

KNOWSLEY LOCAL PLAN: CORE STRATEGY EXAMINATION

EX06

INSPECTOR'S MATTERS, ISSUES AND QUESTIONS

These are the questions upon which the Inspector now invites comment. All current representations will be taken into account and should not be expanded or repeated. Representors should only answer those questions relating to the subject of their original representation, but the Council should answer all the questions.

Many of the questions relate to the National Planning Policy Framework soundness criteria which require the Plan to be positively prepared, justified, effective and consistent with national policy. All parties are asked to respond in a positive fashion – if modifications need to be made to ensure a sound and legally compliant Plan, then please suggest them.

Matter 1 LEGAL COMPLIANCE AND PROCEDURAL MATTERS

Issue: Whether the plan complies with the legal requirements of the 2004 Act and the 2012 Regulations.

- 1.1. In preparing the Knowsley Local Plan: Core Strategy (KLPCS), has the Council fulfilled the 'duty to co-operate' requirements of section 33A of the Planning and Compulsory Purchase Act 2004?
- 1.2. Is the KLPCS in general accordance with the Statement of Community Involvement?
- 1.3. Has the KLPCS emerged from an open and transparent process that demonstrates how and why the preferred strategy was selected, in consultation with the public and other stakeholders?
- 1.4. Has the KLPCS been the subject of suitably comprehensive and satisfactory Sustainability Appraisal, Strategic Environmental Assessment and Appropriate Assessment under the Habitats Regulations?
- 1.5. Are there satisfactory linkages with the Sustainable Community Strategy?
- 1.6. Has the KLPCS been prepared in accordance with the Local Development Scheme?
- 1.7. Does the KLPCS meet all of the legal requirements under section 20(5)(a) of the Planning and Compulsory Purchase Act 2004 and the 2012 Regulations?

Matter 2 SPATIAL DEVELOPMENT STRATEGY AND PRINCIPLES

Issue: Whether the strategy of development within urban areas (focusing on regeneration areas) followed by urban extensions to meet longer term needs, represents a sustainable approach to growth which pays sufficient regard to the environmental and other constraints of the borough.

- 2.1 Is the principle of maintaining the settlement hierarchy and focusing growth on existing urban areas, followed by urban extensions when required in the longer term (policy CS 1), based on a sound assessment of the socio-economic and environmental characteristics of the area and the impacts of the proposals?
- 2.2 Is the strategy sufficiently "spatial", ie does it appropriately address the particular characteristics, roles and functions of individual settlements and areas?
- 2.3 Is the identification of principal regeneration areas appropriate and derived from the evidence? What mechanism/process would be used to identify "other areas requiring regeneration"?
- 2.4 Is the strategy for the Green Belt in policy CS 1 consistent with the National Planning Policy Framework (NPPF)? Does the use of Green Belt land for development satisfy the "exceptional circumstances" test of national policy and if so, for what reason? Should the use of Green Belt land be limited to meeting "longer term" needs?
- 2.5 If the spatial strategy is considered unsound, what alternative strategy should be pursued, and why? Is there any compelling evidence that the growth sought in the KLPCS could be achieved *without* requiring Green Belt land and if so, on what basis?
- 2.6 Why is there no specific mention in policies CS 1 or 2 of fundamental principles such as meeting the housing and employment needs of the borough, or minimising the loss of Green Belt land? Should policy CS 2 ensure that the development principles also apply to the preparation of subsequent stages of the Local Plan as well as to individual development proposals?
- 2.7 What provision has been made in the KLPCS and associated documents for alternative strategies to be implemented if development does not come forward as envisaged? Do the policies include sufficient flexibility and contingencies to take account of unexpected changes in circumstances?

Matter 3 HOUSING PROVISION

Issue 1: Whether the proposed amount of housing development meets the objectively assessed needs of the borough.

- 3.1 Has the Strategic Housing Market Assessment (SHMA) been prepared in accordance with current guidance? Why does the SHMA relate to only part of the housing market area? The SHMA refers to the need for a full update by 2012 – why has this not been carried out?
- 3.2 What are the full objectively assessed needs for market and affordable housing for the borough, and how have they been derived? Does the evidence base give a clear understanding of these needs – can the major differences between the SHMA and recent population and household projections be reconciled? Should the Regional Spatial Strategy backlog since 2003 be included?
- 3.3 What level of population growth is envisaged by 2028 as a result of the planned 8,100 dwellings? Is this consistent with the overarching objective of population stabilisation? What is the scale of population growth by 2028 in terms of natural change and net migration? What level of new housing would be required to achieve a balance between in- and out-migration over the plan period (zero net migration)?
- 3.4 Have employment factors been taken into account in determining the scale of housing need? In broad terms is the planned scale of new housing in balance with the anticipated growth in jobs? If not, what are the consequences for patterns of commuting?
- 3.5 What exactly is the reasoning behind the selection of the 8,100 dwellings target? If it is not based on fully meeting objectively assessed needs:
 - (a) should the dwelling target be increased to meet the assessed needs?
 - (b) or alternatively, has the scope for neighbouring authorities in the housing market area to accommodate all or part of the unmet needs been fully explored?
 - (c) or alternatively, are there compelling local circumstances which justify lower levels of provision? In particular, is there credible evidence of constraints on environmental and/or infrastructure capacity grounds to warrant lower levels of growth?

Issue 2: Whether the broad distribution of housing development across the borough is consistent with the spatial strategy and the evidence base.

- 3.6 What is the reasoning behind the broad distribution of new housing in policy CS 3? Is it consistent with any evidence of need within the four main sub-areas and the overall spatial strategy for the borough? Would the proposed distribution lead to any significant change in the relative roles and functions of the settlements within the sub-areas? Given the limited capacity for further housing in the urban area of

Halewood, does the KLPCS make adequate provision to at least maintain Halewood's relative role among the four main townships?

- 3.7 How will implementation of the proposed broad distribution be managed? What happens if, over time, housing delivery does not accord with the proposed broad distribution - is it necessary to have a contingency in place or to specify a certain level of deviation which would trigger a review of the policy?

Issue 3: Whether the KLPCS is sufficiently clear, effective and robust to ensure timely delivery of the proposed amount of housing development.

- 3.8 Has the Strategic Housing Land Availability Assessment (SHLAA) been prepared in accordance with current guidance? Is there compelling evidence of specific SHLAA sites that do not meet the available, suitable and achievable tests set out in the NPPF? Has the viability of housing sites been robustly assessed, particularly for sites in regeneration areas?
- 3.9 Are the density assumptions used in the SHLAA unduly cautious? KLPCS paragraph 5.24 refers to densities "up to 40 dph" being appropriate – is this an upper limit and if so, are there not some locations where higher densities would be acceptable?
- 3.10 Is a 20% discount for non-delivery of SHLAA sites appropriate? Is it right to not take windfalls into account?
- 3.11 How much of the need for affordable housing is likely to be met, realistically, over the plan period? What are the implications for the objective of re-balancing the housing market?
- 3.12 How exactly will the phased release of housing land be managed? Will the SHLAA sites be subject to phased release and if so, what mechanism will be used? Is the plan effective without the inclusion of a phasing mechanism as part of policy CS 3?
- 3.13 Is the housing trajectory realistic and deliverable? Does it demonstrate a reliable 5 year housing supply (including NPPF 20% buffer) and developable sites for years 6-10? KLPCS paragraph 5.23 refers to potential review mechanisms if the trajectory is not delivered – what are these and why are they not included in the plan?

Matter 4 EMPLOYMENT PROVISION

Issue 1: Whether the proposed amount of employment development meets the objectively assessed needs of the borough.

- 4.1 Is the methodology used to determine the employment land requirement robust and consistent with the evidence? Is a methodology based on historic provision realistic given that the

highest uptake was prior to 2001, coupled with the prospect of limited public sector assistance in future?

- 4.2 Given the significant year-by-year discrepancies in historic employment land provision between previous studies and the latest Employment Position Statement (SD23), what confidence is there that the latest figures are a robust basis for future projections?
- 4.3 Is there justification for a 20% flexibility allowance being added to the employment land requirement to provide greater choice of sites?

Issue 2: Whether the broad distribution of employment development across the borough is consistent with the spatial strategy.

- 4.4 The location/distribution of employment land provision appears to be driven primarily by the availability of land and does not match the distribution of housing across the borough. Given the poor transport links between townships, does the distribution of new employment land accord with the overall spatial strategy?

Issue 3: Whether the KLPCS is sufficiently clear, effective and robust to ensure timely delivery of employment development and consistency with national policy.

- 4.5 Is the assessment of land available for employment robust and does it fully take into account the findings of the viability study? Is there evidence of individual sites being wrongly categorised as deliverable? Does the treatment of some parts of the employment land supply as expansion land for certain major businesses artificially boost the amount of land that is deliverable?
- 4.6 Does the floorspace available in vacant premises exceed the level normally regarded as necessary to enable "churn" to occur and, if so, what contribution does this make to the employment land supply? How has the potential capacity from remodelling of underused sites been taken into account?
- 4.7 KLPCS table 5.1 records an employment land deficit of 23.5 ha to 2028, assuming the South Prescot planning permission for housing is implemented. The land proposed to be released from the Green Belt for employment purposes comprises substantially more than this deficit. What is the justification for this, and does it meet the exceptional circumstances test of Green Belt policy?
- 4.8 How exactly will the phased release of employment land be managed? Will the sites which comprise the current supply be subject to phased release and if so, what mechanism will be used? Is the plan effective without the inclusion of a phasing mechanism as part of policy CS 4?
- 4.9 Policy CS 4 refers to office uses in employment areas being subject to the sequential test, yet policy CS 11 encourages office uses in

Knowsley Industrial and Business Park regeneration area with no such reference. There is a similar reference in policy CS 13 (South Prescott regeneration area). Is it intended that the sequential test to office development should apply in regeneration areas, consistent with national policy?

Matter 5 GREEN BELT

Issue: Whether the selection of broad locations for development in the Green Belt is justified by the evidence and whether the mechanisms for release are clear and effective.

- 5.1 Is the statement in policy CS 5 that “inappropriate development will not be permitted in the Green Belt” consistent with national policy (which includes the ‘very special circumstances’ test)?
- 5.2 Is the methodology used to select broad locations robust? Does its complexity over-elaborate the assessment process and make it difficult to identify the critical determinants? Does the methodology enable proper value judgements about the relative importance of individual criteria to be made?
- 5.3 There is significant (and not always consistent) repetition amongst the treatment of individual criteria within the commentaries of the KLPCS Green Belt Location Appraisal Sheets (appendix 6 of Green Belt Technical Report (TR03)) – are the results of this process always as robust and clear cut as suggested?
- 5.4 Does the methodology ensure that an appropriate balance is achieved between Green Belt policy and the overall spatial strategy of the KLPCS? How has the relative priority between release of Green Belt land and development in areas at risk of flooding been determined, and has an appropriate balance been achieved?
- 5.5 Many Green Belt sites involve loss of ‘best and most versatile’ (bmv) agricultural land. In the assessment has sufficient account been taken of the distinction between the different grades of bmv land?
- 5.6 Policy CS 5 refers to specific “broad locations” being removed from the Green Belt, but also says that boundaries will be defined at Site Allocations stage. As detailed boundaries for the broad locations are mostly identified in the evidence base, why are they not delineated and released at KLPCS stage?
- 5.7 How will the phased release of Green Belt sites operate in practice? Is the main driver of release the maintenance of a 5 year land supply (clause 3c of policy CS 5), or will urban regeneration objectives (clause 3b of policy CS 5) also have a role and if so, what will this be? Is it necessary to include the reference to meeting longer term development needs?

- 5.8 Is there sufficient clarity in the KLPCS over the mechanism for the release of individual Green Belt sites – how will the relative order of release be determined? Why are the individual broad locations not identified in policy CS 5?
- 5.9 Is the approach to safeguarded land in policy CS 5, which does not rule out development before 2028, consistent with national policy which requires safeguarded land to be released through the Local Plan process?
- 5.10 KLPCS table 5.2 indicates that the potential supply/capacity of the broad locations proposed for Green Belt release substantially exceeds the potential shortfall to 2028. Given the importance of retaining as much Green Belt land as possible, is this potential over-allocation justified?
- 5.11 Is the approach to major developed sites in the Green Belt in policy CS 5 consistent with national policy, which allows limited infilling and redevelopment of all previously-developed sites? Is it appropriate to continue to regard King’s Business Park as a major developed site in the Green Belt?
- 5.12 Is it likely that land for gypsy and traveller provision will need to be found from within the Green Belt and, if so, should the Green Belt policy reflect this?

Individual Green Belt sites

- 5.13 **KGBS1 Bank Lane, Kirkby.** Is the selection of this site based on robust evidence?
- 5.14 **KGBS2 Eastfield Walk, Kirkby.** The assessment seems to categorise this site as broadly neutral primarily because of its small size. Is too much emphasis given to the issue of size when, on the face of it, this appears to be a suitable site on the edge of a main settlement which would have very little impact on the Green Belt (similar to KGBS7)? Why does the absence of sustainability benefits as a result of small size carry sufficient weight to justify rejection of this site?
- 5.15 **KGBS4 East of Knowsley Business/Industrial Parks.** Is all the land in the northern parcel subject to an availability constraint? Is the assessment of economic potential and benefit consistent with that of the site to the north (KGBS3): both sites have similar proximity to the existing employment concentration but the sustainability assessment is very different – why?
- 5.16 **KGBS5 Pinfold Lane, Knowsley Village.** Is the rejection of this site based on robust evidence of all the environmental and other impacts?

- 5.17 **KGBS6 Knowsley Village.** Has proper weight been given to the impact on the setting of the Historic Park and Garden? How much of the site is Grade 2 agricultural land? Is the site of value and importance for wildlife? Green Belt Technical Report (TR03) says it is “clear” that exceptional circumstances exist – is this really the case? Should this site be brought forward during the plan period rather than being ‘safeguarded’ land?
- 5.18 **KGBS7 Knowsley Lane, Huyton.** Is the selection of this site based on robust evidence?
- 5.19 **KGBS8 Land at A58, Prescot.** Is the selection of this site based on robust evidence of all the environmental and other impacts?
- 5.20 **KGBS10 Carr Lane Prescot.** The Green Belt study states that release is compatible with Green Belt policy – but wouldn’t development erode part of a very small gap between Prescot and Huyton, contributing to the merging of settlements?
- 5.21 **KGBS11 South of Kings Business Park.** Does the conclusion that this site should remain in the Green Belt follow from the analysis in the Green Belt Technical Report (TR03), in which sustainability impacts are either neutral or positive? Why does the conclusion not give greater weight to the almost complete absence of harm to the Green Belt (the parcel of land appears to be surrounded by built development) compared with most other sites in the assessment?
- 5.22 **KGBS14 South of Whiston.** Is the selection of this site based on robust evidence of all the environmental and other impacts, including flood risk? What is the quality of agricultural land that would be lost? Should separate consideration be given to smaller development parcels? Should the release of this large site be phased and, if so, how?
- 5.23 **KGBS16 Edenhurst Avenue.** Is the selection of this site based on robust evidence of all the environmental and other impacts?
- 5.24 **KGBS17 Cronton Colliery.** Is any part of this land a potential minerals resource and, if so, would this be sterilised if the site was developed? Have the flood risk implications of this development been properly taken into account? Is employment development compatible with the intended use of part of the land as a country park? It is claimed that there would be benefits from developing this site in tandem with land to the north of the M62 (south of Whiston) - what are these benefits?
- 5.25 **KGBS19 and KGBS20 East of Halewood (north and south).** Is the selection of these sites based on robust evidence of all the environmental and other impacts?
- 5.26 **Alternative site A, Shrog’s Farm.** Is the rejection of this site for employment development based on robust evidence? Would

development of this site be viable having regard to flood risk and highway access constraints?

- 5.27 **Alternative site B, Axis Business Park.** Is the rejection of this site for employment development based on robust evidence?
- 5.28 **Alternative site C, Epicentre adjacent to M57.** Is the rejection of this site too simplistic and based on robust evidence? Is the availability of this land markedly better than alternative employment locations?
- 5.29 **Alternative site D, Lydiat Lane.** Is the adjoining land to the north and north-west (in Liverpool City) in the Green Belt? How significant a constraint is the adjoining sewage treatment works? Does the analysis in Green Belt Technical Report (TR03) give sufficient weight to the overall benefit when assessed against the Strategic Objectives?
- 5.30 **Other alternative sites.** Are there other sites which, based on the evidence, justify release from the Green Belt for development?

Matter 6 RETAIL AND TOWN CENTRE REGENERATION

Issue: Whether the KLPCS is sufficiently clear, effective and robust to ensure timely delivery of town centre regeneration and appropriate amounts of retail floorspace.

- 6.1 The KLPCS proposes indicative capacity figures for comparison and convenience floorspace which include extant planning permissions. Why isn't the scale of extant permissions mentioned in the KLPCS, especially as all of the capacity at Kirkby appears to be committed?
- 6.2 It appears that the capacity for convenience floorspace at Kirkby derives from planning permission for a convenience unit of between 4,750-7,000 sq m (paragraph 5.4.10, Planning for Retail in Knowsley (TR04)). Most very large convenience stores combine convenience with comparison goods – is it realistic to assume that the total provision will comprise solely convenience floorspace?
- 6.3 Is the scale of retail development in Kirkby town centre based on a sound analysis of need and consistent with the overall strategy? Is development of the scale proposed viable and likely to be achieved?
- 6.4 Is the expansion of Kirkby town centre proposed in policy CS 10 justified by evidence? Is there a realistic prospect of the Merseytram line to Kirkby town centre being implemented?
- 6.5 KLPCS paragraph 6.59 is positive about extending Prescot town centre boundary towards Cables Retail Park, but policy CS 14 refers to “potentially” extending this designation – why the discrepancy?

Would a further town centre extension to include Cables Retail Park bring significant retail benefits?

- 6.6 How will the broad distribution of sites for retail development between the three town centres be managed? Are the floorspace figures a ceiling which would prevent town centre retail development which exceeds them?
- 6.7 How will the phased release of comparison goods floorspace be achieved in the absence of any phasing mechanism in the KLPCS? Given the substantial under-trading throughout the borough, why is a phased approach necessary?

Matter 7 PARTICULAR HOUSING NEEDS

Issue: Whether the approach to affordable housing, specialist needs and accommodation for travellers would contribute to the creation of inclusive and mixed communities and assist in re-balancing the housing market.

Affordable housing

- 7.1 Is the borough-wide requirement for 25% affordable housing in policy CS 15 consistent with the objective of re-balancing the housing market? Is it appropriate for developments within or close to concentrations of predominantly social housing to provide this level of affordable housing?
- 7.2 Does the 25% affordable housing requirement adequately reflect the findings of the viability assessment, particularly for sites in regeneration areas? Is this level of provision likely to impede the deliverability of brownfield sites in lower value areas? The KLPCS refers to variations to the target occurring "only exceptionally" – is this a true reflection of the viability evidence? Should the KLPCS give examples of what might be regarded as "exceptional circumstances"?
- 7.3 Is the requirement in policy CS 15 that all affordable housing should be made available in partnership with Registered Providers necessary and consistent with national policy?
- 7.4 Is the tenure split between affordable rent and intermediate housing based on robust and up-to-date evidence?
- 7.5 Have the viability consequences of requiring affordable housing to comply with the size and design criteria of policy CS 17 been properly taken into account?

Gypsy and Traveller provision

- 7.6 What is the objectively assessed need for gypsy and traveller accommodation and what is the evidence base for the assessment?

- 7.7 Planning Policy for Traveller Sites requires planning authorities to set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address their accommodation needs. Why does the KLPCS not do this? In the absence of such targets, does not this part of the KLPCS fail the “positively prepared” test of national policy?
- 7.8 Policy CS 18 says that the Council will establish the level of need for gypsy and traveller accommodation and give due consideration to the number of pitches to be accommodated. How can this be robust without a process of target setting which is tested at examination?

Matter 8 ENVIRONMENTAL PROTECTION AND ENHANCEMENT

Issue: Whether the approach to protecting and enhancing the natural and built environment is justified and consistent with national policy.

Green Infrastructure (CS 8 and CS 21)

- 8.1 Is the requirement to protect, maintain and enhance biodiversity in and around new development (clause 6c of policy CS 8) realistic, achievable and in accordance with national policy?
- 8.2 Do clauses 2 and 3 of policy CS 21 properly reflect the intention of the plan to balance any loss of urban greenspace against the other benefits?
- 8.3 What is the intention of clause 2.e of policy CS 21 – is it sufficiently clear and capable of implementation? Is it appropriate and practical to take into account “potential” special qualities in clause 3 of the policy?
- 8.4 Are the local greenspace standards identified in the KLPCS justified by the evidence? How will the quantitative and accessibility standards be applied to particular development proposals (will assessments have regard to provision in individual Substantial Residential Areas)?
- 8.5 Why does the KLPCS not identify whether it is proposed to make Local Green Space designations and, if so, give guidance on the criteria to be used to select sites?
- 8.6 Is the requirement to provide two replacement trees for every tree lost (clause 10.c of policy CS 21) unduly prescriptive and onerous?

Historic Environment (CS 20)

- 8.7 Is clause 1.b of policy CS 20, which seeks to prevent demolition and/or development which adversely affects historic assets subject to statutory designation, consistent with national policy and legislation?

- 8.8 KLPCS paragraph 8.19 refers to supplementary policy criteria in a Design Quality and New Development Supplementary Planning Document (SPD) – why will such policy criteria not be included in a part of the Local Plan?

Matter 9 SUSTAINABILITY, DESIGN AND QUALITY OF NEW DEVELOPMENT

Issue: Whether the policies towards the sustainability, design and quality of built development are justified and consistent with national policy.

Housing size and design (CS 17)

- 9.1 Is the approach to a mix of dwelling sizes in policy CS 17 over-prescriptive and likely to represent a constraint on delivery of market housing?
- 9.2 What is the justification for the policy CS 17 requirement that housing should comply with Building for Life (BfL) and Lifetime Homes standards? Is it correct to say that BfL standards are part of Government policy (CS 17 4a) and mandatory (paragraph 7.21)?
- 9.3 Have the viability consequences of the design standards in clause 4 of policy CS 17 been properly taken into account, especially for developments in low value areas?
- 9.4 In light of imminent changes to national housing standards, as announced by DCLG in a recent consultation¹, is policy CS 17 adequately “future-proofed”?

Design Quality (CS 19)

- 9.5 Does clause 3 of policy CS 19 require all new development to address flood risk mitigation and, if so, is this necessary and consistent with national policy?
- 9.6 Should policy CS 19 include a reference to the need to address mining legacy issues?

Sustainable and Low Carbon Development (CS 22)

- 9.7 In light of imminent changes to national housing standards, as announced by DCLG in a recent consultation², is policy CS 22 adequately “future-proofed”?
- 9.8 Clauses 3 and 4 of policy CS 22 “encourage” rather than require the meeting of sustainable construction standards, so is it necessary for

¹<https://www.gov.uk/government/consultations/housing-standards-review-consultation>

²As above

applicants to demonstrate any non-compliance with these standards, especially in light of the findings of the viability study? Why is “viability” not included in clause 5 of the policy (as it is in clause 7)?

- 9.9 Does clause 7 of policy CS 22 apply borough-wide or only in Priority Zones? How will a “major development proposal” be defined – is there sufficient clarity in the KLPCS? Is the requirement to include decentralised renewable and low carbon energy systems (if viable and feasible) consistent with national policy?
- 9.10 Is it appropriate for the detailed requirements mentioned in clause 10 of policy CS 22 to be set out in Supplementary Planning Documents rather than a part of the Local Plan that is subject to examination?

Matter 10 TRANSPORT AND RESOURCE MANAGEMENT

Issue: Whether the policies towards sustainable transport and resource management are justified and consistent with national policy.

Transport

- 10.1 Policy CS 7 includes various references to carbon emissions: clause 1 seeks to reduce carbon emissions; clause 2 requires new development to be “inclusive of emerging new technologies that will mitigate or minimise carbon emissions and improve air quality”; clause 3 supports the roll out of infrastructure for low carbon emission vehicles. How is it intended that these objectives will be implemented, particularly the clause 2 requirement of new development?
- 10.2 Is there sufficient recognition in policy CS 7 of the safeguarding requirements of Liverpool John Lennon airport?

Flood Risk

- 10.3 Is the approach to flood risk in policy CS 24 justified by the evidence and consistent with national policy?

Minerals

- 10.4 Is the minerals evidence base sufficiently up-to-date to enable a robust assessment of future need and supply to be undertaken? Has a recent Local Aggregate Assessment been carried out to determine whether a steady and adequate supply currently exists?
- 10.5 Is the strategic approach to minerals in policy CS 25 consistent with national policy? How does the Council intend to “facilitate” a supply of minerals, and what consideration will be given to the maintenance of landbanks of mineral reserves? Should the policy include a reference to mineral resources “of local and national importance”? Is

the reference to the economic importance of mineral deposits relevant and justified?

- 10.6 The minerals evidence base (LC05) identifies a Minerals Safeguarding Area around the clay extraction operation at Cronton. Why doesn't clause 2 of policy CS 25 specifically propose the identification of this area in the Site Allocations and Development Policies plan?
- 10.7 Is it appropriate to leave the identification of Minerals Safeguarding Areas to a later Local Plan when the KLPCS is proposing specific sites for development? Has there been any investigation to establish whether the sites considered for development are in potential Minerals Safeguarding Areas?

Matter 11 IMPLEMENTATION AND MONITORING

Issue: Whether the KLPCS is sufficiently proactive and effective to ensure timely delivery of its proposals and associated infrastructure.

- 11.1 Is the KLPCS positively prepared and effective having regard to its limited approach to the implementation of objectives/policies and the monitoring of delivery? Are the delivery mechanisms identified in the KLPCS sufficiently specific and targeted to meaningfully assist achievement of the plan's objectives?
- 11.2 Does the Monitoring Framework (SD15) provide a robust and effective mechanism for measuring the timely delivery of the objectives and policies of the KLPCS? Does it readily enable assessment of performance against the *policies* of the plan?
- 11.3 In determining the Monitoring Indicators, has regard been paid to SMART objectives (specific, measurable, attainable, relevant and time-bound)? What is the point of monitoring indicators which do not have a measurable target?
- 11.4 Does the KLPCS identify the remedial actions to be taken if policies are not being successfully implemented? Is there guidance about the stages at which remedial actions would be triggered?

Infrastructure Delivery Plan

- 11.5 Is the Infrastructure & Delivery Plan (IDP) soundly based and effective? Does it identify the key elements of infrastructure which are crucial for the delivery of the strategy? Is it appropriate for policy CS 27 to require compliance with an IDP which is independent of the KLPCS and subject to future change? Are the requirements of policy CS 27 proportionate to the nature and scale of development and capable of flexible interpretation, as sought by national policy?
- 11.6 Does the IDP fully reflect the findings of the Economic Viability Assessment (EVA - EB06), which identified certain locations/types of

development that face serious viability problems? Will policy CS 27 result in restrictions on the amount, location or type of development coming forward?

- 11.7 The EVA recommended a hierarchy of policy requirements, has this been adequately reflected in the KLPCS? Does KLPCS paragraph 10.11 mean that the requirements of the policies listed are all non-negotiable? In situations where the full range of policy requirements is not viable, how will the competing demands for infrastructure, building design, sustainable development, affordable housing and so on be reconciled? Why doesn't the KLPCS give strategic guidance on prioritisation?
- 11.8 Is the requirement for developers to pay for the independent scrutiny of viability evidence (clause 6 of policy CS 27) justified, particularly in circumstances where the EVA demonstrates that development is not viable?

Martin Pike

INSPECTOR

5 September 2013 (revised 4.10.13)