

Examination of The Cranbrook Local Plan

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Dear Mr Brown

Thank you for your letter dated 13 September 2021 responding to my request of 26 August (the text of which is attached to this letter).

There have now been a number of opportunities for participants to make their positions clear and the representors for the expansion areas have set out their positions in detail. At this stage, on the basis of what I have read and heard, it appears to me that further examination sessions on viability would be unlikely to assist me further, nor would they be likely to narrow the gaps between participants positions and that of the Council. Consequently, having carefully considered the submissions and your response, I believe that it is not necessary for further hearings to be held.

My responsibility is to form a judgement on the plan and to identify any changes which would be required to make the plan sound. At this point I believe that I have sufficient information to reach that judgement.

Therefore, I **now direct** the Council to formulate a full schedule of proposed modifications taking into account the detail discussed throughout the Examination and incorporating appropriate changes arising from the various debates that have taken place and the representations made.

The schedule, once finalised, will be subject to formal consultation to which representors will have an opportunity to make representations.

My final conclusions on the issues raised at the examination will be set out in my report having regard to the representations made up to this point and those made in response to the published main modifications.

I will ask the Programme Officer to publish your letter of 13 September and this reply on the Councils website.

Janet Wilson

Examining Inspector

Text of request dated 26 August requesting that the Council respond to the following :-

National Planning Policy Framework

The Government published a revised National Planning Policy Framework (the Framework) on 20 July 2021. There are no transitional arrangements for Local Plans submitted after 24 January 2019 and one of the tests of soundness in paragraph 35 of the Framework is consistency with national policy.

I would be obliged if the Council could consider whether the new Framework has any implications for the soundness of the Cranbrook Plan and, if it does, how that might be resolved.

Responses PSD 44A to 44I

As you know I have to determine whether the allocations of the plan are deliverable with viability central to that consideration. The content and requirements for each allocation and indeed for other policies need to be clear, unambiguous and robustly evidenced. The responses to your viability update challenge some aspects of the Councils work, question the veracity of the supporting evidence and in some cases suggest an absence of evidence.

I express no view at this point however wish to give the Council an opportunity to respond to the matters raised in those submissions. This will enable you to clarify particular aspects, to give further explanation, or to signpost to the evidence on which you rely to support the Councils' position, and, if appropriate, to correct any misinterpretations. I am not looking to the submission of further evidence at this stage but a focused reply in relation to the responses received. Please make clear which individual representations you are responding to.

*At this point it is important to remember that any changes to the plan should be limited to those which are required to make it **legally compliant or sound**. Under the provisions of the Act, main modifications are not intended to be used to improve the Plan; to placate an objector; or to do something the Council wishes it had done in retrospect.*