From: Ed Freeman
To: DL Parish Clerks
Subject: New National Planning Policy Framework
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Dear all,

I hope you are all well.

You may have seen that the government published a new National Planning Policy Framework last week which makes some significant changes to the planning system. I thought you might find the following summary of the main changes useful:

Main changes from the 2024 NPPF to the 2026 NPPF:

1. **A fundamentally new structure**
   The **2026 National Planning Policy Framework** has moved away from the familiar paragraph-based format and is now organised around named policy codes, with separate sections for plan-making policies and national decision-making policies. This is a major change because plan-making policies are expressly separated from policies used to determine planning applications.
2. **Introduction of clearer national decision-making policies**
   The 2026 version introduces a more explicit set of national decision-making policies intended to create greater consistency in how planning applications are determined across England. These policies are material considerations but do not carry statutory weighting. The government had previously proposed making statutory development management policies that would replace such policies in local plans, but they have not done that.
3. **New rules on the weight to be given to older local plan policies**
   Annex A introduces a clearer approach to how existing development plan policies should be weighted where they are materially inconsistent with new national decision-making policies. In those circumstances, inconsistent policies may be given very limited weight.
4. **Replacement of the old paragraph 11 tilted balance**
   The previous paragraph 11 "tilted balance" approach has been replaced by a new "permanent presumption in favour of sustainable development", framed through policies S3 to S5. This is one of the most significant practical changes for decision-taking, particularly where plans are out of date or housing or economic land supply is weak. In many respects this change strengthens support for development outside of settlements that is well related to an existing settlement where there is an evidenced unmet need such as when there is no 5 year housing land supply.
5. **Support for limited infilling within groups of houses outside settlements**
   The new policy S5 provides in principle support for "limited infilling within groups of houses" outside of settlement boundaries. It does not state these need to be well related to a settlement and so could be read as encouraging development at small hamlets, but we expect further guidance on how this should be interpreted.
6. **Stronger support for housing near public transport hubs**
   The 2026 framework introduces a "default yes" approach for housing within reasonable walking distance of well-connected railway, tram or Tube stations. The policy includes a working definition of reasonable walking distance, generally around 800 metres or around a 10-minute walk, and introduces minimum expectations for housing in these locations. This has been well publicised but in reality, the frequency of services in East Devon other than in the towns is not sufficient for this to have a significant effect.
7. **Greater emphasis on housing delivery and economic growth**
   The new framework builds on the 2024 changes by placing a stronger and more directive emphasis on boosting housing supply, supporting sustainable growth, and unlocking development in appropriate locations. The government describes the 2026 version as part of a wider move toward a clearer, rules-based planning system.
8. **Enhanced protections for community facilities, including pubs**
   The revised framework strengthens protections for key community facilities. The previous NPPF protected facilities where it was "the last of its type in the area concerned". This wording has been removed and replaced by provisions to protect facilities that are well used. There is also a requirement for 12 months of marketing to demonstrate that the use is no longer viable which adds weight to the provision for this which is already in our Local Plan.
9. **More directive approach to local plan preparation**
   The new NPPF places greater pressure on local planning authorities to keep development plans up to date. Areas without up-to-date plans may face stronger consequences in decision-taking, reinforcing the plan-led system while making national policy more interventionist where plans are absent or inconsistent.
10. **Sets out the role of Spatial Development Strategies**
    These are sub-regional plans prepared by the Combined County Authority that will provide a clear spatial framework for investment and growth including for new housing over a 25 year period. They will identify broad locations for growth and apportion housing numbers and other uses across the area at a strategic level.

Kind regards.

Ed Freeman BSc (Hons) DipTP PGDip MBA MRTPI CMgr FCMI
Assistant Director Planning Strategy and Development Services

Place Directorate
East Devon District Council

Ed.freeman@eastdevon.gov.uk

01395 517519
07814 043121

Working days: Monday to Friday

www.eastdevon.gov.uk

Blackdown House, Border Road,
Heathpark Industrial Estate,
Honiton. EX14 1EJ

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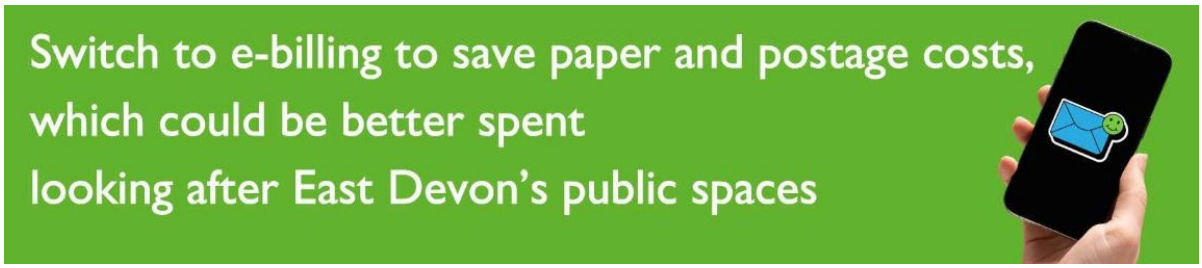
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