

How to write planning policies

Putting the pieces together



What is a planning policy?

- Planning policies provide the basis for the determination of planning applications. They exist to:
 - provide clarity on what will be expected from a development proposal (e.g. where it will go and what it will look like)
 - give prospective investors (including future residents) confidence in how the area will change in the future
 - ensure that the impact of development is anticipated and planned for (e.g. by protecting wildlife sites, requiring open space, community facilities and other identified infrastructure)

Planning policies must relate to the **development and use of land**

What national planning policy says about policies...

“...Local Plans should set out the opportunities for development and **clear policies on what will or will not be permitted and where**. Only policies that provide a **clear indication of how a decision maker should react to the development proposal** should be included in the plan.”

National Planning Policy Framework, [paragraph 154](#)

The same principles apply for neighbourhood plan policies.

What national planning guidance says about policies...


“A policy in a neighbourhood plan should be **clear and unambiguous**. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be **concise, precise and supported by appropriate evidence**. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”

Planning Practice Guidance, [paragraph 41](#)


Style, language, format and structure

Your neighbourhood plan can and should be a means of planning positively for your community for its common good.

The way in which you write your policies – the words you use – will have an impact on how the policies may be interpreted, the “story” you are telling and how they will be used to determine planning applications.



“We will not allow development unless...”



“Planning permission will be granted provided that...”

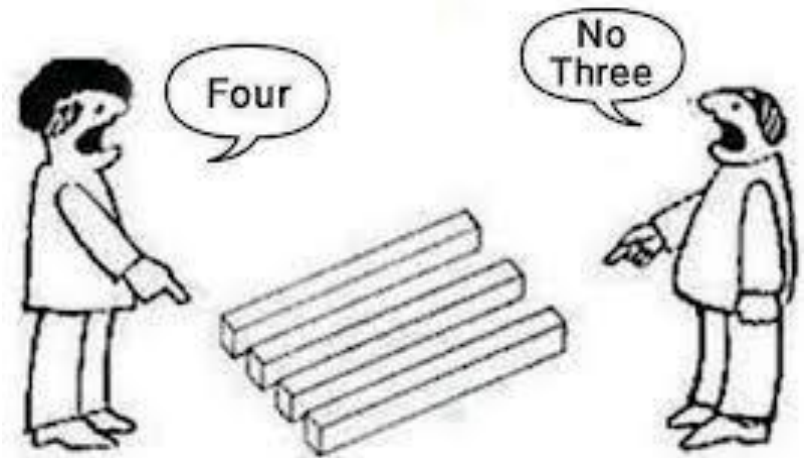
Style, language, format and structure

You won't achieve the vision for your area if the policies in your neighbourhood plan are muddled, vague, long and complex or use overly technical language.

Those reading your policies need to easily understand how and where your policies will apply and what they are seeking to achieve.

Decision makers need to be able to make reasoned and consistent decisions.

It is really confusing!!!



Good planning policies are:

- clear, precise and positively worded
- supported by robust evidence and not just based on local opinion
- capable of having an effect and being implemented within the plan period
- Address the issues in your area (they are locally distinctive). They should add value to existing policy framework.

Structure is important....

- Each planning policy should stem from your vision and help deliver at least one of your plan's objectives

“Together with the objectives, the vision establishes a framework for the rest of the neighbourhood plan and as one reads through, the link between the vision and the detailed policies of the Neighbourhood Plan is clear”

[Examiners report](#), Tattenhall and District Neighbourhood Plan

How do you develop your policies?

Step 1 – Take each objective in turn and identify what you could include in your plan in order to achieve this objective



Step 2 – Record this in plain English:

- what do you want the policy to achieve?
- what needs to happen?
- what does the policy need to do?

This is your **policy intent**

Step 3 – Review your evidence base and the wider context for your policy

Do these **support** the intention of your policy?



Step 4 – Explore your **policy options**

- Separate your policy options into those that do involve the development and use of land and those that do not. This will enable you to identify and separate your planning policies from your community aspirations / projects
- Planning policies must be written clearly and concisely

This information can be recorded in a table...

Objective	What do you think needs to be done to deliver this objective? This is known as the policy intent	Evidence for the policy	Is it in general conformity with the policies in the adopted development plan? Does it have regard to national policy and guidance?	Policy options

Policy intention Thame Neighbourhood Plan:

- **One of the plan's objectives is** to support Thame's shops
- The plan includes a number of policies to achieve this objective:
 - encourage new retail development and direct this to the town centre
 - encourage more customers (footfall) by supporting development that enables people to live and work in the town centre. This can be done by supporting employment and encouraging residential uses, especially above shops
 - identifying sites within the town centre boundary that are suitable for development and requiring these to be developed in such a way so as to support the functioning of the town centre
 - support opportunities to extend individual shops and to increase the shopping area

Policies that flow from Thame objectives:

- WS1: Locate new retail development in the town centre
- WS2: Retain and enhance primary and secondary retail frontages
- WS3: Redevelop the postal sorting office and/or telephone exchange for retail
- WS4: Develop the Fire Station site for a use that supports the town centre
- WS5: Develop land at no. 10 High Street for a use that supports the town centre
- WS6: Permit small shops on allocated residential sites
- WS7: Retain small scale employment in the town centre
- WS8: Encourage a diverse range of uses in the town centre by supporting new residential use on upper floors
- WS9: Encourage a diverse range of uses in the town centre by avoiding loss of residential uses
- WS10: Encourage a diverse range of uses in the town centre

Once you have identified your policy options you should separate them into land use and non land use issues:

Land use policies	Project, proposals and community aspirations
<p>Relate to the development and use of land – policies can only influence development that requires a planning application</p>	<p>Community aspirations</p> <ul style="list-style-type: none"> • Activity that may be about the development and use of land but that cannot be delivered during the plan period • Non-land use projects and proposals
<p>Examples:</p> <ul style="list-style-type: none"> • housing mix, type and tenure • allocation of sites for development e.g. housing, employment • designation of areas as Local Green Space • design, heritage and landscape policies • renewable energy • open space, leisure and recreation • retail policies • contributions towards community infrastructure via new development either through s106 or on site provision (where it has been demonstrated that it is viable and deliverable) 	<p>Examples:</p> <ul style="list-style-type: none"> • designating Assets of Community Value • implementation of a parking strategy • introduction of speed limits, speed bumps and highway improvements • community facilities and infrastructure for which funding must be sought • community facilities, services and developments for which land / a suitable site has to be identified • developments that may not be built over the life-time of the plan

Can you achieve your priorities by way of a neighbourhood plan policy?

Include as neighbourhood plan policy?	Common Local Priorities	Advice
✓	Getting more 1 to 3 bedroom homes built in the area	Both a Local Plan and a neighbourhood plan are the appropriate place to establish policies on what housing mix will be expected from new development. All policy requirements would need to be evidence based.
✘	Lowering the speed limit on local roads	Speed limits are set by the traffic authorities. For motorways and major roads this is the Highways Agency. For other roads these are the county council or unitary authorities.
✓ partial	Managing traffic on our roads	<p>Neighbourhood plans can only deal with issues that relate to development and the use of land. Some traffic management improvements do not require planning permission and might not be appropriate in a neighbourhood plan.</p> <p>Where there are existing traffic issues, communities are urged to work together with the highways authorities to help identify appropriate measures that could be delivered through a neighbourhood plan. Where a neighbourhood plan includes site allocations, the plan could for example direct new growth away from existing traffic hotspots so that development does not unnecessarily exacerbate traffic congestion (see the Woodcote Neighbourhood Plan 2014). Some neighbourhood plans also include policies about off street parking provision.</p>

Can you achieve your priorities by way of a neighbourhood plan policy?

Include as neighbourhood plan policy?	Common local priorities	Advice
✘	Changing the boundary of the Green Belt	While the Green Belt is a land use matter, the National Planning Policy Framework makes it clear that Green Belt boundaries are strategic issues and can only be reviewed as part of the Local Plan review process.
✓	Improving employment opportunities	<p>It is important to remember that planning policies themselves do not create jobs. However they have an important role to play in ensuring that where job opportunities arise, sufficient land availability is also there.</p> <p>A neighbourhood plan can allocate land for employment uses (where it can be shown that there is a future requirement). A planning policy can also seek to retain existing employment uses; policies are sometimes written to allow the reconfiguration of employment land (to allow for other uses) subject to there being no overall loss of jobs on a site.</p>
✓	Designating Local Green Spaces	Both a neighbourhood plan and Local Plan can designate areas of land as Local Green Space . Paragraph 77 in the National Planning Policy Framework provides the criteria which a Local Green Space needs to meet. When considering the inclusion of green space designations, communities should also ensure the neighbourhood plan will contribute towards the achievement of sustainable development. This means allowing for growth opportunities whilst also protecting those assets most valued to a community.
✓	Design policies specific to your area	Both Local Plans and neighbourhood plans have an important role in ensuring new development coming forward will be of a high quality and contribute positively to the existing area. Design policies in your neighbourhood plan must be based on robust evidence and a detailed understanding of the local characteristics of your area. Many groups undertake a Design and Character assessment [LINK] to support their design policies.

Make sure your policies are easily identified:

- A neighbourhood plan is a land-use planning document
- The planning policies need to be easily identifiable from the supporting text
- Only policies that address the development and use of land can be used for determining planning applications
- Make sure your plan clearly distinguishes between the land-use policies and any supporting text

“The neighbourhood plan clearly distinguishes between policies and supporting text. Policies are set out in boxes, which themselves are colour-coded, depending upon the category the policies fall into (e.g. housing and employment, landscape and countryside). This provides a very clear and easy to navigate document.”

[Examiner's report](#), Tatenhill Neighbourhood Plan

Criteria led policy

This is a policy with a series of requirements that a development proposal needs to meet in order to be acceptable

- The requirements are usually set out as separate bullet points
- The policy needs to be clear whether the criteria are inclusive or exclusive i.e. provide clarity on whether in order for a development to be acceptable, it would have to meet **all** of the criteria or **only one, or perhaps some but not all**

[See for example the Examiner's report](#) on the LynPlan

Site specific policy

- A policy that applies to a particular area of land and that:
 - allocates land for a particular type of development e.g. housing
 - identifies specific areas of land to which a policy will apply e.g. Local Green Space designation or the primary frontage in a high street
- Speak to the [landowner](#) to understand whether the land is available, whether there are any constraints to development and to secure their agreement
- Clearly identify the land on a proposals map and include a clear reference to the relevant policy on the map
- Ensure that you have appropriate evidence to support the site allocation. This can include making sure that you meet any specific requirements in the National Planning Policy Framework e.g. criteria for designating [Local Green Space](#)

Generic policy

- A policy that will be applied universally to all development across the neighbourhood plan area
- Examples include design policies, renewable energy policies and affordable housing

Lessons in vocabulary...

- ‘Must’ and ‘must not’ – only use **must** where the requirements of a policy are compulsory in all circumstances
- ‘Should’ and ‘should not’ – leaves room for exceptions and for applications to justify why the policy doesn’t apply to them
- ‘Normally’ and ‘not normally’ – lacks precision, vague and adds little meaning to policies. As discussed in [Exeter St James examiners report](#)

Lessons in vocabulary..

- Preserve – rarely appropriate outside of the consideration of listed buildings and conservation areas. It discourages positive change that could improve and enhance the neighbourhood plan area. Neighbourhood plan policies should strive to promote the enhancement of the local area
- Character – does little in itself to explain what the ‘character’ is. You need to outline the various elements of character you want the reader to consider, for example, the layout, building height and materials. You need to include supporting evidence (such as a [design and character assessment](#)) that defines the local character

Lessons in vocabulary...

- “Will be permitted...” is best used when you want to set out the **requirements** that will be **expected** from new development .e.g. “housing developmentswill be permitted where they include a range of housing type, including two and three bedroom dwellings.....” [Much Wenlock Neighbourhood Plan](#) Policy H2
- “Will be supported...” is best used when you want to be **proactive** about **encouraging** certain types of development and standards to be met but you are not explicitly disallowing development proposals that do not meet specific criteria. As discussed in Hurstpierpoint and Sayers Common [examiner’s report](#)

How is a policy assessed?

- Your neighbourhood plan must meet each of a number of basic conditions:
 - appropriate having regard to **national policies** and **advice contained in guidance** issued by the Secretary of State
 - **contributes to** the achievement of **sustainable development**
 - is in **general conformity with the strategic policies** contained in the development plan for the area of the authority (or any part of that area).
 - does not breach, and is otherwise **compatible with, EU obligations**
- Have these in mind as you develop your plan.

You can use this matrix to assist you in developing your policies

Policy / Proposal	Details	Is there a clear link between the policy and evidence?				Site Allocations			Basic conditions (the examiner's 4 tests for neighbourhood plans)			
		What evidence supports this policy/proposal?	What does public consultation show?	Is there enough evidence? Y/N	Is more work needed?	Is the site suitable?	Is the site available?	Can it be delivered?	In line with national policy (NPPF)?	In line with strategic policies of the local plan?	Contributes towards sustainable development?	Compatible with EU obligations e.g does it need a SEA assessment?



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