



PLANNING COMMITTEE: 10th June 2014

DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Susan Bridge

REPORT TITLE: Assessing the weight of saved policies

1. RECOMMENDATION

- 1.1 Planning Committee is recommended to note the contents of the report and its implications for the purpose of determining planning applications.

2. PURPOSE OF THE REPORT

- 2.1 The purpose of the report is to provide Planning Committee with further guidance in respect of the weight that can be given to the saved policies (from the Northampton Local Plan) in the determination of planning applications. The report does not seek to alter the weight that should be applied to Northampton Local Plan policies from that which already exists. It merely gives an officer opinion on the extent to which the policies can be given weight in the determination of planning applications taking account of other material considerations. The assessment of weight is at a broad level taking account of the whole content of the policy, it might be that specific parts of the policy hold more or less weight than the overall assessment identifies. Reports to Planning Committee on applications will outline the weight that can be attributed to policies and other material considerations in relation to the determination of planning applications.

3. BACKGROUND

- 3.1 Planning applications are required to be determined in accordance with the development plan unless material considerations indicate otherwise. A report outlining the impact that Government guidance and the introduction of the National Planning Policy Framework has had on the Council's saved planning policies was considered at the meeting of the Planning Committee on 6th May 2014. This report drew attention to a compatibility self-assessment checklist through which the Planning Advisory Service provided a template for local planning

authorities to attempt to assess the weight local plan policies may carry in respect of future planning application decisions.

- 3.2 The assessment highlighted that most of the saved policies were considered to be prescriptive and inflexible, contrary to the objectives of Government guidance outlined in the National Planning Policy Framework (NPPF) which was published in March 2012. The NPPF requires policies to be prepared which enable development and to take a positive approach to decision making and plan preparation.

4. SAVED POLICY ASSESSMENT

- 4.1 The detailed Officer assessment of the weight that can be attributed to each of the saved policies, referred to in the report considered by Planning Committee on 6th May 2014, is attached (Appendix A).
- 4.2 The output of the assessment is to provide a guide to the Planning Committee in respect of the level of weight that can be given to a policy. It does not imply that a policy cannot form part of a recommendation. The assessment provides justification for the use of policy; decisions will clearly need to weigh up all appropriate material evidence in determining the outcome of planning applications. It does however indicate policy consistency in respect of the NPPF and where more up to date policies should also form a part of a recommendation.
- 4.3 In respect of more up to date policies, the Council adopted the Northampton Central Area Action Plan in January 2013, which led to the deletion of a number of saved policies. Adoption of the West Northamptonshire Joint Core Strategy (JCS) would similarly supersede a further tranche of saved policies. (Appendix B provides a list of saved policies which would be replaced by JCS policies). To provide a full up to date suite of plan policies for the Borough, the Local Plan Part 2 (Northampton Related Development Area Local Plan) would complete the update of policy provision for the Borough.

5. THE IMPACT ON DECISION MAKING

- 5.1 As indicated in the 6th May 2104 report material considerations that affect the weight that can be attached to development plan policy are continually changing, both through Government guidance and the advancement of plan policy at a local level. All relevant evidence will need to be taken into account. Policies in adopted local plans should however remain the starting point for considering planning applications, unless they are out of date. The NPPF (paragraphs 215 and 216) makes clear that increasing weight can be given to a draft local plan as a material consideration, as it progresses towards adoption. The degree of weight given to each draft policy will vary, depending on whether or not the unresolved issues are significant and to what extent the policy is consistent with the NPPF.

6. LEGAL IMPLICATIONS

6.1 As set out in the report

7. SUMMARY AND LINKS TO THE CORPORATE PLAN

7.1 Regard has been given to securing the objectives, vision and priorities outlined in the Corporate Plan together with those of associated frameworks and strategies.