Since the previous Government took power in 2010 there have been a number of changes to the English planning system. The plan led principles of the system remain the same but the components of that system and the guidance supporting it have changed.

**National Planning Policy Framework (NPPF)**

In 2012, the Government radically reviewed English planning policy condensing over a thousand pages of policy into one short document. This is called the National Planning Policy Framework (NPPF).

The NPPF is a material planning consideration in all decisions, appeals and policy making. Decisions must be made in accordance with the development plan (which the NPPF is part of).

There are a few paragraphs of specific interest within the NPPF. It must be noted however that the NPPF must be read as a whole. It states:

“The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.”

At the centre of the NPPF is a ‘presumption in favour of sustainable development.’ This is the context in which the following environment based policies must be considered.

There is a welcome inclusion on community forests. “Community Forests offer valuable opportunities for improving the environment around towns, by upgrading the landscape and providing for recreation and wildlife. An approved Community Forest plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within Community Forests in the Green Belt should be subject to the normal policies controlling development in Green Belts.”

“The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.”

This paragraph (118) relates to making planning decisions and local plan making. Unfortunately there is a caveat but it is a useful argument when protecting ancient woods and trees. It states;

“Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.”

If your Local Planning Authority (LPA) are preparing their local plan they should have regard for the following:

Paragraph 113 sets out that LPAs should write planning policies based on a hierarchical system of environmental designations. This paragraph has a footnote that references Circular 06/2005. This circular has a section on Trees and Woodland with paragraph 91 making specific reference to ancient woodland. Annex 3 of the NPPF makes it clear that this circular is not superseded by the NPPF and remains in force.
Paragraph 114 states:
“Local planning authorities should: set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; and maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast.”

Paragraph 117 looks at minimising impacts on biodiversity:
“To minimise impacts on biodiversity and geodiversity, planning policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries; identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;

- promote the preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;

- aim to prevent harm to geological conservation interests; and where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these areas.”

Regional Plans
Regional Spatial Strategies were introduced in 2004. Their revocation was announced by the new Conservative/Liberal Democrat government on 6 July 2010. London continues to have a regional plan but all the others have been revoked.

Some local authorities are working to produce joint local or city wide plans instead of traditional local plans. These form part of the development plan but it must be remembered that not all areas have them and that they have the same standing as a traditional local plan produced by a single LPA.

Local Plans
Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. They are also a critical tool in guiding decisions about individual development proposals, as Local Plans (together with any neighbourhood plans that have been made) are the starting-point for considering whether applications can be approved. It is important for all areas to put an up to date plan in place to positively guide development decisions.

The NPPF places Local Plans at the heart of the planning system, however if they are not up to date they can be given less weight in the decision making process. Likewise in some cases the emerging local plan (a new local plan that the LPA are still working on) can be given weight in the decision making process. It is important to check the date of the local plan when you are drawing evidence together to comment on an application.

Neighbourhood Plans
The 2012 Localism Act introduced neighbourhood plans. These are drawn up by local communities and have statutory weight in the decision making process. Most areas are not covered by neighbourhood plans but it is worth checking. If not have you thought about writing one for your local area?

National Planning Policy Guidance (NPPG)
In 2014 existing planning guidance was revised and condensed to create the NPPG this is designed to be a simple one stop approach to planning guidance in England. It is an online resource that can be accessed alongside the NPPF. The guidance is intended to assist planners in decision making; it is useful to be aware of the Natural Environment section.