

## July 2021- changes to NPPF

Paragraph Number	Type of Change	Change made (New text in yellow, deleted text struck through)	Notes/Summary
7	Updated text-Achieving Sustainable Development	'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection'	Reference included to UN Global Goals for sustainable development.
11	Updated text-Presumption in Favour of Sustainable Development	'a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;'	Updated over-arching aim of plan making broadened from the requirement just to meet development needs.
22	Updated text-Strategic Policies	'Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.'	Plans proposing larger developments/new settlements should create a vision for at least 30 years.
53	Changes to Article 4 Direction guidance	'The use of Article 4 directions to remove national permitted development rights should: • Where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre)'	Increased limits on the use of Article 4 directions requiring them to only be used where they are necessary and essential to avoid wholly unacceptable impacts and where they are based on robust evidence and apply to the smallest possible geographical area.

		<ul style="list-style-type: none"> <li>• In other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities)</li> <li>• In all cases, be based on robust evidence, and apply to the smallest geographical area possible.'</li> </ul>	
54	New paragraph- Planning Conditions	'Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.'	New restriction on the use of planning conditions
80	Updated text- Rural Housing	<p>'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:</p> <ul style="list-style-type: none"> <li>a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;</li> <li>b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; c) the development would re-use redundant or disused buildings and enhance its immediate setting;</li> <li>c) the development would involve the subdivision of an existing residential building; or</li> <li>d) the design is of exceptional quality, in that it: <ul style="list-style-type: none"> <li>- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and</li> <li>- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area'</li> </ul> </li> </ul>	Removal of the words 'or innovative'
96	New paragraph- Public Service Infrastructure	'To ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted.'	Requirement to work proactively and positively with stakeholders to help deliver key public service infrastructure.

126	Updated text-Well Designed Places	'The creation of high quality, <b>beautiful and sustainable</b> buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'	Following description from Planning Resource Magazine article: ‘The word “beautiful” has been added to the NPPF five times in relation to planning for new buildings and places. According to <a href="#">yesterday's MHCLG consultation response</a> , the term has been included in response to the recommendations of last year’s Building Better, Building Beautiful Commission. It adds: “This should be read as a high-level statement of ambition rather than a policy test. The government would encourage local planning authorities, communities and developers to work together to decide what beautiful homes, buildings and places should look like in their area. This should be reflected in local plans, neighbourhood plans, design guides and codes, taking into account government guidance on design.’
127	Updated text-Well Designed Places	'Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.'	Recognition of the role Neighbourhood Planning Groups can play in creating and shaping local design policies.
128	Updated text-Well Designed Places	'To provide maximum clarity about design expectations at an early stage, <b>all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and</b>	Requirement for all LPAs to develop design codes that are consistent with the National Design Guide and National Model Design Code.

		high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.'	
129	New Paragraph-Well Designed Places	'Design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.'	Design codes can be produced as part of a plan or as an SPD, and by landowners/developers in support of planning applications.  Design codes should be created with effective community engagement to ensure they reflect local requirements.
131	New Paragraph-Well Designed Places	'Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.'	Policies and decisions should ensure all new streets are tree lined and trees should be incorporated into developments. Existing trees should be retained wherever possible.
131 (old NPPF)	Delete Paragraph	'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'	Replaced by para 134 below
134	New Paragraph-Well Designed Places	'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:	Development not well designed should not be approved whilst significant weight should be given to development which reflects local design or where the design is outstanding or innovative with high levels of sustainability.

		<p>a) Development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or</p> <p>b) Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'</p>	
135	New Paragraph- Well Designed Places (text previously embedded, now its own paragraph)	'Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'	Quality of schemes should not be materially diminished between permission and completion.
161	Updated text- Flood Risk and Climate Change	<p>'All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:</p> <ul style="list-style-type: none"> <li>a) Applying the sequential test and then, if necessary, the exception test as set out below;</li> <li>b) Safeguarding land from development that is required, or likely to be required, for current or future flood management;</li> <li>c) Using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and</li> <li>d) Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.'</li> </ul>	<p>Following description taken from Planning Resource magazine:</p> <p>'According to a <a href="#">written ministerial statement by Jenrick on Tuesday</a>, the changes around flood risk and climate change "are an initial response to the emergent findings of our joint review with the Department for Environment, Food and Rural Affairs (DEFRA) of policy for building in areas of flood risk. For instance, highlighting the opportunities from improvements in green infrastructure and natural flood management techniques. We are also amending guidance on flood risk to emphasise that checks done by local authorities should steer new development to areas with the lowest risk of flooding from any source."</p>

162	Updated text-Flood Risk	'The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.'	Broadened definition flood risk that should be considered when completing a sequential test.
163	Updated text-Flood Risk	'If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.'	Reference to new Annex 3 included at the end of the updated NPPF.
167 (b)	Updated criteria-Flood Risk	'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: <ul style="list-style-type: none"> <li>a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</li> <li>b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;</li> <li>c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</li> <li>d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'</li> </ul>	Expanded definition of flood resistance and resilience to include the ease of replacing/renovating after a flood.
177	New Paragraph-Enhancing Natural Environment	'When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:	Updated para 175.  Strengthened wording highlighting that major development should normally be refused in these areas.

		<ul style="list-style-type: none"> <li>a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;</li> <li>b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and</li> <li>c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'</li> </ul>	
180	Updated criteria-Habitats and Biodiversity	<p>'When determining planning applications, local planning authorities should apply the following principles:</p> <ul style="list-style-type: none"> <li>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</li> <li>b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;</li> <li>c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and</li> <li>d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'</li> </ul>	The requirement to improve biodiversity should be integral to the design of a scheme especially where it can secure a net gain in biodiversity or where it could enhance public access to nature where appropriate.

198	New Paragraph-Proposals affecting heritage assets	'In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.'	Where required, statues/memorials should normally be updated to include historic/social context rather than removed.
212	Updated text-Annex 1 Implementation	'The policies in the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this <del>replacement</del> Framework has made. <del>This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.</del> '	Deletion of the requirement to progress revisions to plans to reflect national policy changes as quickly as possible.
221	New Paragraph-Annex 1 Implementation	'For the purposes of the policy on larger-scale development in paragraph 22, this applies only to plans that have not reached Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage at the point this version is published (for Spatial Development Strategies this would refer to consultation under section 335(2) of the Greater London Authority Act 1999).'	New NPPF policies will only apply to plans that have not yet reached Reg 19 stage of consultation where the plan is proposing larger scale development as described in Para 22.
222	Updated text-Annex 1 Implementation	'The Housing Delivery Test will apply the day following publication of the results, at which point they supersede previously published results. Until new Housing Delivery Test results are published, the previously published result should be used. For the purpose of footnote 8 in this Framework, delivery of housing which was substantially below the housing requirement means where the Housing Delivery Test results:  a) For years 2016/17 to 2018/19 (Housing Delivery Test: 2019 Measurement, published 13 February 2020), indicated that delivery was below 45% of housing required over the previous three years; b) For years 2017/18 to 2019/20 (Housing Delivery Test: 2020 Measurement, published 19 January 2021), and in subsequent years indicate that delivery was below 75% of housing required over the previous three years.'	Updated clarification on the Housing Delivery Test.  Indicator for delivery below 25% over the previous three years has been removed from this paragraph. Unclear why or what the implications of this are???
Annex 3	New Annex-Flood Risk Vulnerability Classification	Two page Annex added at the end of document	New Annex listing the vulnerability of different types of development to flood risk from 'Highly Vulnerable' to 'Water Compatible Development'.