

NPPF - Parliamentary Introduction (full transcription)

27th March 2012 - 12.33 pm

The Minister of State, Department for Communities and Local Government (Greg Clark): With permission, Mr Speaker, I would like to make a statement about planning policy. I am delighted today to be publishing the national planning policy framework and our response to the Communities and Local Government Committee's report of 21 December 2011.

Our reforms to planning policy have three fundamental objectives: to put unprecedented power in the hands of communities to shape the places in which they will live; to support growth better to give the next generation the chance that our generation has had to have a decent home, and to allow the jobs to be created on which our prosperity depends; and to ensure that the places we cherish—our countryside, towns and cities—are bequeathed to the next generation in a better condition than they are in now.

To achieve these objectives, reform is sorely needed. A decade of regional spatial strategies, top-down targets and national planning policy guidance that has swelled beyond reason—over 1,000 pages across 44 documents—has led to communities seeing planning as something done to them, rather than by them. As the planning system has become more complex, it has ground ever slower. In 2004 Parliament required every council to have a plan, but eight years on only around half of councils have been able to adopt one.

During the past decade, starting long before the financial crisis, we built fewer homes than in any peacetime decade for 100 years. The average age of the first-time buyer is approaching 40, and rising rents mean that families have to spend more and more on housing, and less and less on themselves and their children. We cannot allow this to go on. To do so would be to deny our responsibility to young families, to tell them that the property-owning democracy was for our generation, but not theirs.

Not all of that is down to sclerosis in the planning system, but some is. The British Chambers of Commerce has said that the planning system has become

"too complicated, too costly, too uncertain. It discourages investment, creates mistrust and holds back our recovery."

It is not as if what has made it through has made up in quality what it lacks in quantity. Too much development in recent years has been mediocre, insensitive and has detracted from the character of the areas in which we live and work. Too many of our habitats have been degraded and seen nature driven out. The effect has been that much of the public have come to assume that any particular change to our

built environment will be negative and that it will tend to impair beauty, damage the environment and make our lives worse. What a disastrous state of affairs in a country that is home to some of the most talented designers and the best architects and craftsmen in the world, and which has over the years constructed villages, cities and buildings, such as the one we meet in, that people cross the world to see.

Our reforms to the planning system take on each of these challenges. They enshrine the local plan, produced by local people, as the keystone of the planning system. They make planning much simpler and more accessible, reducing over 1,000 pages of often impenetrable jargon to around 50 pages of clearly written guidance. They establish a presumption in favour of sustainable development that means that development is not held up unless to approve it would be against our collective interest. The framework guarantees robust protections for our natural and historic environment and goes further by requiring net improvements to put right some of the neglect that has been visited upon us. It raises the bar on design standards so that we have the most exacting requirement for design that the English planning system has ever contained.

I have always regarded reforming the planning system as a serious responsibility. From the start I made it clear that Parliament should be central to the development of the policy. We have had three full debates in this House and in the House of Lords, and I asked the Communities and Local Government Committee to consider the draft NPPF and give me its considered advice. I put on the record my thanks to the Chair and members of the Committee, and to the Environmental Audit Committee, for the seriousness and thoughtfulness they brought to the task. I am pleased to tell colleagues that, of the Committee's 35 recommendations, I have been able to accept 30 in whole or in part. In particular, the final framework makes it clear that the local plan is, as the Committee put it, the keystone of the planning edifice.

It is crystal clear that sustainable development embraces social and environmental as well as economic objectives, and does so in a balanced way. It refers explicitly to the five principles of the UK's sustainable development strategy. It goes further than ever before and is clear that councils should look for net improvements on all dimensions of sustainability. It makes it explicit that the presumption in favour of sustainable development works through, not against, local plans. It makes it clear that relevant policies, such as those protecting the green belt, sites of special scientific interest, national parks and other areas, cannot be overridden by the presumption. It recognises the intrinsic value and beauty of the countryside, whether specifically designated or not. It makes explicit what was always implicit: that councils' policies must encourage brownfield sites to be brought back into use. It underlines the importance of town centres, while recognising that businesses in rural communities should be free to expand. It takes a localist approach to creating a buffer of housing supply over and above five years, and in the use of windfall sites. It allows councils to protect back gardens, those precious urban oases. It ensures that playing fields continue to benefit from the same protection that they have currently.

The final framework has been strengthened by the contributions of everyone who has taken the trouble to submit their views, and I am very grateful to them. It has always been my intention that councils which do the right thing and have either adopted, or made good progress towards adopting, local plans will not be disadvantaged by the change to the new policy.

Accordingly, I have introduced transitional arrangements suggested by and agreed with the Local Government Association. They accord weight to plans based on how advanced they are, but I have gone further in two respects: I have allowed 12 months from today for existing plans to be adjusted in order to be in complete conformity with the new framework; and I have made it clear that weight can be given to emerging plans.

Finally, this House has a particular role to play in safeguarding the interests of our successors. I will ensure

that Parliament, having shaped the development of the new framework, supervises the implementation of the policies, starting with a debate on the Floor of the House soon after we return from the Easter recess.

The purpose of planning is to make the way in which we live our lives tomorrow better than it is today. This national planning policy framework will help build the homes that the next generation needs; it supports growth to allow employers to create the jobs that our constituents need; and it protects what we hold dear in our matchless countryside and in the fabric of our history. It does so by taking power away from remote bodies and putting it firmly into the hands of the people of England. I warmly commend it to the House.

Hilary Benn (Leeds Central) (Lab): I am grateful to the Minister for advance sight of his statement, although much of it has been leaked over the past few days.

Planning helps us to get the right development in the right place?development which we need, and that is why it is so important to get the balance right in this, the most fundamental change in planning policy in more than two generations. It is therefore extraordinary that the Government managed to make such a mess of the process, which did nothing to inspire confidence in all of us who want an effective planning system and the right kind of sustainable development, but who are determined to conserve the intrinsic character and beauty of England's green and pleasant land?something that successive Governments have supported.

Councils were particularly concerned about the presumption in favour of "sustainable development"?ill defined?if they did not have up-to-date development plans, and, as we know, Ministers lashed out at those who had the temerity to express concern?such revolutionaries as the National Trust and the Campaign to Protect Rural England, I remind the House?calling them "semi-hysterical", "left-wing" and "nihilist".

Ministers claim that planning is the obstacle to building homes, when 300,000 dwellings that have already been given permission have not yet been built. Why is that? Because of the failure of the Government's own economic policy. It is no wonder they have been arguing fiercely among themselves, with one unnamed Cabinet Minister?I just wonder who that might be?quoted as accusing the Chancellor of behaving like the Taliban on planning: a very revealing comment if a pretty inappropriate one.

There has also been a lack of transparency. Can the Minister before us confirm for the House whether any of the developers whom he and his colleagues have met since last June are donors to the Conservative party? We cannot find out for ourselves because the quarterly publication of Department for Communities and Local Government ministerial meetings is now nine months out of date?in clear contravention of the ministerial code. I have twice raised that issue with CLG Ministers in this Chamber, and on both occasions I have been promised that it was about to appear. It has not.

I welcome the U-turn on protection for playing fields and open spaces. Why on earth Ministers thought they could get away with removing it in the first place, I fail to understand. I welcome also the reference to the five principles of sustainable development, which we had called for.

On brownfield land, why are the Government so against a national, as opposed to a local "brownfield first" policy, given that it is the best place to build the millions of homes that we urgently need, and the best way to protect the greenfield sites that so many Members are concerned about?

Can the Minister explain exactly what the new requirements for statutory consultees such as the Environment Agency and English Heritage will involve? How will they be, in the rather menacing words of the Budget Red Book, "held to account" for delivering sustainable development?

Will the Minister clarify the reported remarks by Professor Andrew McNaughton, the chief engineer of High

Speed 2, about 100,000 new homes being built between Coventry and Wolverhampton, and about a "new docklands" to the west of London? Given the Government's professed commitment to localism, will he tell us when the local authorities covering these areas first knew about this, and what will be the Government's role in the development of new towns and cities to help us to build the homes that we need?

On town centres, will the Minister confirm that he has accepted our proposal that offices should remain in the sequential town centre test, given their importance to the economies of our towns and cities, including through the business generated by those who work in them,? What changes is he planning to make to use class orders? Will local authorities be given greater flexibility in determining those?

On the crucial question of transition to the new arrangements?the point that Members raised more than any other in the debate that we had back in October?we know that about half of councils currently do not have development plans. While the Minister has talked about providing 12 months to produce up-to-date plans, annex 1 of the framework is rather less clear. Will he produce further guidance on how the transition is going to work in practice? Where councils do have plans, who will determine whether they are "silent", "out of date", or "indeterminate"? Those words remain in the final framework, so presumably the presumption in favour of sustainable development will apply?the opposite of localism. Who decides what is "in the public interest"?the phrase that the Minister has been using in his interviews today? In particular, who will decide when an application goes to appeal?

Not only has Parliament not been given the chance to vote on the final version of the framework, but it is coming into force from today?before Members in the House have even had a chance to read it.

The country needs a planning system that will help to produce the much-needed homes, businesses, jobs and transport connections of the future, but will also protect the green spaces and special places we value. However, this revised NPPF may end up doing neither. Far from giving us certainty, there is likely to be delay as developments are held up by appeals and by the courts having to rule on a new and untested approach. In other words, there is uncertainty and chaos?the worst of all worlds?instead of the best of planning.

Greg Clark: I am grateful for the right hon. Gentleman's response. His family may have forsworn their aristocratic origins, but he does the best impression of Lady Bracknell's righteous indignation that we have seen in the House for some time.

It is a shame that the right hon. Gentleman has not approached this in the constructive spirit in which his predecessor, the right hon. Member for Don Valley (Caroline Flint), to whom I pay tribute, embarked on this process in July. She said right at the beginning that it was important that we should work together and have a constructive response to what is a shared problem to make sure that future generations continue to benefit from homes, jobs and the protections that are in place. The hon. Member for Birmingham, Erdington (Jack Dromey) maintained that approach, but it does not seem to have transmitted itself along the Opposition Front Bench. I am disappointed that the right hon. Gentleman has taken a partisan approach today.

Let me answer the right hon. Gentleman's questions. It is important that we bring brownfield land back into use. The essence of localism is that every place is different, so it is clearly not the right approach to have a single national target that needs to be as appropriate for a country shire district as it is for an inner-city district. As he will see, the plan-making section of the framework clearly allows local councils to set a locally appropriate target for bringing brownfield land back into use. That has to make sense.

On the statutory consultees, one of the innovations of the Localism Act 2011 is that it creates a truly

statutory obligation on the part of consultees, including those that the right hon. Gentleman mentioned, to co-operate with local authorities to make sure that they do not renege on their responsibilities. The Act imposes a legal duty to assist local councils in putting together their local plans.

On the High Speed 2 proposal, I was as bemused as the right hon. Gentleman when I read about it in the weekend papers. He will know, having read the framework this morning, that the protection for the green belt is clear and unequivocal, as we have always said. That is one particular case, and I do not see its relevance.

The right hon. Gentleman is right to say that we are insistent that our town centres should receive support to help them to revive. As Mary Portas, the retail consultant, pointed out, town centres lose out to out-of-town centres because they cannot provide the necessary car parking spaces, which were suppressed by the previous guidance. One change that we are making is to allow local councils to set the parking standards, to reflect what is required locally. Offices will remain part of the "town centre first" policy, but with an exception for rural offices, because the creation of jobs in rural areas is important for the sustainability of villages.

The transitional arrangements begin today. They have been agreed with the Local Government Association. As of now, there is a team in the Planning Inspectorate comprising representatives of the Local Government Association, the Planning Inspectorate and my Department to assist any authority that wants help in revising its plan or advice on any aspect of it. The team will be there for as long as is necessary.

The essence of our reforms is localism—to put power in the hands of people. This is the end of the central targets and top-down direction that put people off the planning system. If we want more homes to be built, we have to work with the grain of local communities, rather than against it. That is what we are doing. We are putting power in the hands of local people. I understand that that makes an old centralist like the right hon. Gentleman unhappy, but that is the direction in which we are going and these reforms are a significant step in that direction.

Several hon. Members rose ?

Mr Speaker: Order. A large number of colleagues are seeking to catch my eye, but I remind the House that there is a ten-minute rule motion to follow, and then a debate under the auspices of the Backbench Business Committee that is extremely heavily subscribed. I shall try to accommodate as many colleagues as possible, but I am looking for short questions, without preamble, and short answers.

Mr James Gray (North Wiltshire) (Con): I very much welcome the thrust of my right hon. Friend's statement and the changes that he has made to the consultation paper. In particular, I welcome the fact that he has protected greenfield sites designated as green belt, sites of special scientific interest or areas of outstanding natural beauty, of which we have some in Wiltshire. Is he not also concerned about the 60% of green land in England that has no designation? What will he do under the framework to ensure that those areas have protection equal or similar to that of the green belt?

Greg Clark: My hon. Friend will be pleased that the revised framework includes a recognition of the intrinsic value of the countryside, reflecting its beauty, whether or not it is designated nationally, so it will have that protection.

Joan Walley (Stoke-on-Trent North) (Lab): I welcome the fact that we will have the opportunity to debate the changes when the House comes back from the recess. However, given that the changes will take

effect from today, what assurances will the right hon. Gentleman give the House about transitional arrangements for the almost 60% of local authorities that do not have local plans in place? Is it not the fact that, despite what he says, economic development will trump sustainability on every occasion?

Greg Clark: I thank the hon. Lady for the contribution of the Environmental Audit Committee. It provided a serious consideration of the matter and she will see that we have taken it in that spirit. The transitional arrangements, which were agreed with the Local Government Association, give weight to emerging plans. Although only about half of the plans are close to adoption, most places in the country have plans that are well advanced in preparation. At the suggestion of the LGA, we said to the Communities and Local Government Committee, chaired by the hon. Member for Sheffield South East (Mr Betts), that we should give weight to the policies in emerging plans, so that they can be relied upon. That will take place from today.

Mr David Davis (Haltemprice and Howden) (Con): One of the monstrosities that have afflicted our green and pleasant land is the thoughtlessly over-rapid development of wind farms in the countryside. Many of my constituents fear the speed of development of such wind farms. Does my right hon. Friend's framework offer any comfort to them?

Greg Clark: Two factors are relevant to that question. The first is the intended abolition of the regional strategies, with their targets. That will remove the imposition on local councils of those targets, as will be the case with other targets. The policy also contains the ability for local councils to map and set criteria for where renewable energy would be appropriate, and to use those criteria for subsequent applications to determine what would be appropriate in each of their areas.

Natascha Engel (North East Derbyshire) (Lab): The Secretary of State prides himself on being a blunt-speaking, plain-speaking Yorkshireman. Will the Minister adopt some of that plain speaking and give the House a definition of the word "sustainable" that people in Yorkshire, Derbyshire and even Kent can understand?

Greg Clark: We followed the suggestion of the Communities and Local Government Committee and used the classic Brundtland definition, which is about protecting the ability of future generations to enjoy the benefits that the present generation enjoys. We have also included the five principles of the UK's sustainable development strategy. In practice, the policies outlined in the national planning policy framework will determine, in each case, what is and is not sustainable. For example, it is not sustainable to have a shopping development outside the town centre and it is not sustainable to build in the green belt. There is a high level of definition, and the practical application is very clear in the policies.

Mr David Ruffley (Bury St Edmunds) (Con): Bury St Edmunds is an unspoilt county market town, and its residents want to keep it that way. Will the Minister tell me whether neighbourhood plans can be used to block unwanted development?

Greg Clark: We encourage neighbourhood plans to set out, at a more local level than the council's plan, what should be the look and feel of towns. Bury St Edmunds is a town with a great deal of civic pride and would benefit from that. Neighbourhood plans have to be consistent with the broad approach of the local plan, but it is right that specific local details, which in towns such as my hon. Friend's may relate to architectural design and historical consistency, should be expressed in a neighbourhood plan. They would then become part of the formal plan and determine planning applications.

Mr Clive Betts (Sheffield South East) (Lab): I thank the Minister personally for the way in which he has dealt with the Communities and Local Government Committee and for what seems to be a generally

favourable response to our report, although we are still to see the detail. I have two specific issues to raise. Will he confirm whether the proposal that the

"default answer to development proposals is 'yes'"

is in the final document? If the "significantly and demonstrably" test remains in the document and an application for development meets that test but fails the sustainable development test, which test has priority?

Greg Clark: Again, I thank the hon. Gentleman for the work of his Select Committee. No development can take place that is unsustainable. That is the commitment that we give on that point. I have forgotten the other question.

Mr Betts: The default answer.

Greg Clark: The default answer was a variation of a presumption that everyone agreed was not terribly helpful, and we have deleted it from the document.

Mr Stewart Jackson (Peterborough) (Con): Among the plethora of policy failures under the previous Government, such as regional spatial strategies, parking and density targets, was the fact that between 1997 and 2005, 117,000 homes were built in floodplains. Does the document, which I strongly endorse and support, contain appropriate safeguards on residential development in floodplains?

Greg Clark: Yes, those protections remain.

Caroline Lucas (Brighton, Pavilion) (Green): There is little dispute over the need for new, sensibly located affordable housing. The dispute is over whether it is the planning regulations that are preventing it. Many of us do not think that it is. The draft NPPF stated that any conditions on development proposals must allow "acceptable returns" to be made. Will the right hon. Gentleman tell the House whether the final document clarifies who will be responsible for defining "acceptable returns", and how he will ensure that company profits will not be prioritised above high environmental standards?

Greg Clark: No, they will not be. Nothing that is unsustainable can override that fact by using the viability test. That is for local plan makers and local councillors to determine. On the contribution that the planning system makes to impeding the development of affordable homes, there was broad consensus in the consultation, including among homelessness groups such as Shelter and housing associations, that the excessive bureaucracy of the process was an impediment to the development of affordable housing, as well as other types of housing.

Simon Hughes (Bermondsey and Old Southwark) (LD): I thank the Minister for his constructive listening approach. Has he been able to support existing lawful business against objections by more recently arrived residents who seem to think that they should be able to dominate the local community to the detriment of economic activity, employment and jobs?

Greg Clark: It is a reasonable expectation that if a business has located in an area and traded successfully, it ought to be able to continue in its line of work, especially if it is creating jobs and is part of the local scene. The new framework provides protection for businesses to continue in their trade.

Mr Andy Slaughter (Hammersmith) (Lab): Mike Slade, the chairman of the Conservative property forum, has given more than £300,000 to the Tory party over the past decade individually and through his property company Helical Bar. Mr Slade says:

"You do run the thin line of someone saying: I'm only doing this to have access and influence, but that was what politics was always about. It's a little unfair, but there must be 20 per cent truth in it."

It is easy to see what is in this policy for the Tory party and the developers. What is in it for my constituents?

Mr Speaker: I think we got the question at the end, but I must ask Members to use their opportunity to ask a question.

Greg Clark: I would never be influenced by any donation, and I am not aware of any such attempt ever having been made. It would certainly get pretty short shrift from me.

Harriett Baldwin (West Worcestershire) (Con): Today is a landmark for localism and for consultations being listened to, because the three points that I made in the consultation, about brownfield land, windfall and the localisation of the buffer, have all been adopted. I am absolutely delighted. Will the Minister clarify for my local councillors, who will now be in charge, how the transition process for the community infrastructure levy will work?

Greg Clark: I am grateful to my hon. Friend for her contribution to the consultation. We have listened broadly. I know that people are cynical about consultation exercises, but I think they will find that practical and sensible suggestions have been listened to and incorporated. The community infrastructure levy will be introduced, and we are about to publish some regulations regarding the conduct of it. I will update her in a few days about when they will take effect. Among other things, the levy will provide funding for neighbourhoods for the first time, so that communities that host developments will get to share in the proceeds at a very local level.

Kelvin Hopkins (Luton North) (Lab): My right hon. Friend the shadow Secretary of State touched on the fact that there are thousands of acres on which there is already planning permission for homes but the developers and builders are not building. What are the Government going to do to get them to build?

Greg Clark: Two things. First, the framework will allow those sites to be included in the housing assessment that is required. Secondly, as the hon. Gentleman knows, the new homes bonus is available for homes that are brought back into use as well as those that are built. That is a powerful incentive for councils to bring back into use homes that are not being used at the moment.

James Wharton (Stockton South) (Con): In recent times, countless family homes have been demolished and their gardens concreted over. What does my right hon. Friend's statement mean for those of us who have campaigned against garden grabbing in our constituencies?

Greg Clark: My hon. Friend will know that I have taken a long-standing interest in the matter since I was a Back Bencher. The new framework makes it absolutely clear that decisions can be taken locally. If a local council wants to protect back gardens because they contribute to the character of its area, it will be entirely free to do so and that cannot be overridden.

David Simpson (Upper Bann) (DUP): The Minister will know that one of the greatest planning problems right across the United Kingdom has been in the consistency of planning decisions. He said that businesses in rural communities should be free to expand. How will he monitor that to ensure that there is consistency?

Greg Clark: The hon. Gentleman is quite right that the general presumption is that office development should be contained in town centres. However, we know that one of the most important sources of rural

employment is the conversion of agricultural buildings to very small-scale offices, and our policy means that authorities can now allow that. The Planning Inspectorate supervises and approves all the plans through a public examination, and it is there to ensure that there is consistency with national policy, but ultimately the decisions are for local people to take.

George Hollingbery (Meon Valley) (Con): I would like to develop a little further the point made by my hon. Friend the Member for Bury St Edmunds (Mr Ruffley). The Minister knows that I submitted a suggestion to the consultation that communities should in very specific circumstances be able to say an absolute no to edge-of-centre and out-of-centre retail development. That was also recommended by the Communities and Local Government Committee. Can he explain why that measure was not adopted and how some of our more iconic small towns might prepare their neighbourhood plans to afford themselves some measure of protection from such development?

Greg Clark: My hon. Friend is an ingenious policy maker and submitted that suggestion to the consultation. Unfortunately, it was found to be illegal. The framework that we are publishing is guidance, and it is open to anyone to submit a planning application and have it considered against the local plan and other material considerations. It is not possible to do what he requests through guidance.

Jeremy Corbyn (Islington North) (Lab): There are occasions when long-standing brownfield sites provide an opportunity for renewed open space in densely built-up urban areas. Is there not a problem that with the presumption to develop, it will be very difficult for a local community or local authority to ensure that disused industrial land can become valuable park or playing space rather than just high-density development, which would continue the problems in the area?

Greg Clark: The hon. Gentleman makes an excellent point. That is why we have specified in the framework that the priority to reuse brownfield land is subject to its not being of high environmental value. I know that in constituencies such as his and others in the centre of cities up and down the country, land that may be technically brownfield, having previously been in use, makes an enormously important contribution to the well-being of residents and wildlife, and it is clear that it should be kept that way.

Julian Sturdy (York Outer) (Con): I welcome the continued robust protection of green-belt land, but will the Minister clarify and confirm that greenfield land and ordinary countryside will not be prioritised over brownfield land, despite the pressure that might come from developers?

Greg Clark: The encouragement is to reuse brownfield land. Obviously there are national protections for areas such as green belt and sites of special scientific interest, but it is entirely open to authorities where greenfield areas are very important to the well-being of the community not to give priority to housing and development, and that is very likely to happen. Local plans can now specify that without being overridden.

Helen Goodman (Bishop Auckland) (Lab): My constituency is 300 square miles in size. The Campaign to Protect Rural England came to see me and showed me that under the Minister's proposals, more than half of it could now become a building site. Is that not just another example of the coalition Government abandoning the countryside?

Greg Clark: The hon. Lady has not even read the revised framework. That was never true, and she will see when she reads it that it is absolutely untrue now. If she wants to come and talk to me about it, I am very happy to see her.

Richard Drax (South Dorset) (Con): Does my right hon. Friend share my concern that however much power we put into the hands of local people, unsustainable immigration will continue to put pressure on our

small island that simply cannot be met?

Greg Clark: There are a number of causes of the requirement for new housing. Immigration contributes to it, and so does the happy fact that we are living longer than we used to. Of course, Government policy is addressing immigration to get it to manageable levels, but I gently suggest to my hon. Friend that it is beyond the planning system to do much about that.

Tristram Hunt (Stoke-on-Trent Central) (Lab): To be clear, does the national planning policy framework endorse planning policy statement 4, which recognises the importance of protecting the English countryside for its own sake? To avoid any allegations of impropriety, when will the Department publish details of the property forum? Thanks to the wonderful Peter Cruddas, we now know how policy is made in the Tory party.

Greg Clark: I am disappointed that the hon. Gentleman takes that line. The protection for the English countryside is very clear. We have taken the words in the PPS to which he refers and reproduced them in spirit in our document.

Nigel Mills (Amber Valley) (Con): My constituents will be heartened to hear that there will now be an explicit instruction that brownfield sites should be developed before greenfield ones. What else can the Government do to make that more practical and cost-effective, and to make developers want to do it rather than develop easy and cheap greenfield sites?

Greg Clark: Of course, it is open to local authorities, in allocating the land that they have to be developed, to allocate land that is derelict, and to do that rather than allocate green fields. If that is how they specify it, that is the land that has to be developed.

Gavin Shuker (Luton South) (Lab/Co-op): Much of England is now in drought across the south and east, and that problem will only be exacerbated in the next 20 or 30 years. Can the Minister say what in his policy framework will be in place to ensure that we tackle that problem?

Greg Clark: The hon. Gentleman makes an excellent point. This is why we need to have a plan-based system. We cannot have a plan-based system if half the country does not have a plan. If local authorities adopt a local plan, as we are encouraging every council to do, it is precisely so that they can anticipate future needs, such as the need for water, schools and infrastructure. With that in place, they have a fighting chance of ensuring that any homes that are provided have the facilities needed to accommodate them.

Duncan Hames (Chippenham) (LD): I thank the Minister for having clearly listened to the representations that he has heard from Members of Parliament. I was especially encouraged by his remark that councils' policies "must" encourage brownfield sites to be brought into use. Should councils' policies fail to do that, perhaps as a result of being overly generous in their allocation of cheaper greenfield land, how will they be made to comply?

Greg Clark: As my hon. Friend knows, every plan that is put forward is examined to determine whether it is sound, in the planning jargon, and compliance with that policy will be one of the tests of soundness.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): Between July and December 2011, the Conservative party received more than £500,000 in donations. Will the Minister confirm or deny the amount of influence those developers had on this document?

Greg Clark: I am very disappointed with this theme from the Opposition. It is the case that in the past the

shadow Minister, when he was a Minister, received a donation from a property developer, a Mr Abrahams, who was somewhat controversial. I do not think for one moment that that influenced any policy thoughts in his head. I have absolute faith in the right hon. Gentleman's integrity, and it would be a service to the House if other hon. Members extended the same courtesy.

Nicola Blackwood (Oxford West and Abingdon) (Con): I thank the Minister for his statement and welcome his intention to give communities a greater say in planning decisions, but as I encourage my local communities to develop their neighbourhood plans, can he tell the House what steps he is taking to increase the protection for community facilities and important local assets?

Greg Clark: There is specific reference in the guidance that councils are under a duty to protect valued local community facilities.

Heidi Alexander (Lewisham East) (Lab): How is affordable housing defined in the reworked NPPF and is it entirely consistent with the definition contained in PPS3?

Greg Clark: Yes.

Mark Reckless (Rochester and Strood) (Con): The Minister has conducted this process with great courtesy and consideration. Does he share my concern that councillors have too often felt intimidated into making decisions that they would prefer not to make by the threat of legal costs, and does this new framework offer them support in that area?

Greg Clark: Yes, it does, because the threat of legal costs arises at the moment from the very real prospect that a local decision can be overturned by, for example, the regional strategy imposing different policies. One of the reasons we want to rid ourselves of these unwanted strategies is so that decisions that are taken locally stay local, and people can have confidence in them.

Mrs Jenny Chapman (Darlington) (Lab): Darlington borough council does a very good job in providing for the Gypsy and Traveller community, and has done so for many years. We have two very large sites that are run responsibly and, by and large, things are okay. Why is it that Darlington is now being asked to provide more sites because it has done a good job, whereas other localities nearby are not being asked to do anything at all? Will the Minister look into that?

Greg Clark: As a result of the written statement that the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) made on Friday, Darlington council will be able to make its own assessment of those needs without having a number imposed on it.

Anna Soubry (Broxtowe) (Con): In Broxtowe, a Labour-Lib Dem council is planning to build 4,000 houses on green-belt land. People throughout this country love and value our green-belt land. Will this framework continue to protect our green-belt land? Will it strengthen, weaken or diminish the existing protection that our green-belt land has?

Greg Clark: Again, one of the points of abolishing the regional bodies is to take away the threat to the green belt that they introduced. They will be removed, and decisions will be taken locally, with national protection for the green belt.

Bill Esterson (Sefton Central) (Lab): Will councils be able to use the housing numbers from windfall sites as part of their core strategies?

Greg Clark: Yes. Where there is evidence that windfalls are, paradoxically, predictable and there is a record of them coming through that can be relied on?as happens in many places?they can be included in housing numbers, with the exception of back gardens, which are in a separate category.

Mr James Clappison (Hertsmere) (Con): May I welcome the protection that my right hon. Friend has announced for the green belt? I invite him to become a champion of a positive attitude towards the green belt across Government as a whole, so that the Government show that they understand the importance of the green belt to counties such as Hertfordshire, where the green belt prevents communities merging into one another and becoming a vast urban sprawl.

Greg Clark: That is one of the purposes of the green belt?to prevent sprawl and to prevent communities merging with each other?and it is one reason why it enjoys the robust protection that it does in this framework.

Mr Peter Bone (Wellingborough) (Con): May I suggest gently to the Minister that it would have been helpful if Members had received the policy framework shortly before the statement, as other Ministers have done? On a specific point, can he confirm that once a district or borough council has decided on its plan, it will not be possible for a developer to build in an area that is not designated for development? Is that an absolute assurance?

Greg Clark: On my hon. Friend's first point, I thought that it was the convention to publish the document to the House with the statement, and it is in the Vote Office now. On his other point, the answer is yes. It is clearly stated in the new policy framework that proposed developments that accord with the plan should be approved, and those that do not should be refused.

Mr Marcus Jones (Nuneaton) (Con): I welcome the transitional arrangements and local councils' ability to set their own local targets, but developers wanting to build in my constituency still seem to be quoting not just the local development targets but the targets under the top-down regional spatial strategy. When will the effects of the locally set planning regime that the Government are introducing hold primacy, and when will there be no ambiguity about the figures?

Greg Clark: My hon. Friend knows that it is the Government's intention to revoke the regional strategies. The courts have determined that they are in place and we are engaged in a voluntary strategic environmental assessment, which will be completed shortly, but the Government's intention to get rid of these unwanted strategies is capable of being a material consideration.

Mr Robert Buckland (South Swindon) (Con): I welcome references to a more localist approach when it comes to five-year land supply. Does that mean that authorities such as mine in Swindon will be able to argue that five-year land supply should take into account economic realities such as a slowdown in house building, rather than the prescriptive and rigid approach that is taken by far too many planning inspectors?

Greg Clark: Yes. Economic conditions vary from time to time and it is reasonable for local authorities to take them into account.

Stephen Mosley (City of Chester) (Con): My right hon. Friend has been very clear that the presumption for sustainable development does not override protections such as the green belt, SSSIs and national parks. Does that protection also apply to historic and conservation areas, such as the centre of my beautiful city of Chester?

Greg Clark: It is indeed a beautiful city and we have worked closely with English Heritage, which has said that it is content with the arrangements we have put in place.

Martin Horwood (Cheltenham) (LD): May I welcome what sounds like a significantly greener planning framework than the original draft, although we have yet to read the new one? One of the good things in the original draft was the designation of local green spaces, which are important not just to wildlife and the landscape, but to local communities. Has that designation survived and been weakened or strengthened, or been retained?

Greg Clark: Yes, it has indeed survived, as have green infrastructure corridors that connect places.

Mr David Nuttall (Bury North) (Con): One aspect of the present planning process that particularly annoys my constituents is when they see the decisions of their locally elected councillors on the planning committee being regularly overturned by planning inspectors. How will the new policy make that less likely?

Greg Clark: It will do so by enshrining the local plan as the key decision-making document. Getting rid of the regional strategies and the 1,000-plus pages of national guidance will make it clearer than ever that decisions taken in accordance with the local plan will prevail.

Tony Baldry (Banbury) (Con): Will my right hon. Friend confirm that local authorities and the Planning Inspectorate, when considering whether a local authority has an adequate five-year housing supply, will take into account where planning permissions have been granted but where houses have not started to be constructed?

Greg Clark: Yes. I pay tribute to my hon. Friend for raising this issue. That has found expression in the framework.

Bob Blackman (Harrow East) (Con): I am pleased that the many hours we spent on the Select Committee on Communities and Local Government have been reflected in the new document. One of the key thrusts that concerned us, however, was the fact that the requirement was on the developer to prove that a development was sustainable rather than on the local authority to prove that it was not if it rejected a planning application.

Greg Clark: It is always for the planning authority to assess the application, and the applicant puts in what is proposed, so there is no change to that.

Jason McCartney (Colne Valley) (Con): I welcome the Minister's announcement that he is allowing 12 months from today for existing local plans to be adjusted to be in complete conformity with the new framework. Will he join me, therefore, in calling for Labour-run Kirklees council's local development framework, which was supported by the Liberal Democrats and so-called independents, to be adjusted so that it truly protects the green belt and makes any development truly sustainable?

Greg Clark: We have put facilities in place for that to be done as quickly as possible. A team is standing by to give all the advice that my hon. Friend's authority needs to do that.

Stephen Gilbert (St Austell and Newquay) (LD): Further to the question from my hon. Friend the Member for Bury North (Mr Nuttall), developers in St Austell continue to flout local decision-making processes, causing much anger among residents. How can we prevent appeals for non-determination from happening during the transition period?

Greg Clark: If there is a plan in place, decisions have to be taken in accordance with it. If no plan is in place, there is a strong reason for adopting one.

Geoffrey Clifton-Brown (The Cotswolds) (Con): My right hon. Friend has performed a Herculean task in

moving away from the unwanted regional spatial strategy towards a new local plan-led system. However, there is concern in the Cotswolds that 12 months will not be long enough, particularly if there is a judicial review or there has to be a local inquiry. Is he open to representations on the length of the transition period?

Greg Clark: The 12 months is for plans that can be adjusted in that time. Even for plans that might take longer to adjust, however, weight is still given to the policies in the emerging plans. We have gone further than has been suggested, and there is adequate protection for policies adopted locally. It is eight years since local authorities were invited to produce a plan, which I think is time enough to give them an extra year to get their plans up to speed.

Mr William Cash (Stone) (Con): My right hon. Friend rightly refers to our matchless countryside and the fabric of our history, but could those be trumped by inspectors' decisions in relation to EU energy and/or environmental law?

Greg Clark: Developments or proposed developments that have environmental consequences are subject to EU environmental directives. This is guidance and cannot override the laws governing it, but it gives greater power to local authorities to specify in their plans the type of development they want and where it should be.

Chris Heaton-Harris (Daventry) (Con): Following on from that question, I want to ask about the criteria to be built into local plans. Daventry suffers from a huge swarm of onshore wind applications. What criteria could be used? Could landscape, height and efficiency, for example, be used as local criteria to fight these things?

Greg Clark: As my hon. Friend knows, I am a localist, and to set out national criteria for what would be appropriate would not respect the completely different geography and historical environment of different places around the country. We have given authorities the power to set out criteria, but what the criteria for locating renewable energy sites should be is a local choice.

Steve Brine (Winchester) (Con): "Keystone" is a reassuring word, and the Minister used it twice in relation to local plans. Will he confirm that the local plans have absolute primacy and that my constituents have nothing to fear in the period after the council's local plan has been democratically agreed, which it has, but before it has been legally adopted, which it has not yet been?

Greg Clark: As I said, we have put in place transitional arrangements for plans that are in the process of being adopted, which gives weight to the policies already there, but obviously the weight increases once they are accepted and adopted. It is clear that the decisions on planning permissions always need to be given, however, whether they are in accordance with the development plan or other material considerations.

Mr John Baron (Basildon and Billericay) (Con): Does my right hon. Friend agree that the acid test of this framework is whether green-belt land is developed against the wishes of local residents?

Greg Clark: The protections for the green belt in the NPPF make it absolutely clear that development on green belt should be refused other than in very tight circumstances similar to those that exist at the moment.

Nigel Adams (Selby and Ainsty) (Con): In Selby district, planning permission is being sought for Traveller sites on green belt. In fact, one site has already been given temporary permission in the historic village of Towton. What action does the framework permit to be taken to protect green belt and open countryside

from inappropriate Traveller site development?

Greg Clark: The written statement that my hon. Friend the Under-Secretary of State made on Friday made it clear that the protection of the green belt applies to Traveller sites as it does to other developments.

Dr Sarah Wollaston (Totnes) (Con): Residents in Churston are desperately trying to protect one of Torbay's last and most beautiful green spaces. It is home to the rare and lovely curlew. Will sustainable development sustain the lovely curlew?

Greg Clark: My right hon. Friend the Secretary of State is a twitcher of some renown and will be better placed than I to advise on whether this is a bird that enjoys protection and therefore whether the sites in which it nests enjoy the rigorous protections available.

The Secretary of State for Communities and Local Government (Mr Eric Pickles) indicated assent.

Greg Clark: I think the answer is yes.

Nicky Morgan (Loughborough) (Con): I welcome my right hon. Friend's explanation that sustainable development covers both social and environmental factors, as well as economic development. Will he say a little more about the localist buffer for the five-year housing supply and how that fits in with the neighbourhood and local plans? The five-year housing supply often leads to councils being unable to turn down applications.

Greg Clark: The requirement for a plan is that it be a real plan. It should assess the needs of the authority in the future and allocate the relevant land. It is an important test of the soundness of a plan that it has a five-year land supply. We have said that if that is demonstrated, that is the end of the matter, but if a five-year land supply is not in place, a buffer will be needed to reflect that shortfall.

Bob Stewart (Beckenham) (Con): Will the NPPF give local people a better chance of getting rid of illegal Traveller sites when they appear in, for example, my constituency?

Greg Clark: The changes in the Localism Act 2011 dealing with enforcement provide greater powers for local authorities to act on the unlawful occupation of sites by any resident or applicant.

Gavin Williamson (South Staffordshire) (Con): Green-belt land is often threatened as much by industrial development as by residential development. What assurances can my right hon. Friend give the House that the green belt will be protected from inappropriate industrial development?

Greg Clark: Inappropriate development extends to both residential and industrial development. It is the nature of the green belt that is protected, irrespective of what is proposed.

Mark Pawsey (Rugby) (Con): Does my right hon. Friend agree that, given that the framework retains the protection for the green belt, refers specifically to development on brownfield land and supports the "town centre first" policy, many of the organisations opposing these proposals on the airwaves today are perhaps raising concerns unnecessarily?

Greg Clark: I hope that when people have the chance to read the framework, they will reflect on the fact that we have listened seriously to the sensible suggestions made in the consultation?we have taken an open approach?and that they will be reassured.

Andrew Jones (Harrogate and Knaresborough) (Con): What steps are being taken to protect playing fields? Does the Minister agree that it is important to protect these green spaces, not just because they are

local amenities, but to support local sport?

Greg Clark: My hon. Friend is right: it is important to protect playing fields; with a rising population, we will need them more than in the past. Playing fields are protected, and the loss of one will require the authorisation of Sport England, in much the same way as it does now.

Andrew George (St Ives) (LD): How can we make affordable land available for affordable housing to meet housing need in rural areas when the presumption in the NPPF places an unaffordable "hope value" on every potential site?

Greg Clark: No, the framework maintains the policy for rural exception sites, which have been successful across the country in providing affordable accommodation for people living in rural areas.

Glyn Davies (Montgomeryshire) (Con): What discussions has my right hon. Friend had with the Welsh Government about the possible extension of the power and influence that he is granting to local government, particularly in relation to cross-border issues such as the proposal to cover mid-Wales with wind farms, which has an impact on Shropshire?

Greg Clark: My hon. Friend knows that that is a devolved matter. The guidance applies to England only. Obviously we had discussions with the Welsh Assembly Government when the Localism Act was passing through this House. They took certain powers, but the type of planning regime that they want is a matter for them.

Andrew Bridgen (North West Leicestershire) (Con): The "green wedges" north of Coalville in my constituency have been shown to be the most valued area of green space in the entire county of Leicestershire. Will the Minister confirm that the new planning policy framework will give more power to local residents and the local council to prevent unwanted development of that valued area of land?

Greg Clark: Yes, it will remove the imposition from the regional strategies and other top-down targets, and will also allow the designation of locally valued green space, in the way that my hon. Friend the Member for Cheltenham (Martin Horwood) specified.

Neil Carmichael (Stroud) (Con): In welcoming the statement, let me draw attention to the fact that good local plans depend on good local information, good local analysis of economic circumstances and good evaluation of jobs, employment and how industry is developing. When we finally get rid of the regional spatial strategy? hopefully it will be completely and utterly obliterated? what encouragement will the Minister give to local authorities to capture all that information, use it locally and ensure that it is generated locally, so that they understand their local communities and businesses, and know exactly what the social issues are in their areas?

Greg Clark: My hon. Friend makes a good point. One of the themes of the national planning policy framework is that evidence should support plans and decisions. Evidence that has been captured over time should be available to all the authorities that shared the old regional boundaries, and they will want to keep it updated so that they can benefit from it in making their plans and decisions.

Robert Halfon (Harlow) (Con): Under the last Government, villages around Harlow? in particular, Nazeing and Roydon? were forced to carry an unshared burden of having Traveller sites. Will the Minister confirm that the new proposals will stop that, making things fair for everyone across the county of Essex? Will he also confirm that local people will have a genuine say over planning decisions and set out how that will work in practice?

Greg Clark: The targets will be removed. My hon. Friend's council would need to assess what provision it needed to make locally, and that will then be a matter for the council.

Mr Speaker: I thank colleagues, and in particular the Minister, for a succinctness that enabled 58 Back Benchers to question the Minister in 41 minutes of exclusively Back-Bench time. The Minister is in danger of becoming a role model?at least in this respect?for his colleagues to emulate.

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