

ASHFORD BOROUGH COUNCIL LOCAL DEVELOPMENT FRAMEWORK
TENTERDEN & RURAL SITES DEVELOPMENT PLAN DOCUMENT

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FAO: Mr A Highwood

27 May 2010

Dear Mr Highwood

Tenterden & Rural Sites Development Plan Document – Ashford Borough Council Local Development Framework

Thank you for your letter of 24 May 2010. The Inspector has asked me to pass on her response, as follows:

I acknowledge that, in paragraphs on pages 1 and 5 of the PHM Minutes, the wording has become too succinct. The relevant phrase should be "...that the local authority has submitted what it considers to be a sound plan", to reflect that of paragraph 4.49 of PPS12. The PO will arrange for an amended version of the Minutes to appear on the Council's website and I will make my position clear in my Opening on 22 June.

In terms of the timing of representations, I am firmly of the view that the guidelines in *Local Development Frameworks - Examining Development Plan Documents: Procedural Guidance (August 2009)* should be followed [click here to access Examining Development Plan Documents: Procedure Guidance](#). Paragraphs 2.14 -2.17 and 3.6 - 3.8 are particularly relevant.

The process no longer centres on 'responding to objections'. Like everyone else, the Local Planning Authority is invited to address the Inspector's soundness agenda (paragraph 3.8).

The procedure is based on the premise that the Local Planning Authority has submitted a comprehensive evidence base with the DPD, and that representors have submitted their full evidence with their representation. There is thus no need to present further pre-hearing Statements as a matter of course, as developments of an original 'objection' (paragraphs 2.14 and 2.15).

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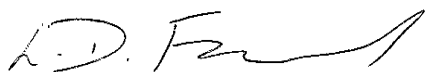
Additional written material should be submitted only in response to the Matters and Issues for the Examination, with a view to responding to those points rather than countering the arguments of others, including those of the Local Planning Authority (paragraphs 2.17 and 3.6). The date for the submission of responses should be the same for all parties, and it should not be necessary for the Local Planning Authority to submit its statement on a different (later) date than other participants (paragraphs 2.17 and 3.8).

Under the present system, therefore, there is little reason for the sort of pre-hearing rebuttal proof stage which UCL suggest. It is the Inspector's agenda to which the parties should respond rather than to points made in each other's statements, and for representors to tell the Inspector why they consider that the plan is unsound. The Local Planning Authority should have already submitted, with the DPD, full disclosure in the form of a robust evidence base to justify their policies. It is for the Inspector to question and assess its adequacy as part of the tests of soundness, whether or not others have done so in representations concerning those issues.

As part of that process I will be issuing shortly a number of Inspector's Notes, including one directed to Savills and the Local Planning Authority concerning matters at Wye. The aim is to probe, clarify and draw out certain parts of the evidence in advance of the hearings, in order to allow for a more informed and fruitful hearing discussion. The Notes and responses to them will be available as Examination Documents in the Examination Library and on the Council's website. I consider that these measures taken together should provide the full, fair and open forum that all seek.

Please note that this letter has been sent on behalf the Inspector

Yours sincerely

A handwritten signature in black ink, appearing to read 'L.D. Freeland', written in a cursive style.

Lynn Freeland
Programme Officer

cc. Simon Cole – Ashford Borough Council
Daniel Carter – Ashford Borough Council