

Matter 9 hearing session, Thursday 30 January 2020

Inspector's discussion note

This note is intended to help provide a framework for the discussion of policies SP5, SP7, SP8, SP9 and SP10. It should be read in the context of the Matter 9 Agenda, in particular the "Context" section. It does not represent the Inspector's final views and oral comments on it at the hearing session will be welcome. Written comments on it are not invited.

Context

The policy and infrastructure requirements for the proposed garden communities [GCs] are split between policies SP5, SP7, SP8, SP9 and SP10. This creates some difficulties for the reader in understanding how the various requirements relate to one another, and what the consequences are if they are not met. In turn this creates a risk that the Plan may not be effective.

Discussion

The NEAs' intention appears to be that

the Section 1 Plan sets out the objectives, broad location, broad description and broad policy and infrastructure requirements for the proposed GCs,

the details of each GC's location and development mix and of its specific policy and infrastructure requirements are to be set out in the subsequent Strategic Growth DPDs, and

planning applications for development of the GCs are to be assessed against the requirements of both the Section 1 Plan and the DPDs.

Assuming that is the intention, a logical approach to dealing with the GCs' policy and infrastructure requirements in the Section 1 Plan could be as follows.

- The Section 1 Plan to include a policy (as part of SP7) that no planning permission for development at any of the GCs will be granted until the Strategic Growth DPD for that GC has been adopted. This would ensure that the DPDs are able to set detailed requirements for policy and infrastructure requirements at the GCs before any planning permissions are granted.
- With such a policy in place, the role of the Section 1 Plan would principally be to set out objectives, principles and broad requirements for the GCs, for the DPDs to flesh out in more specific detail. Much of the text of policies SP7, SP8, SP9 and SP10 already appears to be phrased with this role in mind. If this is indeed its intended role, it should be made more explicit.
- However, there may be certain key policy or infrastructure requirements which it is necessary to set out at strategic level in the Section 1 Plan. For example, the strategic transport infrastructure projects referenced in EB/091A suggested amendment 58 (policy SP5 new para A). If so, the Section 1 Plan should be clear

not only about what those requirements are, but also about what the consequences are if they are not met.

Possible changes to the Section 1 Plan

In order to make the roles of the Section 1 Plan and the Strategic Growth DPDs and the relationship between them clearer, the following changes to the Plan could be made:

- Move the last paragraph of policy SP7, which describes the role of the Strategic Growth DPDs, to stand after paragraph 2 of policy SP7 (para 2 begins "Each of these will be ..."), and alter its text so that it sets out the role of the Strategic Growth DPDs more clearly.
- Alter existing paragraph 3 of policy SP7 (which begins "The Councils will need to be confident ...") so that it states that no planning permission for development at any of the GCs will be granted until the Strategic Growth DPD for that GC has been adopted.
- Alter existing paragraph 4 of policy SP7 (beginning "The design, development and phased delivery ...") so that it states that the Strategic Growth DPD and any planning permissions for development at each GC will ensure that the GC conforms with the following principles (ie principles (i) to (xiv) in SP7).
- Alter existing paragraph 3 of policies SP8 & SP9 and existing paragraph 4 of policy SP10 (beginning "The DPD and any planning application ...") so that it states that the Strategic Growth DPD and any planning permissions for development at each GC will ensure that the following requirements (set out in the remainder of SP8, SP9 & SP10) are met.

The above bullet points are to indicate the changes suggested and are not intended as precise policy wording.

Proposed new policy SP5 paragraph A (EB/091A suggested amendment 58), dealing with strategic transport infrastructure requirements in the Section 1 Plan, will be the subject of discussion at the hearing session.

Roger Clews, 28 Jan 2020