

What the draft National Planning Policy Framework means for sustainable transport – a briefing from Campaign for Better Transport

The National Planning Policy Framework (NPPF) is intended to replace over a thousand pages of Planning Policy Guidance Notes, Planning Policy Statements and Supplementary Guidance with a much briefer statement of national planning policy that allows local authorities more freedom to set the policies in their local development plans.

Following our Introduction, these comments on the NPPF are grouped under the main sections of relevance to Campaign for Better Transport's work on transport and the environment. Text from the draft is in italics. The numbers in brackets refer to the paragraphs in the draft Framework.

Introduction

The draft NPPF includes some nice phrases about sustainability, indeed more of these have been included since the earlier leaked draft of the NPPF. A number of improvements have been made: for example, the test for the rejection of a development on the grounds of transport impact has been made less exacting, a new section on sustainable communities has been added and some policies have been refined to promote the provision of accessible local services and amenities.

Much of the NPPF lacks clear and unequivocal statements, except for statements that would make development easier. The Government's line is that this does not matter as local plans will provide it. However, existing local development plans will not be deemed 'sound', or valid, until they have a certificate of conformity with the new NPPF; until then planning applications will be assessed against the NPPF. A recent estimate by a planning lawyer was that only 5% of areas would be covered by a valid plan in conformity with the NPPF when it comes into force.¹ This will give developers too much leeway.

The document overall is a manifesto for sprawl and congestion, rather than supporting the creation of sustainable communities. Implicitly it rejects the evidence that "smart growth" ideas, which North American and European planning authorities have increasingly adopted, can deliver this. The lack of detail will weaken local authorities' ability to negotiate with developers to produce positive outcomes for local communities, achieve national objectives around climate change or tackle congestion.

Campaign for Better Transport's main concern about the draft NPPF is that it lacks an overall vision of the development pattern which planning policy should foster in order to promote sustainable transport patterns. There is no obvious view of where most development should be located to minimise traffic impacts, no vision of the importance of a hierarchy of town, local and neighbourhood centres where local needs can be met with the minimum of travel and national standards for parking, density and transport assessment are all to be abandoned. The NPPF lacks the mechanism to apply policies to the bulk of development that already exists.

¹ <http://www.lgcplus.com/review/agenda/planning/red-alert-on-green-spaces/5033187.article>

Delivering sustainable development

The NPPF states that the planning system is required to do everything it can to support growth. It places a presumption in favour of sustainable development at the heart of the planning system. (13) But sustainable development is poorly defined (10).

Local authorities should approve development '*wherever possible*', '*without delay*' and grant planning permission where the local '*plan is silent, indeterminate or where relevant policies are out of date*' (14).

The NPPF presents a set of core planning principles. Specifically transport related principles include that planning policies and decisions should '*promote mixed use developments that create more vibrant places*' and '*actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable*'. It is not yet clear whether these are among the principles mentioned elsewhere in this paragraph '*Decision-takers at every level should assume that the default answer to development proposals is "yes", except where this would compromise the key sustainable development principles set out in this Framework*'. However, for decision makers at every level 'Yes' is to be the default response to development proposals (19).

The threshold for rejecting development is set at a demanding height: '*these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*' (14).

DCLG Minister Greg Clark has claimed that the presumption in favour of sustainable development means that "if a proposed development, or plan, does not give rise to any problems, then it should be approved without delay".² As we have shown above, in reality the presumption in favour of development will mean that development will go ahead unless a local authority can prove that it gives rise to so many problems across all of the areas covered by the NPPF. This is a very different proposition to that claimed by Greg Clark.

Plan Making

The test for rejecting pro-development local or neighbourhood plans is also set too high and is too vague: '*plans should be prepared on the basis that objectively assessed development needs should be met, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*' (20). Neighbourhood plans will only be promote more development and not less compared to the wider local plan (17). The Localism Bill is also giving powers to private companies, such as developers or landowners, to take forward neighbourhood plans and may even give them a vote in the referendum that is needed to approve the plan.

Local plans are required to have a certificate of conformity with the NPPF. In its absence, or the absence of an 'up-to-date and consistent' local plan, planning applications will be determined in accordance with the NPPF. In those circumstances, the NPPF will take precedence over local development plans, where full consultation has occurred (26). There is a lack of clarity about what Ministers expect to happen with this process and the extent to which they expect existing local plan documents to be rewritten. There is also the danger of local planning authorities rushing through local plans which are inadequate. In reality, we expect that many developments over the next few years will be judged against the NPPF but it is not fit for this purpose.

² http://www.huffingtonpost.co.uk/greg-clark/reforming-planning-for-fu_b_918391.html

Planning for Prosperity

The Conservative party made much of the importance of town centres before the election. In *Open Source Planning* published in February 2010, they said:

“The Labour Government has now changed national planning rules on retail development (through a document called PPS4) and has scrapped the ‘needs test’, which requires developers to prove the need for additional out-of-town development. The needs test gives local authorities an important power to control out-of-town development and allows them to focus regeneration and development on their local high streets.

“We will undo Labour’s changes to planning rules which have weakened councils’ ability to stop unwanted out-of-town development. We will ensure that a needs test is readopted, and will enable local councils to take competition issues into account when formulating their local plans.”

Promoting the vitality of town centres and meeting the need for accessible retail services remain objects of planning policy. The needs test, which required developers to demonstrate a need for out-of-town retail development has not been re-introduced despite the previous undertaking.

While the sequential test, which requires local authorities to ensure that town centre sites, or failing that, edge of town sites, should be used before out-of-town sites can be considered, has been retained for retail and leisure development, it is no longer to be applied to office development. Henceforth it is likely therefore that office development and business parks will be located in out-of-town locations inaccessible by public transport, such as motorway junctions, where it will generate traffic and aggravate congestion on the road network (77-78). In addition, the weaker tests for assessing the transport impact of new development in the transport section of the NPPF compared to current policy could allow for more inappropriate locations for distribution centres which will add to congestion.

Local and neighbourhood centres, which can be reached on foot and by bicycle and are vital in reducing the length of journeys, are not mentioned in the Framework.

Transport

The first of the two stated objectives of transport policy is to support the economy. Improving quality of life, reducing social exclusion and other social considerations are not mentioned (84).

The draft NPPF recognises that some policies and proposals will not ‘maximise sustainable transport solutions’ (82). Again the commitment to sustainable development is heavily qualified: the NPPF supports a pattern of development which facilitates the use of sustainable transport but only ‘*where practical*’ or ‘*where reasonable to do so*’ (83). In certain situations development that maximises walking, cycling and public transport travel is not required. ‘*Planning policies and decisions should consider whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site*’ (86).

Planning policies and decisions that minimise the need to travel and maximise walking, cycling and public transport are compromised by being required to take into account ‘policies set out elsewhere in this Framework’ (for example those in support of economic development) (88).

Policy that development should be located and designed to give priority to pedestrian and cyclist movements, minimise conflict between traffic and cyclists or pedestrians and consider the needs of disabled people is qualified by the phrase ‘*where practical*’ (89).

National requirements for developments that need a Transport Statement or Assessment are to be abandoned and in future the need is to be determined by local criteria (86). The need for a travel plan for all developments that generate significant amounts of movement is also to be determined by local criteria (90). In addition, to be meaningful and not just a tick box exercise, the NPPF needs to say that travel plans should include targets for mode share. This does not necessarily need to cross the localist agenda as these could be set by local authorities, but they need to be included if travel plans are to be effective (as the evidence shows).

Evidence also shows that provision of parking is important in determining travel patterns. Maximum parking standards for commercial development have been shown to be effective, particularly when allied to travel plans, in promoting development that enhances rather than undermines town centres and minimizes single occupancy car use. National car parking standards, part of PPG 13, are not mentioned at all in the Framework. They also have been abandoned and will be determined locally. Planning authorities will be free to set minimum standards if they wish. (They will also be free to set their own density standards, see under Housing below).

The door is therefore to be left open for traffic generating developments with large amounts of car parking. *'When setting local standards for residential and non-residential development, local planning authorities should take into account:*

- *the accessibility of the development*
- *the type, mix and use of development*
- *local car ownership; and*
- *an overall need to reduce the use of high-emission vehicles'* (93)

DCLG put out a press release on the changes to parking policy on 1 August, saying that standards on parking "will be scrapped", which effectively prejudices the consultation. This ignores the research that shows that parking is not the key to revitalising our high streets, and that town centres need to concentrate on the quality of the shopping experience rather than on providing parking if they are to compete with out of town shopping centres.

The NPPF even proposes that it should be difficult to turn down an application that would result in higher levels of traffic and congestion. The test for the rejection of development on the grounds of transport impact is demanding: *'development should not be prevented or refused on transport grounds unless the residual impacts of development are severe, and the need to encourage increased delivery of homes and sustainable economic development should be taken into account'* (86).

On the other hand the Framework does include a policy requiring local authorities to aim for a mix of uses *'to minimise journey lengths for employment, shopping leisure, education and other activities'*.(91) It also stipulates that: within large-scale developments particularly, *'key facilities such as primary schools and local shops should be located within walking distance of most properties'* (92).

Housing

The requirements for development to occur on brownfield land and to locate development in, or adjacent to, existing urban areas appear to have been abandoned. Policies to ensure housing development is located in, or near, existing built areas are weak (19, 126).

There are no longer any national density standards and instead *'Local planning authorities should set out their own approach to housing density to reflect local circumstance'* (109). This means it will be more difficult to create the high quality, compact and walkable neighbourhoods that can support local shops and services.

In addition, more compact neighbourhoods can help reduce the need for subsidising public transport networks by providing greater catchments of people near to stations and bus and tram stops.

Overall, the section on housing abandons current guidance (for instance in PPG13) that local authorities should follow a search sequence for identifying sites, with a phased release for sites so that these can be integrated with development of public transport services (especially to ensure that they run from the start of development) and existing patterns of development. The guidance on processes for local plans should make clear the need to link local plan development with local transport plans and to consult and engage with transport providers.

Design

The sections on design restrict local authorities' abilities to "*promote the highest standards of architecture and design*", which was promised in the Conservatives' Open Source Planning document before the election.

From a transport point of view, this section should also consider the design of streets and the public realm, and their transport implications (consistent with Manual for Streets and Manual for Streets 2). It should include reducing clutter and the potential for "filtered permeability" to give higher priority to pedestrians and cyclists, which would be consistent with paragraph 89 of the transport section. In particular, this means prioritising people over traffic in the design of development and the allocation of road space.

Sustainable Communities

The consultation draft NPPF contains a section on Sustainable Communities which did not appear in earlier drafts. This sets out welcome policies on planning to provide accessible local services, to prevent the loss of valued facilities meeting the community's day-to-day needs and to create accessible development 'containing clear and legible pedestrian routes, and high quality public space'. (124,125 & 126) However it does also envisage large scale development in, perhaps remote, less sustainable locations. (126)

Paragraph 127 would mean that it would be very difficult to stop planning applications for new schools, such as free schools, and the restriction that only "planning impacts" can be considered could mean that, for instance, traffic and road safety impacts would not be valid concerns.

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Campaign for Better Transport's vision is a country where communities have affordable transport that improves quality of life and protects the environment. Achieving our vision requires substantial changes to UK transport policy which we aim to achieve by providing well-researched, practical solutions that gain support from both decision-makers and the public.

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