

## **Torbay Local Plan Examination – Further Findings**

- 1) These further findings reflect my views on the material sent to me on 12 December 2014. I found this material extremely helpful and would make the following brief points about it in order to assist the Council to progress the Plan. Please note that I have yet to receive any material that deals with Policy SS12 in the context of my view that the Plan should make provision for 10,000 additional homes over the plan period. Various parts of the Plan will need to be amended to reflect this quantum of housing growth.
- 2) The material sent about the relationship between homes and jobs makes the point that it is very difficult to be precise about the level of growth in jobs and the consequences of whatever level is achieved. I agree that spurious precision in this matter should be avoided but clearly the Plan needs to be based on some quantification. I have not seen any convincing evidence that contradicts the Council's view that it is reasonable to plan for the possibility of some 2660 new jobs over the next 5 years. Similarly I accept that a figure of around 6000 new jobs over the plan period is not unreasonable. I acknowledge that these figures may prove to be over ambitious but they reflect the economic growth philosophy of the Plan. Arguments that I have seen and heard challenging this level of growth are very largely based on unsubstantiated assertions.
- 3) The additional sustainability material provided does not indicate that planning for the highest level of housing growth proposed in the Plan (10,000 additional homes) is unacceptable on sustainability grounds. My interim finding regarding the level of growth therefore remains unchanged.
- 4) I note that the Duty to Cooperate material is not yet finalised and I therefore will not comment on the material received at this stage.
- 5) The schedule of Main Modifications does not adequately reflect the fact that I will only be making main modifications that go to the heart of the soundness of the plan. In essence my concerns about soundness relate to the scale/timing of housing development being planned for and the deliverability of the Plan having regard to the intentions for Neighbourhood Planning and the consequences of the proposed covenant at Churston Golf Course decision. The covenant situation is another area where additional material is awaited and I therefore make no comment at this stage.

- 6) Returning to the suggested Main Modifications I regard a significant number of those proposed by the Council as matters of clarification of policy rather than the introduction of substantial changes required to make the plan sound. The Council seems to me to have erred on the side of caution. This is understandable but this is the Council's Plan and I will only recommend modifications that are essential for soundness. I do appreciate that the Council may be seeking to reassure bodies like Natural England that their concerns have been met. In my view the Plan as submitted provides a good basis for such reassurance to be provided through modifications agreed between the Council and bodies making representations. In the light of the agreement reached in very many instances I can see no reason why these changes to the plan should not be treated as additional modifications that elaborate on policies in the plan as submitted. For example the suggested additions to policy SS7 reinforce/clarify the point about critical infrastructure but they are not main modifications that I must recommend to make the Plan sound. The Council is intending to consult on the additional modifications that it is proposing as well as on any Main Modifications that I may recommend. Consequently the public and other bodies will have the opportunity of seeing and commenting on the many additional changes that the Council wishes to make. At this stage I recommend that the Council critically reviews the list of Main Modifications that it has suggested with a view to focussing the Main Modifications on the matters that go to the heart of the Plan.
- 7) Notwithstanding the changes suggested by the Council I still have concerns about the proposals for ensuring that the Neighbourhood Plan process endorses and implements the strategy in the Plan. I consider that there is a need for a "trigger point" to be drafted into the Plan to identify when and in what circumstances the Torbay Council will, if necessary, initiate the preparation of site allocation documents. At present there is a danger that site allocation plans, if needed, will not be in place in time to avoid a policy vacuum in 2017. Bearing in mind the time it often takes to get plans adopted I suggest that the Council should consider giving themselves at least 2 years to prepare any site allocation plans that may be required in the event of the Neighbourhood Plans failing to deliver the Council's strategy.
- 8) Another significant concern related to Neighbourhood Plans is that the suggested changes to the relevant policies are not clear and firm enough. The policies must provide a definitive strategic framework for the Neighbourhood Plans. It is not acceptable for policies to be framed in vague terms such as the reference to numbers changing in Policy SDP3 and Table 5.12. I appreciate that detailed work may ultimately lead to numbers changing but, in circumstances where the Council is relying on

Neighbourhood Planning to the extent that Torbay is, it is imperative that the strategic context is clear and firm at the outset.

- 9) Finally the housing provision trajectory is not clear. It seems that a flat line trajectory is being suggested and if this is the intention it should be made clearer. This is important so that calculations about a 5 year supply of housing land can be made on an informed and clear basis.

Keith Holland  
Inspector  
23/12/2014

**PH/4** Examination Inspector's 'Further Findings' on Torbay Local Plan Examination, including related email correspondence (Keith Holland, Inspector, 23 December 2104)

**From:** Young, Robert  
**Sent:** 23 December 2014 11:44  
**To:** Turner, Steve; Steward, Pat  
**Subject:** Inspector's further findings 23 Dec

Steve and Pat

Attached are the Inspector's further findings.

Bob