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Please ask for: Richard Grant

Date 13/12/2017

My Ref: EXC10

Dear Mrs Burden and Mrs Wright

### **Examination into the soundness of the Plymouth and South West Devon Joint Local Plan 2014 -2034 – Schedule of Minor Modifications**

The JLP Councils consider the Joint Local Plan to be sound as submitted. In other words, were no changes to be made to the plan, it would still be a sound plan. In this respect, we consider the plan to be:

- Positively prepared – in that is based on a strategy which seeks to meet objectively assessed need and infrastructure requirements
- Justified – in that it is the most appropriate strategy when considered against the alternatives, based on proportionate evidence
- Effective – in that it is deliverable and based on effective joint working
- Consistent with national policy – in that it enables delivery of sustainable development in accordance with the Framework.

However, we are mindful that a number of representations have been made which we feel do not raise soundness issues but which nonetheless potentially could be accommodated through modifications.

We highlighted where we would be happy to agree to such modifications in our Response Report (SUB22B and D) and Summary Schedule of Changes to the plan (SUB8). Furthermore, since these documents were prepared we have been in discussions with several parties about Statements of Common Ground (SOCG), and through these discussions some additional potential modifications have been identified. Please note though that not all of the SOCG discussions have yet been fully concluded.

We have always sought to take an inclusive approach to the preparation of the plan, and this has influenced where we have identified modifications. Modifications are set out where we feel they

might improve or provide additional clarification, and also in many cases where they give a different form of wording to provide comfort to statutory agencies who have a particular responsibility for a function nationally (this is particularly the case in relation to SOCGs with Historic England, Natural England and the Environment Agency).

We have prepared a Schedule of Potential Modifications which sets out the modifications that we would be happy to put forward in response to the representations, based on our assessment at the time of the Response Report about what might be considered as a 'minor' modification. However, we note that subsequent to our Response Report, the Inspectors have set out in Examination Guidance Note (EXC6), published on 10 November 2017, that minor (additional) modifications are modifications that do not materially affect the policies of the plan.

In setting out potential modifications, we have asked ourselves the following questions.

Does the modification:

- Correct an issue of soundness or legal non-compliance?
- Raise new substantive issues which would need to be subject to Sustainability Appraisal and Habitats Regulations Assessment?
- Do more than just provide:
  - greater clarity about the provisions of the plan which are consistent with / already accommodated through other provisions of the plan; or
  - helpful amplification or clarification without substantively changing the intent of the policy / provision, for example in relation to its delivery; or
  - a different form of wording which achieves the same outcome.

Modifications were only suggested where we are happy that the answer to these questions is 'no'.

It should be noted that although we have identified which representation the modification is in response to, it does not automatically follow that the modification is made to the satisfaction of each person or organisation commenting. The modifications are only what the JLP Councils are willing to agree as minor modifications.

In the event that the Inspectors consider that any of these modifications would be main rather than additional / minor modifications and will be recommending that main modifications are needed to enable the plan to be sound, then we would have no objection to the modifications proposed in the schedule below to be incorporated into a schedule of main modifications. It seems to us that this would help simplify the modifications process.

If however the Inspectors consider that the plan is sound and not in need of main modifications, but they also consider that some of the minor modifications we have identified in the schedule are main and not minor, then it would be our wish to withdraw those particular modifications. This is because we consider the plan sound as submitted. In these circumstances we would still wish to make those modifications which the Inspectors agree are minor.

Yours sincerely

Richard Grant  
Local Planning Manager, Plymouth City Council

