26 September 2012

Dear Mr Ridley

Further to your letter of 3 September 2012 I should like to thank the Council for the additional infrastructure information and for its list of suggested main modifications (now Issue 2) which are at least in part a response to concerns that I have raised in earlier correspondence. I have some further queries on these matters, set out below.

The Council has listed all the modifications as “Main Modifications”. As you will be aware the only modifications that I can recommend are those that are necessary for the plan to be sound or legally compliant. It is these which are by definition main modifications. In this regard many of the modifications that the Council has put forward might be considered as improving or updating the plan or addressing points made in representations but, on the face of it, would not amount to main modifications. Minor modifications are of course entirely a matter for the Council and I would make no comment on the merits of those. It would be for the Council to decide how best to take them forward.

Those which appear not to be main modifications are the following MMs. Please let me know if you have any comments on this. If you should disagree then you would need to explain why the modification is necessary for soundness or legal compliance:

1, 5, 14, 15, 18, 20, 26, 30, 32, 36, 37, 40, 41, 42, 43, 44, 46, 49, 50, 51, 53, 58.

A number of the other modifications reflect the fact that the National Planning Policy Framework has superseded the earlier Planning Policy Statements or Guidance. While the plan must be consistent with national policy these changes appear to be factual updating or inclusion of quotes from the Framework rather than any substantive policy change. As such they would on the face of it also not amount to main modifications. They are MMs:

2, 3, 10, 33, 45, 52.
I should be grateful if you would explain further the basis for MMs 11, 34 and 48 which relate to affordable housing. The Council’s further statement on Matter 10 refers to MM34 being a consequence of MMs 6 and 7 but it would appear to go further than that.

MM60 and parts of MMs 28 and 29 relate to infrastructure. The latter two concern lists of infrastructure requirements for the Eastern Ipswich and Felixstowe areas in the respective policies whereas the former would insert a table in supporting text setting out infrastructure requirements for all of the District. I should like to be clear about the purpose of these modifications and their relationship to soundness.

In my earlier letters I asked the Council if you could identify the critical or essential infrastructure for the delivery of the Core Strategy (as opposed that which is simply desirable). The purpose of this is to avoid wish lists and ensure that the examination focuses on the infrastructure that could potentially delay or prevent development if it was not delivered. Appendix 2 of the Council’s further statement on Matter 3 sets out your view of the critical infrastructure. Based on that, I assume that the distinction in MM28 and 29 between “priority” infrastructure and that which may be “also required” is a distinction between critical and desirable. I should be grateful for your views on whether the inclusion of the MM60 table in the Core Strategy (as opposed to forming part of the evidence base) is necessary for soundness. If it is intended that the table should include only the critical infrastructure this is not clear (the modification does not state this as such), as the wording in Appendix 2 and the table is different in terms of the descriptions used and degree of detail. I note that there has also been some updating to the requirements which would need to be justified in terms of soundness for me to consider in a main modification. I stress that I am simply looking for clarity in the evidence base and that this need not mean significant changes to the submission Core Strategy.

In the case of MM54 the Framework requires that the Council should illustrate the expected rate of housing delivery through a housing trajectory. The modification would delete the existing Appendix C containing the trajectory but does not at this point propose what would replace it. This is left to the adoption of the plan. If the Appendix simply contained the trajectory diagram as at Table 7.6 this would be an acceptable course. However, it currently contains significant supporting text and commentary. I can understand that the Council is reluctant to commit at this stage to significant new text while the housing figures are examined. However, there is an option to simply include the diagram without the text, with any commentary being contained in future annual monitoring reports. It would be useful to the examination if the trajectory diagram alone could be amended to reflect the Council’s suggested main modifications before the forthcoming hearing session on housing so that it can be compared with that in the submission plan.
MMs 56 and 57 concern Policy DM24 and supporting text relating to sustainable construction. The MM56 changes seem to mainly relate to clarity and updating. How would they be addressing soundness?

Any recommendations on main modifications to the plan are ultimately a matter for my judgement. However, it would be helpful to me to have the Council’s views on the matters I have raised before the hearings commence. I have only just begun to read through the further statements and some of my additional queries on the modifications may be contained within them. If so you can simply direct me to the relevant text.

Yours sincerely

*M J Moore*

Inspector