

Inspector's Question relating to Supplementary Planning documents.

The Submission Core Strategy and Council's Hearing Statement indicate the Council's intention to devolve a number of matters to Supplementary Planning Documents.

As you will be aware, Parts 4 and 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 [SI 2012/767], which came into effect on 6 April 2012, prescribe the form and content of local plans (LPs) and supplementary planning documents (SPDs), and which documents are to be local plans.

The 2012 Local Planning Regulations are more restrictive about the content and function of SPDs than was the case previously. Regulation 2 states that a SPD is a document as set out in Regulation 5 which is not a Local Plan as defined by Regulation 6. The effect of this is that with effect from 6 April 2012 SPDs can only contain environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land which the LPA wish to encourage during any specified period. SPDs thus cannot make statements on the development and use of land, allocate sites for a particular type of development or use, contain development management and site allocation policies to guide the determination of applications for planning permission, or contain policies for an area defined as being one of significant change or special conservation. It therefore remains the case that the allocation of sites and the policies for their development cannot be devolved down to SPDs.

Is the Council content that all of the SPDs that it intends to produce to provide further detail to the Core Strategy Local Plan will be within the parameters permitted under the 2012 Regulations?

The Inspector would like a response by Friday 6 December please.

Claire Sherratt
Inspector

2 December 2013