

Examination into the soundness of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP)

Matters and Issues for investigation

Matter 1 Compliance with statutory procedures and legal matters

Main issue - Have the relevant procedural and legal requirements been met?

1.1 *Meeting legal and procedural requirements*

- i Is the sustainability appraisal (SA) legally compliant and have the requirements for Strategic Environmental Assessment (SEA) been met? Is it clear how the assessments have been carried out? Is it clear how the SA has influenced the plan?
- ii Does the SA adequately assess the environmental, social and economic effects of the plan? Does it adequately assess the likely significant effects of policies, proposals and site allocations? Is the methodology for assessing site allocations appropriate?
- iii Does the SA adequately consider the likely significant effects of reasonable alternatives where these exist, including in respect of the scale of housing and employment provision and the balance between them? Is it clear what alternatives have been considered and the reasons why these have not been selected?
- iv Has the requirement for appropriate assessment under the Habitats Regulation Assessment (HRA) been met and is it clear how this has influenced the plan?
- v The Councils in the Regulation 22 statement accept that clarification is needed in Policy SP7 regarding Marine Plans and propose to include changes in the supporting text as a response to the Devon County Council representation. Would reference to the AONB in the policy be effective, in relation to the potential need to accommodate future Torbay housing needs and is it justified?

Matter 2 Spatial strategy

Main issue - Does the JLP set out the most appropriate strategy to deliver the vision, objectives and outcomes set out in the plan, which is justified, and consistent with national policy?

2.1 *Spatial strategy (Policies SPT1 and SPT2)*

(Other policies in the spatial strategy chapter of the plan are set out under separate topic areas below)

- i Policies SPT1 and SPT2 provide lists of sustainable development principles: are they necessary, justified and consistent with national policy? As the policies in the JLP when considered as a whole should form the framework for delivering sustainable development within the plan area, are the policies effective and is it clear how they will be used by decision-makers when considering development proposals?
- ii Para 3.17 (p18 of the JLP) states that the measures/standards set out in figure 3.2 will be used in implementing Policy SPT2 when considering development proposals. Does this need to be clearly set out in policy and are the measures/standards justified?

Matter 3 Housing

Main issues – Are the objectively assessed housing needs soundly based, supported by credible evidence and consistent with national policy? Are the housing requirements realistic, deliverable and justified by evidence? Does the JLP set out a positively prepared strategy for the delivery of housing within the plan area that is justified, effective and consistent with national policy?

(Note: the assessment of suitability, availability, and deliverability of individual sites within the housing trajectories will be considered under Matters 7 and 8)

3.1 Establishing the objectively assessed need (OAN) for housing

- i Has the Housing Market Area (HMA) adopted for the assessment of housing need been defined in accordance with the advice in Planning Practice Guidance (PPG)?
- ii Is the requirement for 26,700 dwellings in Policy SPT3 (taking into account the provision in Dartmoor National Park (DNP) of 600 dwellings) based on an objective assessment of need using up to date, reliable evidence including the latest CLG household projections?
- iii Representations by a number of housebuilders refer to a study in 2016 which found a requirement for 30,300 dwellings across the 3 local authority areas. What is the basis for the reduction in the requirement to 26,700? Does the reduction result from the use of the 2014-based sub-national household projections?
- iv The PPG indicates that household projections do not reflect the consequences of past under delivery of housing. Is there evidence of past under delivery of housing within the defined HMA to indicate that household formation rates may have been constrained by supply?
- v Does the uplift for market signals which is included within the calculation of the OAN (HO13 Table 17) ensure that provision is made for any previous under delivery of dwellings in addition to high house prices and rental levels?

- vi Does the calculation of OAN adopt reasonable vacancy rates for each of the Councils (HO13 Table 7), and is it appropriate to take into account second homes?
- vii Does the housing requirement make sufficient provision for economic growth?
- viii The proposed housing requirement is criticised for falling below the currently adopted housing requirements for each of the Council areas. How does the proposal for 26,700 dws in the plan period comply with Government policy to boost the supply of housing?
- ix Has the need for affordable housing been adequately assessed and is the requirement for affordable housing identified in Policy SPT3 appropriate?
- x Have the needs of particular groups (eg older people and those requiring specialist support) been appropriately taken in to account in the OAN? How will the JLP help to deliver the housing needs of these groups?
- xi Have the housing needs for gypsies, travellers and travelling showpeople been adequately assessed in accordance with national policy?

3.2 *Spatial strategy – overall distribution of the housing provision across the JLP area*

- i The Councils’ calculation of OAN indicates a requirement for the following distribution between the three Council areas in the JLP:

Plymouth City	18,217
South Hams	3,924
West Devon	5,162

Of this total, some 600 would be provided within the DNP, leaving a requirement for 26,700 dwellings in the JLP.

Taking into account the Councils’ assessment of housing land supply throughout the JLP area, the strategic objective to strengthen the focus of growth on Plymouth and in order to support the greater use and viability of sustainable transport modes in commuting to work (TP3 para 5.57), the distribution proposed as a monitoring target for the plan period in the JLP (Annex 2) is:

Plymouth City	13,200
South Hams	10,300
West Devon	3,200

To what extent is it reasonable to distribute the housing requirement between the 3 Councils as proposed? Is this supported by credible evidence?

- ii The housing requirement is directed in Policy SPT3 to the two Policy Areas proposed in the JLP. A requirement for at least 19,000 dwellings is allocated to the Plymouth Policy Area (PPA), with at least 7,700 to the Thriving Towns and Villages Policy Area (TTVPA). Is the split between the PAs justified, and will it meet the needs of local communities and be sustainable?

3.3 *Assessing the supply of housing land to deliver Policy SPT3*

- i Is the methodology used by the Councils in the Strategic Housing Land Assessment to assess the availability, suitability and likely economic viability of land that could meet the identified need for housing over the plan period sound? Are the reasons for selecting preferred sites and rejecting others clear?
- ii At March 2016 the Councils forecast a potential supply of some 29,800 dwellings during the plan period (TP3 Table 12a). Would this provide sufficient head room between the overall land supply and housing requirement figures to enable the Council to react quickly to any unforeseen change in circumstances and to ensure that the full requirement is met during the plan period?
- iii Are the sources of supply and the expected contribution from Neighbourhood Plans, student accommodation release, small and large sites which are not allocated, and small site windfalls included in Table 12a justified?
- iv Are the allowances for a lapse rate in the completion of planning permissions of 10% for PPA and 15% for TTVPA appropriate? Is there any evidence to indicate these should be changed?
- v Monitoring targets for each LPA are set out in Annex 2 to the JLP. It is stated in TP3 para 8.22 that each LPA will monitor delivery against these target figures to ensure that the requirements of para 47 of the NPPF are being met. It is then stated in para 8.25 of TP3 that the PA targets in STP3 will be used for 5 year housing land supply analysis for development management purposes. Can the Councils please explain how this will work in practice? For example, if there is a shortfall in delivery within the PPA, would it become the responsibility of Plymouth CC or S Hams to find further allocations to make up the shortfall?
- vi Based on a requirement for 26,700 dwellings, is the annual requirement 1335, split between PPA 950 and TTVPA 385?
- vii In order to calculate a five year supply, is it appropriate to provide for the backlog within the first five years, with a 20% buffer to secure choice in supply? Would the five year requirement then be 9,815 in the first five years?
- viii Can the figures on housing land supply be updated to March 2017, including revised detailed housing trajectories to replace TP3A, TP3B and TP3C? (*Hard copies should be no greater than A3 size*)

- ix To what extent has the data in the trajectories been discussed and agreed with the development industry?

Matter 4 Transport and infrastructure

Issues - Does the JLP set out policies for transport, infrastructure and planning obligations which have been positively prepared and are justified, effective and consistent with national policy? Are the requirements set out within the plan viable?

(Please note that questions relating to policies for strategic infrastructure measures in the PPA and TTVPA are set out under Matters 7 and 8)

4.1 Establishing and delivering transport and infrastructure needs (Policies SPT8-10, DEV31-33)

- i Have all essential transport and infrastructure elements been established and does the plan adequately address these needs in its identification of the scale and location of proposed development?
- ii Is there clear evidence that infrastructure needs will be funded and delivered in a co-ordinated manner across the plan area?
- iii Do the measures set out in Policy SPT8 provide a positively prepared strategy for the protection and enhancement of the plan area's transport routes and digital connectivity?
- iv Policy SPT9 provides a list of principles for transport planning and strategy: is it an effective planning policy? Do the principles provide clear measures by which development proposals will be assessed?
- v Policy SPT9 refers to a hierarchy of transport modes which is illustrated in Figure 3.12 within the supporting text and set out in Policy SPT10. Is the purpose of both policies clear in this regard?
- vi Is Policy SPT10 an effective planning policy and does it provide a clear indication of how a decision-maker should react to a development proposal?
- vii What evidence is there that the measures set out in Policy DEV31 will *'contribute positively to the achievement of a high quality, effective and safe transport system in the Plan Area which promotes sustainable transport choices and facilitates sustainable growth'*?
- viii Is the inclusion of measures in Policy DEV31 on matters including mitigation, landscape, local distinctiveness and rural and historic environments, as suggested by representors, justified by the evidence?

4.2 Plymouth Airport (Policies SPT8 [point 1] and PLY42)

- i Are Policies SPT8 and PLY42 safeguarding the potential future re-use of Plymouth airport as a general aviation airport, until the 5 year review of the JLP, appropriate and justified by robust evidence?

Matter 5 The economy

Main issues – Are the objectively assessed economic development needs soundly based and supported by robust evidence? Are the employment floorspace requirements realistic, achievable and justified by evidence? Does the JLP set out a positively prepared strategy that supports economic development across the plan area and is it justified, effective and consistent with national policy?

(Note: Retail development is considered separately under Matter 6 with site allocations including for retail under Matters 7 and 8)

5.1 Establishing the objectively assessed economic development needs

- i Is the employment growth methodology robust and justified and consistent with the Planning Policy Guidance?
- ii Two economic development forecasts have been assessed as set out within the PBA 'Assessment of Employment Forecasts' document published in 2017 (EC8) and summarised in TP4. The assessment concludes that both forecasts produce broadly similar trends in jobs growth. The preferred forecast is for 1,020 jobs per year (20,400 over the plan period). The evidence concludes that around 13,200 new jobs will be generated in B-use class industries during the plan period, the remaining jobs to be provided through other uses including retail and health care provision.
 - a. Is the employment growth methodology based on an objective assessment of need and does it use up-to-date, reliable evidence?
 - b. Should an economic uplift be applied to the methodology to take account of the LEP forecast for net jobs growth as suggested by representations?
- iii The JLP only allocates sites for B1, B2 and B8 employment uses.
 - a. Is the requirement for at least 312,700 sqm of net new employment floorspace, as set out in Policy SPT4, consistent with delivering the number of jobs needed for these uses?
 - b. Does it reflect the economic growth ambitions of the area?
 - c. Is the conversion of jobs into a floorspace requirement based mainly on assumptions about floorspace per worker appropriate (TP4 Table 1)?
- iv Is the jobs growth/employment floorspace requirement consistent with the level of proposed housing growth?

5.2 Spatial strategy – overall distribution of employment provision

- i Policy SPT4 directs the employment floorspace requirement to the PPA and TTVPA.

The PPA requirement is:
93,000 sqm (B1a offices)
51,000 sqm (B1/B2 industrial)
99,000 sqm (B8 storage and distribution)

The TTVPA requirement is:
24,000 sqm (B1a offices)
18,100 sqm (B1/B2 industrial)
27,600 sqm (B8 storage and distribution).

TP4 states that the geographical distribution is based on the pattern of recent completions 2014-2016 and existing commitments and allocations as at 2016.

- a. Are the splits between the employment uses and the Policy Areas justified on this basis?
- b. Does the distribution contribute to an effective spatial strategy and will it meet the needs of local communities and be sustainable?
- ii The Langage Strategic Employment Site within the PPA is specifically referred to within Policy SPT4 and it also has its own Policy PLY51. This latter policy refers to the site providing for about 247,300 sqm of employment floorspace for B1, B2 and B8 floorspace.
 - a. Is this amount of development proposed to come forward from the site during the plan period and if so should it be referred to in Policy SPT4?
 - b. How does the amount of floorspace at this site relate to the total PPA requirements set out in SPT4 as it meets these on its own?

5.3 *Assessing the supply of employment land to deliver Policy SPT4*

- i Is the methodology used by the Councils for employment site assessment and selection robust and justified and in accordance with the Planning Policy Guidance?
- ii JLP Figure 3.6 (p27) summarises employment land supply at 2016 as being potentially able to deliver 788,004 sqm. This is substantially in excess of the requirements set out in the JLP, as recognised by the Councils. Is the approach of allocating more employment land than is necessary to meet needs justified? In particular:
 - a. As suggested by the Councils, is it reasonable to treat the floorspace allocation figure with caution due to factors such as the potential for lower site coverage ratios, vacancies, lapsed permissions and loss of existing premises etc?
 - b. Is there any evidence that the allocations proposed would result in a significant over-supply or under-supply for specific employment sectors?

- 5.4 *Supporting a strong and sustainable local economy (Policies DEV14, DEV15 and DEV19)*
- i Do the policies in the JLP provide sufficient flexibility to accommodate unanticipated employment needs and to allow a rapid response to changes in economic circumstances in accordance with national policy?
 - ii Is Policy DEV14 consistent with paragraph 22 of the Framework, particularly in circumstances where there is no reasonable prospect of a site being used for the allocated employment use?
 - iii In relation to Policy DEV15 which supports the rural economy:
 - a. Is it clear that other policies will also apply to development proposals?
 - b. Is the setting of a threshold in point 5 appropriate and justified by evidence and how will it be monitored and enforced?
 - c. Should point 7 refer to other designations besides the Undeveloped Coast policy area?
 - iv Is it appropriate for all major development proposals to enter into site related employment and skills plans as set out in Policy DEV19?

Matter 6 Retail Development/ Town Centres

Main issues – Are the objectively assessed retail needs based on robust evidence? Does the plan set out a positively prepared strategy for viable centres and the provision of retail and other main town centre development across the plan area, which is justified, deliverable and in line with national policy?

(Note: Retail related site allocations will be considered under Matters 7 and 8)

- 6.1 *Establishing retail needs and other main town centre uses*
- i Are the retail hierarchies set out in Figures 3.8 and 3.9 of the JLP justified by the evidence?
 - ii Paragraphs 3.42-3.46 of the JLP summarise the findings of the most recent 2017 retail studies (EC9, EC10 and EC10A). These conclude that there is a limited quantitative need for new net convenience and comparison retail floorspace across the plan area until after 2026 (Figure 3.7 of the JLP (p29)). On this basis the JLP states that no sites are allocated or floorspace requirements set out to meet future needs. Nevertheless site allocations are made within the JLP which incorporate retail facilities including Policies PLY38, PLY48, PLY50, PLY56, PLY58 and PLY59. Furthermore Annex 2 of the JLP contains specific floorspace targets for food and non-food retail development. Are the allocations and targets justified by the evidence?
 - iii Have the needs for other main town centre uses, as identified in national policy, been adequately assessed?

6.2 *Delivering and managing retail development and other main town centre uses (Policies SPT5, SPT6, DEV6, DEV16, DEV17 and DEV18)*

- i Are the retail related terms set out within the policies consistent with the definitions in the Framework?
- ii The above retail policies refer to Plymouth city centre and town, district, local, village and community centres. Whilst the Policies Map (consisting of 3 plans) is not before us for examination, we note that it only refers to primary shopping areas and centre boundaries within the PPA and primary shopping areas within the TTVPA.
 - a. Is the Councils' approach to centre boundaries justified and consistent with national policy, particularly paragraph 23 of the Framework which seeks that LPAs in drawing up local plans '*define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres....*'?
 - b. How do the Councils propose to determine whether a development proposal is within a centre, is in an edge of centre location or is out of centre? Are the policies clear in this regard?
 - c. Are the primary shopping areas and centre boundaries identified within the plan area justified and based on robust evidence?
- iii Do Policies SPT5 and SPT6 provide sufficient clarity on delivering retail provision during the plan period?
- iv In relation to Policy SPT5:
 - a. How will '*compelling*' qualitative needs be determined?
 - b. Is it clear what a small local convenience shop means in terms of size and is this supported by evidence?
 - c. What does the policy mean by '*reasonable walking distance*'?
 - d. Does the evidence justify the qualitative need for new retail development within the proposed Derriford district centre and the western side of the city? Should cross-reference be made to the specific detailed policies for these proposals?
 - e. What is meant by the term '*complementary non-food retail*'?
 - f. What size of new retail development will be supported in these locations and is this justified?
 - g. Have the potential effects of these proposals been adequately assessed and are they in accordance with the overall spatial strategy of the plan?
- v As Policy DEV6 (hot food takeaway) applies only to the Plymouth Policy Area:
 - a. Should the title of the policy reflect this?
 - b. Are the requirements of the policy supported by robust local evidence?
 - c. Is the reason for the restriction clearly explained?
 - d. How has the distance of 400m been determined?
- vi Are the provisions set out in Policy DEV16 for determining retail and town centre development proposals, effective, justified and consistent with national policy? In particular:

- a. Do the local thresholds set out in point 3 of the policy realistically reflect the current situation in the relevant centres and do they achieve an acceptable balance between maintaining the retail function of the centres and allowing flexibility to accommodate an appropriate range of other uses?
- b. Point 4 allows the provision of a limited amount of bulky goods retail in out of centre locations. How much would be considered a '*limited amount*' and is the approach justified by the evidence?
- c. Is it clear what the terms '*limited development*' and '*complementary to*' mean within the context of point 5? Are Plymouth's core tourism areas appropriately defined? Is the approach of the policy justified?
- vii Is it clear how development proposals in TTVPA town centres will be assessed against Policy DEV17: is it an effective planning policy?
- viii Policy DEV17 refers to secondary shopping frontages. Have these been designated, are they justified and are they clearly set out within the plan?
- ix Regarding Policy DEV18 - the protection of local shops and services:
 - a. Is it effective for the first paragraph to be negatively worded when national policy seeks the promotion of the retention and development of such services and facilities?
 - b. Are the specific percentages and requirements relating to primary shopping areas within the TTVPA justified, effective and based on robust evidence?
 - c. No specific percentages relating to primary shopping areas are set out in point 4 which relates to the PPA. Why is the approach different in the PPA and is it justified by the evidence?
 - d. Point 5 includes reference to hot food takeaways. How does this relate to Policy DEV6?
 - e. How will '*no significant harm*' be determined by decision-makers when considering development proposals against point 6?

Matter 7 Policy Area Strategies: Plymouth

Main issue - Does the JLP provide a robust framework for the delivery and management of development across the Plymouth Policy Area (PPA) that is justified, effective and consistent with national policy?

(Note: Housing site allocations within the PPA will be considered under section 7.6 'Housing delivery within the PPA')

7.1 The PPA strategic role (Policies PLY1-PLY5)

- i Is it clear how development proposals in the PPA will be assessed against policies PLY1, PLY2 and PLY3? Is the focus of development within the City Centre and Waterford Growth Area, the Derriford and the Northern Corridor Growth Area and the Eastern Corridor Growth Area within the PPA (Policy PLY2) justified and consistent with the overall spatial strategy?

- ii Is Policy PLY4 (Devonport Naval Base and Dockyard's strategic role) clear about the area it covers? In relation to where MoD land is surplus to requirements, is it reasonable for priority to be given to seeking uses '*which help deliver the plan's economic growth objectives....*' or does the evidence justify a more flexible approach by referring to the plan's growth objectives overall rather than just economic objectives?
- iii Devon County Council has suggested changes to the wording in policy PLY5 and the supporting text, including in relation to the policy's relationship with the Devon Minerals Plan and the deletion of point 7 which refers to development outside the city boundary. Are these changes necessary for reasons of soundness?

7.2 *City Centre and Waterfront Growth Area (Policies PLY6-PLY37)*

- i Would the inclusion of references within Policy PLY6, to such factors as the City Centre Masterplan, the Armada Way, connectivity between the city centre and neighbouring areas, design codes, weather protection measures and flood defences, as suggested by some representors, be justified and necessary for effectiveness?
- ii Is the proviso in point 6v. of Policy PLY6 that student accommodation is delivered as part of mixed use development a reasonable approach that is justified by the evidence?
- iii In relation to the site allocations proposed for employment, retail, leisure and other commercial development within this growth area (*housing site allocation questions are in 6.6 below*):
 - a. Is the type and amount of such development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?
 - b. Is the development deliverable in the timescales envisaged?
 - c. Do relevant site allocation policies take appropriate account of issues including design and the historic environment?
- iv Is the inclusion of flood risk strategy/management provision within Policies PLY23-PLY26, PLY29 and PLY35 reasonable and justified or does Policy DEV37 adequately cover this issue?
- v Policy PLY27 relates to a site allocation within the Hoe Conservation Area. Is it in accordance with national policy on conserving and enhancing the historic environment and legislation relating to conservation areas? Are amendments suggested by Historic England necessary for reasons of soundness?
- vi Is the use of the term 'respects' in point 3 of Policy PLY30 and point 4 of Policy PLY31 consistent with national policy in relation to heritage assets? Should the policies be amended as suggested by representors?
- vii Does Policy PLY32 take adequate account of the operation of Millbay port?
- viii Reference is made in Policy PLY36 to sites within conservation areas and the need for design to be in keeping with historic features. Is this approach consistent with national policy?

- ix Does the evidence justify the infrastructure measures for the growth area as set out in Policy PLY37? Have any additional measures been identified?
- x Is it appropriate to identify and set out within the JLP 'opportunity sites' in this growth area (p109 of the JLP)?

7.3 *The Derriford and Northern Corridor Growth Area (Policies PLY38-PLY41 and PLY43-PLY47)*

- i In relation to the site allocations proposed for employment, retail leisure and other commercial development within the Derriford and Northern Corridor Growth Area (*housing site allocation questions are in 6.6 below*):
 - a. Is the type and amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?
 - b. Is the development deliverable in the timescales envisaged?
- ii Is the location of the new district centre – Derriford commercial centre – in Policy PLY38 justified? Is it necessary for the policy to include reference to retail impact assessment and sequential test thresholds set out in Policy DEV16?
- iii How has the boundary of the Derriford Community Park Strategic Greenspace (Policy PLY41) been determined and is it justified?
- iv Policy PLY44 allocates land at Woolwell as a mixed use sustainable urban extension to deliver about 1,880 homes within the plan period and a community park.
 - a. Is it clear within the policy what the range of services and facilities to be sought within the proposal will be? Should more specific reference be included for facilities required to be delivered on site as well as contributions to such services as a secondary school?
 - b. Is it appropriate for the policy to restrict occupation of any dwellings on the site until the A386 Woolwell to the George Junction Transport Scheme has been implemented?
 - c. It is suggested that the policy should include reference to Pick Pie Plantation to ensure its future management: is this appropriate?
- v Does the evidence justify the infrastructure measures for the growth area as set out in Policy PLY47? Have any additional measures been identified?
- vi Is it appropriate to identify and set out within the JLP 'opportunity sites' in this growth area (p134 of the JLP)?

7.4 *The Eastern Corridor Growth Area (Policies PLY48-PLY57)*

- i In relation to the site allocations proposed for employment, retail, leisure and other commercial development within the Eastern Corridor Growth Area (*housing site allocation questions are in 6.6 below*):
 - a. Is the type and amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?

- b. Is the development deliverable in the timescales envisaged?
- ii Policy PLY48 does not allocate land but instead supports the implementation of existing planning permissions and the strategic masterplan for the development of the Sherford new community. The requirement for Sherford Community Park Strategic Greenspace is set out in PLY48 and also separately in Policy PLY49. Is this approach justified and are the policies effective? In particular:
 - a. Do the policies allow sufficient flexibility to take account of changing circumstances which may occur for the site during the plan period?
 - b. The figure of 4,508 homes is very specific in PLY48: is it appropriate and justified or should the policy have an anticipated 'about' figure?
 - c. Is there justification for the inclusion of specific references to matters including places of worship and the historic environment within the policy?
- iii Policy PLY50 also does not allocate land but instead supports the implementation of existing planning permissions and the strategic masterplan for the development of Saltram Meadow at Plymstock. Is this approach justified and the policy effective?
- iv In relation to Policy PLY51 relating to the Langage employment site is the amount of employment floorspace proposed realistic? Is the provision for 247,300 sqm of employment floorspace supposed to be delivered during the plan period? Is it achievable?
- v Is the safeguarding of land at and to the north of the Hazeldene Quarry (Policy PLY55), including a 125m buffer zone justified and effective?
- vi Does the evidence justify the infrastructure measures for the growth area as set out in Policy PLY57? Have any additional measures been identified?
- vii Is it appropriate to identify and set out within the JLP an 'opportunity site' in this growth area (p154 of the JLP)?

7.5 *Other areas and sites within the PPA (Policies PLY58-PLY61)*

- i Policies PLY58-60 allocate some sites for employment, retail, leisure and other commercial development in south Plymouth, north Plymouth and Plympton and Plymstock to the east (*housing site allocation questions are in 6.6 below*):
 - a. Is the type and amount of such development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?
 - b. Is the development deliverable in the timescales envisaged?
- ii Does the evidence justify the infrastructure measures as set out in Policy PLY61? Have any additional measures been identified?
- iii Is it appropriate to identify the Mount Gould Hospital as an 'opportunity site' (p171 of the JLP)?

7.6 *Housing delivery within the PPA (Housing site allocations, the housing trajectory and Policies DEV7, DEV11 and DEV12)*

- i In relation to housing site allocations proposed for development within the PPA:
 - a. Is the scale of housing for each site justified having regard to any constraints and the provision of necessary infrastructure?
 - b. Is the housing trajectory (TP3C) realistic for each allocation: are there any sites which might not be delivered in accordance with the timescale set out in the trajectory?
 - c. Are the specific development requirements of each site allocation policy effective and justified by evidence?
 - d. For those sites where masterplans and design codes are required, what are the timescales for their production and have these been taken in to account within the delivery timescale for the development? Is this reflected in the housing trajectory?
 - e. Will the allocations achieve sustainable development?
- ii Some policies, for example PLY16 and PLY18, allocate land for mixed use development and support residential development including student accommodation. Is the quantum of housing provision on such sites known, is it included within the housing trajectory and is it deliverable?
- iii Is the housing trajectory realistic for the Sherford new community and Saltram Meadow sites which have planning permission?
- iv Is there sufficient flexibility in the trajectory to ensure that housing land supply will be maintained and will deliver the requirement of Policy STP3?
- v Will the housing provision made within the PPA have a reasonable prospect of delivering its share of the five year housing land supply at the point of adoption of the JLP?
- vi Does Policy DEV7 adequately address the needs of different groups in the PPA in accordance with the first two bullet points in paragraph 50 of the Framework? Are the needs set out in DEV7 point 1 i-iii based on robust evidence?
- vii Policy DEV7 point 2 requires at least 30% affordable homes on developments of 11 or more dwellings:
 - a. Is the level of affordable housing proposed supported by the evidence or would a higher figure be justified?
 - b. Is the use of the term '*at least*' appropriate and does it provide certainty about the affordable housing requirements?
 - c. It has been suggested that the current higher affordable housing levels sought by PCC should continue. Does the policy seek to deliver a higher % of affordable homes (above 30%) where relevant and if so how will this be achieved?
 - d. Is the exception for sites of 11-14 dwellings to provide an off-site affordable housing contribution justified? How will the contribution be calculated? Should this mechanism apply to larger sites? Is it clear

- how off-site contributions will deliver the required affordable homes?
Has on-site provision been considered?
- e. Overall is the policy based on robust evidence, will it meet the objectively assessed need for affordable housing and is it viable?
- viii Does Policy DEV11 plan positively for the development of HMOs? Is it supported by evidence and will it be effective?
- ix Does Policy DEV12 plan positively for purpose built student accommodation (PBSA) and is it consistent with national policy? Are the 11 criteria clearly justified? Paragraph 6.47 of the JLP refers to the Plymouth Plan SPD: is it clear what its purpose is in relation to Policy DEV12?

Matter 8 Policy Area Strategies: Thriving Towns and Villages

Issue - Does the JLP provide a robust framework for the management and delivery of development across the Thriving Towns and Villages Policy Area (TTVPA) that is justified, effective and consistent with national policy?

(Note: Housing site allocations within the TTVPA will be considered under section 8.5 'Housing delivery within the TTVPA')

8.1 Approach to development (Policies TTV1 and TTV2)

- i. Is the hierarchy of sustainable settlements in Policy TTV1 and the settlements within each level of the hierarchy identified in the supporting text justified? Is the assessment framework used to determine if a settlement is 'sustainable' appropriate and justified?
- ii. Where settlement boundaries are identified are they justified and do they take account of any outstanding planning permissions?
- iii. Figure 5.1 on p176 of the JLP identifies site allocation totals by settlement type and also includes an allowance for Sustainable Villages.
 - a. Can the figures be updated to 2017? Would their inclusion within Policy TTV1 aid certainty?
 - b. As the figures only relate to allocations how much development is proposed to be delivered through existing uncompleted commitments?
 - c. How has the distribution of development across the settlements been determined and is it supported by evidence?
- iv. Policy TTV2 seeks to deliver sustainable development in the TTVPA and lists specific attributes of rural sustainability. As the policies in the JLP when considered as a whole should form the framework for delivering sustainable development within the plan area, is the policy justified and is it clear how it will be used when considering development proposals? (Also refer to Matter 2 Q ii regarding Policies SPT1 and SPT2)

8.2 *Main Towns (Policies TTV3 to TTV28)*

- i Is the purpose of the 'spatial priorities for development' policies for each Main Town clear? How will the policies be used by a decision-maker when considering development proposals?
- ii Are the strategic infrastructure measures for the Main Towns listed in Policy TTV3 effective and justified?
- iii In relation to the site allocations proposed for employment, retail, leisure and other commercial development within the main towns (*housing site allocation questions are in 8.5 below*):
 - c. Is the type and amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?
 - d. Is the development deliverable in the timescales envisaged?
- iv In Policy TTV4 what does point 3 mean?
- v Is a floorspace figure available for the Noss on Dart allocation in Policy TTV6?
- vi It has been suggested that as Noss on Dart is located within the Parish of Kingswear the housing numbers should contribute to Kingswear, a sustainable village rather than Dartmouth: can the Councils respond on this point please?
- vii In relation to Ivybridge is there reasonable consistency between the JLP policies and the Neighbourhood Plan?

8.3 *Smaller Towns and Key Villages (Policy TTV29)*

- i In relation to the employment site allocations proposed for development within Policy TTV29 for the smaller towns and key villages (*housing site allocation questions are in 8.5 below*):
 - a. Is the type and amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?
 - b. Is the development deliverable in the timescales envisaged?
- ii Are the requirements of Policy TTV29, as set out in the final column of the table, justified?
- iii Are any of the changes proposed by the Councils to the policy necessary for reasons of soundness? Are any other amendments required to make the policy sound?

8.4 *Sustainable Villages and the Countryside (Policies TTV30-32)*

- i On what basis have the indicative levels of housing within each sustainable village as set out in Figure 5.8 of the JLP been determined?

- ii Policy TTV31 sets out criteria for horse related developments. The Councils in SUB8 suggest that this should be a separate policy. Is this justified?
 - iii Are the changes proposed by the Council to the policies necessary for reasons of soundness, particularly in relation to setting criteria for residential extensions in Policy TTV32?
 - iv Are any other amendments required to make the policies sound?
- 8.5 *Housing delivery in the TTVPA (Housing site allocations [Policies TTV5-6, TTV8-11, TTV13-15, TTV18, TTV21-22, TTV24 and TTV26-29], housing trajectory and Policy DEV8)*
- i In relation to housing site allocations proposed for development within the TTVPA:
 - a. Is the scale of housing for each site justified having regard to any constraints and the provision of necessary infrastructure?
 - b. Is the housing trajectory (TP3C) realistic for each allocation: are there any sites which might not be delivered in accordance with the timescale set out in the trajectory?
 - c. Are the specific development requirements of each site allocation policy effective and justified by evidence?
 - d. Will the allocations achieve sustainable development?
 - ii Is there sufficient flexibility in the housing trajectory to ensure that housing land supply within the TTVPA will be maintained and will deliver the requirement of Policy STP3?
 - iii Will the housing provision made within the TTVPA have a reasonable prospect of delivering its share of the five year housing land supply at the point of adoption of the JLP?
 - iv Does Policy DEV8 adequately address the needs of different groups in the TTVPA in accordance with the first two bullet points in paragraph 50 of the Framework?
 - v Are the levels of affordable housing proposed in DEV8 supported by the evidence or would a higher figure be justified? In particular:
 - a. Point 2 refers to the provision of 30% affordable housing, whilst point 3 refers to the provision of a 'minimum' of 30%. Is the difference in wording justified? Does the policy seek to deliver a higher % of affordable homes (above 30%) within Main Towns and if so how will this be achieved?
 - b. Point 2 sets a requirement for affordable housing on schemes delivering 6-10 dwellings within rural areas and areas of special designations. Point 4 requires proposals in 'High Value Areas' for large single dwellings with a gross floorspace exceeding 200sqm in schemes of less than 6 dwellings, to provide off-site commuted sums to deliver affordable housing. Are these requirements consistent with the Written Ministerial Statement of 28 November 2014 and the Planning Practice Guidance affordable housing thresholds (PPG Paragraph: 031

- Reference ID: 23b-031-20161116)? Why is the amount of affordable housing not included in point 4?
- c. 'High Value Areas' consist of specific postcode areas in South Hams. Are these areas clearly identified within the plan (or on the policies map) and are they justified? How has the floorspace threshold and number of units been determined?
 - d. Is it clear that the affordable housing requirements are subject to viability and Policy DEL1?
 - e. Is it clear how and where affordable homes will be delivered and what mechanism will be used to determine the commuted sum levels?
 - vi Would a restriction on the use of new dwellings as holiday homes be justified in South Hams?

Matter 9 Environment

Issues - Does the JLP set out policies for place shaping; heritage assets; the natural environment; climate change; flooding and coastal change which have been positively prepared and are justified, effective and consistent with national policy?

9.1 Place shaping and heritage (Policies DEV20 - DEV23)

- i Is it clear how the criteria in Policy DEV20 will be assessed when considering development proposals?
- ii Are Policies DEV21 and DEV22 justified and consistent with national policy or are modifications necessary for reasons of soundness as suggested by representors including Historic England?
- iii Is Policy DEV23 effective or are the changes suggested by Historic England and Tamar Valley AONB justified?

9.2 Natural environment (Policies SPT11, SPT13, DEV24-DEV30)

- i Policy SPT11 sets out the strategic approach to the natural environment. Does it reflect the hierarchical approach and level of protection afforded to designations depending on their status?
- ii Is Policy SPT13, and the modifications made to it, justified?
- iii Policy DEV24 includes the protection and enhancement of landscape, townscape and seascape character. Is it clear how the policy will apply in these different locations? Is the title of the policy appropriate in this context?
- iv Is Policy DEV25 and its supporting text clear about the role of the Heritage Coast and its objectives? Is the extent of the areas covered by the policy clear and do other policies within the JLP (such as DEV26 and DEV29) also apply to these areas?

- v Is the wording of Policy DEV27 consistent with national policy or are changes necessary to aid its effectiveness in protecting the AONBs and the Dartmoor National Park?
- vi Does Policy DEV28 set a clear and effective basis for the protection and enhancement of biodiversity and geodiversity within the plan area or does the policy need modifying in respect of representations made to ensure consistency with national policy?
- vii In relation to Policy DEV29:
 - a. Does the policy clearly define how development proposals will be assessed against its provisions? How will the impact of development on '*function(s)*' or '*characteristics*' of green spaces be determined? How does the policy relate to paragraph 74 of the Framework?
 - b. Are the allocations/designations based on robust evidence and are they justified and consistent with national policy?
 - c. In relation to Local Green Space, paragraph 77 of the Framework states that this form of designation will not be appropriate for most green areas or open space and should only be used in certain circumstances. Do the designations meet the circumstances set out in the Framework?
 - d. The supporting text refers to the allocation of strategic greenspaces, the designation of Local Green Spaces and the mapping of all other neighbourhood greenspaces in the PPA. It also states that Local Green Spaces will be proposed for designation through neighbourhood plans in the TTVPA. Is such reference in the supporting text effective in allocating/ designating such greenspaces or should reference be made to this in the policy?
 - e. Point 4 of DEV29 seeks to address local deficiencies in the accessibility and quality of green space and play space. Is it clear that this only relates to the additional needs of new residents from development?
 - f. Have the requirements of the policy been included in the viability assessment?
- viii Should reference be made to orchards in Policy DEV30?

9.3 *Climate change, flooding and coastal change (Policies DEV34-DEV38)*

- i Does Policy DEV34 provide a positive strategy for delivering low carbon development? Is the policy, including points 5 and 6, justified and consistent with national policy? Is there justification for it to refer to a specific carbon reduction target? Is the policy consistent with the Plymouth Plan in this respect?
- ii Are suggested changes to the provisions set out in Policy DEV35, particularly points 2 and 6, necessary for reasons of effectiveness and consistency with national policy?
- iii Are the provisions set out in Policy DEV36 on community energy justified and consistent with national policy?

- iv Would wording changes to Policy DEV37, as suggested by representors, improve its effectiveness and are they justified? Is the policy consistent with Policy DEV2 and national policy?
- v Is Policy DEV38 on coastal change management areas effective and consistent with national policy? Would the application of point 5 to all buildings and structures, rather than just dwellings be necessary for the policy's effectiveness?

Matter 10 Other Development Policies

Issue - Does the JLP provide a robust framework of policies for the management and delivery of development across the plan area that will deliver healthy communities and quality homes? Are the policies justified, effective and consistent with national policy?

10.1 Delivering Healthy Communities (Policies DEV1-DEV5)

- i Does the JLP make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of the Framework?
- ii Should Policy DEV1 cover wider amenity issues and apply to residents rather than homes? Should it also apply to the amenity of workers and/or visitors? Is the policy sufficiently clear about when a Health Impact Assessment will be required?
- iii Is Policy DEV2 clear on what it is trying to achieve and is it effective? Are any changes necessary for reasons of soundness on addressing such issues as air quality or light pollution?
- iv Sport England suggests that reference should be made in appropriate policies to community use of educational buildings and facilities. Would this improve effectiveness of policies?

10.2 Delivering Quality Homes (Policies DEV9, DEV10 and DEV13)

- i The Written Ministerial Statement *Planning Update March 2015* (WMS) sets out the government's national planning policy on the setting of technical standards for new dwellings. It states that the new optional national technical standards should only be required if there is an evidenced need and where their impact on viability has been considered. Policy DEV9 refers to the building regulations optional access standards M4 (2) (accessible and adaptable dwellings) and M4 (3) (wheelchair user dwellings), whilst Policy DEV10 refers to the internal space standard (Nationally Described Space Standard (NDSS)). Are Policies DEV9 and DEV10 consistent with the WMS? In particular:
 - a. The policies state that the standards apply across the plan area. Whilst document HO10 provides evidence for Plymouth, is there similar evidence for the rest of the plan area?

- b. Are the standards justified by robust evidence: on what basis have the proportion of dwellings and the size of schemes been determined?
- c. Is the use of the terms '*at least*' and '*where possible*' appropriate within the policies: does it provide certainty?
- d. Have the requirements taken account of other available accommodation such as extra care, sheltered, retirement homes, nursing/care homes etc?
- e. Have the impacts of applying the standards on the viability of schemes been adequately considered?
- ii The South West Devon Gypsy and Traveller Needs Assessment (2016) identifies a need for 3 pitches for Travellers in South Hams and 1 plot for travelling showpeople in Plymouth. There are no site allocations in the JLP for travellers and travelling showpeople to meet this need and instead a criteria based policy (DEV13) is included in the JLP. Is this approach justified?
- iii Why does Policy DEV13 not refer to gypsies? Is this justified and consistent with national policy? How would the Councils propose to deal with a potential application for a gypsy site should one come forward during the plan period?
- iv Are the criteria in Policy DEV13 supported by evidence? Are they more restrictive than other policies in the JLP for other forms of housing development?

Matter 11 – Planning obligations, viability and monitoring

Issue – Are the planning obligation requirements in the JLP justified and is the plan viable overall? Is the JLP deliverable and capable of being effectively monitored?

11.1 Planning obligations and viability (Policy DEL1)

- i Would the viability of development be adversely affected by the requirements in the JLP including in respect of any required standards, affordable housing provision and transport and infrastructure needs?

11.2 Plan delivery, targets, indicators and reviews

- i Are the proposed targets and indicators in the JLP clearly measurable?
- ii Are the measures of success set out for the Strategic Outcomes relating to: the spatial strategy (p51); Plymouth's strategic role (p60); City Centre and Waterfront Growth Area (p110); Derriford and Northern Corridor Growth Area (p135); Plymouth Easter Corridor Growth Area (p154); and South Devon's strategic role (p177) consistent with those set out in Appendix 2?
- iii Are indicators referring to housing targets appropriate or should they refer to minimum numbers?

- iv Are any other targets, indicators or measures necessary e.g. transport?
- v Does the delivery and monitoring framework clearly set out what actions will be taken if targets/policies are not being achieved?
- vi Is it clear when a review of policies or the plan may be necessary?

Wendy Burden and Yvonne Wright

Inspectors

10 November 2017