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Ms Ruth Bagley,
Chief Executive,
South Hams District Council,
Follaton House,
Plymouth Road,
Totnes,
Devon.
TQ9 5NE.

Your Ref:

Our Ref: PINS/K1128/429/3

Date: 10 November 2006

Dear Ms Bagley,

South Hams District Council Core Strategy Development Plan Document

As you know, I was appointed by the Secretary of State to carry out an independent examination of the South Hams Core Strategy 2016 Development Plan Document, which was submitted on 30 January 2006, pursuant to section 20 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act).

I held a pre-examination meeting on 16 May 2006 and conducted the examination itself by way of written exchanges and hearing sessions held between 11 and 28 July 2006.

The purpose of the independent examination is set out in section 20(5) of the 2004 Act and falls into two parts. The first is whether the submitted DPD has been prepared in accordance with certain statutory requirements under the Act and the Town and Country Planning (Local Development) (England) Regulations 2004 (the 2004 Regulations).

The second part is whether the DPD is sound. In making an assessment of soundness I have applied the 9 tests set out in paragraph 2.4 of Planning Policy Statement 12 – Local Development Frameworks (PPS 12).

With this letter is my report containing my recommendations that the submitted DPD is sound in most parts but unsound in some others, albeit none which are critical to the overall vision and spatial strategy or incapable of being addressed in my recommendations, and the reasons why I have come to those conclusions, as required by section 20(7) of the 2004 Act. In arriving at these judgements on the soundness of the DPD I have had regard to all the representations which were made on it in the 6 weeks following submission in accordance with regulation 29 of the 2004 Regulations, along with subsequent written submissions and oral contributions made at the hearing sessions. However, as the purpose of the examination is to consider whether the submitted DPD is



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sound, rather than to consider "objections", I do not list or refer directly to individual representations in the report.

As one of the first DPDs to have reached examination stage under the 2004 Act, I recognise that the Council has had to act as a pathfinder in relation to the preparation of the Core Strategy and that the path chosen has been strewn with obstacles, including some that were not easily foreseen. Consequently, the examination proved to be something of a learning process for all concerned. In particular, the absence of a "self assessment" of the contents of the CS by the Council at the appropriate stage prior to submission contributed to the need for a series of proposed changes that ought not to have been necessary if the original document had been sound. The introduction of changes after submission should only occur in exceptional circumstances. Accordingly, my task has been complicated by the need to assess the document in the light of the proposed changes. The aim is for the examination to assess the document as submitted with a minimum of change. I have sought in this instance to be as helpful as possible by considering the changes submitted by the Council but I must emphasise in the strongest terms that this CS and the approach used by the Council should not be seen as a template for others to follow. The need to consider both the original submitted document and the changes has also had to be reflected in the form and content of my report which differs from that which might otherwise have been expected as a result.

Finally, I wish to thank all those appearing at the examination for their helpful and interesting contributions. In particular, all of the Council representatives, notably Mr Lee Bray, helped to ensure that the examination sessions were conducted efficiently and in a constructive spirit for which I am grateful. I also record my gratitude to the Programme Officer Ms Karen Boyle, whose hard work, despite difficult personal circumstances, contributed significantly to the smooth running of the examination proceedings, and to her deputy Ms Karen Duffield.

Yours faithfully,

Nigel Payne

Inspector.