

Horsham District Council's Response to Local Planning Regulations Consultation

Please find below Horsham District Council's comments regarding the planning regulations comments.

Consolidation of regulations

We welcome the consolidation of the changes since 2004 into a single document, while revising the remaining regulations in order to ensure that they are as effective and as simple as possible. Increasing the discretion available to Local Planning Authorities in the production of documents.

Duty to Co-operate

We welcome the detail regarding the Duty to co-operate, setting out a list of bodies that the duty will apply to. Part 2 regulation 6(1) does not however list 'adjoining local planning authorities' as would have been expected. Another addition is considered to be 'the education authority'.

Changes to a submitted DPD and withdrawal

We support the change to remove Inspectors powers to 'impose' changes, recommending modifications if the Council asks them to, with the Council able to recommend modifications, make minor changes and choose to accept modifications or resubmit the plan.

The change to make Development Plan Documents easier to withdraw is also welcomed as with a continuing changing planning environment the need to withdraw may be needed, unplanned and unavoidable.

Local Development Scheme and Annual Monitoring Reports

We welcome that Local Development Schemes under these changed regulations would not need to be submitted but it will be for Local Planning Authorities to publish up to date information on progress against the Local Development Scheme. Giving Councils the flexibility to decide how best to present this information to the public.

Again we welcome that under these changed regulations, Annual Monitoring Reports would not need to be submitted but there remains a duty to monitor and report to local people which is supported by this Council. We do however have concerns as to the reference in Part 8 regulation 39 (7) that '*An authority must make any up-to-date information, which it has collected for monitoring purposes, available, in accordance with regulation 40, as soon as possible after the information is available to it*'. This could place an unnecessary burden on Councils, particularly in the economic climate, as data sets come available at different times of the year, and monitoring and updating of datasets throughout the year rather than focused annually is a concern. It is suggested that '*possible*' is replaced with '*practicable*'.

We welcome the fact that there is less prescription on what Council's should include in Annual Monitoring Reports.

Statement of Community Involvement

The regulations make it clear in regulation 2(1) that Local Development Documents are DPD's, SPD's or a Statement of Community Involvement. There is only one other mention of Statement of Community Involvement's in the regulations at regulation 40. It does not therefore make it clear what the process is for Statement of Community Involvement production and adoption, which we consider should be rectified.

The Regulations use the terminology 'Development Plan Documents', whereas the National Planning Policy Framework adopts the term 'Local Plan'. It is questioned whether there should be consistency between the two documents and if so, we would support the use of the more user-friendly 'Local Plan'.

Availability of documents and advertisement

Regulation 40(a) and (b): we welcome the requirement to invite representations, and that the documents should be made available and advertised on the Council's website, and that the requirement to give notice by local advertisement has been removed. It is considered that there are often more options for advertising consultations and these should be for the Local Planning Authority to determine the most appropriate form of advertisement. We also support regulation 41(3) that '*Local planning authorities can make a reasonable charge for a copy of a document*'. Many authorities already do this: making free copies available to specific and general consultation bodies and at deposit locations.

A possible ambiguity has been identified by POS that within Regulation 23 (3) (a) that sub-section (iii) says local planning authorities should only make copies of representations and other supporting documents (i.e. the evidence base) available where it is practicable to do so. However, sub-section (iv) says we must publish a statement saying where all the DPD documents (which includes the above documents) are available and the places and times at which they can be inspected. Full sets of DPD documents represent a large volume of paper and we would welcome being required simply to make the evidence available on the authority's website. Visitors to the authority's principal offices could be assisted in viewing it by this means, if necessary.

In relation to this, in parts of the document it refers to hard copies and electronic communications. It should be made clear that making available should be via electronic means. With hard copies offered in addition to access to soft copies of documents under regulation 13 (2)(a)(i) to bodies set out in regulation 13 (3)(a) and (b) and hard copies available for inspection as set out in regulation 40 (1)(a).

It is also questioned whether there is a justification for still sending the Secretary of State paper copies of all related DPD documents?

Additional matters to which the plan must have regard

It is suggested that the list in Regulation 11, of additional matters to which the plan must have regard, is rather haphazard and incomplete. We support the POS suggestion that there would be merit in having a more inclusive catch-all, along the lines of 'and such other issues as the authority considers relevant to the DPD'.