

PH/3 Email correspondence between Torbay Council and Examination Inspector (Torbay Council, 17 December 2014; Keith Holland, Inspector, 22 December 2014; Torbay Council, 23 December 2014)

From: Young, Robert
Sent: 23 December 2014 11:40
To: Steward, Pat; Turner, Steve
Cc:
Subject: RE: Torbay Local Plan Examination - Request for clarification from Examination Inspector

Dear Pat

Many thanks for this information which I have forwarded to the Inspector.
I will let you know if he has any further comments.

Bob

From: Steward, Pat
Sent: 23 December 2014 10:07
To: Young, Robert; Turner, Steve
Cc:
Subject: RE: Torbay Local Plan Examination - Request for clarification from Examination Inspector

Bob

Many thanks for passing on the Inspector's message.

Please assure the Inspector that we will publicise everything that has not yet been publicised. We will make sure that happens so that everyone has access to the information at the same time. We have delayed, by a week or so, such publication until we receive further comments from the Inspector (as referred to in his message) in order to ensure that a comprehensive and co-ordinated package of information is made public. My team is now on leave for the Christmas period but I will ensure all material is publicised during week beginning 5th January.

In relation to the Mayor's decision (it's not a Council decision) about the Churston referendum, please be advised that the decision is being referred (today) by the Council to the Secretary of State. In addition the issue is currently being advertised, as a proposed asset disposal, in the Herald Express – as such it is being publicised. As set out in the Additional Information provided by the Council on 11 December, we have deleted the 1st & 18th site from the 5 year housing land supply and will replace it with Wall Park (which was shown as coming forward later in the Plan period, but – pending completion of a S106 Agreement – will secure planning permission early in the new year). The 1st & 18th site will now be shown as coming forward later in the Plan period, which we believe is logical. Consequently we believe the Plan remains sound and effective. In light of the Inspector's initial comments, received on 15th December, we are considering whether an additional site(s) should be identified. That additional site would be advertised, alongside other major modifications, in the usual way and the Inspector will receive all representations.

I trust that helps to clarify the Council's position.

All the best

Pat

Pat Steward
Senior Service Manager - Strategic Planning & Implementation
Torbay Council

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View details of, and comment on planning applications at www.torbay.gov.uk/planningonline

Submit a planning application at www.planningportal.gov.uk

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From: Young, Robert

Sent: 22 December 2014 18:00

To: Turner, Steve

Cc: Steward, Pat

Subject: RE: Torbay Local Plan Examination - Request for clarification from Examination Inspector

Importance: High

Steve and Pat

The Inspector has asked me to forward the following message on his behalf –

“Please tell the Council that I will review their additional material over the next few days and will get back to them hopefully before Christmas. If I don’t manage that it will be before the New Year.

The papers sent to me must be made public. There is no such thing as papers personal to me - everything that I see must be available to everybody.

On soundness I cannot at this stage confirm that the plan can be found sound with or without further modifications. However I can say that I would not have carried on with the hearing sessions if I had identified a fundamental soundness issue during my initial preparation. Also nothing I heard at the hearing sessions led me to believe that the plan could not be made sound. However since then the Council has made their decision about the referendum. I will need to consider how that impacts on soundness, particularly in relation to how effective the plan is likely to be. As the Council will know effectiveness is a fundamental test of soundness. The responses of others to this decision will also have to be taken into account and that is why it is important for the Council to publicise this decision and to forward any representations made to me. The timing of that work will be for the Council to determine.”

Bob

Robert Young
Programme Officer
Torbay Local Plan Examination

From: Young, Robert
Sent: 18 December 2014 14:28
To: Turner, Steve
Cc: Steward, Pat
Subject: RE: Torbay Local Plan Examination - Request for clarification from Examination Inspector

Steve

I confirm the email below has been forwarded to the Inspector.

I will let you know when I receive a reply.

Bob

From: Turner, Steve
Sent: 17 December 2014 15:27
To: Young, Robert
Cc: Steward, Pat; Brooks, Tracy; Shimin, Ashwag; Gunther, Andrew; Pickhaver, David
Subject: Torbay Local Plan Examination - Request for clarification from Examination Inspector
Importance: High

Bob,

I would be grateful if you could forward this email to Mr. Holland. It thanks him for his 'Initial findings' paper and goes on to seek clarification on various matters, including his interim findings and the material sent to him by the Council on Friday 12 December 2014.

Dear Mr.Holland,

The Council is very grateful to receive, some time ahead of the expected date, your 'Initial findings' relating to the objectively assessed need for housing in Torbay and general strategy proposed in the Local Plan. It welcomes your broad support for the Plan's overall strategy and level of growth.

As you know, the Council is very keen to move forward quickly to adoption of the Plan. Your initial findings will help us achieve that. To assist that process we provided a small bundle of material to you on 12 December, which you may not have seen before you issued your initial findings. That bundle addressed the issues raised at the end of the Hearing (our 'homework') and, we feel, could go a considerable way to addressing the matters raised in your initial findings.

The Council is now carefully and quickly considering your comments and will publish them as soon as possible. However, as part of this work (and to progress matters expeditiously), the Authority would welcome clarification and guidance in relation to the following points:

1. It would appear that your 'Initial findings' paper has been produced before you had sight of the material posted to you on Friday 12 December. If this is the case, are you able to confirm that it is your intention to feedback to the Council your views on this material in the form of

a 'Further findings' note? We are obviously particularly keen to understand whether or not our submission answers the earlier queries that prompted your request for this documentation in the first place and the extent to which the document successfully addresses the issues raised in your 'Initial findings'.

2. Clearly, to progress the Plan, the Council would in due course then request some guidance on whether or not you consider that the Plan is capable of being found sound, subject to any specific changes that you would require us to put in place. Such changes would then presumably be added to the Council's Draft Schedules of suggested Additional and Main Modifications that you will now have had sight of, and subsequently be published for representations early in 2015.
3. As a matter of clarification, could you please advise us whether or not you would expect the Council to publish (presumably 'for information') all of the 'Addendum' material sent to you on Friday 12 December, or whether this documentation should remain as private background material, sent through to you for your personal professional consideration only.
4. In light of your 'Initial findings', we have amended Policy SS12 (from the revised version included in the bundle sent on 12 December) such that it reflects the figure – of 10,000 homes – you have included in your recent paper. Your advice on the amended policy would be much appreciated in due course, especially whether or not you feel it meets the requirements discussed at the Hearing and outlined in your 'Initial findings'. We will endeavour to forward a revised draft of SS12 to you by the end of this week.

Your advice would be much appreciated. Once again, if you have any queries, Officers will be pleased to assist you via the Programme Officer.

In the meantime, may I extend seasonal greetings and best wishes to you on behalf of the Council.

Kind regards,

Steve Turner
Team Leader - Strategic Planning

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