

Report Title	National Planning Policy Framework
Meeting	All Area Committees
Meeting Date	September 2026
Report Author	Neil Watson
Directorate	Place
Lead Executive Member(s)	Cllr Lola Whipp
Wards Affected	All
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	1. National Planning Policy Framework

1 Executive Summary

- 1.1 The revised National Planning Policy Framework materially changes the approach to determining planning applications, including a stronger presumption in favour of development within settlements, revised treatment of development outside settlements and changes to enforcement considerations. Area Committees are asked to note these changes and apply the relevant provisions when determining planning applications.

2 Recommendations

For the reasons set out in this report Committee is recommended to:

Note the content of the report and apply the contents of the new NPPF into decision making on planning applications.

3 Information: the Rationale & Evidence for the Recommendations

Background

- 3.1 Area Committees fed into comments the Council made on the draft National Planning Policy Framework ("NPPF") after a report to the Executive on 19th February 2026. The Government have now published the revised NPPF. This report highlights some of the key changes to the NPPF. It is not intended to be a comprehensive guide. When a planning application is reported to Committee it will contain the relevant policies in the NPPF as part of the advice to Committee. This note will not consider the plan-making changes in relation

to the preparation of Development Plan documents, instead it will focus some of the key changes relevant to determining planning applications.

- 3.2 The format of the NPPF has altered when compared to previous versions. The document is split into themes with each of the sections starting off with policies relating to plan-making (i.e. the preparation of development plans) followed by policies relating to decision-making. As with the previous versions the document has to be read as a whole for the purpose of decision making. It continues to have at its core achieving sustainable development based around economic, social and environmental objectives.
- 3.3 The consultation draft of the NPPF indicated that where policies in a Development Plan deviated in any way from the national decision-making policies (NDMPs) in the NPPF then they should be given no weight. The published version of the NPPF has altered this position. Annex A confirms that full weight should be given to policies which have been examined and adopted. As Pendle has an examined and adopted Local Plan the policies in it should be given full weight.
- 3.4 Policies S3, S4 and S5 alter the former presumption in favour of suitable development by splitting it into how to deal with developments inside and outside of a settlement. What is or is not a settlement is defined in the glossary.
- 3.5 For development inside a settlement a new and stronger presumption is to be applied. All applications should be approved unless the benefit of doing so would be substantially outweighed by any adverse effects. This is a rehashing of the former tilted balance making it clear that the expectation is that development will be approved unless there are compelling reasons not to do so. The Government has referred to the new approach as “the default yes”.
- 3.6 Under policy S5 only certain forms of development outside of settlements should be approved, with the same tilted balance applying to those acceptable forms of development. Some of these development types include

redevelopment of an existing lawful building or the redevelopment of previously developed land. Interestingly policy S5 states that extensions to existing buildings should not result in a disproportionate increase in size compared to the original building. This is effectively the same as green belt policy except the date of the original building is the day of publication of the new NPPF for sites outside of the green belt or 1st July 1948 for sites within the green belt.

- 3.7 Where a Council cannot demonstrate a 5 year supply of deliverable housing sites development outside of settlements is deemed acceptable where they are physically well related to a settlement and of a scale which can be accommodated.
- 3.8 The former NPPF had footnote 7 which stated when the tilted balance would apply in certain circumstances. That has been removed and replaced by 15 individual policies in the body of the document which can result in the tilted balance not applying. Policy S4 also gives examples of circumstances in which the benefits of approving a development are likely to be substantially outweighed adverse effects such as safeguarded land, Local Green Space, Protected Landscapes
- 3.9 The 5 year housing land requirement is to be calculated against the Local Plan housing requirement provided the Local Plan is less than five years old. Otherwise it has to be calculated using housing need figure calculated using the Standard Method. PBC has an up to date Local Plan so the 5 year supply is calculated against the housing requirement in the Local Plan.
- 3.10 Policy DM8 relates to enforcement. It oddly advises that when considering enforcement the Council should take account of their enforcement plan (being updated in light of the new NPPF), the impact of the breach and the extent to which the breach would be acceptable. It then states:

In cases of unauthorised development where consideration is being given to an application for retrospective planning permission (or through an enforcement appeal, whether to grant planning permission in respect of a

breach of planning control), if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission.

- 3.11 The effect of this is to consider whether or not it is expedient to take action and in cases where it is deemed appropriate to take action and where either an appeal is lodged against an enforcement notice or a retrospective application is submitted, if there is evidence of the unauthorised development being intentional that should be given substantial weight in considering whether to grant planning permission.

4 Link to Council Plan Priorities: (Providing High-Quality Services and Facilities, Proud and Connected Communities and Places, Good Growth and Housing and Healthy Communities)

- 4.1 The NPPF has to be used in all decision making on planning applications and in formulating new Development Plans. It will link to all of the priorities in the Council Plan.

- Providing High-Quality Services and Facilities
- Proud and Connected Communities and Places
- The Local Plan sets out how Good Growth
- Housing and Healthy Communities

5 Implications

5.1 Financial Implications

None arising from this report.

5.2 Legal and Governance Implications

Decision taken on planning applications must have regard to the NPPF.

5.3 Climate and Biodiversity Implications

None arising from this report.

5.5 Human Resources Implications

None arising from this report.

5.6 Equality and Diversity Implications

None arising from this report.

6. Consultation

6.1 Not applicable.

7. Alternative Options Considered

1. None.

8. Background Documents

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