



Plymouth and South West Devon Joint Local Plan Examination

Matter 10 – Other Development Policies

Mr Edward Heynes, Heynes Planning Ltd For D Stratton/R and B Bennet/J Stratton

- 1.1 Heynes Planning Ltd have been instructed by D Stratton/R and B Bennet/J Stratton to make representations on the Plymouth and South West Joint Local Plan 2014 – 2034 (referred to in this document as the 'JLP'). Our Clients have an interest in land adjacent to Ernesettle Lane/north of St Budeaux A38 junction, Plymouth that is covered by draft Policy PLY59 (Site no. 12) as set out in the JLP.
- 1.2 In summary, our Client's representations on the JLP is that the land covered by the draft Policy PLY59 (Site 12) should be allocated for housing subject to modifications to that Policy and other policies as set out in the aforementioned representations.
- 1.3 On behalf of our Clients we have consistently engaged at every opportunity within the context of the plan making process to promote the land covered by draft Policy PLY59 (Site 12) for development. Representations have been made by Heynes Planning on behalf of our Clients in relation to the submission version of the JLP and earlier versions, including the Plymouth Plan. Our representation dated 26th April 2017 made in relation to the pre-submission consultation under Regulation 19 sets out when various submissions have been made. The contents of that submission are relied upon in terms of evidence for the hearing sessions that we have been invited to on behalf of our Clients. That said, it is supplemented with additional material as a direct response to the matters and issues for investigation as set out in document EXC7, Matter 10.

2.0 Inspectors Questions and Answers

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)

Q. 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?

- 2.1 Through the inclusion of draft Policies DEV1 to DEV4 (as submitted and modified), the Councils are seeking to ensure that individual development proposals take account of the need to incorporate measures that result in the creation of healthy communities. The inclusion of these policies reflects the objective of paragraph 69 of the NPPF but they fall short of addressing the policy objectives as set out in paragraphs 57, 58 and 61 which focus on the need to plan positively for the achievement of high quality and inclusive design which, in itself, can be a contributory factor in creating healthy communities.
- 2.2 That said, draft policies DEV10 and DEV20 (as submitted and modified) address matters of the quality of development and its link to design, accessibility and the overall quality of the built environment. In that context, it can be seen that those two policies identify various design

requirements as set out in paragraphs 57, 58 and 61 but they stop short of dealing directly with the issue of inclusive design. On the basis that there is a clear link between the creation of healthy communities and design, reference should be made to the need to promote inclusive design as a new, separate policy after draft policies DEV1 to DEV5.

Q. 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?

2.3 The issue of amenity is referenced in the draft Policy. However rather than stating that proposals will be tested against existing levels of amenity generally in a particular locality, it could also be referred to in the context of when development proposals are being prepared and how they should be assessed in terms of understanding the impact of those proposals. Amenity issues are also wide ranging and go beyond considering impact of and upon housing. The draft Policy (as modified) addresses this issue.

2.4 As far as the requirement for a Health Impact Assessment is concerned the draft Policy lacks clarity in that it states that such an Assessment should be required as part of an EIA but also states that it is required in relation to major development proposals. The two are not necessarily linked whilst some major proposals are not subject to EIA.

Q. 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?

2.5 The Policy would be better worded by deleting the words “by unacceptable levels of soil, air, water or noise pollution or land instability” with the key matters then the subject of individual criteria as set out in individual numbered paras. as is per the current arrangement.

Q. 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?

2.6 Reference to the use of educational buildings and facilities for community use would only be considered necessary if the evidence base suggests that there is a lack of community facilities throughout the Plan area. Our experience of this arrangement also suggests that there may be an issue regarding conflict between the use of educational facilities for communal use and the operational requirements of educational facilities.

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

Q. 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?

2.7 Beyond Document HO10 we are not aware of any supporting evidence to justify the approach taken in draft Policy DEV10 in particular on the basis that this is a JLP area wide Policy. The

Councils will confirm the extent of the evidence base in relation to the Policy.

b. Are the standards justified by robust evidence: on what basis have the proportion of dwellings and the size of schemes been determined?

2.8 The Councils will confirm the extent of the evidence base in relation to the Policy.

c. Is the use of the terms ‘at least’ and ‘where possible’ appropriate within the policies: does it provide certainty?

2.9 It is appropriate to use this terminology. Planning policies need to create certainty but there must be a flexibility contained within them to cater for individual circumstances relating to an individual proposal.

d. Have the requirements taken account of other available accommodation such as extra care, sheltered, retirement homes, nursing/care homes etc?

2.10 No observations to make.

e. Have the impacts of applying the standards on the viability of schemes been adequately considered?

2.11 The Councils should confirm their position in relation to this particular matter.

Q. ii), iii) and iv)

2.12 No observations to make.