

NPPF and the Stockport Local Plan

1. Introduction

- 1.1 In early December 2022, the government announced it was to undertake a consultation on the NPPF, which then ran until March 2023. Prior to the consultation, the Local Plan preparation had reached an advanced stage. Given the nature of proposed changes in the consultation, external legal advice was obtained which supported a decision to pause progression of the Local Plan, pending the emergence of a new NPPF. The government indicated that a revised version of the NPPF would be published in the spring of 2023 and that there would be further proposed changes to the NPPF planned for later that same year.
- 1.2 At the most recent meeting of the Development Plan Working Party the situation in relation to the government's changes to the National Planning Policy Framework (NPPF) and its implications for the progression of the Stockport Local Plan (SLP) was set out. At that stage it was unclear when the government would publish a revised document.
- 1.3 Since then, the government has published its revised version of the NPPF (December 2023). This note will outline the key areas of change in that document, the implications for the SLP and the next stages.

2. NPPF – Key changes for plan-making

Green Belt

- 2.1 Of all the previewed policy changes the most keenly awaited was the amendment to how local planning authorities should consider the Green Belt in balance with the requirement to meet housing needs. Proposed amended wording setting out that a review of Green Belt boundaries was not required if it was solely to meet housing development needs was not carried through into the updated NPPF. However, the final revised wording in the NPPF strengthens the previous position in which Green Belt boundaries could only be amended in 'exceptional circumstances' through the preparation or review of plans, adding a clear statement that there is no requirement for boundaries to be reviewed (when plans are being prepared or reviewed) and that reviewing/altering boundaries is a matter of choice for local planning authorities.
- 2.2 New paragraph 145 of the NPPF states the following, with removed wording struck-through and new wording underlined:

~~140~~145. Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries ~~should only be altered~~ where exceptional circumstances are fully evidenced and justified, ~~through the preparation or updating of plans in which case proposals for changes should be made only through the plan-making process.~~ Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.

Meeting housing need

- 2.3 The NPPF places an increased emphasis on the need for the planning system to provide for sufficient housing. When plan-making paragraph 11 of the NPPF says, amongst other things, that:

“strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas[footnote 6], unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area[footnote 7]; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

- 2.4 Footnote 7 to that paragraph indicates that the NPPF policies to which it refers, relate to:

“habitats sites (and those sites listed in paragraph 187) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.”

- 2.5 In addition, whilst the NPPF has made more explicit the fact that Green Belt boundaries do not have to be redrawn to meet housing (or other) development needs, it was made clear that the onus remains very much on councils to justify not meeting need. The Secretary of State is clear that the Planning Inspectorate should be more flexible than perhaps they have previously been on that point when examining plans, but it remains the case that it is the responsibility of councils to make the case for their proposed approach. The standard methodology and inputs for assessing housing need remain unchanged.

- 2.6 New paragraphs 60 and 61 of the NPPF state the following, with the new, additional wording underlined and removed wording struck-through:

60 “To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.”

61 To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance ~~unless~~. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67 below). There may be exceptional circumstances, including relating to the particular demographic characteristics of

an area [footnote 25] which justify an alternative approach which to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for [footnote 26].

Densities “out of character with the existing area”

- 2.7 The consultation draft of the NPPF at para 11(b) suggested that local plans need not meet needs in full “where meeting need in full would mean building at densities significantly out of character with the existing area”. That has been dropped but, instead, in a later section on densities, para 130 says that when applying the general density policies in existing urban areas:

“significant uplifts in the average density of residential development may be inappropriate if the resulting built form would be wholly out of character with the existing area. Such circumstances should be evidenced through an authority-wide design code which is adopted or will be adopted as part of the development plan.”

- 2.8 Work is already underway (through the Stockport Character and Urban Density study) that will give the council a good understanding of the character of key locations (including the town centre and district centres) and the potential of different types of sites to accommodate an uplifted density of development, including (potentially) taller buildings. This will provide the starting point for more detailed work on design-codes as well as informing future updates of evidence on housing land supply capacity.

Local plan-making

- 2.9 The Secretary of State was clear of the need to have an up-to-date local plan in place. We have seen over recent months an increasing willingness for the Secretary of State to utilise powers of direction to ensure that plans proceed. In addition, when announcing the new NPPF he named a number of councils as not having an up-to-date plan since 2004 and intimated that he was not averse to intervening if progress at those authorities was unacceptable. For the avoidance of doubt, Stockport was not one of those authorities (having adopted the Core Strategy in March 2011), however the government’s intention to ensure that authorities have up-to-date local plans is clear. In addition, the Secretary of State made clear that all Local Planning Authorities were required to ensure that they had an up-to-date Local Development Scheme in place within 12 weeks of this statement.
- 2.10 A further message from Michael Gove was that both plan-making and decision-making will need to reflect his BIDEN principles - Beauty Infrastructure Democracy Environment Neighbourhoods. The first paragraph of the revised NPPF emphasises the importance of local plans in this regard: ‘...[The NPPF] provides a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner. Preparing and maintaining up-to-date plans should be seen as a priority in meeting this objective.’

3. Implications for the Local Plan

- 3.1 Despite the majority of policies being written, the publication of the NPPF has come too late to enable progression of the Local Plan before the pre-election period commences in March this year. Had the revised version of the NPPF been published by mid-October as anticipated, and certainly if it had been published in the spring as

originally indicated, our aim would have been to progress to consultation before the pre-election period. This would have also allowed for more time between the stages of the plan.

- 3.2 The first thing that the council has had to do, in order to address the requirements of government, is to confirm a revised Local Development Scheme (LDS) by the end of March, which shows clear timeline to adoption, including addressing the need to submit a plan to the Planning Inspectorate by the end of June 2025.
- 3.3 Officers have engaged with the council's KC and with colleagues at DLUHC to discuss the process of developing the plan towards that June 2025 deadline. As a result, a revised LDS has been drawn up and published. The detail of the LDS is covered elsewhere.
- 3.4 Since the publication of the NPPF, the Planning Policy team has undertaken a review of existing draft policies against the new NPPF. This includes the identification of potential policy amendments and/or any requirements for updates to supporting evidence in advance of the next stages of consultation.
- 3.5 This work indicates that for most of the policies already written, the changes to the NPPF would not result in a significant change of policy direction. However, there is a wider need to update policies where other material factors have become relevant, e.g. the publication of a Written Ministerial Statement relevant to a specific policy or lessons learnt from the application of similar policies elsewhere. These policies will be revised as part of the ongoing process of preparing the plan.
- 3.6 It is envisaged that this working party will have oversight of those policy changes in the coming months.

BACKGROUND PAPERS

There are none.

Anyone requiring further information should contact Steve Johnson by emailing steven.johnson@stockport.gov.uk