

NEWCASTLE UNDER LYME LOCAL PLAN EXAMINATION MATTERS, ISSUES AND QUESTIONS

3rd April 2025 v.2

Inspector Anne Jordan BA(Hons) MRTPI

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This document sets out Matters, Issues and Questions (MIQs) on the submitted Newcastle under Lyme Local Plan. They will inform the hearing sessions which are due to start Tuesday 20th May 2025.

Please see the enclosed 'Hearings Programme' for details of the hearing dates. Further information on the examination process is set out in the accompanying 'Examination Guidance Note'.

Written Statements

In order to ensure the hearing events are focused, representors are invited to respond to the questions in this document. **Written statements should be submitted to the Programme Officer by Thursday 1st May 2025 (5pm)**, via the above email address. Late responses and further documents received after this date will not be accepted.

Participants should only respond to the questions which directly relate to their previously submitted written representations on the Plan. Please clearly indicate in your statement(s) the question(s) you are answering.

You may choose to respond to all or some of the questions. There is no requirement to submit a hearing statement and you may wish to rely on your original representations to the Plan. All previous written representations on the submission draft Plan will be taken into account.

In responding to questions regard should be had to the Council's response to comments on the Plan (CD06b) and the modifications it has proposed to the Plan (CD15).

Statements should be proportionate in length to the number of questions being answered and should not, in total, exceed 3,000 words per Matter. Extensive appendices will not be accepted. Separate statements should be submitted on each Matter. The Council's hearing statements should cover every question and respond to objections made at the

submission Plan stage. The word limit does not apply to the Council as they are required to respond to every question.

I am examining the Plan as submitted by the Council. Therefore, I will not, at this stage, be considering the merits of sites for development not included in the Plan ("omission sites"). Should I determine that there is a need for additional or different sites to be allocated, I will, in the first instance, ask the Council to consider how they would wish to proceed with the Examination.

The questions concerning soundness are primarily focussed on the Plan's policies. Insofar as they relate to the Plan's soundness other elements of the Plan, including the supporting text, will be considered as part of the discussion of the relevant policies.

Evidence documents

The submitted Local Plan and other evidence documents can be viewed on the Council's examination webpage in the Local Plan Examination Library. A number of new documents have been added in the last few months, including the Inspector's Initial Questions (and the Council's responses).

The hearing sessions

The hearing sessions are due to start on 20th May and will run for 3 weeks. It is intended to hold the sessions mainly at Castle House Newcastle under Lyme but some sessions may be run virtually.

If you wish to speak at the hearing sessions you will need to contact the Programme Officer in email/writing by **Thursday 1st May 2025 (5pm)**. You should indicate:

- Which matter/question number this relates to, and
- Who you are representing (where relevant)

Alternatively, you may prefer to watch the hearing sessions, rather than take an active part in the discussions. If you wish to observe any of the sessions, could you please notify the Programme Officer by the same date and respond to the questions above.

Further information

Please check the Council's examination website for regular updates regarding the timing and format of the hearings.

If you have any questions about this document or the hearing sessions, please contact the Programme Officer.

**Newcastle under Lyme Local Plan Examination in Public
Provisional Hearings Programme (may be subject to change)**

20-23 May, 27-30 May, 17-19 June

Tues 20th at 10.00 Castle House Newcastle under Lyme

Matter 1a and 1b Legal Compliance and Overarching Issues

Matter 2 Spatial Strategy

Weds 21st May

Matter 3 Green Belt

Thurs 22nd May

Matter 4 The Housing Requirement

Matter 7 Housing Policies

Friday 23rd AM – Reserve Session

Weds 28th May

Matter 6 Housing Allocations

Matter 6 Housing Allocations

Thurs 29th May

Matter 6 Housing Allocations

Matter 6 Housing Allocations

Friday 30th AM

Matter 6 Housing Allocations

Matter 5 Housing Supply

Tues 17th June

Matter 8 Retail and Town Centres

Matter 9 Employment Policies and Allocations

Weds 18th June

Matter 10 Sustainable Development, Climate Change (with PSD6 and PSD7) and Rural Matters

Thurs 19th June

Matter 11 Infrastructure, Transport and Delivery

Afternoon reserve session

Friday 20th June

Reserve session

The venue for each session will be confirmed 2 weeks before the event

Matter 1a – Legal Compliance

Issue 1: Has the Council complied with the duty to co-operate and other relevant procedural and legal requirements in the preparation of the Local Plan.

1.1 In preparing the Plan did the Council engage constructively, actively and on an on-going basis with neighbouring authorities and other relevant organisations on cross-boundary issues, in respect of the Duty to Co-operate?

1.2 Having regard to the proposed release of land from the Green Belt:

- What discussions have been held with neighbouring authorities as to whether they could accommodate some of the identified need for housing and employment development?
- What form did these discussions take, and what was the outcome?
- What are the cross-boundary issues relating to economic growth and employment land provision?
- Are there any strategic cross-boundary issues in relation to any of the proposed site allocations and any general policies, and if so, how have they been considered via the Duty to Co-operate?

[Note: this question concerns the engagement undertaken by the Councils during the preparation of the Plan and does not directly relate to the content of the Plan and whether or not it is sound, which is considered under other Matters]

1.3 Has the Plan been prepared in accordance with the adopted Local Development Scheme (CD12 2023)?

1.4 Has consultation on the Plan been carried out in accordance with the Council's Statement of Community Involvement (CD13 Sept 2021) and the requirements of the 2004 Act (as amended) and the 2012 Regulations?

1.5 Does the Sustainability Appraisal (SA) provide a comprehensive and robust basis to inform the strategy and contents of the Plan, particularly in terms of:

- (a) Its assessment of the likely effects of the Plan's policies and allocations?
- (b) Its consideration of reasonable alternatives, including the growth and growth directions options? Does it capture all reasonable alternative site options put forward in the Plan preparation process? Can these be compared on a like for like basis?
- (c) Its explanation of why the preferred strategy and policies were selected?
- (d) Its assessment of the amount of development that would arise as a result of the provisions in the Plan?

[Note: This question focusses on the legal compliance of the SA in broad terms. The implications of the SA for the soundness of the Plan is considered under other matters.]

- 1.6 Is the Habitats Regulations Assessment (CD05 July 2024) and the Habitats Regulation Assessment with appendices (EX/NBC/03, EX/NBC/03a and EX/NBC/03b) adequate and does the Plan include all the recommendations identified in the assessment as necessary to ensure compliance with the Habitats Regulations? Is it robust and convincing in its conclusion that the Plan will have no significant effects on the integrity of any European sites?
- 1.7 Does the Plan include policies to address the strategic priorities for the development and use of land in Newcastle under Lyme? How are these identified in the Plan?
- 1.8 Does the Plan include policies designed to ensure that the development and use of land in Newcastle under Lyme contributes to the mitigation of, and adaptation to, climate change?
- 1.9 How have issues of equality been addressed in the Local Plan?
- 1.10 Does the Plan comply with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations?
- 1.11 Does the 'policies map' (CD02) correctly illustrate geographically the application of policies of the Plan?

Matter 1b - Overarching Matters

- 1.12 Is the Plan period (2020 – 2040) justified, effective and consistent with national policy which requires strategic policies to look at least 15 years ahead from adoption? Should the requirements/timescales for review of the Plan be set out in policy?
- 1.13 How have made and emerging Neighbourhood Plans been taken into account and where is this evident?

Matter 2 – Vision and Objectives, the Spatial Strategy, and the Site Selection Process

(Policies PSD1, PSD2, PSD3, PSD4)

Issue 2 – Are the provisions of the Plan in relation to the Spatial Strategy justified and consistent with national policy?

This matter focusses on the broad spatial distribution of new development and on the process by which proposed development sites have been selected for inclusion in the Plan (Policies). The merits of individual site allocations are considered under Matters 6 and 9)

- 2.1 Is the proposed spatial strategy and the distribution of development (as set out in policies PSD2 and PSD3) supported by robust and up to date evidence and otherwise soundly based? In particular:
 - a) Does it reflect the vision and objectives of the Plan?
 - b) To what degree is the distribution of development set out in Policy PSD3 based on the settlement hierarchy in Policy PSD2?
 - c) Is the focus on the larger urban settlements justified and soundly based?
 - d) Would the pattern of development proposed meet the needs of rural centres?
How were the proportions of development proposed for each settlement arrived at?
 - e) Would it provide sufficient development within rural areas and other settlements?
 - f) Is the approach to development at Keele soundly based? Does it adequately address the needs of the University?
- 2.2 What is the evidential basis for the settlement hierarchy in policy PSD2? Does this accurately reflect the pattern of settlements across the district? Is this up to date? How does this inform the development strategy? What other factors influenced the strategy, such as physical and environmental constraints?
- 2.3 What other spatial strategies and distributions of growth were considered during plan preparation, and why were they discounted? Where is the evidence for this? Were alternative approaches tested in the Sustainability Appraisal work?

- 2.4 Have the sites allocated for development in the Plan been appraised and selected in comparison with possible alternatives using a robust and objective process?
- Is the site selection process transparent ?- How were different development constraints taken into account? Were they identified using up to date and appropriate evidence and guidance?
 - Were constraints given relative weight in the site selection process? If so, how was this determined ?
 - In relation to flood risk, were sites at low risk preferred over those at greater risk? How did Strategic Flood Risk Assessment (SFRA) inform site selection?
- 2.5 Do policies PSD3 and PSD4 allow sufficient development in rural centres, rural areas and settlements to comply with para 83 of the Framework? Are the proposed settlement development boundaries appropriately drawn? What factors were taken into account in designating these?
- 2.6 What are the Plan's assumptions in relation to the amounts and timing of development to be delivered through neighbourhood plans? Are these soundly based?
- 2.7 Are there any omissions in the policies and are they sufficiently flexible? Are there any proposed modifications to the policies and are these necessary for soundness?

Matter 3 Green Belt

(Policy PSD5)

Issue 3 Whether the approach to the alteration of the Green Belt and development within it is justified and consistent with national policy.

[Please Note: This matter concerns the principle and overall approach to the Green Belt. Detailed matters relating to individual site allocations and the specific implications for the Green Belt are dealt with in Matter 6.]

Principle of Green Belt Release

- 3.1 What proportion of new housing allocated in the Plan would be on land currently designated as Green Belt?
- 3.2 Paragraph 141 of the NPPF identifies that before exceptional circumstances exist to justify changes to Green Belt boundaries a strategic policy making authority should be able to demonstrate that it has fully examined all other reasonable options for meeting its identified need for housing. Taking into account the answers to question 1.2 have all opportunities to maximise the capacity on non-Green Belt land been taken? How has this been assessed and is this robust? In particular:
 - How has the Council sought to make as much use as possible of suitable brownfield sites and underutilised land?
 - How has the Council sought to optimise the density of development?
- 3.3 Are there exceptional circumstances to alter the Green Belt in the Borough in principle? If so what are they? If not, how do you consider housing and employment needs could be met?

Green Belt Review

- 3.4 The Council has produced a Green Belt Assessment (ED8, 8a, 8b, 8c). Is the Council's approach to assessing Green Belt appropriate? What are your reasons for this view?
- 3.5 Has the Green Belt Assessment adequately assessed the suitability of individual sites and their contribution towards the purposes of including land in the Green Belt? Are there any omissions in the policy?

- 3.6 How has the Green Belt Assessment informed and been informed by the spatial strategy? How is it affected by other constraints?
- 3.7 Has the Green Belt Assessment adequately addressed the cumulative effects of Green Belt release?
- 3.8 Is the Council's decision to not include safeguarded land soundly based?

Implications of the NPPF (2024)

Although the Plan will be examined under the provisions of the NPPF December 2023 individual planning applications will be considered under the provisions of the version of the NPPF current at that time. The December 2024 NPPF introduced the concept of "Grey Belt".

- 3.9 How relevant to this Examination are the provisions of the NPPF2024?
- 3.10 If you consider this to be the case, which sites within the Green Belt Review would be considered to be Grey Belt?
- 3.11 Will the "Golden Rules" have any implications for proposed sites?

Matter 4 The Housing Requirement

Issue 4 - Is the identified housing requirement in table 2 justified and consistent with national policy?

- 4.1 Is the housing requirement of 8,000 homes during the 2020-2040 period (policy PSD1) a figure of 400 dwellings per annum (dpa), justified by the Council's evidence? Are the assumptions of the 2024 Housing and Economic Development Needs Assessment and Addenda (ED001) soundly based, particularly in relation to:
- a) Identifying a baseline figure;
 - b) Forecasts for economic growth;
 - c) Alignment of jobs and workers; and
 - d) Assumptions of housing requirements arising from economic growth.
- 4.2 In relation to Affordable Housing Needs, is the identified need for 278 dpa been based on robust, up-to-date information? How has this been considered in the overall housing requirement? Based on the thresholds and requirements in Policy HOU1, will affordable housing needs be met? How will the "Golden Rules" in the NPPF2024 impact upon affordable housing provision in the Plan ?
- 4.3 Does the requirement adequately recognise the impact of housing need arising from strategic employment allocations? What assumptions have been made in relation to this?
- 4.4 Does the figure take account of potential expansion at Keele University What assumptions have been made in relation to the on-going housing needs of the student population?
- 4.5 Does the figure take adequate account of the needs of elderly residents and specialist housing?
- 4.6 Should there be a housing requirement for designated neighbourhood areas within the Plan? (paragraph 66 in the NPPF) If so, what should this be?

Matter 5 Housing Supply

(Policy PSD1 and PSD2)

Issue 5 - Does the Plan provide an appropriate supply of deliverable and developable sites to meet identified needs and do these align with national policy?

This Matter focusses on the overall supply of land for housing. In the light of Matter 5, I will reach a conclusion on whether or not the objectively assessed need for housing of 8,000 dwellings for the 2020-2040 period is justified. The merits of individual site allocations and their deliverability are considered under Matter 6.

- 5.1 Are the assumptions that have been made to inform the trajectory justified in relation to the delivery of housing sites, in particular in relation to:
 - a) lead in times for grant of full permissions, outline and reserved matters and conditions discharge;
 - b) site opening up and preparation; and dwelling build out rates?
- 5.2 Is there a reasonable prospect that a total of 1648 new dwellings will be provided on sites that had planning permission at March 2024?
- 5.3 Is there a reasonable prospect that the total of 5195 new dwellings to be delivered through Local Plan allocations?
- 5.4 Is there compelling evidence to justify a windfall allowance of 756 over the plan period and to demonstrate that they will provide a reliable source of supply?
- 5.5 Has appropriate consideration been given to non-implementation lapse rates?
- 5.6 What assumptions have been made in relation to the provision and delivery of student housing? Are these consistent with national policy?
- 5.7 Overall, is there convincing evidence that:
 - a) Having regard to assumptions about commitments, allocations and windfalls the housing requirement across Newcastle under Lyme between 2020 and 2040 is likely to be met?

- b) A 5 year supply of deliverable housing land will exist on adoption?
- c) The Plan provides specific, developable sites to provide a supply of deliverable or developable housing land is likely to exist throughout the plan period?

Matter 6 Housing Allocations

Policies AB12, AB33, AB15, CT1, CH13, CH14, KG6, KL13, KL15, KS< KS11, KS17, KS18, KS19, LW53, MD29 NC13, SP2, SP11, SP22, SP23, BL8, BL18, BL32, TK6, TK10, TK17, TK27, TB6, TB19, TB23, TC7, TC19, TC20, TC22, TC40, TC50 , TC52, TC71.

Issue 6 – Are the proposed housing allocations justified, effective, developable, deliverable, in line with national policy and otherwise soundly based?

[Note: This matter focusses on the merits of individual site allocations, the process for selecting site allocations is dealt with in Matter 2.]

6.1 Do the sites allocated for residential development provide an appropriate range of sites in terms of their type and size?

6.2 Are the requirements of Policy SA1 sound? are there any omissions from the policy? Is it consistent with national policy?

6.3 Are the sites allocated for housing sound, and in particular for each of the sites listed below:

a) Have the site constraints been appropriately taken into account in the allocation of the site?

b) Are the various requirements set out in the policy clear, justified and effective?

c) Have the indicative yield, development mix and viability considerations been adequately addressed?

d) Is there robust evidence that the assumptions regarding the infrastructure required for the development are realistic and that it will be deliverable?

e) Is there evidence that the development of the allocation is viable and developable during the plan period?

f) Are there any omissions in the policy, and is it sufficiently flexible? Where applicable, are the main modifications suggested to the Policy necessary to make the Plan sound?

- AB12 Land East of Diglake Street
- AB33 Land off Nantwich Road / Park Lane, Audley
- AB15 Land North of Vernon Avenue

- CT1 Land at Red Street and High Carr Farm, Chesterton
- CH13 Castletown Grange, Douglas Road, Cross Heath
- CH14 Maryhill Day Centre, Wilmot Drive
- KG6 William Road, Kidsgrove (Site of the Galley PH)
- KL13 Keele Science Park Phase 3
- KL15 Land South of A525 Keele
- KS3 Land at Blackbank Road, Knutton
- KS11 Knutton Community Centre, High Street, Knutton
- KS17, Knutton Recreation Centre, Knutton Lane
- KS18 Land North of Lower Milehouse Lane, Knutton
- KS19 Land at Knutton Lane
- LW53 Land at Corner of Mucklestone Wood Lane, Loggerheads
- MD29 Land North of Bar Hill, Madeley
- NC13 Land West of Bullockhouse Road, Harriseahead
- SP2 Cheddar Drive
- SP11 Lyme Park
- SP22 Former Playground off Ash Grove
- SP23 Land at Cemetery Road / Park Road
- BL8 Land adjacent to roundabout at West Avenue, Kidsgrove,
- BL18 Land at Clough Hall,
- BL32 Land at Congleton Road, Butt Lane,
- TK6 Site at Coalpit Hill, Talke,
- TK10 Land at Crown Bank,
- TK17 Land off St Martins Road, Talke,
- TK27 Land off Coppice Road, Talke.
- TB6 Former Pool Dam Pub Site,
- TB19 Land South of Newcastle Golf Club,
- TB23 Land West of Galingale View.
- TC7 Land bound by Ryecroft, Ryebank , Merrial Street, Corporation Street and Liverpool Road, Newcastle,
- TC19 Hassell Street Car Park,
- TC20 King Street Car Park,
- TC22 Marsh Parade, Newcastle (former Zanzibar night club),

- TC40 Car Park, Blackfriars Road, Newcastle,
- TC50 Cherry Orchard Car Park,
- TC52 Goose Street Car Park,
- TC71 Midway Car Park

Matter 7 - Housing Policies

Policies HOU1, HOU2, HOU3, HOU4, HOU5, HOU6

Issue 7 - Does the Plan set out positively prepared policies to meet affordable housing needs and the housing needs of other groups, which are justified, effective and consistent with national policy?

- 7.1 a) In Policy HOU1 are the (brownfield/greenfield) affordable housing requirements justified, and will the policy be effective in helping to maximise affordable housing and not undermining deliverability? The affordable housing requirements are based on the findings of the Local Plan Viability Assessment (ED004). Are the assumptions used within this soundly based? Why do the thresholds in policy HOU1 differ from those recommended in ED004? Should the policy include a threshold for older person homes and at what level should this be set?
- b) Are the requirements in relation to tenure split sufficiently clear? Is the reference to First Homes necessary and appropriate?
- c) Is Policy HOU1 sufficiently clear in the approach to be taken for off-site and/or financial contributions in lieu of on-site provision?
- d) The Policy will be assessed in relation to the most up to date version of the Framework which has higher affordable housing requirements for green belt sites. Is it appropriate that these changes be reflected in the Policy? If so, how?
- 7.2 a) Does HOU2 provide an effective framework for ensuring an appropriate mix of housing will be delivered over the plan period?
- b) How were the requirements of the policy arrived at? Are they based on sound evidence and do they allow sufficient flexibility to reflect site specific constraints and opportunities?
- c) Is the requirement in criterion 4 relating to specialist housing needs sufficiently detailed and is it likely to be effective?
- 7.3 a) Are the requirements of HOU3 relating to the provision of homes that comply with M4(2) of the building regulations and the Nationally Described Space Standards (NDSS) justified by evidence relating to need and viability?
- b) Are the main modifications to the policy and supporting text suggested necessary for soundness?

7.4 a) Would Policy HOU4 provide an adequate framework to ensure the need for additional accommodation for Gypsy and Travellers can be met as required by national policy? Are the requirements of the policy clear, and would they be effective?

b) Is the Gypsy and Traveller Accommodation Assessment (ED018) up to date and robust in its identification of needs for plots and pitches?

c) Are the following sites allocated for Gypsies and Travellers sound?

- G&T 11 Land at Hardings Wood Road, Kidsgrove
- G&T Site 8 Land West of Silverdale Business Park

Have the sites allocated been selected against possible alternatives using a robust and objective process? Will they meet the needs of Gypsies and Travellers and Travelling Showpeople over the Plan period?

d) Does the Council's approach in relation to traveller sites generally conform with the expectations of the relevant Planning Policy for Traveller Sites?

e) Are there any omissions from the policy and is it sufficiently flexible?

7.5 a) Would policy HOU6 provide an effective framework for ensuring the appropriate provision of custom and self-build housing over the plan period? In particular:

- How will the decision maker ensure preference of brownfield plots over greenfield sites as set out in criterion 1?

- Is the requirement to provide custom and self-build housing on all major development appropriate and how will what a suitable proportion of serviced plots be determined?

- How was the period of 1 year for marketing arrived at? Is it necessary and would it be effective?

- Is the policy clearly worded and would it be effective?

7.6 a) would policies HOU8 and HOU9 provide an effective framework for assessing the acceptability of rural exception sites? In particular:

- Is the threshold of 1 hectare or 5% of the size of the existing settlement an appropriate one? How was it reached?

- Is reference to First Homes in policy HOU8 appropriate given that First Homes are no longer referred to in the most up to date version of the Framework? Does the wording of the policy need to reflect this?

- 7.7 a) Are policies HOU5 HOU7, HOU10 and HOU11 clearly worded and would they be effective? Is it clear that all of the criteria must be complied with in order to comply with these policies?
- 7.8 Are any modifications to the housing policies proposed by the Council and are these necessary for soundness?

Matter 8 Retail and Town Centres

Policies RET1, RET2, RET3, RET4 and RET5

Issue 8 – Does the Plan set out a positively prepared strategy and policies for retailing and town centres and tourism which is justified, effective and consistent with national policy?

- 8.1
- a) Is the retail hierarchy defined in policy RET1 justified and consistent with national policy?
 - b) Are the boundaries for the town centres and primary shopping areas justified and will they be effective?
 - c) Is there convincing justification for the thresholds for retail impact assessments and distances specified, as set out in RET1?
 - d) Is the approach to retail uses within neighbourhood parades of shops clear and consistent with national policy?
 - e) Are the proposed main modifications to the Policy and supporting text necessary for soundness?

Matter 9 Employment Policies and Allocations

Policies EMP1, EMP2 EMP3

Issue 9 – Are the provisions of the Plan in relation to the provision of employment land justified and consistent with national policy? Would the allocations be developable, deliverable and otherwise soundly based?

9.1 How much employment land is allocated in the Plan? How have “local” and “strategic” employment needs been identified and quantified and how does the Plan seek to address these?

9.2 Is the identified supply of local employment land justified in order to provide for future employment needs in the borough?

9.3 In relation to strategic employment needs is the amount of land allocated for strategic employment needs justified and consistent with national policy?

9.4 Have these allocations had appropriate regard to the potential wider strategic impact of the development?

9.5 How were employment sites selected? What factors led to their allocation? Are they based on up-to-date evidence? Were they selected in comparison with possible alternatives using a robust and objective process?

9.6 Are the sites allocated for employment sound, and in particular for each of the sites listed below:

- a) Are the various requirements set out in the policy clear, justified and effective?
- b) Have the site constraints been appropriately taken into account in the allocation of the site?
- c) Are floorspace assumptions soundly based and have site constraints and off-site impacts been adequately addressed?
- d) Is there robust evidence that the assumptions regarding the infrastructure required for the development are realistic and that it will be deliverable?
- e) Is there evidence that the development of the allocation is viable and developable during the plan period?

f) Are there any omissions in the policy, and is it sufficiently flexible? Where applicable, are the main modifications suggested to the Policy necessary to make the Plan sound?

- AB2 Land at Junction 16 of the M6
- BW1 Chatterley Valley, Lowlands Road
- CT20 Rowhurst Close, Chesterton
- KL13 Keele Science Park Phase 3
- KL15 Land South of A525 Keele
- TC7 Land bound by Ryecroft, Ryebank , Merrial Street, Corporation Street and Liverpool Road, Newcastle
- TC45 York Place, Newcastle Town Centre

9.7 Are the requirements of policies EMP1, EMP2 and EMP3 clear, and would the criteria identified to assess proposals on these sites be likely to be effective? In particular:

- a) How would existing employment sites be identified?
- b) Would the agent of change principle expressed within EMP2 adequately address the requirements of existing businesses?
- c) Are there any omissions in the policies and are they sufficiently flexible?

9.8 Taken together, does the Plan provide for an appropriate amount and range of employment sites to meet the needs of the Borough for the Plan period?

Matter 10 Sustainable Development, Climate Change and Rural Matters

Policies PSD4, SE1-SE14, CRE1, CRE2, PSD6 and PSD7, and RUR1-RUR5

Issue 10 – Does the Plan set out a positively prepared strategy and policies for sustainable development, rural matters and climate change which is justified, effective and consistent with national policy?

- 10.1 Is the approach taken to settlement boundaries set out in policy PSD4 consistent with national policy? Are the settlement boundaries appropriately drawn and up to date? do they allow for the appropriate growth of rural centres?
- 10.2 Are the requirements of policies RUR1, RUR2, RUR3, RUR4 and RUR5 clear, and would the criteria identified to assess proposals on these sites be likely to be effective? In particular:
- a) What is meant by the sustainability of an access in criteria 2(b)?
 - b) Criterion 2(c) in RUR1 appears to require a comparative assessment, is this intended by the policy? 3(e) necessary and what does it seek to achieve?
 - c) Are there any omissions in the policies and are they sufficiently flexible?
- 10.3 Would policies SE1-SE14 provide an effective framework to address matters relating to sustainable development? In particular:
- a) Would the wording of criteria c) of SE1 pollution and air quality be effective?
 - b) In relation to Policy SE3 (1) Flood Risk Management is the wording of the policy sufficiently clear in relation to a “sequential approach” to development?
 - c) In relation to Policy SE4 Sustainable Drainage Systems, should “smaller developments” be defined in part 1). Should the policy directly address the matter of water treatment?
 - d) In relation to Policy SE5 Water Resource and Water Quality, how would a developer seek to comply with criteria 4, which seeks to ensure developments consider capacity limitations? Are there grounds for seeking a water efficiency standard of less than 110 litres pppday? Should non-mains drainage be addressed in the Policy?
 - e) In relation to Policy SE6 Open Space, Sports and Leisure Provision, is part (4) consistent with national policy? Has the council identified existing open spaces and facilities in accordance with an appropriate methodology? Are these clearly and consistently identified and is it clear from the policy how such spaces will be

considered in relation to development proposals? Does the policy relate solely to sites identified on the proposals map?

f) In relation to Policy SE7 Biodiversity Net Gain (BNG) – Are the terms of the policy, including the requirement for “at least 10% BNG, clear and are they consistent with national policy? How will the requirements of criteria (2) be identified in advance of a published Local Nature Recovery Strategy?

g) In relation to Policy SE8 Biodiversity and Geodiversity - Are the terms of the policy reasonable, including the requirement in 1. i) to avoid any adverse impacts on all trees, woodlands, hedgerows? Does the policy provide sufficient clarity in relation to geodiversity sites? Are the requirements of the policy consistent with national policy?

h) In relation to Policy SE9 Historic Environment, Policy SE11 Trees, Hedgerows and Woodland, SE12 Amenity and SE13 Soil and Agricultural Land and SE14 Green and Blue Infrastructure - Are the terms of the policies clear, would they be effective and are they consistent with national policy?

i) In relation to Policy SE10 Landscape - Are the requirements of the policy clear, would the requirement to “comply” with Landscape and Settlement Character Assessment Study 2022 (LSCA) be consistent with national policy?

j) Are there any omissions in the above policies and does the Council propose any modifications?

10.4 Are the requirements in PSD 6, PSD7, CRE1 and CRE2 clear, and would the criteria identified to assess proposals on these sites be likely to be effective? In particular:

a) In relation to Policy PSD6 - Health and Wellbeing does the Policy provide sufficient guidance as to when a full Health Impact Assessment (HIA) may be required? Are there any omissions from the policy?

b) Is it reasonable that the requirements of Policy PSD7 Design apply to all developments – are there any omissions from the Policy?

c) In relation to Policy CRE1 Climate Change what is the justification for setting a local standard in relation to water efficiency and for energy efficiency for non-residential development? How would a decision maker assess compliance with criteria 5, 6d and 7?

d) In relation to Policy CRE2 Renewable Energy, where does the 10% figure come from, Is it justified and consistent with national policy? Should criterion 3 include a weighting against public benefits? would a “significant adverse” consistent with national policy – weigh benefits ?

Matter 11 – Infrastructure, Transport and Delivery

Policies IN1, IN2, IN3, IN4, IN5, IN6 and IN7

Issue 11 – Does the Plan set out a positively prepared strategy and policies relating to the infrastructure, transport and delivery which are justified, effective and consistent with national policy?

- 11.1 a) Does Policy IN1 provide an effective framework to ensure the delivery of the necessary infrastructure? In particular,
- b) Are the policy's requirements supported by up-to-date evidence?
- c) Have the implications of the policy in relation to viability been appropriately tested?
- d) Has the Infrastructure Delivery Plan up to date and does it provide a comprehensive assessment of future infrastructure requirements based on a competent assessment of existing provision ?
- e) Is the policy sufficiently flexible?
- f) Are there any omissions from the proposed policy and supporting text?
- 11.2 a) Do Policies IN2, IN3 and IN4 provide an effective framework for assessing the impacts of development in relation to transport, accessibility and parking? Are there any omissions from the proposed policy and supporting text?
- 11.3 a) Does Policy IN5 provide an effective framework for assessing the impacts of development in relation to Community Facilities? Are the terms of the policy clear, including how community facilities are defined and when the policy will be applied? Are there any omissions from the policy and supporting text?
- 11.4 a) Does Policy IN6 provide an effective framework for assessing the impacts of development in relation to Telecommunications Development? Are the terms of the policy clear? Are there any omissions from the policy and supporting text?
- 11.5 a) Does Policy IN7 provide an effective framework for assessing the impacts of development in relation to the provision of utilities? Are the terms of the policy clear and in accordance with national policy? Are there any omissions from the policy and supporting text?
- 11.6 Is the Plan sufficiently clear as to how its implementation will be monitored?