

FW: comments on revised policy LP02

Dear Annette

I would like to make the following comments on the revised policy LP02.

This policy only applies to tiers 1-3 which excludes hamlets.

The revised policy states windfall includes "Redevelopment of previously developed/ brownfield sites"

I have submitted a site which is brownfield and adjacent to the development boundary in a hamlet, Blackborough End. Currently as written this policy would not support the development of a brownfield site as windfall.

The Assistant Director, Mr Ashworth has recently told me the council does support brownfield development and paragraph 123 of the NPPF and he also agreed with me that landfill sites that have been restored are excluded from the definition of previously developed land. The correspondence is attached to this email.

The flip side to this is that landfill that has not been restored is NOT excluded from the definition of previously developed land. The site I've submitted was given planning permission to fill and level it to prepare it for residential development and has no conditions on it at all, let alone anything related to restoration.

This policy does not comply with paragraph 123 of NPPF which states

123. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land⁴⁹.

On February 13th 2024 the Prime Minister, Rishi Sunak and the Secretary Of State for levelling up, Michael Gove made a press release stating

As part of its long-term plan for housing, the government has announced today (13 February 2024) that every council in England will be told that they will need to prioritise brownfield developments and instructed to be less bureaucratic and more flexible in applying policies that halt house building on brownfield land.

<https://www.gov.uk/government/news/build-on-brownfield-now-gove-tells-underperforming-councils>

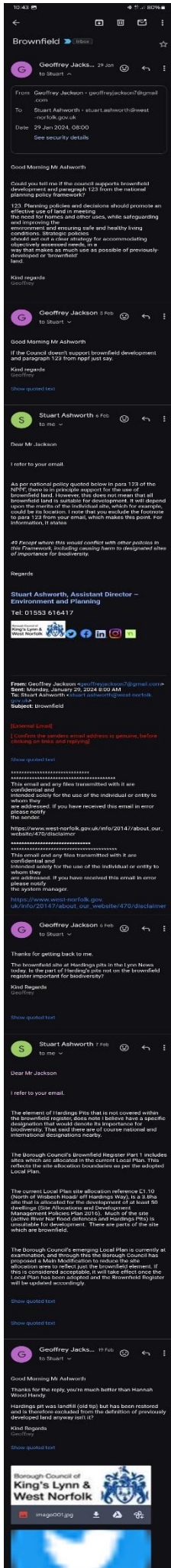
The policy as written makes the plan not legally compliant or sound and does not follow the instructions given to the Council by the Prime Minister or Secretary of State for levelling up.

To make the plan legally compliant the council needs to either allocate the site or re-write policy LP02 to allow windfall development adjacent to settlement boundaries in hamlets.

Kind Regards

Geoffrey Jackson

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