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**Date:** 21<sup>st</sup> January 2015

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Dear David

**Re: Paignton Neighbourhood Plan: General Conformity with the Strategic Policies of the Development Plan.**

Thank you for your draft document, titled Compliance and Basic Conditions Statement Appendix 4: General Conformity with the Strategic Policies of the Development Plan.

I refer to David Pickhaver's emails of 19<sup>th</sup> November 2015 and 16<sup>th</sup> December 2015. These emails confirm that the Forum's Compliance and Basic Conditions Statement identifies the correct legislation and guidance, but also raise a concern that the Forum's housing trajectory appears to be lower than the Local Plan figure and pushes development back towards the latter part of the Plan period. Those concerns have not been addressed in your most recently submitted document.

The Council's overarching concern is that Paignton Neighbourhood Forum is attempting to phase development artificially. This is inappropriate if there are not good, well evidenced infrastructure reasons for doing so. Paignton Neighbourhood Forum's approach will be seen by the development industry as an attempt to avoid decisions on 'difficult' sites until after the first or second review of the Local Plan. There also appears to be an over reliance on small windfall sites above recent delivery rates, rather than an attempt to bring forward more strategic developments that could, themselves, help resolve any infrastructure issues.

Detailed comments on the draft General Conformity Statement will be provided by David Pickhaver under separate cover, but I will take this opportunity to remind you that the Local Plan does not commit to a reduction in housing numbers if new jobs do not come forward. It does commit (Policy SS13) to a review, if there is evidence of a potential imbalance between jobs and homes, but not to the outcome of that review. Section 7.5 of the Local Plan sets out the factors that will be taken into account in a review, covering more than just numbers of new jobs. Paragraphs A4.13 and A4.26 of the Basic Conditions Statement constitute a misrepresentation of the Local Plan position and are likely to mislead readers.

Paignton Neighbourhood Forum's approach is contrary to the Government's clearly stated policy of

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If you require this in a different format or language, please contact me.

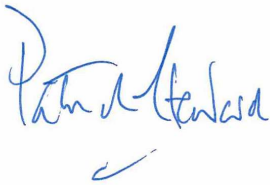
increasing housing supply and the principle in the NPPF of meeting objectively assessed needs insofar as consistent with NPPF policies. It is also contrary to the requirement placed on Neighbourhood Forums by the NPPF (para 16) to be positive in the preparation of neighbourhood plans. The Local Plan Inspector covered this issue at the end of para 27 of his report, where he said “....the danger of housing growth not being matched by jobs growth is outweighed by the advantage of support for the Council’s growth strategy and the confidence the strategy may bring to those looking at the area for investment opportunities.” I have previously explained the Council’s position in my letters of 22<sup>nd</sup> October and 12<sup>th</sup> November 2015.

The Inspector’s Report emphasises the dangers of not having a five year housing land supply as measured against the Local Plan’s housing requirement. If the Council is unable to maintain a five year supply, then development plan policies for the supply of housing cannot be considered up to date. This would affect all three neighbourhood plans as well as the Local Plan. It could result in development coming forward that is outwith the Local Plan and which does not deliver wider benefits to Torbay.

On this basis, I must advise the Forum that phasing arrangements that risks a shortfall in five year housing supply would not be in general conformity with the Local Plan. Please could you ensure the Forum is fully aware of the Council’s position at its meeting this evening.

I hope that this is of assistance and sets out the Council’s position clearly.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Peter A. G. Lewis', with a small flourish underneath.

**Head of Spatial Planning**