

Home Builders Federation

Matter 8

IPSWICH LOCAL PLAN REVIEW EXAMINATION

Matter 8 – Development Management Policies

Issue: Whether the development management policies are justified, positively prepared, effective and consistent with national policy?

Questions

Transport and Access

Car and Cycle Parking

228. Does Policy DM22 defer important policy matters relating to vehicle parking, including cycle parking, in new developments, to other policy documents, including the Suffolk Guidance for Parking (2019). Having regard to Regulations 5 and 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012 should these matters be included in the Plan?

We would suggest that the application of parking standards fall under regulation 5(1)(a)(iv) of the Town and Country Planning Regulations and are development management policies which are intended to guide the determination of applications for planning permission and should only be adopted in a local plan following the prescribed process. As such their adoption through guidance which can be amended without the need for examination in public is wholly inappropriate. This issue was explored in detail in the recent High Court Judgement between William Davis Ltd, Bloor Homes Ltd, Jelson Homes Ltd, Davidson Homes Ltd & Barwood Homes Ltd and Charnwood Borough Council. In this case Justice Gilbert quashed the SPD on the grounds that it contained policies that should have been contained in the local plan because they could be considered to fall under regulation 5(1)(a)(i) and 5(1)(a)(iv).

The Council should therefore not devolve fundamental policy matters to the Suffolk Guidance for Parking. Such guidance can only be used to provide more detailed advice and guidance on policies. As such the Council could require applicants to have regard to such standards but they cannot require them to be complied with unless they are set out in the Local Plan and have been fully justified.



Open Space, Sport and Recreation

236. Is the provision of private outdoor amenity space in all new residential developments in Policy DM7 justified, effective and consistent with national policy?

As we set out in our representations, we consider this policy to be overly prescriptive and does not provide the necessary flexibility for a developer to respond to a specific site and demands of their customers.

Mark Behrendt MRTPI
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