

Red lines for the National Planning Policy Framework

The National Planning Policy Framework (NPPF) will be a hugely influential element of the new planning regime; as such the document must promote genuine sustainable development. Economic, environmental and social sustainability must be integrated so as to provide the building blocks for a vibrant future.

Link will be looking for the NPPF to achieve the measures outlined below; if it crosses these 'red lines' we strongly believe that it will endanger the natural environment on which we depend and thus the long-term, sustainable economic development that this country needs. If the draft NPPF is not substantially changed we believe it will foster uncertainty at the local level, leading to more appeals, court challenges, direct action and badly located developments. Such a system would benefit no-one and would be self-defeating for the Government. Amongst other issues, Ministers would fail to achieve the objectives of the Natural Environment White Paper, and may have to recreate a whole additional suite of supporting guidance to bring certainty back into decision-making.

1. The presumption in favour of sustainable development must be designed to achieve sustainable development, defined in line with the 2005 UK Strategy

Link strongly believes that the term 'sustainable development' must be based on the well-known and respected Brundtland definition, but also expressed in policy implementation terms using the five principles set out in the UK Sustainable Development Strategy, including the important principle of 'living within environmental limits.'¹

The presumption must expressly commit to achieving sustainable development, otherwise it will simply be a presumption in favour of development. In order to achieve this, repetitious references to the presumption throughout the NPPF, the 'significantly and demonstrably' test and the 'default yes' to development must all be removed. The NPPF must allow full and proper consideration of all relevant policies and material considerations such that unsustainable development can be refused.

The presumption will undermine the plan-led system if the tension between the 'default yes' and the ability of local authorities to determine applications in accordance with the development plan and other material considerations is not resolved. Public participation in plan-making should not be overridden by the application of the presumption.

2. The natural environment must be properly and consistently protected

The NPPF must show consistency with the ambitions set out in the Government's Natural Environment White Paper and at the Nagoya Biodiversity Summit. The NPPF already requires planning policies to 'plan for biodiversity at a landscape-scale across local authority boundaries', 'identify and map components of the local ecological networks' including Sites of Special Scientific Interest, valued landscapes and Natura 2000 sites, and to 'promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species populations.'

¹ UN (1987), *Report of the World Commission on Environment and Development: Our Common Future*, Geneva, UN; HM Government (2005), *Securing the Future: the UK sustainable development strategy*, London, HM Government.

However, these important policies will only be effective if the NPPF also:

- explicitly aims to stop the decline of and enhance England's natural environment;
- broadly defines 'natural environment' to cover living things in all their diversity (wildlife, rivers, streams, watercourses, wetlands, lakes, seas, urban green space, open countryside, trees, forests and farmed land);
- retains 'protection and improvement of the natural environment as core objectives for local planning', including protection for irreplaceable habitats, the wider countryside and recognised local, national and international designations such as those covering Local Wildlife Sites and landscapes;²
- recognises Local Nature Partnerships and Nature Improvement Areas, which have a crucial new strategic role in delivering environmental enhancement and restoration.

3. The NPPF must achieve smart growth

The NPPF must include a sequential brownfield-first approach applied at all levels that prioritises development on land of low value for wildlife. The definition of brownfield must be amended to exclude Open Mosaic Habitat in line with the UKBAP definition³, Sites of Special Scientific Interest, Local Wildlife Sites or habitats like spoil heaps that have developed over time, as well as mineral workings, landfill and spoil dredging or ash disposal habitats that have developed wildlife interest.

The NPPF must ensure that town centres are the preferred location for new offices and retail development, and are not threatened by new out of town development. The retail need test should be reintroduced and referenced, as pledged in *Open Source Planning*.⁴

The NPPF must support locating development next to existing public transport (or where it can be served by improved public transport), and actively reduce the need to travel by private car. In addition, the impact of new developments on traffic and road congestion should be treated as a material consideration and, therefore, as grounds on which developments could be rejected or sites not designated for development in plans and strategies.

Transitional arrangements must immediately be put in place that allow time for Local Plans to be updated to take account of the NPPF and the loss of the Regional Strategies, in order to avoid confusion, delay and public distrust. For instance, local authorities should, if they wish, be able to save useful and relevant policies from Regional Strategies while Local Plans are being updated.

This document is supported by the following 15 organisations:

- Badger Trust
- Bat Conservation Trust
- Buglife – The Invertebrate Conservation Trust
- Butterfly Conservation
- Campaign for Better Transport

² HM Government (2011), *The Natural Choice: securing the value of nature*, London, HM Government, p.3.

³ UK BAP (2010), *UK Biodiversity Action Plan Priority Habitat Descriptions*, Peterborough, JNCC.

⁴ 'We will ensure that a needs test is readopted', Conservative Party (2010) *Open Source Planning*, London, Conservatives.

- Campaign for National Parks
- Campaign to Protect Rural England
- Environmental Law Foundation
- Friends of the Earth England
- Ramblers
- Royal Society for the Protection of Birds
- Open Spaces Society
- The Wildlife Trusts
- Woodland Trust
- WWF-UK

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