

## Core strategy policies

Core Strategy Policy and notes	Relevant NPPF paragraphs for decision making	Weight to be attributed post 25 September 2021
CP1 – creating sustainable communities		
[1] All proposals for new development must result in a high quality sustainable environment.	92, 126, 130, 134	Full weight.
<p>2] Provision will be made for housing, employment and other development to meet the needs of existing and future residents of the Borough in line with the evolving housing requirements of the South East Plan and local studies aimed at informing the need for, and form of, development required.</p> <p>[3] The need for development will be balanced against the need to protect and enhance the natural and built environment. In selecting locations for development and determining planning applications the quality of the natural and historic environment, the countryside, residential amenity and land, air and water quality will be preserved and, wherever possible, enhanced.</p>	-	Diminished weight insofar as it relates to the requirements of the South East Plan.

<p>[4] In selecting locations for development and determining planning applications the Borough Council will seek to minimise waste generation, reduce the need to travel and minimise water and energy consumption having regard to the need for 10% of energy requirements to be generated on-site from alternative energy sources and the potential for recycling water. Where possible, areas liable to flood will be avoided.</p>	<p>8(c), 152, 157, 158, 159</p>	<p>No weight to the 10% requirement as not replicated in NPPF.</p>
<p>5] Where practicable, new housing development should include a mix of house types and tenure and must meet identified needs in terms of affordability. For those with a nomadic way of life, such as gypsies and travellers and travelling showpeople, appropriate provision should be made if a need exists. Mixed-use developments will be promoted where appropriate, particularly in town and rural service centres.</p>	<p>69, 86, PPTS 2015</p>	<p>Full weight insofar compliance with broad thrust of NPPF requirements.</p>
<p>[6] Development will be concentrated at the highest density compatible with the local built and natural environment mainly on previously developed land and at those urban and rural settlements where a reasonable range of services is available and where there is the potential to be well served by sustainable modes of transport. Best use will be made of the existing housing stock.</p>	<p>85, 108, 119, 120</p>	<p>-</p>

<p>[7] Development must minimise the risk of crime and should make appropriate provision for the infrastructure necessary to serve new development, including social, leisure, cultural and community facilities and adequate open space accessible to all. If still needed, existing facilities will be protected, and land required to meet future community needs will be identified and safeguarded for that purpose.</p>	<p>92(b), 93, 98, 123</p>	<p>-</p>
<p>CP2 (a – f inclusive)</p>	<p>110 – 113 inclusive</p>	<p>Consistent, full weight.</p>
<p>CP3</p>	<p>147 – 151 inclusive</p>	<p>[1] Consistent, full weight. [2] References Isles Quarry West which has since been development, no longer applicable.</p>
<p>CP4</p>	<p></p>	<p>States that safeguarded land should not be released until 2021, a timeframe now reached.</p>
<p>CP5</p>	<p>None</p>	<p>No weight – there are no requirements within the NPPF relating to strategic gap. This has been the case since 2012.</p>
<p>CP6</p>	<p>130</p>	<p>[1] Consistent, full weight. [2] Refers to application of CP14, see below to establish associated weight to be afforded.</p>

CP7	177	Partial weight given discrepancies in wording and requirements. Where differences do arise, the requirements of the NPPF must be applied.
CP8	108 (b)	Consistent, full weight.
CP9 - “development of the best and most versatile land... will not be <b>proposed in the LDF</b> unless there is an overriding need...”	174(b)	<p>Plan-making policy only. This is emphasised in the preamble at 6.2.22 which states: “... <i>The following policy is therefore intended to determine the pattern of development proposed in the LDF, Individual planning applications will continue to be considered on their merits in light of the advice in PPS7</i>”.</p> <p>Clearly, then, the policy is directed at plan-making (for example through amendments to the DLA DPD) whilst individual planning applications are to be “considered on their merits...”</p> <p>CP9 has no relevance to decision-making. Applications for development on BMV land will continue to be decided on their merits, the “value” of the BMV land (scale, grade etc) will plainly be a material consideration within the context of para. 174(b) of the NPPF.</p>
CP10	159 – 169	Partial weight given discrepancies in wording and requirements. Where differences do arise, the requirements of the NPPF must be applied.

CP11		Significantly diminished weight, inconsistent with NPPF.
CP12		Significantly diminished weight, inconsistent with NPPF.
CP13		Significantly diminished weight, inconsistent with NPPF.  Second part of policy which sets out that proposals for redevelopment or change of use of an existing building will only be permitted if there is a reduction in trip generation or if significant improvement [...] is not replicated in the NPPF, therefore inconsistent and no weight to be afforded.
CP14		Overall diminished weight where there are considered to inconsistencies with NPPF. Each case to be assessed in respect of criteria [a – i] to establish conformity
CP15		No longer applies for decision making
CP16	73	Site remains part of the Council’s development strategy in accordance with paragraph 73
CP17	64 – 65	Overall, remains consistent and full weight to be afforded to the 40% requirement
[2] – in rural areas, 40% provision to be sought on all sites over 5 dwellings or 0.16ha	<b>64</b> - Provision of affordable housing should not be sought for residential developments that are	[2] Requirement for provision on 5 – 9 units not consistent, no weight, rural areas not designated

	not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount	for the purposes of applying this policy. 40% provision on sites of 10+ will continue to be sought.  Detailed commentary on affordable housing policy and provision will be provided in a separate protocol to be adopted
CP18	None	No longer applies for decision making, Isles Quarry West has been developed
CP19	78 - 80	Broadly consistent, full weight  Detailed commentary on affordable housing policy and provision will be provided in a separate protocol to be adopted
CP20	Planning Policy for Traveller Sites (2015)	[1] out of date, based on South East Plan numbers, no weight to be afforded [2] broadly consistent, full weight
CP21	Section 6	Criteria based requirements broadly consistent, full weight
CP22	Section 7 & associated PPG re: sequential test	Policy requires an assessment as to whether “there is sufficient capacity and a retail need is demonstrated that cannot be accommodated within a town, district or local centre”

		<p>This is not reflected in the NPPF which does not require a specific retail need to be identified as part of the sequential test when considering edge of centre or out of centre sites when determining planning applications. The fact that the development is being proposed is sufficient grounds to then consider the sequential tests and if the development is satisfactory in this regard and all other matters, then it can be approved irrespective of whether a defined or specific “need” for the development is identified. Within the NPPG there is a clear distinction between the requirements for a sequential test in plan making when making decisions on planning applications. In relation to plan making, paragraph 010 of the PPG says a need for main town centre uses must be assessed as part of the sequential test before allocating sites for retail development in a new local plan, but at paragraph 011 in relation to sequential tests for determining planning applications, there is no such requirement to assess a defined need for the development.</p> <p>Therefore policy CP22 is considered to be unduly restrictive in this regard. Because this test is not fully consistent with the NPPF, only limited weight can be afforded to this aspect of the policy.</p>
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		<p>justify not rigidly applying the terms of policy CP22 (b), insofar as a specific retail need has to first be identified.</p> <p>[1] is broadly consistent with the NPPF i.e. retail sequential assessment,</p> <p>,[1 b – c] insofar as it states retail need should be demonstrated is not consistent. No weight to be afforded to this part of the policy</p>
CP23	Section 12	Consistent, full weight
CP24	Section 12	Consistent, full weight
CP25	55 – 58 194 – 208	<p>[1] consistent</p> <p>[2] requirements appear to relate to heritage assets tests. In these respects, the NPPF tests will be applied</p>
CP26	93	Consistent, full weight