Schedule of Potential Main Modifications, 28 April 2016

**Note from the Inspector**

I am very grateful for the work that the Council has undertaken in putting together the Schedule and in so doing addressing actions that were agreed at the earlier hearings or anticipating a response to some of my questions for Stage 2 of the examination. In the case of the latter these can be considered at the forthcoming hearings where appropriate and I have made no comment on those in this note.

There are some general and specific comments that I have on the Schedule as follows.

*Proposals Map*

While the Council has included the Proposals Map in the Publication Draft Plan this is not a development plan document and therefore does not form part of the Local Plan that I am examining. As such, it is not appropriate for me to recommend main modifications to the Map. Any changes to the Proposals Map from that submitted with the Local Plan should therefore be included in a separate document which should be published by the Council for consultation alongside the main modifications in due course. The parts of the 28 April Schedule that refer to the Proposals Map and the amended plans should therefore be removed in future versions. However, there is no need to reissue the 28 April Schedule just to make that change.

*Format*

The final format of the Schedule which I will need for the main modifications consultation in due course should follow that of the template which was provided to the Programme Officer and which the Council previously used in its letter of 13 July 2015. In particular it should be in portrait rather than landscape layout. There should not be a final column ‘Why change is necessary’. The reference numbers should be in a simple numeric sequence MM1, MM2, MM3 etc with no subsets. However, there is again no need to reproduce the 28 April Schedule in this form.

*Key Diagram and List of Superseded Policies*

The earlier Schedule produced with the Council’s letter of 13 July 2015 included a Key Diagram and a List of Superseded Policies at my request but they are not included in the 28 April version. I note that the Key Diagram is ‘to follow’ and will no doubt be included in due course. The List should also be included – most appropriately as an Appendix to the Plan – in future versions.

*Individual Potential Main Modifications*

*MM1.2* – At the hearing session on Matter 1 the Council agreed to look again at Policy SP1, having accepted that it did not fully reflect the Framework. This included whether the policy was necessary at all in the light of the other policies in the plan. The modification would remove one of my concerns but the final bullet point concerning Appropriate Assessments would remain. Given the second bullet point and the other plan policies I should be grateful if the Council would reconsider the need for the last bullet or indeed the need for the policy at all.

*MM1.5, MM1.6, MM1.7, MM1.10, MM1.12, MM1.15, MM1.18* – these modifications would introduce changes to the infrastructure requirements for some of the Strategic Site Allocations. I can only recommend main modifications to the plan for soundness or for legal compliance reasons. I would need to be clear that the changes sought are necessary for the plan to be effective and that they are justified by evidence. There was some discussion on these matters at the hearings. Nevertheless, I should be grateful if you would clarify the information on which each of these modifications is based and whether this is in the evidence base.

*MM1.28* – the penultimate paragraph (before deletions) should be amended to read “…meet the requirements of other policies in this Local Plan and have regard to any other relevant guidance.” The plan cannot confer development plan status on other (unspecified) documents.

*MM1.34, MM1.36, MM1.39* – this text also refersto compliance with another document and should be amended to refer to ‘having regard to’ or similar wording.

The Schedule does not include MM1.0008 from the 13 July 2016 list. Is there a reason for this?

*MM2.4* – what does the Council mean by “…and consider phasing of sites”?

*MM2.13* – is the Council intending to suggest any change to the last two sentences in the light of its letter of 2 June 2016?

*MM5.1, MM5.4* – Government policy in the Written Ministerial Statement of 25 March 2015 requires that local parking standards should only be imposed where there is clear and compelling justification that it is necessary. In that context, these modifications should be expressed as ‘having regard to’ the local parking standards.

*MM11.1 to MM11.5, MM11.78 to MM11.11* – these propose new or amended open space designations/allocations. On what basis are these changes being proposed and what public consultation has taken place on them?

*MM11.6, MM11.7* – any standards should be included in the plan (Framework para 174). What consultation has taken place on the revised standards?

*Additional modifications*

A number of the proposed modifications would not be necessary for the soundness of the plan (*MM7.11, MM7.12, MM8.2, MM8.30, MMApp1.1, MMApp4.1, MMApp4.2*). These should not be included in the next version of the Schedule. However, it is of course a matter for the Council as to whether it wishes to make other additional (minor) modifications and I make no comment on the merits of these changes in that respect. There may be other proposed modifications in the Schedule that could be considered to fall into this category. These can be discussed at the hearings.

M Moore

Inspector

27 June 2016