

# Wiltshire Employment Land Review

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*Appendix 1: Planning Policy*

Prepared for Wiltshire Council

February 2018

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| Job Number:     | 17 06 03        |
| Version Number: | 2.0             |
| Approved by:    | Gareth Jones    |
| Date:           | 2 February 2018 |

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# 1 National Planning Policy

This chapter considers those parts of national planning policy that are relevant to this study.

National Planning Policy is set out in two documents/sources:

- The National Planning Policy Framework, 2012<sup>1</sup>, hereafter referred to as NPPF
- Planning Practice Guidance<sup>2</sup>, hereafter PPG, which is a live website and continually updated

## 1.1 National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

### 1.1.1 National Planning Policy Guidance

NPPF sets out the Government's planning policies for England, and how these are expected to be applied at the local level. It has a clear emphasis on achieving *sustainable development*. NPPF is a material consideration in any planning decision.

NPPF sets out three dimensions to sustainable development, which need to be delivered in balance because they are mutually dependent: the economic role, the social role and the environmental role. The economic role of the planning system (para. 7) is:

*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*

The NPPF establishes a *presumption in favour of sustainable development* (para. 14). For plan making this means that:

*local planning authorities should positively seek opportunities to meet the development needs of their area*

At paragraph 152 on plan making, the NPPF states that:

*Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three.*

Neighbourhood plans (para. 16) should:

*support the strategic development needs set out in Local Plans, including policies for housing and economic development*

### 1.1.2 Planning Practice Guidance

Planning Practice Guidance (PPG) sets out guidance on key elements of the NPPF. The most pertinent of these are discussed below.

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<sup>1</sup> National Planning Policy Framework (March 2012) Department for Communities and Local Government

<sup>2</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/>

## 1.2 Core planning principles

Twelve core planning principles are set out in the NPPF (para. 17). These include the principles that planning should:

*proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities*

*take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it*

## 1.3 Economy

Section 1 of the NPPF sets out how it will help to build a **strong, competitive economy**. At paragraph 19, it states that:

*The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.*

At paragraph 21 the NPPF sets out a number of requirements of local plans that are of particular importance to this review. It states that local planning authorities should:

*set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;*

*set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*

*support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;*

*plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;*

*identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and*

*facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.*

## **1.4 Town centres**

Section 2 of the NPPF is about *ensuring the vitality of town centres*. At paragraph 23 the NPPF states that:

*Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.*

### **1.4.1 Ensuring the vitality of town centres in Planning Practice Guidance**

According to paragraph 001:

*Local planning authorities should assess and plan to meet the needs of main town centre uses in full, in broadly the same way as for their housing and economic needs*

The local plan should include a positive vision or strategy for the town centres (para. 002).

## **1.5 Rural economy**

Section 3 of the NPPF is about *supporting a prosperous rural economy*. It states that to promote a strong rural economy, local and neighbourhood plans should:

*support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;*

*promote the development and diversification of agricultural and other land-based rural businesses;*

*support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and*

*promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.*

## **1.6 Other elements**

Other elements of the NPPF that are relevant to economic and employment issues include:

- section 4 on promoting sustainable transport
- section 5 on supporting high quality communications infrastructure – particularly telecommunications and broadband
- section 6 on delivering a wide choice of high quality homes

## 1.7 Evidence base

In the NPPF section on plan making, there is some discussion of the evidence base required for the plan making process. Any assessment of housing and employment should be integrated. The NPPF (para. 160) states that there should be a clear understanding of business needs and economic markets operating across the local area.

Local planning authorities should work with county and neighbouring authorities and LEAs to prepare and maintain a robust evidence base. They should also work closely with the business community to understand their needs, and barriers to investment.

At paragraph 161 the NPPF states that local planning authorities should use this evidence base to assess:

*the needs for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period, including for retail and leisure development;*

*the existing and future supply of land available for economic development and its sufficiency and suitability to meet the identified needs. Reviews of land available for economic development should be undertaken at the same time as, or combined with, Strategic Housing Land Availability Assessments and should include a reappraisal of the suitability of previously allocated land;*

*the role and function of town centres and the relationship between them, including any trends in the performance of centres;*

*the capacity of existing centres to accommodate new town centre development;*

*locations of deprivation which may benefit from planned remedial action; and*

*the needs of the food production industry and any barriers to investment that planning can resolve.*

## 1.8 Duty to cooperate

Strategic priorities (including homes, jobs, retail, leisure, commercial development, infrastructure etc.) should be considered across administrative boundaries (para. 178), to the *mutual benefit of neighbouring authorities*. At paragraph 179, the NPPF states that:

*Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas*

In two-tier areas, county and district authorities should cooperate with each other on relevant issues (para. 180). Local planning authorities should work together with LEAs and other bodies.

### 1.8.1 Duty to cooperate in Planning Practice Guidance

Local planning authorities should engage *constructively, actively and on an ongoing basis* (para. 001). It is not a duty to agree (para. 001, para. 003). There is no definitive list of actions that constitute

effective cooperation (para. 011). The range of organisations that need to cooperate will be driven by functional geographies e.g. housing market areas and travel-to-work areas (para. 015).

## **1.9 Housing and economic development needs assessment**

In terms of economic needs analysis (para. 002), the objective of the assessment is to:

*identify the future quantity of land or floorspace required for economic development uses including both the quantitative and qualitative needs for new development; and*

*provide a breakdown of that analysis in terms of quality and location, and to provide an indication of gaps in current land supply.*

In paragraph 030 it is suggested that:

*plan makers should liaise closely with the business community to understand their current and potential future requirements*

Other areas for consideration set out in paragraph 030 include:

- The recent pattern of employment land supply and loss to other uses
- Market intelligence (from local data and discussions with developers and property agents, recent surveys of business needs or engagement with business and economic forums)
- Market signals, such as levels and changes in rental values, and differentials between land values in different uses
- Public information on employment land and premises required
- Information held by other public sector bodies and utilities in relation to infrastructure constraints
- The existing stock of employment land
- The locational and premises requirements of particular types of business
- Identification of oversupply and evidence of market failure

Detailed guidance on the method for assessing the need for employment land is set out in paragraphs 031 to 034.

### **1.9.1 Housing and economic land availability assessment**

Detailed guidance is provided on the methodology for land availability assessment.

### **1.9.2 Guidance on the selection of sites**

The process for selecting sites is set out in DCLG guidance on the assessment of housing and economic land availability:

When carrying out a desk top review, plan makers should be proactive in identifying as wide a range as possible of sites and broad locations for development (including those existing sites that could be improved, intensified or changed). Sites, which have particular policy constraints, should be included in the assessment for the sake of comprehensiveness but these constraints must be set out clearly, including where they severely restrict development. An important part of the desktop review, however, is to test again the appropriateness of other previously defined constraints, rather than simply to accept them.

Plan makers should not simply rely on sites that they have been informed about but actively identify sites through the desktop review process that may have a part to play in meeting the development needs of an area.

### **1.9.3 Guidance on sites' availability**

According to DCLG guidance on the assessment of housing and economic land availability:

A site is considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell. Because persons do not need to have an interest in the land to make planning applications, the existence of a planning permission does not necessarily mean that the site is available. Where potential problems have been identified, then an assessment will need to be made as to how and when they can realistically be overcome. Consideration should also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.