

Date: 13 April 2016
Ask for: **Karen Britton**
Direct dial: 01227 862196
E-mail: karen.britton@canterbury.gov.uk



Mr M Moore
The Planning Inspectorate
Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Dear Mr Moore

**Canterbury District Local Plan – Examination
Canterbury City Council Response to Inspector’s letter dated 17.03.16 regarding
Point 4. Comments by the Environment Agency and Natural England**

In your letter of 17.03.16 you stated:

The Environment Agency has indicated that in terms of the suggestion that negative effects identified in the SA Addendum could be mitigated at the planning application stage “it is hard to see at this stage how this outcome complies with s 117 of the National Planning Policy Framework”. It recommends more detail about the types of mitigation that could be provided and how information in planning applications could help reduce the impacts. I should be grateful if the Council would indicate how it intends to deal with this comment. It would be inappropriate to move on to Stage 2 of the examination until this has been addressed.

In its comments on the proposed amendments and SA Addendum Natural England has indicated that a narrative should be prepared to document any changes to the Habitats Regulations Assessment arising from new allocations, including recreational disturbance, and any new pressures on air quality and water supply/quality issues. On the assumption that you would wish to address the concerns of Natural England I should be grateful if the Council would set this in train.

In response, we have spoken to the Environment Agency and Natural England and emailed them about these points and I enclose emails and responses for your information.

Documents requested in your letter of 24.3.16 have been passed to the Programme Officer and we will be providing responses to the other outstanding issues from your letter dated 17.03.16 by the 29th April 2016, as requested.

Should you require any further assistance in the meantime, please do not hesitate to contact me.

Yours sincerely
Karen Britton
Planning Policy Manager



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INVESTOR IN PEOPLE

Cathy McNab

From: Cathy McNab
Sent: 01 April 2016 16:04
To: [REDACTED]
Subject: RE: CCC Response to Natural Englands Letter of 22.1.16

Dear John and Patrick

This note is in response to your comments (email dated 22.1.16 numbered 172866) on Canterbury City Council's proposed amendment consultation on the draft Local Plan. I will address each point in turn.

- Sites 8, 12, PA/005 and PA/006 – The sites will be required to contribute to the mitigation measures outlined in the relevant SAMMs for the North Kent Coast and the Thanet Coast (for draft policy SP7 please see the Statement of Common Ground). Once the final housing numbers and allocations for Canterbury and Thanet have been agreed it is anticipated that the SAMM and tariffs for the Thanet Coast will be updated and adopted.
- Sites 11, PA/007 and PA/008 – Just to clarify, the AONB unit has been consulted and their comments duly considered.
- Site 8 – This is an intensification of a current allocation, which is further from the Stodmarsh N2K site than the two alternative sites put forward at Hoplands Farm and Chislet Colliery. The SHLAA and sustainability appraisal took account of the international sites in the area. The HRA at the modification stage will include an assessment of the impact of the increase in numbers on the site.
- Site 11 – As part of the current planning application a management plan has been produced that provides for the protection and management of the buffer strip which incorporates no access to this area. This will be included in the permission's conditions.
- The most recent transport modelling has shown less of an increase in traffic along the Blean Road than previously anticipated in Appendix 1 of Topic Paper 3. The topic paper showed that the increase in Nitrogen deposition in the Blean SAC was predicted to be less than 1% at predicted total traffic volumes of 16600 AADT at the end of the plan period (table 7). The most recent traffic modelling has predicted the total traffic volume at the end of the plan period to be 14702 AADT on the A290 Blean Hill. The outcomes of this is that there will be even less of an increase in Nitrogen deposition than originally predicted.
- The HRA will be updated to consider the impact of all modifications to the Submission Draft Local Plan (including the proposed amendments) prior to formal consultation on these modifications.

I hope that this satisfactorily covers the points made in your email of 22/1/16. We are required to provide a response to the Inspector on this matter by 14/4/16 so we would appreciate a response at your earliest convenience.

Regards

Cathy McNab
Planning Policy
Canterbury City Council
[REDACTED]

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Cathy McNab

From: Lister, John (NE) [REDACTED]
Sent: 13 April 2016 08:41
To: Cathy McNab
Subject: RE: CCC Response to Natural Englands Letter of 22.1.16

Follow Up Flag: Follow up
Flag Status: Completed

Dear Cathy

Thank you for your patience.

I am happy that your email dated 1st April, addresses the questions raised in my email of 22nd January 2016, and I have no further comments.

Yours sincerely

John Lister

Lead Adviser
Sussex & Kent Area Team (Area 14)

Natural England,
International House,
Dover Place, Ashford,
Kent, TN23 1HU.

[REDACTED]
www.gov.uk/natural-england

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In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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Cathy McNab

From: Lisa Gadd
Sent: 05 April 2016 11:43
To: [REDACTED]
Cc: Cathy McNab
Subject: Canterbury District Local plan Proposed Amendments Nov 2015 - EA Comments

Dear Jennifer,

With regard to your representations on the Proposed Amendments November 2015 and the Addendum to the SA report.

The Council has the following comments to make :

Land at and adjacent to Cockering Farm, Thanington.

We will pass on the information to the developer to be dealt with through the planning application.

Land South of Ridgeway (John Wilson Business park)

A flood risk assessment will be required under Local plan Policy CC4 relating to flood risk

Land adjacent to Cranmer and Aspinall Close, Bekesbourne

Your comments are noted, the Council will ensure that the developer is made aware and appropriate actions are undertaken.

Land North of Hersden

Part of the proposed site (the area to the left of Joners Farm) is the former Hersden Tip run by Brett & Sons, Category A (inert), B (slow degradable) & C (putrescible/difficult) waste. It's on our GIS map system on the 'potentially contaminated land' layer.

When a development proposal, we would require the developer to carry out a full contaminated land assessment including an intrusive sampling survey to assess the level/extent of any contamination. Remediation works may then be required (quite likely for this site) to make the site 'safe' for the future end users. All of this would be dealt with via planning conditions and the EA would also look at the assessment with regards to protection of any water resources.

Part of this former tip site has been successfully remediated already and is in current use as residential – the Blackthorn Road estate just off Island Road.

Land at Kent and Canterbury Hospital, Ridlands Farm and Langton Field

The Council is aware that the site is within a source protection zone 2 and 3 and therefore appropriate measures will be taken.

Concerns have also been raised with regard to the sustainability objectives for geology and biodiversity relating to the proposed additional sites,

the Sustainability Appraisal predicts and evaluates the effects of the preferred development option and the reasonable alternatives against the set of Sustainability Objectives. Where negative effects are identified this should not necessarily mean a presumption against development but an opportunity for measures to be proposed to avoid, minimise or mitigate such effects.

In response to the EA's comments, it is envisaged that the negative effects identified in respect of biodiversity can be suitably mitigated through the application of Local Plan Policies and at the planning application stage, when detailed design and mitigation measures will also be considered.

It is the Council's view that the plethora of the Landscape and Biodiversity planning policies set out in Chapter 10 of the draft Local Plan (2014) are compliant with S.117 of the NPPF in promoting the preservation, restoration and recreation of priority habitats and ecological networks and the protection and recovery of priority species.

The Policies have also been subjected to SA (CDLP 10.6), which assessed these as having a significantly positive cumulative effect on the Geology and Biodiversity SA Objective.

I trust the responses above addresses your concerns.

Would you please confirm in writing by 20 April 2016 to Karen Britton, Planning Policy Manager that you are satisfied with the Council's responses with regard to issues raised in your representations on the Canterbury District Local Plan Draft Proposed Amendments November 2015.

Many thanks,

Regards,

Lisa

Lisa Gadd
Planning Policy Officer
Canterbury City Council
[REDACTED]

www.canterbury.gov.uk



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Cathy McNab

From: KSLPlanning [REDACTED]
Sent: 11 April 2016 15:01
To: Lisa Gadd
Cc: Cathy McNab
Subject: RE: Canterbury District Local plan Proposed Amendments Nov 2015 - EA Comments

Lisa

For ease, I have provided our comments in **BLUE** below.

If you have any further queries, please do not hesitate to contact me.

Kind Regards

Jennifer Wilson

Planning Specialist (KSL - Kent)

Changes to Flood Defence Consenting

As of 6th April 2016, the Water Resources Act 1991 and associated land drainage byelaws have been amended and flood defence consents will now fall under the Environmental Permitting (England and Wales) Regulations 2010. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

From: Lisa Gadd [REDACTED]
Sent: 05 April 2016 11:43
To: Wilson, Jennifer
Cc: Cathy McNab
Subject: Canterbury District Local plan Proposed Amendments Nov 2015 - EA Comments

Dear Jennifer,

With regard to your representations on the Proposed Amendments November 2015 and the Addendum to the SA report.

The Council has the following comments to make :

Land at and adjacent to Cockerling Farm, Thanington.

We will pass on the information to the developer to be dealt with through the planning application.

EA: Comments noted.

Land South of Ridgeway (John Wilson Business park)

A flood risk assessment will be required under Local plan Policy CC4 relating to flood risk.

EA: We are content that the production of a satisfactory site specific flood risk assessment should enable this site to be developed safely without creating or exacerbating flood risk elsewhere.

Land adjacent to Cranmer and Aspinall Close, Bekesbourne

Your comments are noted, the Council will ensure that the developer is made aware and appropriate actions are undertaken.

EA: Comments noted.

Land North of Hersden

Part of the proposed site (the area to the left of Joners Farm) is the former Hersden Tip run by Brett & Sons, Category A (inert), B (slow degradable) & C (putrescible/difficult) waste. It's on our GIS map system on the 'potentially contaminated land' layer.

When a development proposal, we would require the developer to carry out a full contaminated land assessment including an intrusive sampling survey to assess the level/extent of any contamination. Remediation works may then be required (quite likely for this site) to make the site 'safe' for the future end users. All of this would be dealt with via planning conditions and the EA would also look at the assessment with regards to protection of any water resources.

Part of this former tip site has been successfully remediated already and is in current use as residential – the Blackthorn Road estate just off Island Road.

EA: We note the council's comments. We advise you to review previous planning applications on and around the site, where former site investigations were undertaken. These might provide information on the location of different fill types at this site and steer the future assessments mentioned in the council's response.

Land at Kent and Canterbury Hospital, Ridlands Farm and Langton Field

The Council is aware that the site is within a source protection zone 2 and 3 and therefore appropriate measures will be taken.

EA: Comments noted.

Concerns have also been raised with regard to the sustainability objectives for geology and biodiversity relating to the proposed additional sites, the Sustainability Appraisal predicts and evaluates the effects of the preferred development option and the reasonable alternatives against the set of Sustainability Objectives. Where negative effects are identified this should not necessarily mean a presumption against development but an opportunity for measures to be proposed to avoid, minimise or mitigate such effects.

In response to the EA's comments, it is envisaged that the negative effects identified in respect of biodiversity can be suitably mitigated through the application of Local Plan Policies and at the planning application stage, when detailed design and mitigation measures will also be considered.

It is the Council's view that the plethora of the Landscape and Biodiversity planning policies set out in Chapter 10 of the draft Local Plan (2014) are compliant with S.117 of the NPPF in promoting the preservation, restoration and recreation of priority habitats and ecological networks and the protection and recovery of priority species.

The Policies have also been subjected to SA (CDLP 10.6), which assessed these as having a significantly positive cumulative effect on the Geology and Biodiversity SA Objective.

EA: Comments noted. Whilst we aren't happy that there are negative impacts we are willing to accept that they can be mitigated at planning application stage, and hope to work with you to ensure this is the case.

I trust the responses above addresses your concerns.

Would you please confirm in writing by 20 April 2016 to Karen Britton, Planning Policy Manager that you are satisfied with the Council's responses with regard to issues raised in your representations on the Canterbury District Local Plan Draft Proposed Amendments November 2015.

Many thanks,

Regards,

Lisa

Lisa Gadd
Planning Policy Officer
Canterbury City Council

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