

Appendix E

Joint Development Management Policies Document 2015

Assessment of policy compliance with NPPF 2019 and use of policies

JDMPD Policy	NPPF 2019	High/Medium/Low consistency with 2019 NPPF and weight to be attached to policy	Review Required?	Comments
N/A	1. Introduction	N/A	N/A	<p>The Introduction in Section 1 includes a new paragraph, 4, that states "<u>The Framework should be read as a whole (including its footnotes and annexes).</u>"</p> <p>Clarifying this approach should help prevent critics of the JDMPD from selecting parts of the Framework to claim our policies no longer apply/have the same status, and may help where it is difficult to find specific mention in the NPPF something that appears in one of our policies.</p>
Policy DM1: Presumption in Favour of Sustainable Development	Section 2 Achieving sustainable development	<b>High Full weight</b>	No	Supporting text and policy wording compliant.

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Policy DM2: Creating Places - Development Principles and Local Distinctiveness	Section 8 Promoting healthy and safe communities Section 12 Achieving well-designed places			
Policy DM3: Masterplans	Section 5 Delivering a sufficient supply of homes Para 72 c)  Section 12 Achieving well-designed places  Section 8 Promoting healthy and safe communities  Section 11. Making effective use of land - paras 122, 123	<b>High Full weight</b>	No	Whilst there is nothing specific in the NPPF on masterplans, good design and quality of development are underpinned by Sections 12, 8, 11 and to some extent by Section 5 para 72 c). The changes to the Framework are positive rather than negative when considering how consistent the policy is with it and consequently what weight to give it.
Policy DM4: Development Briefs	Section 5 Delivering a sufficient supply of homes Para 72 c)  Section 12 Achieving well-designed places	<b>High Full weight</b>	No	As with masterplans the NPPF didn't and doesn't explicitly cover this. The sections of the NPPF noted above support good design and are positive material considerations that are similar to, and justify a

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	<p>Section 8 Promoting healthy and safe communities</p> <p>Section 11. Making effective use of land - paras 122, 123</p>			policy such as DM4. Neutral – no change.
Policy DM5: Development in the Countryside	<p>Section 5 Delivering a sufficient supply of homes;</p> <p>Section 6 Building a strong, competitive economy;</p> <p>Section 8 Promoting healthy and safe communities;</p> <p>Section 9 Promoting sustainable transport;</p> <p>Section 11 Making effective use of land;</p> <p>Section 15 Conserving and enhancing the natural environment</p> <p>(Paras 77 – 79; 83 &amp; 84; 91 &amp; 92; 102 – 104; 117 &amp; 118; 170 - 172.)</p>	<p><b>High/Medium</b> (new exceptions added)</p> <p>Weight depends on which element is under consideration, e.g. a – g <b>full weight</b>, <u>but</u> need to add in 79a) including those taking majority control of a farm business, and d) subdivision of existing dwelling.</p> <p>2<sup>nd</sup> part of DM5 – <b>medium</b> as 3<sup>rd</sup> bullet sets the 'bar' higher at <i>significant adverse impact</i> on the local highway</p>	No	<p>This is a difficult policy to align with the NPPF as it includes different components that are dealt with separately in the Framework. However, an Inspector has identified that policy DM5 is consistent with the Framework as a whole (APP/H3510/W/19/3222167)</p> <p><b>Housing:</b> para 79 includes a new circumstance allowing subdivision of an existing residential dwelling in the countryside; although "the countryside" only really appears in paragraphs 79 and 170 b). Paras 77 and 78 talk of "rural exception" sites and villages, that distinguish the physical fabric of "rural</p>

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		network –than the <i>unacceptable</i> impact in para 84.		communities” from rural areas/the countryside. New guidance 117 & 118 – see 118 b) and 170. <b>Rural economy:</b> 83 broadly similar to 2012 para 28. Para 84 talks of local business needs may have to be found adjacent to or beyond existing settlements, and in locations that are nor well served by public transport. <b>See also</b> policies DM25, DM26, DM27, DM31 and DM42 below
Policy DM6: Flooding and Sustainable Drainage	Section 14 Meeting the challenge of climate change, flooding and coastal change paras 148, 163 and 165	<b>High Full weight</b>	No	Additional paragraph, 165, directing major developments to sustainable drainage systems unless inappropriate.
Policy DM7: Sustainable Design and Construction	Section 14 Meeting the challenge of climate change, flooding and coastal change paras 148, 163 and 165	<b>High Full weight</b>	No	Additional paragraph, 153, for determining applications – lpas should expect them to take account of layout etc. to minimise energy consumption reinforcing DM7

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Policy DM8: Low and Zero Carbon Energy Generation	Section 14 Meeting the challenge of climate change, flooding and coastal change paras 148, 163 and 165	<b>High Full weight</b>	No	Paras 151 and 154 replace 97 and 98 and are very similar. No change in terms of DM8
Policy DM9: Infrastructure Services and Telecommunications Development	Section 10 Supporting high quality communications	<b>High Full weight</b>	No	The policy is broadly consistent with the aspirations of the NPPF.
Policy DM10: Impact of Development on Sites of Biodiversity and Geodiversity Importance	Section 15 Conserving and enhancing the natural environment paras 170, and 175.	<b>High Full weight</b>	No	The policy is not inconsistent with the aspirations of the NPPF however there is more detail in the policy under the various criteria The requirements in relation to SSSI's and application of the mitigation hierarchy are the same. The section on international sites (which reinforces the Regs) is not inconsistent with the NPPF
Policy DM11: Protected Species	Section 15 Conserving and enhancing the natural environment paras 170, and 175.	<b>High Full weight</b>	No	Protected species are generally covered by law under the various legislation however minimising impacts and

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				providing net gains is in para 170a. The principles set out in this policy (although a bit clunky) are consistent with the mitigation hierarchy set out in policy 175a of the NPPF
Policy DM12: Mitigation, Enhancement, Management and Monitoring of Biodiversity	Section 15 Conserving and enhancing the natural environment paras 170, and 175.	<b>High Full weight</b>	No	Minimising impacts and providing net gains (enhancement) is in 170a
Policy DM13: Landscape Features	Section 15 Conserving and enhancing the natural environment paras 170 and 171, 175 and 180	<b>High Full weight</b>	No	The NPPF 2018 is slightly stronger in the protection of the landscape and landscape features. It should be noted that Ancient woodland and Veteran trees are irreplaceable and given the highest protection (175c) and that effects of noise and light on the landscape are included in 180b and c.
Policy DM14: Protecting and Enhancing Natural Resources, Minimising Pollution	Section 15 Conserving and enhancing the natural environment paras 170e/f, 178, 179,180 and 181	<b>High Full weight</b>	No	The wording in the NPPF is broadly unchanged

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and Safeguarding from Hazards				
Policy DM15: Listed Buildings	Section 16 Conserving and enhancing the environment Paras 28 & 185 allow policies to conserve and enhance the historic environment. Paras 189-196 & 198-200 deal with proposals affecting heritage assets and consideration of impacts.	<b>High</b>	No	NPPF Historic environment policy is broadly unchanged.
Policy DM16: Local Heritage Assets and Buildings Protected by an Article 4 Direction	Section 3 Plan-making, para 28 & Section 16. Conserving and enhancing the historic environment, para 185 allows policies to conserve and enhance the historic environment; paras 189-197 & 198-200 deal with proposals affecting heritage assets and consideration of impacts.	<b>High</b>	No	NPPF Historic environment policy is broadly unchanged.
Policy DM17: Conservation Areas	As for DM16 above, plus para 201.	<b>High</b>	No	NPPF Historic environment policy is broadly unchanged.

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Policy DM18: New Uses for Historic Buildings	As for DM16 above.	<b>High</b>	No	NPPF Historic environment policy is broadly unchanged.
Policy DM19: Development Affecting Parks and Gardens of Special Historic or Design Interest	As for DM16 above.	<b>High</b>	No	NPPF Historic environment policy is broadly unchanged.
Policy DM20: Archaeology	As for DM16 above. Note: the former paragraph 139 on non-designated but nationally important heritage assets of archaeological interest is now a footnote.	<b>High</b>	No	NPPF Historic environment policy is broadly unchanged.
Policy DM21: Enabling Development	As for DM16 above, and in addition para 202 specifically addresses enabling development	<b>High</b>	No	NPPF Historic environment policy is broadly unchanged.
Policy DM22: Residential Design	Section 12 Achieving well-designed places  This section replaces, re-words and re-orders and/or in part 'upgrades'	<b>High Full weight</b>	No	This section has largely been re-written using much of the text from the original NPPF but better laid out and in the same style as the rest of the revised NPPF. Some paragraphs have been deleted, but the

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	<p>the former Section 7 Requiring good design:</p> <ul style="list-style-type: none"> <li>• paras 124 and 125 are similar to and replace paras 56 and 57;</li> <li>• para 126 replaces 59;</li> <li>• 127 re-words/updates 58;</li> <li>• 128 is partly new and partly incorporates 66;</li> <li>• 129 replaces 62</li> <li>• 130 replaces 64 and 65, and paras 59,60 and 61 from the original NPPF seem to be scrapped entirely;</li> <li>• 131 updates 63; and 132 entirely replaces 67 &amp; 68</li> </ul> <p>Section 11 Making effective use of land, paragraphs 122 and 123 c)</p>			<p>emphasis remains very firmly that of creating and supporting good design. This underpins and adds weight to our policy.</p> <p>Clearly the supporting text is now out of date, and the new NPPF will be a guide for new policies in the new West Suffolk Local Plan. This will include government policy set out in Section 11 on densities.</p>

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Policy DM23: Special Housing Needs	Section 5 Delivering a sufficient supply of homes  Para 61	<b>High Full weight</b>	No	The former paragraph 50 2 <sup>nd</sup> bullet has been replaced with paragraph 61 that gives a wide range of groups in the community that should be provided for in planning policy.
Policy DM24: Alterations or Extensions to Dwellings, including Self Contained Annexes and Development within the Curtilage	Section 5 Delivering a sufficient supply of homes  Rural housing, para 79 d)	<b>High</b> – but this criterion should be taken into account (also in DM5)  <b>Full/significant weight</b>	No	Additional criterion d) the subdivision of an existing residential dwelling
Policy DM25: Extensions to Domestic Gardens within the Countryside	Section 15 Conserving and enhancing the natural environment – para 170	<b>High Full weight</b>	No	The wording in the NPPF is broadly unchanged
Policy DM26: Agricultural and Essential Workers Dwellings	Section 5 Rural housing para 79	<b>High</b> – but the additional qualification should be taken into account.  <b>Full weight</b>	No	79. a) now includes the word “including those taking majority control of a farm business” after “rural worker” There is no definition of either term in the Glossary

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Policy DM27: Housing in the Countryside	Section 5 Rural housing paras 77, 78	<b>High Full weight</b>	No	NPPF didn't and doesn't explicitly cover this. Neutral – no change.
Policy DM28: Residential Use of Redundant Buildings in the Countryside	Section 5 Rural housing para 79 c)	<b>High Full weight</b>	No	No change from 2012.
Policy DM29: Rural Housing Exception Sites in St Edmundsbury	Section 5 Rural housing para 77	<b>High</b> – but guidance required on interpretation of location, i.e. does the RES need to be next to, on the edge of, or adjacent providing it complies with para 78 and is “located where it will enhance or maintain the vitality of rural communities”. Is there a difference between identifying opportunities for villages to grow, and a RES if located where it will enhance	No	Supporting text 5.22 “land next to” the HSB of villages. Policy uses the term “adjoining but outside” a HSB, and “on the edge of” .... NPPF para 77 the term used is “rural areas”. Rural exception site is defined in the Glossary but not in the context of location.  Final paragraph of policy is more restrictive than the wording of para 77.

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		<p>or maintain etc.....            Given that all development should be sustainable development it could be argued that paragraphs 77 and 78 should be read together.  <b>Full/Medium weight</b></p>		
Policy DM30: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses	Section 6 Building a strong, competitive economy.	<b>High Full weight</b>	No	Supporting text 6.2 fully compliant. The wording in the NPPF is broadly unchanged.
Policy DM31: Farm Diversification	Section 6 Building a strong, competitive economy: Supporting a prosperous rural economy - Paragraphs 83 and 84	<b>High Full weight</b>	No	The wording in paragraph 83 is broadly unchanged. Paragraph 84 is new.
Policy DM32: Business and Domestic Equine Related Activities in the Countryside	Section 6 Building a strong, competitive economy: Supporting a prosperous rural economy - Paragraphs 83 and 84	<b>High Full weight</b>	No	'Bespoke' policy that doesn't neatly compare with NPPF policies, but is in compliance with paras in sections 6 and 15.

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	Section 15 Conserving and enhancing the natural environment para 170			
Policy DM33: Re-Use or Replacement of Buildings in the Countryside	Section 6 Building a strong, competitive economy: Supporting a prosperous rural economy - Paragraphs 83 and 84  Section 5 Delivering a sufficient supply of homes	<b>High Full weight</b>	No	Supporting text totally compliant. The wording in the NPPF is broadly unchanged.
Policy DM34: Tourism Development	Section 6 Building a strong, competitive economy: Supporting a prosperous rural economy - Paragraphs 83 and 84	<b>High Full weight</b>	No	Supporting text quotes NPPF para number and text quoted has changed.  The wording in paragraph 83 is broadly unchanged. Paragraph 84 is new.
Policy DM35: Proposals for Main Town Centre Uses	Section 7 Ensuring the vitality of town centres Paragraph 85 b) removes reference to primary and secondary frontages. These are also removed from the glossary.	<b>High Full weight</b>	No	Policy DM35 doesn't refer to Primary or secondary shopping frontages, although the supporting text does. Application of the policy refers to PSA so it is considered to be

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	<p>Primary shopping area has been redefined as 'an area where retail development is concentrated'. Town centre definition has had very minor change in the glossary.</p> <p>The definition of main town centre uses has had a very small change.</p> <p>Paragraph 86 states that in the sequential test, sites can be considered to be available if they are expected to be available in a reasonable period of time.</p> <p>Paragraph 87 states LPA should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.</p>			<p>in full accordance with the NPPF.</p> <p>The new definitions of town centre and main town centre uses changes are so minor, they have no effect on weight attached to the policy.</p> <p>Policy DM35 refers to available sites, but doesn't specify the period of time, as it relies upon NPPF for the detail. This is consistent with NPPF. The same applies to flexibility to fully explore suitable sites.</p> <p>Policy DM35 doesn't make reference to impact assessment being required as a locally set threshold wasn't included for offices. This is consistent with NPPF.</p> <p>Clarification that the default is 2,500 sqm is welcomed and has no effect on DM35. It is helpful DM35 uses gross floorspace too for consistency.</p> <p>Policy DM35 doesn't refer to the length of time of impact</p>

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	<p>Paragraph 89 the impact test is no longer required for office development. Clarification is given that the default threshold is 2,500sqm gross floorspace.</p> <p>Paragraph 89 b) removes the reference to what time period the impact assessment should cover.</p>			assessments as the detail was set out in the NPPF.
Policy DM36: Local Centres	<p>Section 7 Ensuring the vitality of town centres</p> <p>Section 8 Promoting healthy and safe communities Para 91a) encourages 'strong neighbourhood centres'</p> <p>No reference is made to Local Centres in NPPF, except in the glossary of terms</p>	<b>High Full weight</b>	No	DM36 provides more detail than the revised NPPF and is policy compliant.

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Policy DM37: Public Realm Improvements	<p>Section 8 Promoting healthy and safe communities Para 91a) encourages street layouts that allow for <i>easy pedestrian and cycle connections</i> within and between neighbourhoods, and active street frontages'</p> <p>Previous draft said 'multiple connections'</p> <p>Section 12 Achieving well designed places Para 127 f) adds new wording which requires developments to create places that are safe inclusive <i>and accessible and which promote health and well-being'</i></p>	<b>High Full weight</b>	No	DM37 does not refer specifically to designing streetscapes for active travel, or health and wellbeing, but is otherwise in line with NPPF
Policy DM38: Shop Fronts and Advertisements	Section 2 Achieving well designed places: Para 132	<b>High Full weight</b>	No	Policy DM38 is consistent with paragraph 132.

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Policy DM39: Street Trading and Street Cafes	Section 7 Ensuring the vitality of town centres	<b>High Full weight</b>	No	This policy is not explicitly comparable with the NPPF but the supporting text and policy wording is consistent with Section 7.
Policy DM40: Ancillary Retail Uses	Section 6 Building a strong, competitive economy: Para 84	<b>High Full weight</b>	No	This policy is not explicitly comparable with the NPPF but the supporting text and policy wording is consistent with Section 6.
Policy DM41: Community Facilities and Services	Section 8 Promoting healthy and safe communities Paras 91 and 92	<b>High Full weight</b>	No	Supporting text and policy wording compliant.
Policy DM42: Open Space, Sport and Recreation Facilities	Section 8 Promoting healthy and safe communities Paras 96 and 97	<b>High Full weight</b>	No	Supporting text compliant, but open space audit urgently needs updating in the light of para 96. Policy wording similar to para 97 which is similar to NPPF 2012 para 74.
Policy DM43: Leisure and Cultural Facilities	Section 6 Building a strong, competitive economy – paras 83 & 84  Section 7 Ensuring the vitality of town centres – para 89	<b>High Full weight</b>	No	This policy is difficult to place within the NPPF, but wording is consistent with paras from sections 6, 7 and 9.

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	Section 9 Promoting sustainable transport – paras 103 & 104			
Policy DM44: Rights of Way	Section 8 Promoting healthy and safe communities – para 98	<b>High Full weight</b>	No	Para 98 is broadly similar to the former para 75
Policy DM45: Transport Assessments and Travel Plans	Section 9 Promoting sustainable transport – paras 108 - 111	<b>High Full weight</b>	No	Para 111 is similar to the former 32, but uses the term “travel plan” instead of “Transport Statement or Transport Assessment”. Policy DM45 requires TAs and TPs when proposals are likely to have ‘ <i>significant transport implications</i> ’, and planning permission will not be granted when impacts are severe. This policy is line with the amendments to NPPF.
Policy DM46: Parking Standards	Section 9 Promoting sustainable transport – paras 105 - 107	<b>High Full weight</b>	No	Paragraph 105 starts “if setting local parking standards ....” making clear that parking standards are optional. This is the same wording as in former paragraph 39.

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				<p>Paragraph 105 also adds new bullet point, "c) the availability of and opportunities for public transport" and updates the final bullet point of the former paragraph 39. Some aspects are missing from DM46: The amendment in para 106 states that maximum standards should only be applied <i>'for optimising the density of development in city and town centres...'</i> Suffolk Guidance for Parking 2015 complies with this requirement.</p> <p>New para 107 – lorry parking facilities</p>
Policy DM47: Development Relating to the Horse Racing Industry	Section 5 Delivering a sufficient supply of homes. Para 79(a) allows for essential rural workers housing in the countryside.	<b>High Full weight</b>	No	This is a difficult policy to align with the NPPF as HRI or equine uses are not specifically mentioned in the framework and the policy has a number of components that are dealt with to varying degrees in different parts of the Framework.

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	<p>Section 9 Promoting sustainable transport Para 108 (b) requires safe access for all users; and (c) acceptable mitigation of transport impacts.</p> <p>Section 12 Achieving well-designed places Paras 127 and 130 require good design that improves local character.</p>			
Policy DM48: Development Affecting the Horse Racing Industry	Difficult to align with the NPPF – nearest is Section 6. Building a strong, competitive economy.	<b>High Full weight</b>	No	The Inspector, in his report on the JDMP document referred to securing the appropriate balance between protection of the HRI and promoting other development, and concluded (paragraphs 77 and 78) that this balance has been achieved with Policies DM47 and DM48
Policy DM49: Re-development of Existing Sites Relating to the Horse Racing Industry	Section 11 Making effective use of land. This is a new section, and may at first glance appear to override DM49, particularly paragraph 118 c) and d). However,	<b>High Full weight</b>	No	The Inspector concluded that DM49 appropriately strikes the balance between the preservation/enhancement of the horse racing industry and the promotion of other

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	paragraph 121 a) makes clear that proposals for housing development on retail and employment land should be supported provided “this would not undermine key economic sectors or sites .....			development set out in the Core Strategy
Policy DM50: Horse Walks	Difficult to align with the NPPF	<b>High Full weight</b>	No	Given the localised nature of this policy it is likely that this would be considered a ‘local’ policy rather than a strategic policy. There are possibly elements of Sections 8. Promoting health and safe communities, and 9. Promoting sustainable transport that may apply to DM50 but very indirectly. The Inspector found all the HRI policies including DM50 to be “positively prepared, justified, effective and consistent with national policy ...”. The new Framework does not introduce any new elements that would undermine DM50.

