

**Test Valley Revised Local Plan
DPD
2011 – 2029
Regulation 22 – Submission to
Secretary of State**

**Policy SD1: Sustainable
Development**

Topic Paper

June 2014

REVISED LOCAL PLAN

POLICY SD1-SUSTAINABLE DEVELOPMENT- TOPIC PAPER

1 Introduction

- 1.1 The changes to national planning policy, the economic downturn and the emphasis on sustainable communities at national level has led to a greater emphasis of the role sustainable development can play within the planning system.
- 1.2 The inclusion of a specific policy reflecting a presumption in favour of sustainable development has been set by the Planning Inspectorate who considers that to include a policy of this type will ensure Development Plan Documents will be more aligned with the principles of the National Planning Policy Framework.
- 1.3 The purpose of this paper is to provide background justification to the inclusion of the sustainable development policy, policy SD1 within the Test Valley Revised Local Plan

2 Policy Context

National Planning Policy Framework

- 2.1 Sustainable development is the core thread of the National Planning Policy Framework. Taken as a whole, paragraphs 18 to 219 constitute the governments view of what sustainable development in England means in practice for the Planning System
- 2.2 Specific reference to the role of sustainable development is made at

Paragraph 7

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role . contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role . supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role . contributing to protecting and enhancing our

natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 8

These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

Paragraph 9

Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure; and
- widening the choice of high quality homes

2.3 Reference to sustainable development is also made at paragraphs 10, 11, 12, 13, 14, 150, 151, 152, and 186 within the NPPF.

2.4 Sustainable Development will be delivered through:

- Building a strong competitive economy
- Ensuring the vitality of Town Centres
- Supporting a prosperous rural economy
- Promoting sustainable transport
- Supporting high quality communications infrastructure
- Delivering a wide choice of high quality homes
- Promoting healthy communities
- Protecting green belt land
- Meeting the challenge of climate change flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Facilitating the sustainable use of materials

2.5 Specific guidance is provided within the NPPF on how these 12 core aims is to be achieved

3 Model wording

3.1 The proposed wording of the policy has been informed by the Planning Inspectorate who recommended the inclusion of this policy in order to align with the principles of the NPPF:

“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted.*

3.2 The Inspectorate considers that if the policy is incorporated into Local Plans, it will be an appropriate way of meeting the expectations of the NPPF.

3.3 There are subtle differences between the wording proposed by the inspectorate and the wording within the Revised Local Plan. There may be instances where the Council would not “always” work with an applicant if a proposal is contrary to the plan, undermining the premise of a plan led system. The use of the word “seek” provides a more measured approach to decision making rather than “find” which may run contrary to the principles of the NPPF. Working with applicants and key partners to “find solutions” is a more positive and proactive approach to development, compared to “approving (proposals) wherever possible” as this may override the principles of sustainability.

3.4 The approach of adapting the model policy has been achieved in other local authorities for example Taunton Deane Borough Council proposed different wording. The inspector considered the changes and stated that:

“Although there is a view that the policy should be the same across the country there is also support for the council’s version. The suggested wording does not, for the most part, materially weaken the policy intent of the model”.

3.5 For Test Valley, the proposed adoption of a sustainable development policy shows that a positive approach is being taken to meet the objectively assessed development needs of the Borough. It reflects that a presumption in favour of sustainable development is being followed and that the Council will enable proposals that accord with the Plan objectives to be approved without delay. This policy is the starting point for decision taking when assessing planning applications.

3.6 The spatial strategy within the Revised Local Plan shows the clear relationship between the aims of the Revised Local Plan and the NPPF.

4 Revised Local Plan

4.1 The proposed wording of the sustainable development policy and supporting text within the Revised Local Plan is set out below:

4.2

4 Delivering Sustainable Development

4.1 At the centre of the Council’s Spatial Strategy is the principle of sustainable development. Sustainable development is at the heart of good planning and in making the right decisions for this and future generations. The three elements of sustainable development – social, economic and environmental – need to be considered jointly and not in isolation.

4.2 The Local Plan has been written to provide the starting point for guiding growth and creating and delivering sustainable development. This echoes the approach of Government guidance set out in the National Planning Policy Framework (March 2012). This Plan, following advice from Government is to include a policy which sets out the presumption in favour of sustainable development.

Policy SD1: Presumption in Favour of Sustainable Development

Development that accords with the policies in the Revised Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved through the correct planning process without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

a) Any adverse impacts of granting permission would significantly and

demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
b) Specific policies in that Framework indicate that development should be restricted.

4.3 When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development except where it would compromise the key sustainability principles contained within the policies of the Local Plan and in the National Planning Policy Framework (NPPF). It will work proactively with applicants and key partners to seek solutions which mean that proposals secure development that improves the economic, social and environmental conditions in the area. To assist the Council in making decisions development proposals should be well thought through and supported by the appropriate evidence. Proposals which are not fully justified in terms of the three elements of sustainable development are unlikely to be considered favourably.

4.4 The Local Plan looks forward to the next 18 years. Over this time there may be instances where it is silent on a particular issue or where the policy may have become out of date. Should this occur the Council will need the applicant to demonstrate that the benefits outweigh the adverse impacts and that there is no conflict with specific elements of the NPPF. By doing this the principles of sustainable development can still be achieved.

5 Issues

5.1 The introduction of the NPPF and the presumption in favour of sustainable development has been seen by many to remove the barriers and obstacles that have held back prosperity. Campaign groups such as the Protection of Rural England (CPRE) and the National Trust, consider that planning controls have been unacceptably weakened, opening the door to inappropriate and unwelcome development. This is not considered to be the case because of the other policy controls in place to prevent inappropriate development.

5.2 Representations were made at the Regulation 19 stage to this policy. These can be viewed in the schedule of officer responses.

6 Sustainable development policy

6.1 A number of Local Plans that have been to examination in the last year such as East Hampshire, Reigate and Banstead, Wealden and Hastings have been subject to modifications, specifically the inclusion of a sustainable development policy, reflecting the need to include a strategic policy in Local Plans.