

SUPPLEMENTARY PLANNING GUIDANCE: GENERAL COMMENTS

Summary of Representations	Observations and Recommendations of the Deputy Director (Planning & Community Strategy)
<p>English Nature Have no comment to make on the Supplementary Planning Guidance.</p> <p>Countryside Agency Have a policy to only become involved in a number of selected development plan consultations and are therefore unable to offer comments.</p> <p>Government Office for the South East Comment on the process of preparing Supplementary Planning Guidance: as follows:</p> <ul style="list-style-type: none"> • Case law shows that a great many matters are capable of being material considerations; however, their materiality will depend on what they say, how far they accord, or need to accord, with current and emerging national, regional, or saved local policy, and the process by which they came into being. Given the lineage and age of your SPG, are you confident that they accord with up-to-date higher level guidance and are in all other respects sound and robust, such that decision makers may attach weight to them? • Would the resources being/to be spent on SPG be better spent on preparing SPD under the new system or focussing on the delivery of DPDs? GOSE would be very concerned if the Vale were to fall behind its LDS timetables due to its pursuit of SPG, especially in respect of getting the Local Plan adopted and moving swiftly onto DPD production under the new system. • GOSE would also be concerned to ensure that whatever policy platform the Vale brings forward meets the statutory requirements re SA/SEA etc. Therefore the Vale will need to be confident that in the event it chooses to pursue SPG that it meets all regulatory requirements. • Proposed new SPG cannot be included in your LDS. Consequently, you will need to reflect on how those interested will be able to participate in their production or be able to utilise them in your SCI, and hence the degree and effectiveness of 	<p>Noted.</p> <p>Noted.</p> <p>The suite of SPGs revised and republished in March 2006 were updated to take into account higher level guidance. Changes to the SPG were also made to take into account comments received from the public and local organisations and recommendations made by the Inspector which resulted in proposed modifications to the Local Plan.</p> <p>The SPGs republished in March 2006 were not new all had been started before commencement of the Planning and Compulsory Purchase Act in September 2004. There is therefore no requirement for them to be the subject of a sustainability appraisal (SA). If the SPGs had been converted to SPDs their preparation would have had to start again in order that an SA could be carried out. This would have taken longer to prepare and consequently left the Council without guidance at a time planning applications were being submitted. To convert the SPG to SPD would involve more staff time and take longer to prepare.</p> <p>The SPGs which were published in March 2006 were started before commencement and provided they are adopted on or before 20 July 2006 do not need to meet the SA/SEA regulations. Preparation of the SPG has met all the regulatory requirements. Extensive consultation was carried out on the SPG in conjunction with the Local Plan and included; advertisement in the local press, inclusion on the Council's website and circulation to statutory consultees, local organisations and previous respondents.</p> <p>The SPGs published in March 2006 were not new and are already included in the LDS. Furthermore the Statement of Community Involvement (SCI) applies to the preparation of plans in the local development framework and not to plans and SPGs being prepared under the Town and Country Planning Act 1990.</p>

Council 20th July 2006

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<p>community involvement may be limited. This again there would seem to be the likelihood that decision makers would have difficulties in assessing what weight to attach to such SPG.</p> <p>The alternative route, subject to the resources being available, would be to bring forward what are entitled SPG in the emerging Local Plan as supplementary planning documents (SPD) instead. This would give them a defined status and would enable you to follow a prescribed path of consultation and evidence gathering to support them. While the Local Plan refers to SPG, it would be acceptable to now bring forward the desired policy support by means of, and in compliance with, the procedures and regulations applicable to SPD. Moreover, any work conducted for the SPG should not be wasted but could form part of the SPD evidence base.</p> <p>If you follow this route you would need to update your LDS. When assessing whether GOSE would wish to intervene in the process of bringing it into effect, we would need to consider whether the revisions deflect the authority away from, or enable it to more swiftly achieve, the delivery of the key priorities for the area.</p> <p>Given these comments we have not considered the detailed contents of the SPG.</p>	<p>The alternative route suggested by GOSE would have been more time consuming because of the need to carry out a SA of the relevant policies in the local plan, to which they relate, and also of the SPD itself. Work on the SPGs would have had to start all over again including going out to consultation. Many of the SPGs have already been out for consultation 3 times. The objective now is to approve SPG swiftly in order that the priorities in the Local Plan 2011 can be delivered and work can start in earnest on the local development framework.</p> <p>The LDS will be updated in the autumn and will set out the adopted policy context along with the new documents which will replace the Local Plan 2011 and the SPG.</p> <p>RECOMMENDATION: No change</p>

Council 20th July 2006