



HABITATS & HOUSING: SUMMARY OF NPPF 2019

FEBRUARY 20, 2019 | PLANNING HOUSE | LEAVE A COMMENT

The Ministry of Housing, Communities and Local Government published a revised version of the National Planning Policy Framework (the NPPF or the Framework) on the 19th February 2019. However there are not a lot of changes in the 2019 version of the National Planning Policy Framework (the Framework), but they do provide clarification, in summary:

The footnote relating to para 73 relating to maintaining supply and delivery of housing has been updated to include reference to the where local housing need is used as a basis for calculating 5 year supply of housing it should be calculated using the standard method as set out in national policy. This was expected and is to separate the 5 year supply from strategic policies which can use an alternative method of calculating a housing supply in exceptional circumstances. Hopefully this change takes a bit of ambiguity out of 5 year housing supply figures. Some alterations to the glossary in relation to the term deliverability and local housing need.

Para 177 relating to habitats and biodiversity has been amended I suspect in response to the **Sweetman Judgement, known as 'People over Wind'**:

Para 177 in 2018 version said.... 177. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

Para 177 in 2019 version says.... 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

So, the presumption now applies even with habitats development, provided that impacts can be mitigated successfully. The Sweetman judgement clarified that as screening stage for a Habitat Regulations Assessment that mitigation measure could not be taken into account, this change in the NPPF clarifies that in effect now you can.

For full text changes please refer to this [comparison document](#) of the 2018 and 2019 versions.