Can the NPPF deliver sustainable development?

This article summarises the National Planning Policy Framework (NPPF) and identifies the relationship between the NPPF and Environmental Impact Assessment (EIA). Whilst the NPPF has been in practice for over two years, there is uncertainty on whether the NPPF can deliver sustainable development. This article outlines some of the main conflicts and issues associated with the NPPF and sustainable development.

Overview of the National Planning Policy Framework

The NPPF was published in March 2012 and sets out the government’s planning policies for England with accompanying technical guidance for good practice. It replaces 30 Planning Policy Statements (PPS) and Planning Policy Guidance (PPG) notes and seeks to compress these statements into a more succinct and simplified framework for local decision makers to work with when determining future local plan policies and making planning decisions.

At the heart of the NPPF is a ‘presumption in favour of sustainable development’ which means that development should proceed unless adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits, or unless other specific NPPF policies indicate otherwise.

Sustainable development is seen as the ‘golden thread’ running through both plan making and decision making. The United Nations General Assembly defined sustainable development as:

‘meeting the needs of the present without compromising the ability of future generations to meet their own needs.’

The purpose of the planning system is to contribute to the achievement of sustainable development. The policies within the NPPF constitute the Government’s view of what sustainable development in England means in practice for the planning system. There are three dimensions to ‘sustainable development’: economic, social and environmental.

To deliver ‘sustainable development’, the planning system needs to perform these three key roles.

Relationship between the NPPF and Environmental Impact Assessment (EIA)

Whilst the NPPF does not have a bearing on the requirement for EIA with regards to the development proposals, the revocation of various technical guidance documents requires extra care to be taken when establishing the scope of EIAs with Local Planning Authorities.

This is perhaps best illustrated through the revocation of PPG24: Planning and Noise, as the NPPF and its technical guidance does not specify absolute noise levels against which developments should be considered (and these are often not explicitly stated within Local Plan policies) and there is the potential for differing interpretations on what is a significant/acceptable level of noise between authorities.

The relationship between the NPPF and EIA is a potentially interesting topic as ‘sustainable development’ and EIA are commonly separated in applications, with the former being a bit more of a balance between the economic/social/environmental components and EIA needing to be more objective.

It could be argued that the NPPF objective is not being used as constructively as it could be and just because something is claimed as being ‘sustainable development’ it does not necessarily equate to having the least environmental impacts.

In addition, it could be argued that sustainable development is not that precise or consistent whereas EIA is becoming more accurate and objective.
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So, can the NPPF deliver sustainable development? This remains to be seen as there is an inherent conflict between the stated aims of sustainable development and what happens in reality. These conflicts can be summarised as:

- Local plans might not be able to identify areas of growth and development required, given local community objections and the absence of a regional planning dimension.
- New homes and jobs will still have to be provided outside existing urban areas - towns and cities cannot accommodate all of England’s future housing and jobs and this will inevitably mean conflict with countryside and Green Belt policies.
- The public still want to shop at out of centre locations accessed by car; town centres cannot easily meet that need because certain retail formats cannot be accommodated viably within town centres.
- The economy is changing in such a manner that the established roles of town centres only underpinned by retail is no longer the case given the rise of internet shopping; customers being highly mobile and seeking wider choice; and being able to shop at out of centre locations which have a wider retail offer.
- Neighbourhood planning creates another tier of planning that will need to be addressed by applicants. This new tier could be an obstacle in the delivery of sustainable development where the community resists economic and social change.

- The NPPF does not stop the need to provide information in support of planning applications (which is still to be set by Local Planning Authorities) the need for community engagement or "Environmental Impact Assessments" as set by the Planning Acts in light of European Union environmental legislation.

In summary, the NPPF will not change these inherent conflicts between the need for development, to help economic growth and the delivery of much needed new homes in England, and at the same time the need to preserve the country’s valued countryside, Green Belt and heritage assets. Based on the above, it is still uncertain as to whether the NPPF can deliver sustainable development?

*CampbellReith, April 2014.*