

*These notes refer to the Planning Act 2008 (c.29)
which received Royal Assent on 26 November 2008*

PLANNING ACT 2008

EXPLANATORY NOTES

COMMENTARY

Part 2: National Policy Statements

Section 5: National Policy Statements

65. Subsections (1) & (2) of this section define what is meant by the term “national policy statement”.
66. Subsections (3) and (4) provide that a national policy statement can be designated only if the Secretary of State has first carried out a sustainability appraisal, has complied with the consultation requirements mentioned in section 7 and with the parliamentary requirements set out in section 9.
67. Subsection (5) gives examples of what types of policy may be contained in a national policy statement. These examples include setting out criteria to be applied in deciding whether a location is suitable for a particular description of development, and identifying a location as suitable (or potentially suitable) for development. Subsection (6) requires a national policy statement to set out criteria to be taken into account in the design of the relevant description of development.
68. Subsection (7) provides that a national policy statement must include reasons for the policy in the statement. Subsection (8) provides that the reasons must include an explanation of how the policy takes account of Government policy relating to the mitigation of, and adaptation to, climate change.
69. Subsection (9) requires the Secretary of State to arrange for a national policy statement to be published and to be laid before Parliament.