

CORE STRATEGY Focused Review

Inspector's Consultation on the
National Planning Policy
Framework

May 2012

Inspector's Consultation on the National Planning Policy Framework (NPPF) and the
Mid Suffolk Core Strategy Focused Review (CSFR)

FAO Mrs Gregory, BSC (Hons) BTP MRTPI MCMI, Inspector.

1.0 Introduction

- 1.1. Thank you for the opportunity to respond to your call for comments on the effect of the publication of the National Planning Policy Framework upon the CSFR. These are the Council's views of its effect in general terms.
- 1.2. The purpose of the Focused Review is to address a limited number of issues, particularly in relation to the conformity of the Core Strategy and the Stowmarket AAP . On those matters it seeks to address (essentially housing numbers, employment issues and the presumption in favour of sustainable development) the Core Strategy will be in conformity with the NPPF. We have completed the PAS Self Assessment in this respect.
- 1.3. On matters which it does not seek to address and that are therefore absent from the document (such as the matters relating to gypsy and traveller policy), the question of conformity should address the policies of the adopted Core Strategy (2008) which is, of course, already adopted and therefore outside the scope of the examination into the CSFR. The Council will undertake a broader review of the Core Strategy and in particular of gypsy and traveller policy in due course. In this respect we also note that the effect of paragraph 214 of the NPPF is that existing policy (CS10) has full weight in decision taking for the next 12 months, even if there is a limited degree of conflict with the NPPF.

2.0 The general effects of recent changes in law and policy on the CSFR

- 2.1 The Council welcomes the greater flexibility which comes through the commencement of the Local Planning Regulations 2012, which replace the previous development plan regulations. Among other things they remove the requirement to prepare a core strategy, and the prescription in relation to AAPs. As a consequence the requirement that DPDs must conform to the core strategy falls away.
- 2.2 The Council also note the POS advice that

LPAs also have greater freedom now to decide the scope and content of individual DPDs, and can use any DPD to update parts of the strategy for the area, rather than having to carry out a review of the core strategy as previously. These changes give LPAs the freedom to decide the best form of local plan for their area.
Ref: "Transition to the Localism Act and the National Planning Policy Framework",
Planning Officers Society, May 2010.
- 2.3 This suggests (and the Council agrees) that LPAs can now use a current DPD under preparation as the vehicle to make changes to policies contained within the adopted core strategy. In doing so they will need to ensure that the local plan as a whole remains coherent.
- 2.4 The Council accepts that LPAs should ensure that they distinguish strategic policies from other policies, as paragraph 184 of the NPPF suggests. MSDC agrees that there

are benefits in disaggregating the detailed policies that may be applicable to site-specific or development management policies from the more strategic. We are currently preparing joint development management policies with BDC.

- 2.5 The duty to cooperate was introduced by the Localism Act in 2011. As there are no provisions for this requirement to be applied retrospectively (i.e. to documents that were submitted before royal assent in November 2011) the duty to cooperate cannot be applied to the Stowmarket Area Action Plan. Despite this the Council will provide the Inspector with a paper on co-operation and co-ordination with other Councils in the preparation of the Area Action Plan for Stowmarket at the examination into that plan. The Council notes a prominent Inspector's opinion that the requirement is to cooperate not necessarily to agree!
- 2.6 The duty to cooperate is therefore only relevant to the CSFR and only then strictly since the 15th November 2011. The Council will provide the Inspector with a paper on co-operation and related issues in due course. It also needs to be recognised that the targeted changes which it contains relate predominantly to a plan (the SAAP) which (i) was formulated before the Localism Bill was given Royal Assent and (ii) has previously been discussed among the LPAs of Suffolk via the Development Plan Officer Group and Go East meetings which were current during the period 2008 - 2011.

3.0 The Model Policy for Sustainable Development

- 3.1 The Council notes the importance attached to the model policy and will request that the Inspector accepts its inclusion in the CSFR as Policy FC1 by the proper means. As part of this process the Council will ask for a complementary change and "tidy up" for its existing Policy FC1 that will be converted to FC1.1. Any other modifications required will be the subject of specific requests and may arise out of questions or suggestions made by the Inspector.

4.0 NPPF and Planning Policy for Traveller Sites

- 4.1 The Council does not intend to request any modification in this respect because it would pre-empt the findings of the countywide group who are organising a revised assessment of need on a cross border basis. This is likely to be completed for the early autumn.
- 4.2 The Council has prepared a general response to the Gypsy and Traveller NPPF issues in lieu of a detailed NPPF PAS self assessment, which may be offered during the hearing as an explanation of current progress. The Council does not wish to make a submission to this consultation process as the issue is not raised as part of the CSFR.
- 4.3 The Council will continue to work with its partners to agree the assessments of need on a cross-border basis under the NPPF para 8 and to a reasonable time table having regard to the need to work with others.

Prepared by Stephen Andrews – Planning Policy, Professional Lead Officer MSDC