

## **Development Management Policies Proposed Submission**

[23 July 2012 – 3 September 2012]

In December 2011 the Executive Committee approved the Development Management Policies LDD for consultation in accordance with the Regulations and the Local Development Scheme. A six week consultation took place between 23 January and 5 March 2012.

Following consideration of all the responses, the introduction of the National Planning Policy Framework and the Town and Country Planning (Local Planning) (England) Regulations 2012 the consultation version was redrafted. Full Council approved the document for publication on 10 July 2012.

Following approval of the Development Management Policies LDD, it was published for public consultation for a period of 6 weeks between Monday 23 July 2012 and Monday 3 September 2012, in accordance with the Regulations and the Local Development Scheme.

Representations were invited from the list of consultees who were invited to make comments on the previous stages, detailed in Appendix 1. Representations were also invited from additional organisations and individuals who had requested to be added and kept informed on the Council's LDF consultation database.

Respondents were able to submit representations using the prescribed form, and comments could be made either in writing or by way of electronic communications.

56 representations were received from 19 separate individuals and organisations. Of the representations received, 24 were in support of the Development Management Policies LDD and 27 were commenting or requesting minor changes. 5 were objecting because respondents considered that the Development Management Policies LDD was not legally compliant and/or not sound.

The key areas of objection can be summarised as follows:

- Concern that policies did not make it clear how the Council will take into account surface water flooding
- The omission of the requirement of an 8m wide buffer zone between development and a main river
- Concern that policies did not take account of putting heritage assets to viable uses
- Concern that the statement in the document that where sites are allocated for development, this may represent very special circumstances for development in the Green Belt is inconsistent with national planning policy

The number of representations for each theme is set out below:

i)	DM1 Residential Design and Layout -	3 representations
ii)	DM2 Green Belt -	5 representations
iii)	DM3 Historic Environment -	2 representations
iv)	DM4 Carbon Dioxide Emissions etc.	1 representation
v)	DM5 Renewable Energy Developments	4 representations
vi)	DM6 Biodiversity, Trees, Woodlands etc.	8 representations
vii)	DM7 Landscape Character	1 representation
viii)	DM8 Flood Risk and Watercourses	12 representations

xi)	DM9 Contamination and Pollution	6 representations
x)	DM10 Waste Management	1 representation
xi)	DM11 Open Space, Sport and Recreation etc.	2 representations
xii)	DM12 Community, Leisure, Cultural Facilities	1 representation
xiii)	DM13 Parking	2 representations
xiv)	DM14 Telecommunications	2 representations
xv)	DM15 Moorings	2 representations
xvi)	Appendix 2 Design Criteria	1 representation
xvii)	Appendix 5 Parking Standards	1 representation
xviii)	Other Comments	2 representations

*Total*

*56 representations*

A full table setting out the number of duly made representations for each policy can be found in Appendix 8. None of the responses received on the Development Management Policies Proposed Submission are considered to have raised fundamental legal compliance or soundness issues for the Development Management Policies LDD.

#### Identification of key issues raised on the document

Policy/Objective	Issue(s) raised
DM1 <b>Residential Design and Layout</b>	None

Policy/Objective	Issue(s) raised
DM2 <b>Green Belt</b>	<ul style="list-style-type: none"> <li>• Unclear whether the restrictions on Green Belt development apply for allocated sites in Green Belt</li> <li>• Allocated sites should be removed from Green Belt because development is knowingly expected</li> <li>• Conflicts with NPPF</li> <li>• Not legal and unsound</li> <li>• No attempt made to define 'very special circumstances' for specific sites</li> <li>• No attempt to analyse how specific Green Belt sites have been considered</li> </ul>

Policy/Objective	Issue(s) raised
DM3 <b>Historic Environment</b>	<ul style="list-style-type: none"> <li>• Application of Policy DM3 needs greater explanation of wider, positive strategy for the historic environment with reference to paragraph 126 of the NPPF</li> <li>• Conflicts with NPPF</li> </ul>

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM4 <b>Carbon Dioxide Emissions and On-Site Renewable Energy</b>	<ul style="list-style-type: none"> <li>The 'preferred option' of on-site carbon reductions must be fully explored prior to offset options being considered</li> </ul>

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM5 <b>Renewable Energy Developments</b>	<ul style="list-style-type: none"> <li>Policy could be worded more positively to encourage use of micro-renewables and to reflect the justification for very special circumstances within Green Belt (NPPF para 91)</li> <li>Soundness of DM5 could be improved</li> </ul>

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM6 <b>Biodiversity, Trees, Woodlands, Watercourses and Landscaping</b>	<ul style="list-style-type: none"> <li>Recommended that 'Local Wildlife Site' is used instead of 'County Wildlife Site' to reflect government guidance</li> <li>Recommended that the document allows for greater flexibility as the evidence base evolves and changes</li> <li>Policy needs to be amended to reflect the hierarchy of interests for proposed development as outlined in NPPF para 118</li> <li>Policy encouraging native landscaping is recommended</li> </ul>

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM7 <b>Landscape Character</b>	None

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM8 <b>Flood Risk and Watercourses</b>	<ul style="list-style-type: none"> <li>Encouragement to use SuDS more explicitly in the policy, as outlined in paragraph 102 of the NPPF</li> <li>When assessing development proposals, it is unclear whether the Council will consider surface water flooding and where Flood Risks Assessments are required</li> <li>Re-wording recommended for purposes of clarity</li> <li>Re-wording required to reflect Environment Agency standards, whereby development should be set back from main rivers with a minimum 8m buffer zone</li> </ul>

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
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DM9 <b>Contamination and Pollution</b>	<ul style="list-style-type: none"> <li>Additional wording required for clarity and to reflect Annex 2 of the NPPF and that the impacts of unacceptable levels of air pollutants or disturbance from existing pollutant sources are considered more generally.</li> </ul>
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<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM10 <b>Waste Management</b>	<ul style="list-style-type: none"> <li>Rewording recommended reflecting government guidance on Site Waste Management Plans.</li> </ul>

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM11 <b>Open Space, Sport and Recreation Facilities and Children's Play Space</b>	<ul style="list-style-type: none"> <li>Rewording recommended for clarification</li> <li>Criterion conflicts with the NPPF</li> </ul>

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM12 <b>Community, Leisure and Cultural Facilities</b>	None

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM13 <b>Parking</b>	None

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM14 <b>Telecommunications</b>	None

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
DM15 <b>Moorings</b>	None

<b>Policy/Objective</b>	<b>Issue(s) raised</b>
APPENDIX 2	None

<b>Design Criteria</b>	
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