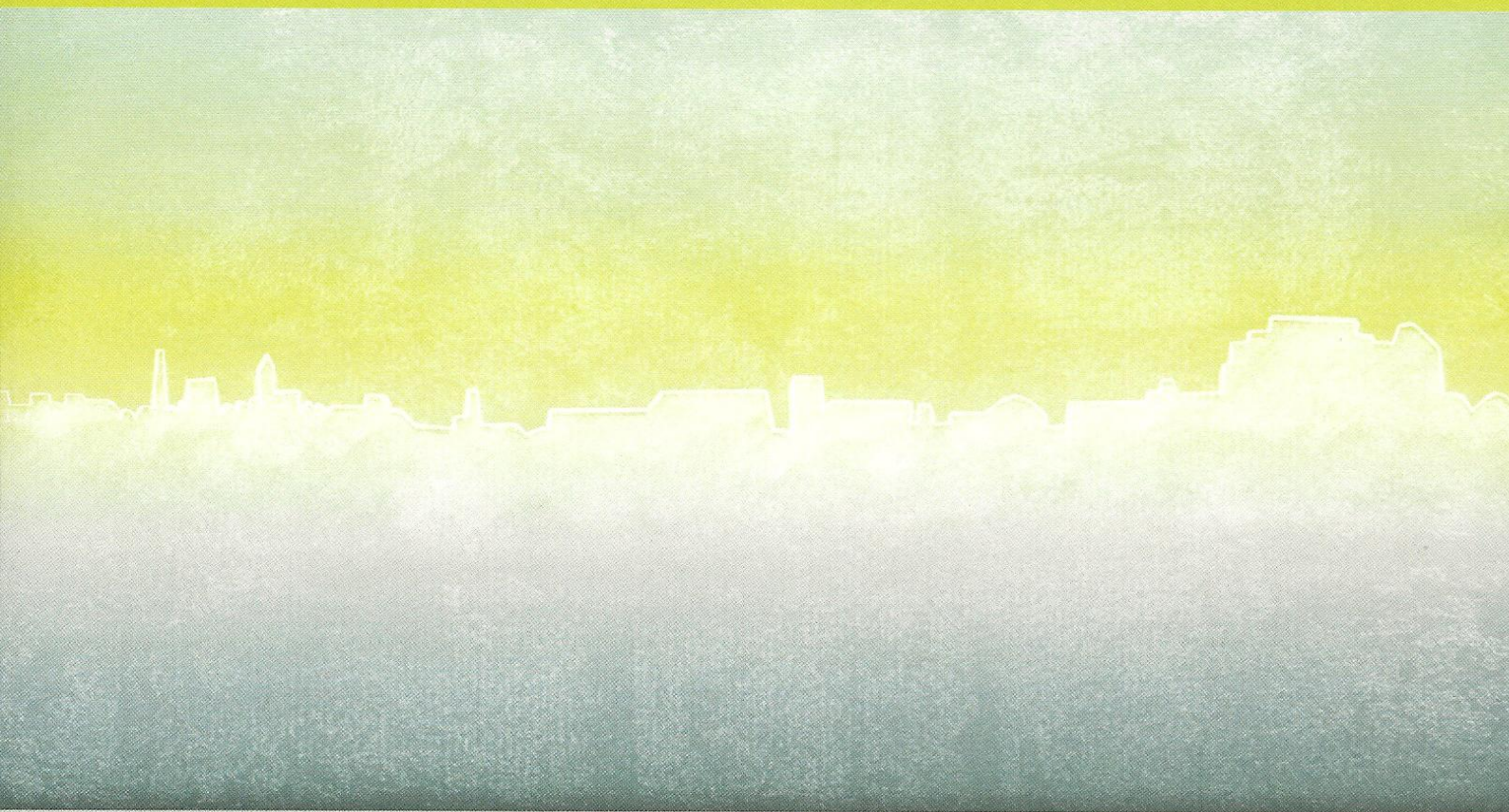


# Kirkwells

The Planning People



**NPPF Part 2: Development  
management**

## **Introduction**

1. To streamline national planning policy the Government has launched for consultation a draft National Planning Policy Framework (NPPF).
2. This is the second of our mini-guides to the main points in the draft Framework. In part 2, we cover development management.
3. Development management means the processes by which we decide what goes where, how and when. The most obvious of these being the granting or refusing of planning permission following a planning application.
4. The draft NPPF sees the primary objective of development management as fostering the delivery of sustainable development, not hindering or preventing development. In statements, Government Ministers have said the default answer of the planning system should be yes. To do this local planning authorities should:
  - approach development management decisions positively, looking for solutions rather than problems;
  - attach significant weight to the benefits of economic and housing growth;
  - influence development proposals to achieve quality outcomes; and
  - enable the delivery of sustainable development proposals.
5. The key changes to note here are the presumption in favour of sustainable development, and the greater significance given to economic and housing growth. As a result, this should "achieve enhanced levels of development consistent with national, strategic, and local requirements." (para. 55, Draft NPPF).

## **Pre-application engagement and front loading**

6. Pre- application engagement and front loading is already best practice for many, however Government wishes to encourage this to become much more widespread so as to improve efficiency and effectiveness of the planning application system.
7. This is to be welcomed it is easier, and cheaper!, to resolve problems in advance. Revisions to plans, and meetings to resolve problems only cause delay and increase costs.

8. Local planning authorities would have a key role to play in encouraging others to do this, by encouraging take-up of the pre-application services they offer. A disincentive to this, may become the growing number of local planning authorities who are making a charge for such discussions.
9. Other statutory planning consultees should also take the same early pro-active approach. Providing advice in a timely manner throughout the development process.
10. The right information is crucial to good decision-making. To avoid delays, developers should discuss with local planning authorities, and other bodies, what information is needed. Local planning authorities should publish a list of their information requirements for planning applications.
11. Where appropriate developers and local planning authorities should enter into planning performance agreements.

## **Determining applications**

12. The planning system is plan-led. The starting point for determining any planning application should be the local plan and any incorporated neighbourhood plans. In assessing and determining any development proposals local planning authorities should apply the presumption in favour of sustainable development.

## **Tailoring planning controls to local circumstances**

13. Local planning authorities should make more use of Local Development Orders. These could be used to relax controls on development - in particular, where this would boost enterprise and growth. Currently, included in the Localism Bill neighbourhoods and businesses could join together to prepare Neighbourhood Development (see below) and Business Development Orders.

## Neighbourhood Development and Community Right to Build Orders

14. Neighbourhoods can use neighbourhood development orders to grant planning permission. If they do this, development permitted through such an order would not require planning permission from the local planning authority.
15. Neighbourhood Development Orders have to be approved by a referendum.
16. They also have to be subject to independent examination. Local authorities should, therefore, seek to resolve issues with community organisations before draft Orders are submitted for examination.

## Planning conditions and obligations

17. Local planning authorities should continue to use planning conditions and obligations to make otherwise unacceptable development acceptable.

## What Next?

18. Does this affect you? Need to know more? Call Mick or Gareth on 01282 872570 they will be happy to provide free, initial, independent advice. Or email Mick ([michaelwellock@kirkwells.co.uk](mailto:michaelwellock@kirkwells.co.uk)), or Gareth ([garethfort@kirkwells.co.uk](mailto:garethfort@kirkwells.co.uk)) your questions, and we will get back to you to discuss your needs.

## Further information

You can find out more about Kirkwells, including staff profiles, and details of all our services at [www.kirkwells.co.uk](http://www.kirkwells.co.uk)

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