

Inspector's comments regarding the Council's suggested modifications in GBC-LPSS-002

The following comments are in Plan order. They comprise my comments on the draft main modifications produced by the Council in response to my Initial Questions. I have only commented where necessary. If the proposed draft modification is acceptable, I have not commented.

The Council are in the process of considering a range of other main modifications that arose from the discussions at the hearings.

Whole Plan

The Council's proposed change regarding the reference to the NPPF is a desirable clarification, but counts as a minor rather than a main modification.

Policy S2

The housing numbers will need to be finalised in light of the discussions in the hearings.

Policy H1(2)

The first part of the wording change is acceptable. Regarding the second part ("In addition...will not be permitted"), it is not actually clear what it means or how it would be applied, and there does need to be some flexibility to allow for detailed site circumstances. Instead, the Council might consider saying "The Council will also resist significant reductions from the housing numbers and other uses that are set out in the site allocations."

Policy H2(2)

I have read the Council's response to my question and whilst I recognise the pressing need to provide affordable housing, I do not consider that there is sufficient justification for endorsing a policy that would seek affordable housing on non-major sites (otherwise than in a designated rural area) as this would be contrary to government policy. The plan achieves the delivery of significant amounts of affordable housing through its major site allocations and the Council have said that they are seeking to bring forward some additional sites by means of main modifications to improve the delivery of homes in the first 5 years following adoption, and this will assist in improving the supply of affordable housing in the early

years. Policy H2(2) and any relevant supporting text should therefore be modified to reflect Government policy.

Policy H3

The proposed addition (2) to the policy is acceptable apart from clauses b. and c. It is unclear what these mean or how they would operate and they impose additional unnecessary impediments when the policy together with clauses a. and d. are sufficient. If the Council wish to explain the point contained within Item c, it could be included in the supporting text.

The proposed changes to the text of paragraph 4.2.47 and the footnote are minor, not main, modifications.

Policy P2

The proposed modifications are acceptable except that the very last policy item numbered (3) in the modifications table is ambiguously worded. You could say: (3) "Certain other forms of development are considered not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, and these are as listed in the NPPF."

Policy P3

The monitoring indicator is better, but shouldn't it distinguish development that is not in accordance with the policy?

Policy P4

Perhaps the target should be "No planning permissions that are not in accordance with the policy"?

Policies E1 and E2

It would be helpful to see a clean copy of the revised policies E1 and E2. I may have further comments once I have received a copy.

As discussed in the Town Centre hearing session on 28 June, the town centre employment core should be taken out of the list of strategic employment sites in E1(5). That is because the combination of E1 and E3(1) acts to prevent the introduction of a complementary mixture of uses including residential into a substantial part of the town centre and is limiting the potential for regeneration and further potential housing. The concept of a ring fenced employment core in this location should be dropped and a

new policy should be devised to cover the town centre. (I recognise that the flood risk issues are still present.) There is no reason why this should jeopardise the plan's objectives in respect of B1 floorspace.

Regarding the addition to the text of 4.4.3, the plan takes into account forecasts of the requirements for housing and B class uses, so the statement about need and demand is superfluous. It also implies a restraint policy towards business and enterprise which does not actually exist in the plan and could be taken as contrary to Government policy to create appropriate conditions for business investment.

Policy E2

Regarding the limitation on existing office expansion outside the strategic employment sites, the revised text should be clearer and more flexible regarding existing occupiers who need to expand for operational reasons. I should like the Council to consider the following, which involves deleting new (4) and expanding new (3): "Outside the Town Centre and Strategic Employment Sites, existing office and R&D floorspace may be expanded by up to 25% on a site by site basis [which will need explanation]. In considering proposals larger than this, the Council will have regard to the operational needs of business for on-site expansion, whether suitable sites are available in the Town Centre and the Strategic Employment Sites, and whether the site is accessible, or can be made accessible, by sustainable means of transport."

Policy E3

In Clause (5), the Council might also refer to uses which positively enhance the functioning of the wider employment area. They don't necessarily need to be spelt out in the policy, but examples might be small local shops, creches, canteens and gyms specifically serving the employment area, which could be argued to accord with family-friendly and healthy living objectives. As it stands the clause doesn't seem particularly positively-prepared. I leave this for the Council to consider.

Policy E4

Is the reference to "science" necessary, having regard to the range of activities on the existing science park, and is this an effective requirement – how would it operate in development management terms?

Policy E7

The Council are going to re-cast this policy following discussions at the hearings.

I have considered the Council's representations in respect of the hot food takeaway clause but do not consider that the evidence supports its inclusion. There is already a well-established pattern of patronage of existing takeaways and convenience shops; this would be unaffected by the policy, so it is very unlikely that this clause would have any material influence over the consumption of high calorie food by children. The policy would therefore be ineffective. It would not be evidence-based either; I have not been shown demonstrable proof of a strong causal link between the proximity of takeaways to schools and localised incidences of childhood obesity, let alone evidence to show that any such link could be materially influenced at the margin by this policy. It would also be unfair; it would act on new takeaways but not new shops selling high calorie snacks (what is sold within Class A1 shops is outside planning control); it would act to prevent takeaways even if they sell a range of healthy food, which many do; and it would act unfairly against ethnic restaurants wishing to sell takeaway food, which tend not to be used by schoolchildren. The clause should not be included in the policy. It looks as though this clause was an add-in at track changes stage, and if that is the case its deletion in respect of Policy E7 will not be a main modification.

Policies E8 and E9

The above comments on hot food takeaways apply equally to Policies E8 and E9. The relevant clauses should be deleted.

Policy D1 and D4

It would be preferable if the essential elements of place making were in the very first paragraph – the need to create economically and socially successful new places with a clear sense of their own identity that are easy to understand and navigate, that provide natural security through their layout and design, with attractive, well enclosed and overlooked streets, roads and spaces and clear thought given to the interrelationship of land use to external space.

Also, while the smaller allocations and windfall schemes should reflect the character of their context, there needs to be a clear recognition that, when it comes to the strategic allocations, the developments must create their own identity, and it may not be possible (or even desirable), given their size, density, typology and

functional requirements, to attempt to reflect locally distinct patterns of development. "Distinct Local Character" should be re-written to reflect this.

The Town Centre section will have its own new policy, so this element of D1/D4 simply needs to refer to the new policy.

Policy ID1

The schedule is repetitious and offers different wording – for example there are two versions of ID(5)a and two of para 4.6.6a. The first versions (ie those on pp 45-46) are preferable.

ID2

This is due to be re-cast following discussions in the hearings.

A6

This is due to be re-cast following discussions at the hearings.

The site specific policies will be adjusted following the hearings so I won't comment on the text changes at this stage. At this stage I am content with the suggested revisions to Policy D2.

Jonathan Bore
INSPECTOR

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