

Q26 In stage 5, activity 8 of Key Document 8, Legal Compliance Self-Assessment, there is a note that "As this is OPDC's first Local Plan there is no list of superseded saved policies." It may be correct that this is OPDC's first Local Plan but is it correct that there is no existing Local Plan for any part of the OPDC area which is to be superseded by the new OPDC Plan? Is it the case that any existing Local Plans were automatically annulled by the establishment of the OPDC? If there are any existing Local Plans which apply to any part of the OPDC area and which are to be superseded by the adoption of the OPDC Local Plan in due course then there will need to be included in the adopted Plan a Schedule of superseded policies. Without that, the pre-existing Local Plans will continue in force and any inconsistency between the previously adopted Local Plans and the OPDC Plan to be adopted would need to be resolved on a case by case basis in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004. If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Would the OPDC please consider whether it wishes to propose a Modification to include a Schedule of superseded policies?

Thanks

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Inspector