

Recommended policy PS1 wording changes

The wording of PS1 is very concisely drafted, on balance I would therefore only make one substantive change, adding the words 'fail to meet objectively assessed needs or'[are]'considered to be' to point (3) after the words 'relevant policies'.

Before:

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

After:

Where there are no policies relevant to the application or relevant policies fail to meet objectively assessed needs or are considered to be out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

Even with the improved wording PS1 still sets a very high bar for applicants to meet, but with the new wording it gives much better consideration when applicants are subject to

- (1) failing policies¹
- (2) policies with an updated front cover date but with clearly out dated content

The original intention of the drafter was for points (4) & (5) to be sub points of point (3) I would therefore indent those points accordingly.

Recommended PS1 preamble wording changes

I would make greater changes to the preamble to afford readers not familiar with the NPPF a better understanding of what the Government is seeking to achieve.

Section 2.1 contains a quotation from the complete first sentence paragraph 14. As a complete quotation it should reflect the same emphasis as in the original. It should therefore begin with a capital 'A' and the words 'presumption in favour of sustainable development', should be emboldened as in the original document.

The intentions of the NPPF should be clarified by including the illustrative positive improvements included in paragraph 9 or alternatively the whole of paragraph 9.

Section 2.2 contains a quotation of the complete second (final) sentence of paragraph 15. There are two problems with this approach, it introduces ambiguity and changes the context of the original. The last word of the sentence 'locally' should be removed and replaced with 'throughout the local area' or alternatively the whole of paragraph 15 should be included.

¹Rural Lincolnshire Household Survey by Fordham Research (2009), produced because the district wide housing needs documents did not produce sufficient detail to evidence the development of affordable housing in RES (Rural Exception Sites)

2 Presumption in favour of sustainable development

2.1

National Planning Policy Framework (NPPF) paragraph 14 states “At the heart of the NPPF is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking”.

- making it easier for jobs to be created in cities, towns and villages
- moving from a net loss of bio-diversity to achieving net gains for nature
- replacing poor design with better design
- improving the conditions in which people live, work, travel and take leisure
- widening the choice of high quality homes

2.2

Paragraph 15 further continues that “All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied **locally**” **throughout the local area**.

2.3

In response to this, the council have included a policy relating to this presumption and incorporated it into this DPD as an appropriate way to address NPPF requirements. The Policy is as follows:

Policy PS1 Presumption in Favour of Sustainable Development

- When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.
- Where there are no policies relevant to the application or relevant policies **fail to meet objectively assessed needs** or are **considered to be** out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:
 - Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
 - Specific policies in that Framework indicate that development should be restricted.

Consideration of the wording for PS1

Ultimately planning decisions must be considered in accordance with the development plan (150), however plans must be consistent with the principles and policies set up in the NPPF (151) and plans should be aspirational but realistic (154).

The overarching questions are:

- (1) Can the current approach realistically deliver sustainable development for the whole of North Lincolnshire?
- (2) If not, will widening the choice of housing sites within the current approach sacrifice transformational change in an attempt to meet housing need? Or worse fail to deliver both because of the highly constrained distribution of sites?
- (3) How to redress the problem where there is no vertical separation between policy making and entry in the market place? (In markets where those controlling policy are also significant entrants in the marketplace and policy is used to suppress competition, without clearly defined safeguards it will inevitably lead to a serious misallocation of capital.)

The way the current policy PS1 and preamble is written is disingenuous because it selectively quotes (and sometimes out of context) from the NPPF in the preamble, then tests an application with the blunt tool of whether or not the application complies with a Local Plan, in which, a significant amount of its intention was drawn up in a national policy void between the revocation of the requirements to comply with the RSS (e.g. regional housing allocation targets) and the NPPF with its much broader area wide presumption of sustainable development and a new balancing of the economic, social and environmental roles, e.g. promotion of sustainable development in rural areas (55), local green space designation (76-78) and inappropriate garden development (53) etc.

With regards to Rural Housing:

Applications outside Scunthorpe and the selected market towns will never accord with the current policies in this Local Plan. Growth from outside these settlements is effectively written off for the foreseeable future, given (a) delivery from windfall sites has historically been consistently low and is likely to remain especially so given the tighter settlement boundaries for many settlements in the current draft of the plan, and (b) the Neighbourhood Planning process is piece-meal, not quick and can fall at the final hurdle if uninvolved local people vote against it in the final referendum.

The proposed new wording will however afford applicants seeking the development of houses in the majority of settlements (predominantly rural) outside of Scunthorpe and the selected market towns, greater protections should the aspirational policies fail to deliver or if area wide policies overlook their specific needs.