

## **Examination of Places for Everyone Joint Development Plan Document**

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### **IN14 Supplementary Questions relating to matters 1 to 5: legal, procedural and other general matters, and the Plan's spatial strategy**

We have read all of the written statements submitted in response to our issues and questions related to matters 1 to 5<sup>1</sup>. We have the following Supplementary Questions that GMCA is requested to respond to in writing by midday on **Friday 21 October 2022** (unless otherwise stated in relation to a particular question).

#### **Matter 1: legal, procedural and other general matters**

##### **Issue 1.1: Was the Plan prepared in accordance with relevant legal requirements?**

##### **Withdrawal of Stockport Metropolitan Borough Council from the Plan**

Together, section 28 of the Planning and Compulsory Purchase Act 2004 and regulation 32 of the Town and Country Planning Local Plan Regulations 2012 enable a joint plan to continue to progress in the event of one or more of the authorities withdrawing, provided that the plan has substantially the same effect with respect to the areas of the remaining authorities as the original joint plan.

A legal opinion in response to the following questions is requested from GMCA in order to inform our consideration of this issue and the discussion at the hearing session on 1 November 2022:

SQ1.1. (a) Does regulation 32(2)(b) require consideration of whether the Plan has substantially the same effect on each of the 9 local planning authorities individually rather than, or as well as, the plan area as a whole and the 9 authorities collectively?

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<sup>1</sup> IN8.

(b) If we decide that the Plan needs to be modified, would we need to consider whether the modified Plan has substantially the same effect as GMSF 2020, or did the requirement cease to apply when the Plan was submitted for examination?  
(c) If we decide that the Plan does not have substantially the same effect as GMSF 2020 on the areas of the 9 local planning authorities, what would be the implications for the examination? Would it be a legal and/or soundness failing that could be rectified during the examination in some way?

### **Superseded policies in existing local plans**

Appendix A of the Plan, which is subject to a proposed main modification, sets out which policies in existing local plans will be superseded by policies in the Plan when it is adopted<sup>2</sup>. Appendix A seems to include a number of local plan policies relating to safeguarded land / protected open land (for example Wigan Core Strategy policy CP8) that are stated to be superseded by JP-G10 and/or JP-G11. However, policy JP-G11, if modified as proposed<sup>3</sup>, would only relate to one area of safeguarded land designated in the Plan (land adjacent to HS2 Manchester Airport), rather than safeguarded land / protected open land designated in local plans.

SQ1.7. (a) Which local planning authorities with safeguarded land / protected open land would be without a development plan policy relating to such land if policy JP-G11 and Appendix A were modified as proposed? (b) What would be the implications for development management in those districts?

### **Plan period**

The submitted Plan period is 2021 to 2037. National policy advises that strategic policies should look ahead over a minimum 15-year period from adoption. The Plan will not be adopted until 2023 or later.

The GMCA written statement for matter 1 proposes a modification to extend the plan period to 2038. Written statements from representors recommend other changes to the plan period, some to shorten it and others to extend it to various dates, including as far ahead as 2042.

We have not come to a conclusion as to whether it is necessary to change the Plan period. GMCA is asked to respond to the following question in order to help us decide if it is necessary and if so what the implications may be.

SQ1.12. What modifications would be required to the Plan, including to the policies relating to the need for and supply of land for new homes and for industrial and warehouse development, if the plan period were extended to (a) 2038; (b) 2040; and (c) 2042?

The deadline for a response to question SQ1.12 is **midday on Wednesday 26 October 2022**.

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<sup>2</sup> PMM1, July 2022.

<sup>3</sup> PMM1, July 2022.

## **Issue 1.2: Is the role of the Plan, and its proposed relationship with local plans and neighbourhood plans, legally compliant and consistent with national policy?**

### **Relationship with local plans and neighbourhood plans**

The GMCA written statement proposes in response to Q1.9 further main modifications to various parts of the reasoned justification in the Plan aimed at clarifying the relationship with local plans and neighbourhood plans. The main modification proposed to paragraph 11.2 would state that local plans will, as appropriate, allocate sites from the existing land supply within the urban area (as indicated on Figure 11.1) to ensure that objectively assessed needs for housing and other uses can be met.

SQ1.9. Would the proposed main modification set out a clear framework for local plans in terms of the approach to considering development outside the existing urban area (including on land that is currently designated as safeguarded land, protected open land or Green Belt) if the evidence available at the time the local plan was being prepared indicates that objectively assessed needs for housing or other uses cannot be met within the urban area?

### **Matter 4: Green Belt**

## **Issue 4.1 Were all reasonable options for meeting the identified need for housing and employment development on land that is not in the Green Belt fully examined**

### **Land within existing urban areas**

Tables 6.1, 6.2 and 7.1 quantify the existing supply of land in each district for the period 2020 to 2037 based on employment land availability assessments and strategic housing land availability assessments. The Tables also include figures for estimated completions 2020-2021. The Plan assumes that the existing supply of land is not sufficient to ensure that housing and employment development needs can be met, meaning that land needs to be removed from the Green Belt<sup>4</sup>.

SQ4.1. Has updated information about the existing supply of housing and/or employment land, and completions since 2020, in each district been published relating to (a) 2021 and (b) 2022? If so, please provide updated versions of Tables 6.1, 6.2 and 7.1 to reflect the most up to date, comprehensive information available.

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<sup>4</sup> Plan paragraph 1.47, and elsewhere.

## **Matter 5 Key Diagram and policies JP-Strat1 to JP-Strat11**

### **Issue 5.3 Is the purpose and nature of policies JP-Strat1 to JP-Strat11 clear such that they will be effective?**

The GMCA written statement for matter 5 refers in paragraph 5.10 to a revised response to PQ47 (superseding the response in GMCA4.1 published on 27 May 2022). The revised response states that, having given the matter further consideration, the local planning authorities advise that the purposes of policies JP-Strat1 to JP-Strat11 are to provide (a) strategic justification for the site allocations in chapter 11 of the Plan and (b) a strategic framework for local plans, but not to set out specific requirements to be taken forward in local plans or inform the preparation and determination of planning applications.

SQ5.3. How, if at all, should the Plan be modified to clarify the intended purposes of policies JP-Strat1 to JP-Strat11 as described above?

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14 October 2022

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