Comments

Site Specific Part 2 Local Plan - Publication Plan Consultation (18/12/19 to 12/02/20)

Comment ID 182
Response Date 12/02/20 11:25
Consultation Point Policy NEH4 Open Spaces (View)
Status Processed
Submission Type Email
Version 0.2

Representation
Please use a separate form for each representation.

Which part of the Publication Plan does your representation relate to?
Policy NEH4

Tests of Soundness
Do you consider the Local Plan is sound in terms of being:

Justified . No
Effective . No
Positively prepared . No
Consistent with National Policy . No

Legal and Procedural requirements

Do you consider the Local Plan has been prepared in line with legal procedural requirements? No

Duty to Cooperate

Do you consider the Local Plan to be compliant with the Duty to Cooperate? No

Reasons

Please give the reason(s) why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the statutory Duty to Cooperate.
4.8.1 The above policy relates to the protection of existing open spaces and to providing investment for the provision of new open spaces. The policy states to achieve these goals, development proposals will be made in accordance with the Open Space Strategy for Kettering Borough (2019), or any subsequent update and the Open Space Developer Contributions SPD.

4.8.2 As currently worded, Policy NEH4 is not consistent with the requirements of national policy. Gladman take this opportunity to remind the Council that SPDs cannot be used as a fast track means to set policies and should not be prepared with the aim of avoiding the need for examination or reinventing existing planning policy which should be examined. Indeed, SPDs are not subject to the same degree of examination and consultation as policies contained in local plans and therefore should only provide additional information to those bringing forward development proposals across the borough. The NPPF 2019 confirms this where it defines SPDs as: “documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan.”

Proposed Actions/Changes

Please explain what changes or actions are needed to make the Local Plan legally compliant.

4.8.3 As such, this policy should be modified so that development proposals have regard to SPDs rather than requiring strict adherence to such documents.

Attendance at the examinations hearings

If you are seeking to change the Plan, would you like to attend the examination hearings? Yes

Notifications

Do you wish to be notified?  
. When the Plan is submitted for independent examination?  
. When the Inspector’s Report is published?  
. When the document is adopted?