



NORTH DEVON COUNCIL AND TORRIDGE DISTRICT COUNCIL JOINT PLANNING POLICY COMMITTEE (JPPC)

REPORT DATE: 24th January 2025

TOPIC: Revised National Planning Policy Framework and other changes to the planning system

AUTHOR: Senior Planning Policy Officer (NDC)

1 INTRODUCTION

- 1.1 The Government published a revised version of the National Planning Policy Framework ('the NPPF or Framework') on 12th December 2024. This follows a government consultation between July and September 2024.
- 1.2 A number of changes have been made to the NPPF and these have been summarised by the Local Government Association (Appendix A). These changes will have consequences for both plan-making and decision-taking.
- 1.3 In addition to the revised NPPF, other planning policy changes have been made by the government, alongside further announcements related to plan making and planning policy and changes to associated Planning Practice Guidance (PPG). The government has indicated they will be publishing further legislation and planning policy during 2025, and these will also have implications for the preparation of a new joint local plan.

2 RECOMMENDATIONS

- 2.1 Members of the Joint Planning Policy Committee are recommended to:
 - (i) note the contents of the report; and
 - (ii) endorse the commissioning of evidence to inform the preparation of the new joint Local Plan.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To inform Members of the contents and potential consequences of the revised National Planning Policy Framework and to commit to the commissioning of necessary work to inform the new joint local plan evidence base.

4 REPORT

- 4.1 The government published a revised National Planning Policy Framework (NPPF) on the 12th December 2024. This follows a consultation undertaken between July and September 2024 to which the Councils provided a joint response. The Government received a total of 10,981 responses to the consultation.



- 4.2 Alongside the revised NPPF, the Government have also published a range of other planning policy related documents. These include a Written Ministerial Statement (12th December) by the Housing Minister Mathew Pennycook, revised national Planning Practice Guidance for the standard method and a revised Planning Policy Statement for Travellers. In addition, the Deputy Prime Minister wrote to all local authority leaders on 12th December 2024 requiring local planning authorities to provide a Local Development Scheme which takes account of the changes by 6th March 2025.
- 4.3 In the interests of brevity and given the number and range of changes announced by the Government, Appendix A provides relevant extracts from a summary prepared by the Local Government Association on the Government's response to the consultation and changes to the NPPF. This report highlights some of the key changes made, with a particular focus on the aspects that impact on plan-making.
- 4.4 Most notably, changes have been made to Chapter 5 ('Delivering a sufficient supply of homes') of the NPPF which will have significant implications for the Councils and for the preparation of a local plan. This includes the reintroduction of mandatory housing targets from the earlier position of them being advisory, as detailed in the previous NPPF (December 2023).
- 4.5 The revised 'Standard Methodology' for the calculation of local housing need has been confirmed and set out in Planning Practice Guidance. As part of the suite of documents published on the 12th December, the Government have provided updated indicative local housing needs figures, with the North Devon and Torrige local housing need now shown as 1,330 dwellings per annum, which is a step change from the previous government's standard methodology calculation of 714 dwellings per annum and the current Local Plan housing requirement of 861 dwellings per annum. For the purposes of plan making, the standard methodology should be applied from March 2025, meaning it will apply to the preparation of the new joint Local Plan.
- 4.6 In addition to the increase in supply of homes, the Government have also made changes to the assessment of the delivery of housing. As before, local planning authorities should 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, or if the strategic policies are more than five years old, for the assessment to be made against the local housing need. As outlined in the previous paragraph, the local housing need for northern Devon is now significantly higher.
- 4.7 For decision-taking, changes have been made to the presumption in favour of sustainable development (paragraph 11d). Now, when considering the tilted balance, the decision-taker assesses the benefits of development proposals against the policies in the NPPF (as before), with the additional requirement for



“...having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”. Further detail is provided in footnote 9, which states “The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12”. The intention of this being to reinforce the notion that the presumption does not undermine the ability to consider the quality of development or principles of sustainability.

- 4.8 Further details and the consideration of the implications of the changes to the implementation of the five-year housing land supply will be provided as a verbal update to a separate agenda item at this committee.
- 4.9 The Government have taken forward the previously proposed changes to establishing need, the size, type and tenure of housing in Paragraph 63. There is now a specific reference to Social Rent when referring to affordable housing, plus the inclusion of looked after children to the groups which should be included in an assessment.
- 4.10 Further references to the provision of Social Rent have also been added to the NPPF, as set out in the consultation version, strengthening the emphasis on the delivery of this type of affordable housing.
- 4.11 As proposed, the requirement to provide for First Homes has been removed from the policies of the NPPF, however it remains a type of affordable housing, as defined in Annex 2 of the document.
- 4.12 The Government has strengthened the NPPF at Paragraph 71 to encourage the delivery of mixed tenure developments; this is expected to be reinforced with further measures sometime this year, including setting a site size threshold above which sites must deliver a mix of tenures.
- 4.13 Although no changes have been made to the rural exceptions site policy, the government have indicated in their response to the consultation that they will do so through the National Development Management policies in due course.
- 4.14 For plan-making, Members will be aware significant changes were made to the preparation process through the Levelling Up and Regeneration Act 2023. Further details of how the implementation of these changes will work are required and these will be provided in both secondary legislation and updates to the planning practice guidance, however these are yet to be published. The Government announcements and publications on the 12th December 2024 do however have implications for the preparation of a new Local Plan.
- 4.15 Firstly, the duty to cooperate has been strengthened, with the following text added to Paragraph 24 to recognise and reinforce the need for strategic planning -
“Effective strategic planning across local planning authority boundaries will play a



vital and increasing role in how sustainable growth is delivered, by addressing key spatial issues including meeting housing needs, delivering strategic infrastructure and building economic and climate resilience.”

- 4.16 In addition, an extra paragraph has been added to the ‘Maintaining effective cooperation’ section of the Framework, which states that “Once the matters which require collaboration have been identified, strategic policy-making authorities should make sure that their plan policies align as fully as possible with those of other bodies where a strategic relationship exists on these matters, and take into account the relevant investment plans of infrastructure providers, unless there is a clear justification to the contrary. In particular their plans should ensure that:
- a) a consistent approach is taken to planning the delivery of major infrastructure, such as major transport services/projects, utilities, waste, minerals, environmental improvement and resilience; and strategic health, education and other social infrastructure (such as hospitals, neighbourhood health facilities, universities, schools, major sports facilities and criminal justice accommodation);
 - b) unmet development needs from neighbouring areas are provided for in accordance with paragraph 11b; and
 - c) any allocation or designation which cuts across the boundary of plan areas, or has significant implications for neighbouring areas, is appropriately managed by all relevant authorities.” (paragraph 27).
- 4.17 The Framework still states that strategic policy-making authorities should prepare and maintain statements of common ground, documenting the cross-boundary matters being addressed in paragraph 28, however there is now additional wording to address the different timings of preparing plans: “Plans come forward at different times, and there may be a degree of uncertainty about the future direction of relevant development plans or the plans of infrastructure providers. In such circumstances strategic policy-making authorities and Inspectors will need to come to an informed decision on the basis of available information, rather than waiting for a full set of evidence from other authorities.” This change should enable local planning authorities to proceed through the plan-making process as quickly as possible, rather than being delayed due to other organisation’s differing timetables. One implication of this may potentially be local planning authorities who submit their local plans for examination at a later date than their neighbours may be at a disadvantage given the other plans may have been considered without understanding all the relevant information or fixing aspects in neighbouring areas that could constrain opportunities.
- 4.18 The Government have confirmed transitional arrangements for local plans which are currently being prepared under the existing 2004 Act system. This includes a revised deadline for local plans prepared under the existing system to be submitted for examination by December 2026. No further details have been



provided on the implementation of the new plan-making system as defined by the Levelling Up and Regeneration Act (2023), both in terms of the publication of the associated regulations or updates to Planning Practice Guidance.

- 4.19 The Deputy Prime Minister has written to local authority leaders setting out a requirement for all Local Planning Authorities to submit to MHCLG a revised Local Development Scheme (LDS) by the 6th March 2025 (Appendix B). As such, an updated LDS will need to be considered and approved by this Committee at a meeting prior to that deadline date. Officers will prepare a draft Local Development Scheme to be brought before Committee at a specially arranged meeting in due course. Officers would highlight the challenge in preparing a robust timetable given what is highlighted above in terms of the current lack of detail from Government on the new plan-making system.
- 4.20 Last year the Government consulted on changing the Secretary of State's criteria for intervention in plan-making. A new local plan intervention policy criteria has been published in the plan-making section of Planning Practice Guidance and replaces the previous criteria provided in the 2017 Housing White Paper. The PPG now states: "Decisions on intervention will be taken in line with relevant legal tests and should have regard to plan progress and local development needs. The Secretary of State may also consider other matters that they deem relevant to the case, including sub regional or regional or national development needs." These criteria replace the previous criteria in the 2017 Housing White Paper.
- 4.21 As Members will be aware, the 'English Devolution White Paper: Power and partnership: Foundations for growth' (the White Paper) includes proposals for universal coverage of Spatial Development Strategies (SDSs). Although the White Paper is being considered by both Councils outside of this Committee, it is important for Members to understand both the context and the potential resource implications that may arise from the planning aspects in the near future. Box A of the White Paper explains more about Spatial Development Strategies "In all areas, SDSs will guide development for the Local Planning Authorities in the area, and their local plans will need to be in general conformity with the SDS. However, Local Planning Authorities should not delay development of Local Plans while they await the adoption of an SDS. Relevant Local Plans should continue to be updated or developed alongside the SDS process."
- 4.22 A further paragraph in Box A states: "The content of SDSs will be kept deliberately high level with the dual purpose of preserving detailed policy and site allocations for local planning authorities through their local plans, and for enabling strategic plans to be produced quickly, with the intention of achieving national coverage by the end of this Parliament. The Government expects high levels of collaboration to be demonstrated between the Strategic or upper-tier local authorities who are responsible for the SDSs and local planning authorities in the area. There will be a formal duty for responsible authorities to consult district councils on the



development of the SDS and a route for district councils to raise concerns with the planning inspectorate.” The high levels of collaboration imply that planning policy officers from both Councils will need to be involved which could have a significant impact on resources, at a time when a new local plan is also being prepared at pace.

- 4.23 The Government have also updated the Planning Policy for Traveller Sites, which sits alongside the National Planning Policy Framework. Two changes have been made; firstly, to the definition of gypsies and travellers (following domestic and European Court judgments). This amendment seeks to ensure that the accommodation needs for all those persons with a cultural tradition of nomadism or of living in a caravan are covered by the Planning Policy for Traveller Sites. The second change is that for applications for traveller sites, the consequences of a lack of 5-year supply of traveller sites is now to engage the presumption in favour of sustainable development contained in the National Planning Policy Framework, rather than directing to look more favourably on applications for the temporary provision of traveller accommodation.
- 4.24 The Government have committed to bringing forward further legislation and planning policy during 2025. Table 1 sets out what is expected to be produced and when (information has been taken from a range of sources and may be subject to change):

Table 1: Expected Planning Policy Documents to be published in 2025

Document	Anticipated date of publication	Further information
Levelling Up and Regeneration Act Plan Making regulations	Spring/Summer	
The Planning and Infrastructure Bill	March 2025	
National Development Management Policies	Unknown	The Government’s response to the NNPF consultation indicates this will include policies relating to rural housing and rural exception sites.
Revised planning policy guidance on a range of issues, including plan making, viability	Unknown	

- 4.40 It is apparent that there is still a significant amount of information which the Councils will require to have a comprehensive understanding of how the planning



system will work in relation to the preparation of local plans. However, the Government have been clear that local planning authorities should not delay and should continue to work on ensuring they have up-to-date local plans in place.

- 4.41 Members will recall that work on parts of the evidence base was paused due to uncertainty of the detailed information which should be sought, particularly on the basis of uncertainty around future housing requirements. The revised Framework does now provide Officers with confidence and an understanding of what core evidence is required to inform the preparation of the local plan. Therefore Officers feel that it is now appropriate to appoint consultants with the relevant expertise to undertake work on the following assessments: Housing and Economic Needs Assessment, Gypsies and Travellers Needs Assessment, and a Strategic Flood Risk Assessment. How these pieces of work, along with other on-going work streams e.g. the Housing and Employment Land Availability Assessment (HELAA) will fit within the timetable for preparing the Local Plan will be discussed as part of the work on the updating of the Local Development Scheme.

5 RESOURCE IMPLICATIONS

- 5.1 The consequences of the revised National Planning Policy Framework, other policy and associated guidance changes (including the new standard methodology for the calculation of local housing need) will increase the workload for the planning policy teams in delivering a 'sound' new joint Local Plan. The need for Officers to be engaged with the preparation of a Spatial Development Strategy at a more strategic level will also potentially have an impact on the resource requirements and workloads of the planning policy teams in both Councils.

6 EQUALITIES ASSESSMENT

- 6.1 The Government have provided an EqIA to the revised National Planning Policy Framework. EqIAs will also be prepared alongside any new planning policies prepared by the Councils to understand their potential impact on different sectors of northern Devon's communities.

7 ENVIRONMENTAL ASSESSMENT

- 7.1 The change to the Standard Method for establishing local housing need is likely to result in the need to plan for additional housing across northern Devon. It will be important to plan for the delivery of growth appropriately, having regard to any adverse environmental impacts and the potential opportunities for environmental betterment.

8 CONSTITUTIONAL CONTEXT

- 8.1 Schedule 2 of the Agreement for a Joint Planning Policy Committee (North Devon Council and Torrige District Council, dated 22nd October 2021); Section 10 of Annexe 1 – Powers and Duties of Committees, Constitution (North Devon Council, May 2023); and Terms of Reference and Functions of the Joint Planning Policy Committee, Constitution (Torrige District Council, October 2023).

9 STATEMENT OF CONFIDENTIALITY

- 9.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

10 BACKGROUND PAPERS

- 10.1 The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the authors of the report):

- (iii) National Planning Policy Framework (December 2024):
<https://www.gov.uk/guidance/national-planning-policy-framework/1-introduction>
- (iv) Planning Policy for Traveller Sites (December 2024): [Planning policy for traveller sites - GO](https://www.gov.uk/government/publications/planning-policy-for-traveller-sites/planning-policy-for-traveller-sites#introduction) <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites/planning-policy-for-traveller-sites#introduction> V.UK
- (v) Planning Practice Guidance:
<https://www.gov.uk/government/collections/planning-practice-guidance>
- (vi) Proposed reforms to the National Planning Policy Framework and other changes to the planning system
<https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>
- (vii) National Planning Policy Framework: draft text for consultation
https://assets.publishing.service.gov.uk/media/66acffdce1fd0da7b593274/NPPF_with_footnotes.pdf
- (viii) Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation
[Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation](https://www.gov.uk/government/consultations/government-response-to-the-proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system-consultation/government-response-to-the-proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system-consultation) - GOV.UK

- (ix) Outcome of the proposed revised method
<https://assets.publishing.service.gov.uk/media/66a8d6a20808eaf43b50d9a8/outcome-of-the-proposed-revised-method.ods>
- (x) Written Ministerial Statement by Housing and Planning Minister, Johnathon Pennycook, 12 December 2024 <https://questions-statements.parliament.uk/written-statements/detail/2024-12-12/hcws308>
- (xi) English Devolution White Paper:
<https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth/english-devolution-white-paper>
- (xii) Public Sector Equality Duty - Government response to consultation on changes to national planning policy
<https://assets.publishing.service.gov.uk/media/675b1416b915d092055a01cd/public-sector-equality-duty.pdf>

11 STATEMENT OF INTERNAL ADVICE

11.1 The author confirms that advice has been taken from all appropriate Councillors and Officers:

- (1) Helen Smith, Planning Manager (TDC)
- (2) Sarah- Jane Mackenzie-Shapland, Head of Place, Property and Regeneration (NDC)

12 APPENDICES

12.1 This report is supported by the following appendices:

- Appendix A– Revisions to the National Planning Policy Framework (NPPF) and other announcements on planning reform: Extracts from Local Government Association briefing note (18th December 2024)
- Appendix B – Letter from the Deputy Prime Minister to local authority leaders, mayors and chief executives of local authorities: Building the homes we need