



The Planning Inspectorate

An Executive Agency in Communities and Local Government and the National Assembly for Wales

Examining Development Plan Documents *Key Points: Learning from Experience*

This document is intended only to provide a brief overview of the Planning Inspectorate's publication, *Learning from Experience (September 2009)*. We recommend strongly that you read the full document at:

http://www.planning-inspectorate.gov.uk/pins/appeals/local_dev/index.htm

Procedural and Administrative Matters

- Authorities are required to supply a statement of the issues raised in the representations; but there is no need to summarise all the representations unless the Inspector requests this.
- Authorities must be diligent about keeping the Government Offices fully informed of changes to their programmes on a regular and timely basis.

Content

- Authorities should be clear about what each Development Plan Document (DPD) is intended to deliver. All DPDs should be concise and focussed and convey the essential messages in a clear and engaging way. All DPDs should be subject to rigorous, purposeful editing and proof reading.

Critical Issues

- The core strategy should focus relentlessly on the critical issues that relate to the way the area is intended to develop and the strategies to address the critical issues identified. Leaving critical questions to be answered in subsequent DPDs or Supplementary Planning Documents is likely to lead to a finding of unsoundness.

Planning for Uncertainty

- A plan will not be found unsound just because uncertainty exists. The important things are that this is explicitly acknowledged, that the implications of the uncertainty are taken into account and the "what if" situations are considered.

- DPDs, particularly core strategies, are intended to guide development over the long term. Exceptional economic conditions should not be used as an excuse for delay and plans should be based on what may be regarded as normal conditions.

Housing Land Supply Including the Use of Windfalls

- Any consideration of a Strategic Housing Land Availability Assessment (SHLAA) at a DPD examination will be aimed at establishing whether it is sufficiently robust to justify and support the delivery of the plan.
- A site identified in a SHLAA cannot be regarded as a windfall site even if it has not been chosen as one of the allocated sites.

Delivery

Infrastructure planning

- The amount of detail that it is possible to supply with regard to infrastructure planning is likely to be less certain and comprehensive for the later stages of the plan period. Critical dependencies need to be identified; the council may consider breaking these infrastructure requirements down into essential and desirable categories. Inspectors will take a realistic view about what can be provided so long as the council has made reasonable attempts to engage with the infrastructure providers.

Cross boundary dependencies

- A conflict between authorities about cross boundary dependencies is likely to lead to a finding of unsoundness for all the strategies involved

Strategic Sites

- The level of detail required for a strategic site will in practice depend on when the site is expected to come forward. The core strategy should make clear how the development will be advanced. Any strategic site allocations will need to be clearly defined including all the land needed to deliver that development.

Evidence

- Evidence should be proportionate and should inform what is in the plan rather than being collected retrospectively in an attempt to justify the plan. The Inspector will only delve deeply if the plan cannot be justified because the evidence seems to be absent, flawed or out-dated.
- The evidence required will depend on what issues the DPD seeks to address and on local circumstances. Conflicts in the evidence base must be clearly explained.

Options and an Audit Trail

- If options are limited there is no point in trying to artificially create options. Options are more than simply the location of development.
- Far more rigorous thought should be given at the outset to what sort of sustainability evidence is needed. Sustainability Appraisal is where the consideration and assessment of the main alternatives should be found

Green Belts

- In the absence of a requirement in the Regional Spatial Strategy to review the Green Belt boundary, any change must be justified by exceptional circumstances. If this is essential in order to accommodate needed development, it is likely to be a strategic consideration for an authority and should be dealt with as a tough decision in a core strategy. Minor adjustments to remove boundary anomalies should be undertaken in a lower level DPD. Any changes proposed to a Green Belt boundary must be shown in map form.

Waste Plans

- A waste strategy should indicate what waste management developments and facilities are required; where they are to be located; when they are to be provided; and how they will be delivered. A number of the waste plans that have been withdrawn failed to give sufficient geographical direction for subsequent site allocation DPDs and to enable planning applications to be determined on a plan led basis. The criteria used to identify sites in an allocation DPD that follows on from a core strategy must be explicit.

Proposals Maps

- The proposals map does not have DPD status in its own right because anything it conveys must be identified in a DPD or saved development plan. Generally Inspectors have found that the approach of using inset plans within submitted DPDs has not created any problems.

Development Management Policies

- Development management policies should be aimed at promoting the strategy that the authority is seeking to implement and not result in numerous negative development control policies.

The Examination and Report

Late changes

- Extensive public participation should ensure that it is less likely that matters raised at publication stage have not been the subject of previous representations.
- The evidence base should be comprehensive and complete on publication

The report

- The fact check stage is intended to deal only with matters of fact and clarification; it is not appropriate for an authority to challenge any recommendations that it may not like.

If you have a query about the content of this leaflet you may write to the **LDF Team, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN**. Alternatively, telephone **0117 372 8732** or email LDF.team@pins.gsi.gov.uk



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