

EX20

EXAMINATION HEARINGS

AGENDA

WEDNESDAY 20 NOVEMBER 2013 at 10.00 am

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)

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

- 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 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?

²As above

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?