

## BOROUGH OF KETTERING

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<b>Report Originator</b>	Head of Development Services	Fwd Plan Ref No:	
<b>Wards Affected</b>	All	19 April 2018	
<b>Title</b>	<b>DRAFT REVISED NATIONAL PLANNING POLICY FRAMEWORK</b>		

### 1. PURPOSE OF REPORT

To inform Members of the draft Revised National Planning Policy Framework, and agree some initial comments for submission.

### 2. INFORMATION

- 2.1 Members may recall that at the Planning Policy Committees on 25<sup>th</sup> April 2017, Members agreed a response to the Housing White Paper: *Fixing our broken housing market*. Subsequent to that, the Government undertook a further consultation entitled *Planning for the right homes in the right places*. An officer level response was submitted for this consultation due to constraints with available committee dates.
- 2.2 The Ministry of Housing, Communities and Local Government (MHCLG) is revising the National Planning Policy Framework (NPPF), last issued in March 2012. This is as part of the planning reform package set out in the two consultation papers referred to above, and further announcements in last November's Autumn Budget. The closing date for comments is 10<sup>th</sup> May 2018. The Government intends that subject to the results of this consultation, it will publish the new NPPF during July.
- 2.3 Alongside the NPPF, the Government has also published for reference, revisions to the draft Planning Practice Guidance and the housing delivery test, together with a separate consultation on a series of reforms to developer contributions in the short-term.
- 2.4 MHCLG and other planning agencies are holding a variety of information/training events in an effort to explain the intentions of the new policies, and to help organisations in formulating their responses and developing ideas from the consultation. Given the consultation still has a number of weeks to run, and understand of the implications of proposals contained within the consultation is still evolving, officers are seeking from Members that the Chair be given authority to agree Kettering Borough Council's final response. This report sets out key areas for comment, and officers ask that a draft set of comments be agreed in principle as an outcome of this committee meeting.

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- 2.5 Some initiatives proposed in the previous consultations remain within the latest drafts, indicating the Government's clear intent to continue to include these in national policy. Given this, it is proposed that the Council's response should not repeat comments already made to previous consultations, but should instead focus on key new proposals.
- 2.6 Paragraph 14 of the revised NPPF sets out that where a neighbourhood plan has recently been brought into force i.e. within two years of a successful referendum, and this Plan contains policies that meet its identified housing requirement, then applications which are in conflict with this Plan should be refused where the Council can demonstrate only a 3 year supply, not 5 years, and where delivery is at least 45% of that required.

### **KBC Draft Response:**

*Kettering Borough Council supports the principle of providing those areas with newly adopted neighbourhood plans with protection against unplanned development, whilst also recognising the window of protection is relatively narrow. Two years does seem too small a parcel for neighbourhood plans policies to be protected, and should be expanded to give this initiative some sort of credibility.*

- 2.7 Paragraph 69 of the NPPF recognises that small sites, defined as half a hectare or less in size (potentially of a scale to deliver 15 houses), make an important contribution to meeting housing requirements. To this end, the NPPF states that planning policies should ensure that at least 20% of the sites identified for housing are small sites; that local planning authorities should use tools including Local Development Orders to help bring small sites forward; should support windfall sites; and work with developers to encourage the sub-division of large sites where it speeds up housing delivery.

### **KBC Draft Response**

- 2.8 *Kettering Borough Council has strong concerns over too prescriptive a policy which seeks to ensure that at least 20% of sites identified for housing are small sites. Not only could this stipulation further slow the allocation of sites through the assessment of an increased number of sites for comparison, some of which may be wholly suitable sites for development likely to come forward as windfall, but, it could encourage or force authorities to allocate sites considered to be less sustainable than larger competing sites.*
- 2.9 *It is recognised that a considerable amount of the Borough's housing growth is through building at large sites, and that as a result, these sites accommodate the major house builders. There are however, a significant number of smaller sites being delivered throughout Kettering Borough, these sites evolving into the planning system, some through allocation, but many as windfall developments. It is considered that the flow of small sites of the scale proposed remains quite healthy. As such, a requirement to allocate at least 20% of sites could be unnecessarily burdensome, with no beneficial outcome.*

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- 2.10 *The Council is supportive of a range of measures to help diversify the market, but is concerned that the 20% restriction and the relatively small site area threshold could have a negative impact on the allocation of sustainable sites. It is recommended that a more balanced range of initiatives would be more helpful than this, potential including giving Councils greater powers around forcing larger developers to parcel land off for smaller development sites.*
- 2.11 Paragraph 21 covers aspects relating to strategic policies, setting out that these policies should provide a clear starting point for any local policies that may be needed, either through a single local plan, or as a part of a subsequent local plan or neighbourhood plan – as is the case with plan preparation in North Northamptonshire. It also states that strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other local policies.
- 2.12 Paragraph 23 then moves on to say that policies should be reviewed to assess whether they need updating at least once every five years, and then be updated as necessary.

### **KBC Draft Response**

*Kettering Borough Council support the flexibility the revised NPPF provides to allow it to continue to operate successfully as it has, by adopting a Joint Planning Unit and Joint Planning Committee, to prepare and adopt strategic policies contained within a Joint Core Strategy, before then advancing Part 2 Local Plans where necessary. It is also helpful that the document sets out that strategic policies should not extend to detailed matters that are dealt with through other local plan policies. Thereby, removing the potential for unnecessary burdens of time and expense on local planning authorities whilst third-parties seek to reopen strategic policy issues at the local level.*

*Also, the wording around the need for a review at least once every five years, and that the potential for a review may only be necessary for elements of the plan is appreciated, and should still allow the North Northamptonshire model to function smoothly.*

- 2.13 Paragraphs 62-65 of the NPPF provide policies on Delivering a sufficient supply of homes. These paragraphs state that policies should identify size, type and tenure of homes (including those who require affordable housing). It also says that where major housing development is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

### **KBC Draft Response**

*Kettering Borough Council does have a high need for rented accommodation, particularly at the Borough's main town, Kettering. To help meet the need in this sector, the Council is currently successfully securing a 70/30 split between rent and shared-ownership on many sites. Requiring through national policy that at*

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*least 10% of all new homes at a site be available for affordable home ownership would have a significant negative impact on provision within the rented sector. It is recognised that an exemption has been introduced, where it can be demonstrated that specific groups are being significantly prejudiced. However, the level and type of evidence required to demonstrate this is unclear, and it does seem unjust to place this burden on the local authority, when it has already invested in a Strategic Housing Market Assessment, and numerous local needs assessments, and is successful in making gains in supplying for agreed need.*

*The Council has reservations about widening the definition of affordable housing too broadly, thereby encompassing a disproportionate share of tenure choice for those in need and seeking home ownership, at the expense of the rented sector. The risk is that developers select to deliver of tenures that work for them in optimising their balance sheet. Local authorities need to be in a strong negotiating position to seek to ensure that affordable housing provision is directed to where need most exists.*

- 2.14 As indicated above, officers' understanding of the implications of the draft Revised NPPF and other MHCLG consultations is still building, training events and planning publications will help officers add to the draft issues raised above. It is proposed that the issues raised are assimilated into a response to the consultation documents, along with any further points considered to be of significance to Kettering Borough, and that the Chair of Planning Policy Committee be given delegated approval to agree the final consultation response(s) for submission.

### **3. CONSULTATION AND CUSTOMER IMPACT**

- 3.1 Kettering Borough Council is a consultee to the draft Revised NPPF and other related consultations.

### **4. POLICY IMPLICATIONS**

- 4.1 When approved, the NPPF and other documentation currently available for public consultation, will form national planning policy, which the Council will need to take into consideration in preparing its Local Plan, and in determining planning applications.

### **5. USE OF RESOURCES**

- 5.1 There are no resource implications resulting from the preparation of this report.

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### **6. RECOMMENDATION**

That Members note the content of this report; agree the broad principles of Kettering Borough Council's draft response, as indicated within Chapter 2 of this report; and give the Chair delegated authority to agree the Council's final response for submission.

#### Previous Reports/Minutes:

None

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