economy (paras. 80-84)

- There is increased reference to productivity, and to having regard to local policies for economic development and regeneration (including Local Industrial Strategies).
- Specific reference is made to recognising and addressing the specific locational requirements of different sectors.
- Reference to priority areas for environmental enhancement has been lost.
- The section on the rural economy that was previously freestanding is now included with wider economy-related policy. Reference has been added to open space as one of the local facilities to be retained and developed in rural areas.
- A new paragraph has been added in relation to access and rural business.

Chapter 7: Ensuring the Vitality of Town Centres (paras. 85-90)

- The emphasis on housing in town centres has been increased.
- Reference to competitive town centre environments has been replaced with reference to the need to respond to rapid changes in retail and leisure.
- The expectation that primary and secondary frontages will be identified has been removed (though their use is not precluded).
- The sequential test is retained and the emphasis on town centre and edge of centre sites increased.
- Impact assessment is no longer required for office development.

Chapter 8: Promoting Healthy and Safe Communities (paras. 91-101)

- Green infrastructure is recognised as part of the support for healthy communities; there is greater reference to open space.
- There is new policy on estate regeneration (which refers to consideration of its social, economic and environmental benefits), and on public safety and security.
- Local Green Space policy is retained but framed more positively; reference to historic significance has been retained within it.

Chapter 9: Promoting Sustainable Transport (paras. 102-111)

- The chapter has been significantly reordered and rewritten.
- Planning authorities are required to realise the development opportunities from existing or proposed transport infrastructure (including realising opportunities for large scale development).
- The policy on large scale transport facilities has been amended, and reference added to the importance of maintaining a national network of general aviation airfields.
- Maximum parking standards are supported where necessary for managing the local road network or optimising the density of development in central or accessible locations; reference to overnight lorry parking facilities has been added.
- Reference has been added to the need to respond to local character in creating places that are safe, secure and attractive.

Chapter 10: Supporting High Quality Communications (paras. 112-116)

- The changes in this chapter relate primarily to the delivery of high quality digital infrastructure. 'Telecommunications' is now replaced with 'electronic communications'.
- The reference to minimising the number of masts is retained.

Chapter 11: Making Effective Use of Land (paras. 117-123)

- This new chapter largely reflects the proposals set out in the Housing White Paper.
- Multiple benefits from both urban and rural land are to be encouraged.
- Substantial weight is to be given to the use of brownfield land within settlements
- The development of under-utilised land is to be promoted (including space above shops, the use of empty homes and other buildings, employment and other allocations).
- Upwards extensions are supported, both the use of airspace above residential and commercial properties, and allowing upwards extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene.
- Reference is made to the proactive role for planning in land assembly.
- Development that makes efficient use of land should be supported, taking into account 'the desirability of maintaining an area's prevailing character (including residential gardens), or of promoting regeneration and change'.
- Higher densities are promoted for housing development, and minimum density standards are to be established in policy for central and accessible areas.
- A flexible approach should be taken in applying policies relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.

Chapter 12: Achieving Well-Designed Places (paras. 124-132)

- Good design is no longer described as being indivisible from planning, but there is emphasis throughout the revised chapter on high quality buildings and places.
- There is a requirement for a clear design vision and expectations, and reference to the use of visual tools such as design guides or codes, and standards (sometimes phrased as 'area-wide design assessments'). Development which accords with defined design expectations should not be refused on the grounds of design.
- The quality of approved development should not be diminished between permission and completion.
- Reference to the historic environment is retained, as well as to good architecture and innovation.

- Great weight should be given to ‘outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings’.

Chapter 13: Protecting Green Belt Land (paras. 133-147)

- The Green Belt purpose relating to the preservation of the setting and special character of historic towns has been retained.
- New Green Belts, and establishing the need for changes to existing Green Belts, should be addressed in strategic policies; detailed boundary amendments may then be made in non-strategic policies, including in neighbourhood plans. Clarification that exceptional circumstances for the alteration of Green Belt boundaries need to be fully evidenced and justified
- Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting the identified need for development, including optimising the density of development.
- Where Green Belt land is released for development, plans should set out ways in which ‘compensatory improvements’ may be made to the environmental quality and accessibility of remaining Green Belt land.
- Burial grounds and allotments are added to the list of development which is not inappropriate in the Green Belt; cemeteries and burial grounds are also now identified as not inappropriate where they preserve the openness of the Green Belt, as well as development brought forward under a Neighbourhood Development Order.

Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change (paras. 148-169)

- The reference to the conversion of existing buildings (from the old core principles) is inserted in this chapter.
- Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts. In taking a proactive approach to climate change mitigation and adaptation, plans should take into account the long-term implications of climate change for biodiversity and landscapes, and the risks of overheating from rising temperatures.
- The old text relating to actively supporting energy efficiency improvements to existing buildings is omitted; new text is added stating that local requirements for the sustainability of buildings should reflect national technical standards.
- The policy is updated to reflect the Written Ministerial Statement on wind energy (with an exception for the ‘repowering’ of existing wind turbines).
- Reference is added to the cumulative impact of impacts in areas susceptible to flooding, and clarification provided on flood risk assessment.
- The text on sustainable drainage systems has been updated to reflect the Written Ministerial Statement.

Chapter 15: Conserving and Enhancing the Natural Environment (paras. 170-183)

- This chapter reflects the 25 Year Environment Plan, with updated policy on the hierarchy of sites, networks of habitats, air and water quality, Heritage Coast, and planning for the enhancement of natural capital.
- Clarification is offered in respect of the development permitted in National Parks and Areas of Outstanding Natural Beauty (the reference to these having the ‘highest status of protection’ has been retained). The reference to cultural heritage has been retained.
- The policy in respect of irreplaceable habitats (including ancient woodland and ancient or veteran trees) has been altered: wholly exceptional reasons and a suitable

compensation strategy are required to justify their loss (these reasons may include infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of habitat).

- The role of green infrastructure in improving air quality is recognised.
- New policy is added on the ‘agent of change’ principle.

Chapter 16: Conserving and Enhancing the Historic Environment (paras. 184-202)

- Historic environment policy is broadly unchanged, with some reordering (notably in relation to the old paragraphs 132 and 141), and the addition of subheadings.
- The Government’s response to the consultation states that:
The Government recognises the importance of the historic environment and has no intention to reduce, whether through the Framework or otherwise, the important protections that exist for it.
- Greater reference is made to World Heritage Sites (in this chapter and in the Glossary).
- Reference is now made to determining ‘applications’ rather than ‘planning applications’ (old paragraph 131, new paragraph 192).
- When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation, ‘irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.
- Reference to Grade I and II* buildings, etc., being of ‘the highest significance’ has been retained.
- The old paragraph 139 on non-designated but nationally important heritage assets of archaeological interest is now a footnote.
- Reference to securing the ‘optimum viable use’ of designated heritage assets has been retained, with the addition of the phrase ‘where appropriate’: this will be clarified in guidance.
- Reference to ‘not for profit’ ownership has been added to para. 195c (old para. 133).
- The references to Historic Environment Records have been moved from the old para. 169 to the new para. 187, and the definition of HERs from the original NPPF retained.
- Suggestions during the consultation about clarifying the policy approach to the assessment of the impact of proposed development on the significance of heritage assets will be considered further in revising planning guidance.
- In the Glossary:
 - The definition of archaeological interest has been shortened
 - The definition of the historic environment (omitted from the consultation draft) has been reinstated, as has the definition of minerals resources
 - The Article 4 Direction entry has been omitted
 - World Heritage Site text has been added to the entry for ‘significance’, and an entry added for Outstanding Universal Value
 - The definition of ‘conservation’ has been moved to the correct alphabetical location.

Chapter 17: Facilitating the Sustainable Use of Minerals (paras. 203-211)

- This chapter has been shortened. Most references to the historic environment are retained, but the reference to the historic environment in relation to the aftercare of mineral sites has been lost.
- Minerals planning authorities are to recognise the benefits of on-shore oil and gas development, including unconventional hydrocarbons.
- The policy in respect of coal extraction has been clarified.

Annex 1: Implementation (paras. 212-217)

- For the purpose of examining plans, the old NPPF will apply where plans are submitted on or before 24 January 2019.
- The Housing Delivery Test will take effect from November 2018.
- ‘The Government will continue to explore with individual areas the potential for planning freedoms and flexibilities, for example where this would facilitate an increase in the amount of housing that can be delivered’.

Annex 2: Glossary

- There have been a number of amendments to the Glossary, including additions (e.g. Housing Delivery Test and permission in principle), deletions (e.g. ecosystem services and economic development), and wording changes (e.g. deliverable, development plan, and primary shopping area).
- The definition of previously developed land now refers to ‘residential gardens’ instead of ‘private residential gardens’.
- See also the heritage-specific entries referred to above.

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