

Appendix D

Former St Edmundsbury area Core Strategy 2010

Assessment of policy compliance with NPPF 2019 and use of policies

| Core Strategy Policy | NPPF 2019 | High/Medium/Low consistency with 2019 NPPF and weight to be attached to policy | Review Required | Comments |
|--|---|--|---|---|
| Policy CS1 – St Edmundsbury Spatial Strategy | Section 5 Delivering a sufficient supply of homes | Medium/Low | No Note - This methodology was used to inform the existing allocations. The local housing need assessment is being used to inform the new Local Plan | Strategic policies need to be informed by a local housing need assessment using the standard methodology. Requirement should also be set for Neighbourhood Areas. |
| Policy CS2 – Sustainable Development | Section 14 Meeting the challenge of climate change, flooding and coastal change | High | No | The policy promotes protection and enhancement of natural resources and sustainable design. The policy is not inconsistent with the requirements of the NPPF. |

| | | | | |
|--|---|---|----|--|
| | Section 15 Conserving and enhancing the natural environment | | | The supporting text makes reference to superseded codes and standards such as Building for Life and Code for Sustainable Homes. |
| Policy CS3 – Design and Local Distinctiveness | Section 12 Achieving well-designed places | High | No | This policy works alongside DM2 and is not inconsistent with the requirements of the NPPF. |
| Policy CS4 – Settlement Hierarchy and Identity | Section 5 Delivering a sufficient supply of homes | High | No | The criteria for identifying the hierarchy is objectively identified in the supporting text, which in parts is negatively worded. However, the policy is used in conjunction with DM5 which is positively worded and consistent with the Framework. |
| Policy CS5 – Affordable Housing | Section 5 Delivering a sufficient supply of homes | Providing the definition of AH in the NPPF Annex 2 is included as a material consideration this policy is mainly consistent with the NPPF and High/Medium weight can be given | No | The definition of Affordable Homes has changed (see Annex 2). Counsel advice is that the NPPF definitions of “affordable housing” would be material considerations to be weighed against any non-compliance with the policy. Even if the AH proposed does not comply with the tenure mix required, if it is clear that what is being proposed would provide housing “for those whose needs are not met by the market”, this would be a powerful material consideration. Whilst giving weight to policies on the one hand and to material considerations on the other is a matter for planning judgment (rather than a matter of law), in |

| | | | | |
|--|---|------|----|---|
| | | | | <p>these circumstances the Council would find it difficult to insist on absolute policy compliance in the face of a competing material consideration which showed that NPPF-compliant affordable housing would be delivered. Certainly, such a decision would be hard to justify in the event of an appeal.</p> <p>Policy CS5 makes provision for sites of 5 to 9 units, which is contrary to paragraph 63, as a lower rural threshold has not been designated.</p> |
| Policy CS6 – Gypsies, Travellers and Travelling Showpeople | Section 5 Delivering a sufficient supply of homes | High | No | The policy states that sites will be identified in accordance with national policy and is not inconsistent with the requirements of the NPPF. |
| Policy CS7 – Sustainable Transport | Section 9 Promoting Sustainable Transport | High | No | Broadly reflects the NPPF e.g. the hierarchy for travel, the need to locate development in sustainable locations. |
| Policy CS8 – Strategic Transport Improvements | Section 9 Promoting Sustainable Transport | High | No | Local policy list of infrastructure improvements. NPPF encourages identification of routes where there is robust evidence. |
| Policy CS9 – Employment and the Local Economy | Section 6 Building a strong, competitive economy | High | No | Although the policy references the outdated East of England Plan, it reflects the NPPF, being based on local industrial strategies for economic development and regeneration. |

| | | | | |
|--|---|--------|----|--|
| Policy CS10 – Retail, Leisure, Cultural and Office Provision | Section 7 Ensuring the vitality of town centres Section 8 Promoting healthy and safe communities | High | No | The forecasts in the policy were reviewed in the 2016 Retail and leisure study which stated that there were available sites to meet the need to 2031. The impacts of Covid-19 will need to be carefully assessed in respect of retail and town centres for the WS Local Plan. |
| Policy CS11 – Bury St Edmunds Strategic Growth | Section 5 Delivering a sufficient supply of homes | High | No | Sites are allocated in the 2014 Vision documents, with planning applications being brought forward in accordance with the plan and NPPF. |
| Policy CS12 – Haverhill Strategic Growth | Section 5 Delivering a sufficient supply of homes | High | No | Sites are allocated in the 2014 Vision documents, with planning applications being brought forward in accordance with the plan and NPPF. |
| Policy CS13 – Rural Areas | Section 5 Delivering a sufficient supply of homes | Medium | No | The first paragraph is positively worded, providing guidance for sustainable local services and economic diversification, but the second paragraph is negatively worded with development strictly controlled. However, the policy is used in conjunction with DM5 which is positively worded and consistent with the Framework |
| Policy CS14 – Community infrastructure capacity and tariffs | Section 3 Plan Making Paragraph 34 Section 9 Promoting Sustainable Transport | High | No | The policy sets out an approach to infrastructure. It is not inconsistent with the requirements of the NPPF. |

| | | | | |
|-------------------------------------|---|------|----|--|
| Policy CS15 – Plan, Monitor, Change | Section 5 Delivering a sufficient supply of homes Section 6 Building a strong, competitive economy | High | No | The policy sets out an approach to monitoring. It is not inconsistent with the requirements of the NPPF. |
|-------------------------------------|---|------|----|--|