

National Development Management Policies

RTPI Briefing – July 2023

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Development management policies influence the type and location of development by setting design standards, mitigating environmental impacts, promoting social and community development, and addressing infrastructure requirements. They help decision-makers to promote sustainable, inclusive, and well-planned development that meets the needs of the community.

In England these have been the preserve of local authorities but the UK Government is proposing to introduce a set of policies to sit alongside an updated and repurposed NPPF.

Ministers have suggested that new National Development Management Policies (NDMPs) will cover a range of planning issues, will apply across England and have statutory weight, overriding the content of existing local development plans when the two conflict.

However, Ministers have only offered an ‘indicative list’ of what they might cover at this stage. In response, the RTPI expressed concern these [will have a profound impact](#) on plans and projects for housing, infrastructure and services that communities and businesses rely on.

Research and Findings

To inform our assessment, better understand the risks and how to mitigate them, the RTPI commissioned the University of Liverpool and ARUP to consider similar planning policy arrangements operate in other jurisdictions, assess their status and scope and consider how NDMPs might operate in England. This research can be read here: <https://www.rtpi.org.uk/ndmpresearch>

This analysis considered the process used to arrive at national policy conclusions, their content and their implications. The research found:

- **Extensive public consultation has been critical to the success of similar policies in other jurisdictions.** In Scotland planning experts have considered this to establish legitimacy for the new regime and suggested this has improved the usability of NPF4. In Wales a clear statement of public participation has enabled a system “characterised by relative ‘stability’”.
- **Political/Parliamentary scrutiny is a common feature of the most successful national policy regimes.** Where absent (as in the Republic of Ireland) central government’s authority and status on planning policy and guidance has been less certain.
- **The weight given to national policy in planning decisions is important to make clear.** In other jurisdictions: they have become integral to development plans in Scotland; influence those plans in Wales; or are closely aligned with distinct levels of federal or devolved administration in Germany and the Netherlands.
- **Stronger regional structures and spatial specificity in rules-based systems enable greater confidence and certainty in plan-making** to the extent that in Germany and the Netherlands, statutory plans can determine developments rights and confirm planning permissions.
- **The usability of development management policies in the planning process is difficult to achieve and is often an iterative process.** It is therefore important to draft them using planning expertise and to avoid stifling local innovation e.g. on net zero policies.



RTPI Recommendations

Legislation and regulation for English NDMPs should:

1. **Introduce strong standards of public consultation and parliamentary scrutiny** – as suggested in amendments laid during the Commons and Lords stages of the LURB
2. **Clearly indicate the status and hierarchy of planning policies and explain what weight local planning authorities should give them** when considering plans and planning applications to avoid legal uncertainty
3. **Limit the scope of English NDMPs to avoid adding uncertainty or threatening the viability of development in some parts of the country.** For example, [RTPI members have suggested](#) that heritage and conservation, green belt, flooding, energy, health and wellbeing and digital infrastructure would be suitable.
4. **Direct those writing English NDMPs to set a floor – not a ceiling – to standards and take full advantage of the plan-making experience developed in local authorities.** A ‘one size fits all’ approach can adversely impact creativity and the scope for local innovation. During the drafting process officials should call on the Royal Town Planning Institute’s support and engage with the planning profession thoroughly.

Comparable planning frameworks in in other jurisdictions

Jurisdiction	Planning system features	Differences with English NDMPs
Scotland	The National Planning Framework (NPF4) sets out national planning policy for Scotland. It is operated along with emerging regional spatial strategies and local development plans.	<ul style="list-style-type: none"> - Detailed programme of public engagement - Requires scrutiny and approval by the Scottish parliament - Interacts with regional/strategic level planning - Part of statutory development plan as of 2023
Wales	Planning Policy Wales sets out national planning policy for Wales and is operated along with a national plan (Future Wales), Strategic Development Plans and Local Development Plans	<ul style="list-style-type: none"> - Detailed programme of public engagement - Debated in Senedd (Parliament) - Interacts with regional/strategic level planning - Directly influence statutory development plans
Republic of Ireland	National Planning Framework (NPF) sets out high level framework. Operates with Regional Spatial and Economic Strategies, City/County development plans, 6 regional Metropolitan plans and optional Local Area Plans.	<ul style="list-style-type: none"> - Considerable public involvement - Cross departmental involvement - Cabinet Approval needed - Backed up by national investment plan - Interacts with regional/strategic level planning - Operates by govt ensuring (indirect) conformity with policy rather than (direct) development management (but major applications go to Bord Pleanála)
Germany	<ul style="list-style-type: none"> - National planning legislation establishes a system for federal and regional plans and local building codes, along with procedures to be applied. - Policy principles further outlined by ‘Standing Conference of Ministers for Spatial Planning’ - Only ‘built-up area’ land requires permissions but even then characteristically similar development accepted - Land Uses established by regional planning bodies according to objectives 	<ul style="list-style-type: none"> - Planning Acts and Plans align with administrative boundaries and are federally accountable - Confer development rights through plans, not permissions - Together federal and regional governments provide a design code, limiting the detail in local plans - Municipalities better able to proactively ‘lead’ development
Netherlands	<ul style="list-style-type: none"> - National (non-binding) ‘Structure Vision’ documents are matched by local versions (which can be flexibly applied if justified). - Local versions act as the development plan and hold legal weight but are not inspected by national tiers - National government can ‘call-in’ land uses where there is a national interest and issue Ministerial guidance - Local zoning plans are supported by civil society guidance, giving LPAs the tools to issue legally strong plans 	<ul style="list-style-type: none"> - Local zonal planning directs land use and issues development rights - Government intervention through national plan-making rather than development management policy - Council retain significant local discretion over planning and bottom-up guidance offered