

Appendix 2: Comparison of NPPF 2021 and NPPF 2022: draft text for consultation

Para. (2021/2022)	NPPF, 2021	NPPF, 2022
1. Introduction		
1/1	It (NPPF) provides a framework within which locally-prepared plans for housing and other development can be produced .	It (NPPF) provides a framework within which locally-prepared plans <u>can provide</u> for <u>sufficient</u> housing and other development <u>in a sustainable manner</u> . <u>Preparing and maintaining up-to-date plans should be seen as a priority in meeting this objective.</u>
2. Achieving sustainable development		
7/7	The purpose of the planning system is to contribute to the achievement of sustainable development.	The purpose of the planning system is to contribute to the achievement of sustainable development, <u>including the provision of homes and other forms of development, including supporting infrastructure in a sustainable manner.</u>
The presumption in favour of sustainable development		
11b/11b	Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas ⁶ , unless: 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.	Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas ⁶ , unless: 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; <u>such adverse impacts may include situations where meeting need in full would mean building at densities</u>

	<p>Footnote 8 (9 in 2022): This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.</p>	<p><u>significantly out of character with the existing area⁸; or</u> <u>iii. there is clear evidence of past over-delivery, in terms of the number of homes permitted compared to the housing requirement in the existing plan,; in which case this over-delivery may be deducted from the provision required in the new plan.</u></p> <p>Footnote 8: <u>Taking into account any design guides or codes which form part of the development plan for the area, or which are adopted as supplementary planning guidance.</u></p> <p>Footnote 9: This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (<u>and the housing requirement set out in strategic policies is more than five years old, unless these strategic policies have been reviewed and found not to require updating</u>); or where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years (<u>unless permissions for housing in excess of 115% of the requirement over the same period have been granted, as set out in footnote 49</u>).</p>
14/14	In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely	In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely

	<p>to significantly and demonstrably outweigh the benefits, provided all of the following apply:</p> <p>a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;</p> <p>b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;</p> <p>e) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and</p> <p>d) the local planning authority's housing delivery was at least 45% of that required over the previous three years.</p> <p>Footnote 10: Assessed against the Housing Delivery Test, from November 2018 onwards.</p>	<p>to significantly and demonstrably outweigh the benefits, provided all of the following apply:</p> <p>a) the neighbourhood plan became part of the development plan <u>five</u> years or less before the date on which the decision is made; <u>and</u></p> <p>b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;.</p>
3. Plan Making		
Strategic policies		
20/20	Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:	Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, <u>(to ensure outcomes support beauty and placemaking)</u> , and make sufficient provision for:
Examining plans		
35/35	Plans are 'sound' if they are: a) Positively prepared – providing a strategy which, as a	Plans are 'sound' if they are: a) Positively prepared – providing a strategy which seeks to meet

	<p>minimum, seeks to meet the area's objectively assessed needs²¹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;</p> <p>b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;</p>	<p>the area's objectively assessed needs <u>so far as possible, taking into account the policies in this Framework²²;</u></p>
36/36		<p>Footnote 24: <u>Transitional arrangements relating to the tests of soundness are set out in Annex 1.</u></p>
<p>Section 5: Delivering a Sufficient Supply of Homes</p>		
60/60		<p>Re: Boosting the supply of homes:</p> <p><u>The overall aim should be to meet as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.</u></p>
61/61		<p>Re: minimum number of homes needed and the standard method:</p> <p><u>The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67).</u> There may be exceptional circumstances relating to the particular characteristics of an authority which justify an alternative approach to assessing housing need;</p> <p>Footnote 29:</p>

		<p><u>Transitional arrangements are set out in Annex 1.</u></p>
61/62		<p><u>The Standard Method incorporates an uplift for those urban local authorities in the top 20 most populated cities and urban centres. This uplift should be accommodated within those cities and urban centres themselves unless it would conflict with the policies in this Framework and legal obligations³⁰.</u></p> <p>Footnote 30: <u>In doing so, brownfield and other under-utilised urban sites should be prioritised, and on these sites density should be optimised to promote the most efficient use of land, something which can be informed by masterplans and design codes. This is to ensure that homes are built in the right places, to make the most of existing infrastructure, and to allow people to live near the services they rely on, making travel patterns more sustainable.</u></p>
62/63	<p>Re: Supply of homes and the need for different groups should be reflected on planning policies including but not limited to:</p> <p>those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers²⁷, people who rent their homes and people wishing to commission or build their own homes²⁸).</p>	<p>Re: Supply of homes and the need for different groups should be reflected on planning policies including but not limited to:</p> <p>those who require affordable housing, families with children, older people <u>including for retirement housing, housing-with-care and care homes</u>, students, people with disabilities, service families, travellers³², people who rent their homes and people wishing to commission or build their own homes³³).</p> <p>Footnote 32: <u>Planning Policy for Traveller Sites sets out how travellers' housing</u></p>

		<u>needs should be assessed for those covered by the definition in Annex 1 of that document.</u>
66/67		Re: Housing requirement figure: <u>The requirement may be higher than the identified housing need, if it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment.</u>
Maintaining supply and delivery		
74/75	<p>Re: Housing trajectory:</p> <p>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 policies³⁸, or against their local housing need where the strategic policies are more than five years old³⁹. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:</p> <p>a) 5% to ensure choice and competition in the market for land; or</p> <p>b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan⁴⁰, to account for any fluctuations in the market during that year; or</p> <p>c) 20% where there has been significant under delivery of</p>	<p>Re: Housing trajectory:</p> <p><u>Local planning authorities should monitor their deliverable land supply against their housing requirement as set out in adopted strategic policies⁴³. When the housing requirement set out in strategic policies becomes more than five years old⁴⁴, 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 local housing need (taking into account any previous under or over-supply as set out in planning practice guidance).</u></p> <p>Footnote 43: <u>For the avoidance of doubt, a five year supply of deliverable sites for travellers – as defined in Annex 1 to Planning Policy for Traveller Sites – should be assessed separately, in line with the policy in that document.</u></p> <p>Footnote 44: <u>Unless these strategic policies have been reviewed and found</u></p>

	<p>housing over the previous three years, to improve the prospect of achieving the planned supply⁴¹.</p> <p>Footnote 38: For the avoidance of doubt, a five year supply of deliverable sites for travellers — as defined in Annex 1 to Planning Policy for Traveller Sites — should be assessed separately, in line with the policy in that document.</p> <p>Footnote 39: Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.</p> <p>Footnote 40: For the purposes of paragraphs 74b and 75 a plan adopted between 1 May and 31 October will be considered ‘recently adopted’ until 31 October of the following year; and a plan adopted between 1 November and 30 April will be considered recently adopted until 31 October in the same year.</p> <p>Footnote 41: This will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.</p>	<p><u>not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.</u></p>
75/76	<p>A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently</p>	<p>A five year supply of deliverable housing sites can be demonstrated where it has been established in an annual position statement...</p>

	adopted plan, or in an subsequent annual position statement...	
76/77	... Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.	<p>... Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the previous three years, the <u>following policy consequences should apply:</u></p> <p><u>a) where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years;</u></p> <p><u>b) where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 9 of this Framework⁴⁹, in addition to the requirement for an action plan.</u></p> <p>Footnote 49: <u>The presumption is, however, not to be applied if permissions have been granted for homes in excess of 115% of the authority's housing requirement over the applicable Housing Delivery Test monitoring period.</u></p>
-/78		<u>The Housing Delivery Test consequences set out above will apply the day following the annual publication of the Housing Delivery Test results by DLUHC.</u>
Rural housing		
78/80	In rural areas, planning policies and decisions should be	In rural areas, planning policies and decisions should be

	responsive to local circumstances and support housing developments that reflect local needs.	responsive to local circumstances and support housing developments that reflect local needs, <u>including development proposals from community-led housing groups.</u>
Section 8: Promoting healthy and safe communities		
92/94	<p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:</p> <p>b) ... for example through the use of <u>attractive</u>, well-designed, clear and legible pedestrian and cycle routes...</p>	<p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places <u>and beautiful buildings</u> which:</p> <p>b) ... for example through the use of <u>beautiful</u>, well-designed, clear and legible pedestrian and cycle routes...</p>
Section 11: Making Effective Use of Land		
120/122		<p>Planning policies and decisions should:</p> <p>e) ... <u>They (planning policies) should also allow mansard roof extensions where their external appearance harmonises with the original building, including extensions to terraces where one or more of the terraced houses already has a mansard. Where there was a tradition of mansard construction locally at the time of the building's construction, the extension should emulate it with respect to external appearance. A condition of simultaneous development should not be imposed on an application for multiple mansard extensions unless there is an exceptional justification.</u></p>
Achieving appropriate densities		

124/126	<p>Planning policies and decisions should support development that makes efficient use of land, taking into account:</p> <p>e) the importance of securing well-designed and beautiful, attractive and healthy places.</p>	<p>Planning policies and decisions should support development that makes efficient use of land, taking into account:</p> <p>e) the importance of securing well-designed and beautiful, attractive and healthy places.</p>
<p>Section 12: Achieving well-designed <u>and beautiful</u> places</p>		
133/135	<p>Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include...</p>	<p>Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. <u>The primary means of doing so should be through the preparation and use of local design codes, in line with the National Model Design Code. For assessing proposals there is a range of tools including...</u></p>
135/137	<p>Local planning authorities should seek to</p>	<p>Local planning authorities <u>should ensure that relevant planning conditions refer to clear and accurate plans and drawings which provide visual clarity about the design of the development, and are clear about the approved use of materials where appropriate, to make enforcement easier. They should also seek to...</u></p>
<p>Section 13: Protecting Green Belt Land</p>		
140/142		<p>... <u>Green Belt boundaries are not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period.,,</u></p>

Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change

Planning for climate change

155/157

Re; renewable and low carbon energy and heat:

... plans should:

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and maintenance...

158/160

When determining planning applications⁶² for renewable and low carbon development, local planning authorities should:

- c) approve an application for the repowering and life-extension of existing renewables sites, where its impacts are or can be made acceptable. The impacts of repowered and life-extended sites should be considered for the purposes of this policy from the baseline existing on the site.

Footnote 62:

Wind energy development involving one or more turbines can be granted through Local Development Orders, Neighbourhood Development Orders and Community Right to Build Orders, if it can be demonstrated that the planning impacts identified by the affected local community have been appropriately addressed and the proposal has community support.

Footnote 54 (63 in 2022):
... a proposed wind energy development involving one or more turbines should not be

Footnote 63:

... a proposed wind energy development involving one or more turbines should not be

	<p>considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.</p>	<p>considered acceptable unless it is in an area identified as suitable for wind energy development in either the development plan, <u>or a supplementary planning document identifies an area as suitable for wind energy development (where the development plan includes policy on supporting renewable energy)</u>; and, following consultation it can be demonstrated that the planning impacts identified by the affected local community have been <u>satisfactorily addressed and the proposal has community support.</u></p>
-161		<p><u>To support energy efficiency improvements, significant weight should be given to the need to support energy efficiency improvements through the adaptation of existing buildings, particularly large non-domestic buildings, to improve their energy performance (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Proposals affecting conservation areas and listed buildings should also take into account the policies set out in chapter 16 of this Framework.</u></p>
<p>Section 15: Conserving and Enhancing the Natural Environment</p>		
	<p>Footnote 58: Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.</p>	<p>Footnote 67: Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. <u>The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are</u></p>

		<u>most appropriate for development.</u>
Annex 1: Implementation		
222/-	<p>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:</p> <p>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;</p> <p>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.</p>	
-/225		<u>For the purposes of the tests of soundness in paragraph 35 and the policy on renewable and low carbon energy and heat in plans in paragraph 156, these policies apply only to plans that have not reached Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage, or that reach this stage within three months , of</u>

		<p><u>the publication of this version. For Spatial Development Strategies, this applies to plans that have not reached consultation under section 335(2) of the Greater London Authority Act 1999, or are within three months of reaching this stage. For all other plans, the policy contained in the corresponding paragraph in the National Planning Policy Framework published in July 2021 will apply.</u></p>
-/226		<p><u>From the date of publication of this revision of the NPPF, for the purposes of changes to paragraph 61, for decision-taking, where emerging local plans have been submitted for examination or where they have been subject to a Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) consultation which included both a policies map and proposed allocations towards meeting housing need, and the housing requirement as set out in strategic policies has become more than five years old in the extant plan, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing against their local housing need instead of a minimum of five years as set out in paragraph 75 of this document. These arrangements will apply for a period of two years from the publication date of this version.</u></p>
<p>Annex 2: Glossary</p>		
-/page 68		<p><u>Community-led developments:</u> Community-led developments are</p>

		<p><u>those that are driven by non-profit organisations that are owned by and accountable to their community members. The community group or organisation owns, manages or stewards the homes and other assets in a manner of their choosing, and this may be done through a mutually supported arrangement with a Registered Provider that owns the freehold or leasehold for the property. The benefits to the specified community are clearly defined and legally protected in perpetuity.</u></p>
<p>page 67/page 71</p>	<p>Housing Delivery Test: Measures net homes delivered in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England every November.</p>	<p>Housing Delivery Test: Measures net homes delivered <u>and the number of homes granted permission</u> in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England each winter.</p>