

APPENDIX B

National Planning Policy Advice and Guidance

National Planning Policy Framework (February 2019)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The document was updated on 19 February 2019 and is a material consideration for planning applications. It replaces PPGs and PPSs, and other guidance. The document encourages positive, balanced decisions, emphasizes the primacy of the development plan and local decision making.

The NPPF states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These objectives are economic, social and environmental.

Paragraph 2 states:

'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.'

Paragraph 11 states that decision making should apply a presumption in favour of sustainable development. This means:

- *approving development proposals that accord with an up-to-date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; 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.*

Paragraph 12 states:

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan

(including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed'

Paragraphs 49 and 50 in relation to 'Determining applications' provide advice on potential refusal of permission on the grounds of prematurity.

Paragraph 50 states:

'Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination;...'

Paragraphs 61-64 provide advice in relation to housing needs and affordable housing.

Paragraph 73 requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.

Paragraph 109, in relation to 'Promoting sustainable transport', states:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

National Planning Practice Guidance

Planning Practice Guidance (NPPG) (2019) is published by Government to provide further detailed guidance on the application of policies set out in the NPPF.

- PPPG on Noise (2014)

The Noise PPPG provides guidance on the interpretation and application of the NPPF and the NPSE. It gives particular advice on the interpretation of LOAELs and SOAELs, and introduces a new category of Unacceptable Adverse Effects, which should be avoided. The document advises on how planning can manage potential noise impacts in new development.

Noise Policy Context

Noise Policy Statement for England (NPSE) (2012):

The NPSE sets out the long-term vision for the government's noise policy, that is:

'to promote good health, and a good quality of life, through the effective management of noise – within the context of government policy on sustainable development'.

The NPSE is underpinned by three aims:

- i. To avoid significant adverse impacts on health and quality of life.
- ii. To mitigate and minimize adverse impacts on health and quality of life.
- iii. To where possible, contribute to the improvement of health and quality of life.

The Explanatory Note to the NPSE acknowledges that noise contributing to annoyance and/or sleep disturbance in human populations can have long term consequences for health and well-being. It introduces three concepts that can be used to interpret the policy aims, these being:

No Observed Effect Level (NOEL) – This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

Lowest Observed Adverse Effect level (LOAEL) – This is the level above which adverse effects on health and quality of life can be detected.

Significant Observed Adverse Effect Level (SOAEL) – this is the level above which significant adverse effects on health and quality of life occur.

The NPSE seeks to avoid all noise occurring at or above the SOAEL level, and to minimize, as far as possible, all noise occurring between LOAEL and SOAEL.

The NPSE recognises that it is not possible to have a single, numerical definition of SOAEL that is applicable to all noise sources in all situations, since the SOAEL is likely to be different for different noise sources, different receptors and at different times.