Date: 28 April 2016

 Ask for: **Karen Britton**

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Mr M Moore

The Planning Inspectorate

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Dear Mr Moore

**Canterbury District Local Plan – Examination**

On 17 March 2016, you wrote to Canterbury City Council with a list of actions that you wanted carried out and stated by what dates these should be completed.

The following sets out the City Council’s response to all of these, or where applicable cross-references to where information has already been provided to you on these matters and attaches further documents, where appropriate; for example the Potential Main Modifications.

The Potential Main Modifications are proposed changes that affect the policies or their implementation and have been made to ensure that the Plan reflects the latest national legislation and guidance; such as the National Planning Policy Framework; requirements set out by statutory bodies; and other changes in circumstances since the Plan was submitted, including new information provided with planning applications. These proposed changes respond to the points raised by you at Stage 1 of the Examination, and are made in order to ensure that the Local Plan is sound and legally compliant.

Each of your points or questions is highlighted in “bold” below, with the City Council’s response given beneath.

CDLP references relate to the relevant Canterbury District Local Plan Examination Documents, which you have copies of, and are also available on the Council’s website <https://www.canterbury.gov.uk/planning/planning-policy/examination-documents>

We also enclose the following documents:

1. Potential Main Modifications
2. Strategic Site Allocation - Planning Applications/Planning Permissions Update

(28th April 2016)

1. Viability Assessment of Strategic Sites in Canterbury (CDLP, 16.29.16)
2. Summary Report Sturry and Herne Highway Capacity Study (April 2016) (CDLP, 16.29.17)
3. Statement of Apportionment
4. Canterbury Sequential Assessment and Wincheap Capacity Study (April 2016) (CDLP, 16.29.17)
5. 5 Year Housing Land Supply Calculation Update (April 2016)
6. Correspondence with Dover District Council about Wincheap
7. Record of Consultation and Engagement with Key Stakeholders and Public Bodies – November 2014 to 28 April 2016

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

Yours sincerely

*Karen Britton*

Planning Policy Manager

**Response to Inspector’s Letter of 17.3.16**

**Point 1 Responding to the consultation**

A response has been provided in Canterbury City Council (CCC) letter to Inspector dated 22 March 2016 (CDLP 16.29.12)

**Point 2 Transport and viability**

A response was provided in CCC letter to Inspector dated 22 March 2016 (CDLP 16.29.12)

The Canterbury VISUM Model Update Run was provided with that letter of 22 March 2016

(CDLP 16.29.13)

The updated viability work by Adams Integra has been completed and a copy is supplied (CDLP 16.29.16)

**Point 3 Matters outstanding from the hearings and main modifications**

The responses to the “To Do List” and to “Items a) to k) of paragraph 52 of the note accompanying Inspector’s letter of 10 August 2015” are set out below. Separate documents have also been prepared for some matters; for example the Potential Main Modifications.

**Point 4 Comments by the Environment Agency and Natural England**

A response has been provided in CCC letter to Inspector dated 13 April 2016

(CDLP 16.29.15)

**Point 5 Land south of the A28 at Hersden**

A response has been provided in CCC’s letter to Inspector dated 22 March 2016.

(CDLP 16.29.12)

**Point 6 Neighbourhood Plans**

A response has been provided in CCC’s letter to Inspector dated 22 March 2016

(CDLP 16.29.12)

**Point 7 New information**

A response has been provided in CCC’s letter to Inspector dated 22 March 2016 and copies of planning application information supplied to the Programme Officer, as requested.

(CDLP 16.29.12)

Enclosed is the latest information for the Strategic Site Allocations: Planning Applications/Planning Permissions Update (28th April 2016)

We will continue to provide updates to the Inspector on relevant Planning Applications.

**Inspector’s Post Examination “To Do List”**

**The Inspector gave the City Council the following “to do list” after the Stage 1 Examination**

**1. CCC to look at wording SP4 (is it flexible)**

See Potential Main Modifications

**2. CCC words one Hierarchy one without**

See Potential Main Modifications where the hierarchy has now been included within the policy, as discussed at the Stage 1 Examination

**3. CCC to look at general wording of Plan – negative**

This has been undertaken - See Potential Main Modifications

**4. CCC to look at wording of 2.21, 2.80 (Housing)**

See Potential Main Modifications

**5. CCC 5 yr. land supply trajectory – HL Supply**

This is covered in the Housing Land Supply position statement Canterbury City Council Jan 2016 (CDLP 5.8) supplied to the Inspector in January 2016.

The City Council have also prepared an update to the January 2016 position statement, which is enclosed.

**6. Wording of Plan – does it fit NPPF approach**

This has been reviewed - See Potential Main Modifications

**7. List of Parish Councils contacted re self-build**

In line with new Government’ requirements, the Council has created a self and custom build register to gauge demand for this type of development, which is located at

<https://www.canterbury.gov.uk/planning/self-and-custom-build-homes/>

All Parish Councils have been notified of this.

**8. CCC to clarify its position on Herne Relief Road and its relationship to the constraints of the Herne Bay sites**

Kent County Council has commissioned a report from their transportation consultants to determine the capacity constraints at Sturry and Herne and a copy of this is enclosed. The Report considered existing highway conditions in the area, and whether there is a limitation on any new development, particularly larger strategic sites, without the proposed Herne and Sturry Relief Roads. The Report concluded that the addition of traffic from all of the strategic sites will have a significant and severe impact on the study corridor both at link and junction level. Mitigation is required to enable the growth set out in the emerging Local Plan. This is the Council’s position.

**9. Affordable Housing wording of strategy 70/30 spilt**

This has been reviewed - see Potential Main Modifications

**10. CCC how starter home initiatives on Brownfield land**

This has been reviewed - see Potential Main Modifications

**11. Site 6 appendix 6 statement - Greenhill**

The Council’s position with regard to the 300 dwellings at Site 6 is that the site is not close to the main road network and the modelling of the site submitted by the developer demonstrates that it will increase traffic on Greenhill Road by 30% in the am and pm peaks. This traffic will increase turning movements at Greenhill roundabout junction with A2990 Thanet Way which already suffers from congestion at peak times and a history of crashes. The development will also increase traffic on Greenhill Bridge Road where the traffic signal junction with Sea Street creates queues at peak times which tail back onto the A2990 Thanet Way. The site is accessible by foot and cycle in the immediate vicinity but the Thanet Way will be a difficult barrier to encouraging cycling. Traffic from the site that heads south will enter Canterbury via Thornden Wood Road and St Stephen’s Hill. The VISUM modelling shows considerable increases in journey times particularly in the morning peak hour in St Stephen’s Hill. This can be attributed partly to vehicles from Herne Bay reassigning to Thornden Wood Road and St Stephen’s Hill instead of Herne Bay Road and Sturry Road. However, this development at Greenhill will also contribute to this additional traffic as its primary access to Canterbury is via Thornden Wood Road. On balance it is considered that 600 houses at this location will generate traffic that will create problems whether its destination is north or south of the site and it would be preferable if the site were to be reduced in scale. After discussions with Kent County Council it was agreed that 300 houses would be acceptable in highway terms at this location.

**12. LDS docs from CCC – all have until Tuesday 28 July to comment – CCC to reply by Friday 31 July**

Information was supplied to the Inspector, as requested, on 31.7.15 and this is located as (CDLP 16.68) LDS Note 31 7 15

Note: The City Council anticipate that the LDS will be updated prior to stage 2 of the Examination.

**13. CCC propose mods to policy SP3 site 8 – need text and evidence that backs that up – other parties to have time to comment**

See Potential Main Modifications for the text changes, the Proposed Amendments consultation document (CDLP 18.1) for additional assessment and information on the site and (CDLP 16.29.10) Issues raised for the Proposed Amendments for the main issues arising from the consultation.

**14. CCC to put forward mods for site 9 drawings**

Strategic Site Allocation Proposals Map for Site 9, Howe Barracks has been amended - See Potential Main Modifications

**15. SP3 wording in relation to SPD & Development Briefs**

Wording has been amended following Stage 1 of Examination - see Potential Main Modifications

**16. CCC response to DTC Wednesday 29 July**

This was supplied as requested to the Inspector and is located as (CDLP 16.67) DTC Note 31.07.15

**17. Herne & Sturry relief roads (how should be developed) need more info from CCC/KCC – people at Session have time to comment (Tues 28) within 2 weeks**

Discussions were held during Stage 1 of the Examination. However, since that time the strategy for the delivery of the relief roads has been refined. The enclosed Statement of Apportionment sets out the contributions required from those sites identified as having most traffic impact.

**18. CCC to give Inspector more info on Wincheap P&R model approach to delivery how would it be funded**

Planning Committee resolved to grant planning permission in January 2016 for a strategic site of 750 houses at Thanington (subject to completion of a section 106 agreement). The resolution to approve was based on the applicant making a contribution to fully fund the A2 (Dover bound) off slip and £1 million contribution towards the Park and Ride.

**19. Note on other options P&R different options if lose part of Wincheap site**

This is not considered to be required as the relocation and expansion of the Park and Ride site is deliverable and included in the council’s capital funding programme.

**20. CCC look at main Mods – KCC parking standards need to be put in plan**

See Potential Main Modifications - these have been added as a proposed new appendix.

**21. Adams Integra – externals how were they treated/taken account of David Coates**

Externals are dealt with in the text of the viability reports done by Adams Integra

(CDLP 11.2-11.5) and (CDLP 16.29.16).

**22. Need to know CCC implications of viability of Government Housing Standards Review –** This is dealt with in the viability assessments of the strategic sites done by Adams Integra (CDLP 16.29.16).

**23. CCC possible to do a form of appropriate words – mitigation that can agree on with NE – interim position once plan adopted SAMMS payment**

A Memorandum of understanding (MoU) between Thanet District Council and Canterbury City Council with respect to recreational management and implementation of the Strategic Access and Management Strategy (CDLP10.11) for the Thanet Coast and Sandwich Bay SPA has been finalised and is being prepared for signing. A draft MoU has been agreed between the North Kent Coast Councils with respect to the implementation of the Strategic Access and Management Strategy for the Thames, Medway and Swale Estuaries (CDLP10.10). It is anticipated that these MoUs and their strategies will be in place prior to the occupation of the relevant dwellings.

**24. CCC look at how policy is phased re Mr Stevens comment HBF – rewording of Framework**

Policy CC12 Water Quality has been reworded to be less ambiguous - see the Potential Main Modifications.

**25. Natural England can supply the Inspector a copy of letter sent to CCC re interim position**

Copy of Letter from Natural England was sent to Programme Officer30 March 2016 (CDLP 10.13)

**26. Amend text to LP to confirm parking will be retained at Canterbury West Station**

See Potential Main Modifications to Policy EMP1.

**27. Copy of Development Brief for Inspector – Canterbury West CP**

This was supplied to Inspector during Stage 1 of the Examination as requested and is located as (CDLP 16.54) Canterbury West Regeneration Zone Development Brief July 2007

**28. Word change to look at EMP 1a & 1b for Sturry site to include Trade Counters**

Land at Sturry Road has been allocated in the draft Local Plan for employment uses. Policy EMP1 provides for on this site use classes B1 (business), B8 (storage and distribution); D1 (non-residential institutions) D2 (assembly and leisure); and certain sui generis uses. At Stage 1 of the Examination a request was made by an attendee that A1 (Trade Counters) should be added to the list of potential allowed uses on this site.

This has been reconsidered since the stage 1 Examination and it is the City Council’s view that this proposal would further extend sporadic retail development along Sturry Road. The site is considered to be ‘out of centre’ detached from the nearest retail node of the Canterbury, Maybrook and Stour Retail Parks and is not easily accessible by walking, cycling and/or public transport. Paragraphs 24 to 27 of National Planning Policy Framework seek to ensure the vitality of town centres and applications for main town centres uses outside of existing centres are required to satisfy a sequential test. Main town centre uses should be located in town centre locations. If that is not possible, then they should locate in edge of centre locations, and only if suitable sites are not available, should “out of centre” sites be considered. A1 retail uses at Land at Sturry Road should only be considered if the applicant is able to satisfy the criteria set out in Policy TCL6 to justify town centre uses outside town centre boundaries.

**29. Wincheap retail implications for provision in infrastructure**

Retail development at Wincheap would generate the need for highways improvements, as follows:

The relocation and expansion of the park and ride site to capture A2 and A28 traffic: this is funded by a combination of the council’s capital programme and a contribution from the Thanington Park development (as question 18 above);

A relief road and mini-gyratory system through the retail estate, with bus priority systems. The design of this will need to be modelled once more detail of the final scheme is available. The funding for this scheme will be generated from the redevelopment of the Wincheap estate and any additional development at Strategic Site Allocation, Site 11, Thanington;

Pedestrian and cycle links to Castle Street, Canterbury East train station and the City centre will be required.

The Wincheap estate redevelopment (and any additional development at Thanington) will be required to investigate options for improvements at Wincheap Green junction and to implement these as part of the mitigation package.

The A2 coast (Dover bound) off-slip road (details provided at question 18 above) would further improve access to the Wincheap retail area;

**30. Evidence of correspondence between CCC & Dover re Wincheap**

A separate document has been prepared entitled “Correspondence with Dover District Council about Wincheap”, which identifies correspondence, consultation and meetings that have taken place since stage 1 of the Examination up until 28 April 2016.

**31. New Employment allocations in relation to EMP7**

We understand this refers to EMP1, rather than EMP7 and therefore on that basis CCC confirm that no new employment sites are to be added beyond those included within the new strategic sites in the Proposed Amendments consultation document (CDLP 18.1). Potential Main Modifications have therefore been made on that basis and changes to the employment land situation resulting from recent planning applications – see Potential Main Modifications.

**32. Viability reference in Affordable Housing Policy**

See Potential Main Modifications to Policy HD2

**33. CCC to decide if they want to give the Inspector evidence on developers who provide units just under affordable housing threshold**

CCC confirm no evidence is to be supplied and see Potential Main Modifications to Policy HD2

**34. 2.49 check wording**

See Potential Main Modifications

**35. Rural exemption sites – reflect on wording ‘only’ NPPF guidelines**

Note: believe this was meant to say Rural Exception sites.

See Potential Main Modifications

**36. SA note – Theverel Levett – Ashford – end of Monday 3 Aug**

This was supplied at the end of Stage 1 of the Examination as requested and is located as [CDLP 16.71 Sustainability Appraisal and consideration of HRA](https://www.canterbury.gov.uk/media/1042171/CDLP-1671-SA-Consideration-of-Alt-HRA-Appropriate-Assessment-Note-4815.docx). Additional technical information is provided in CDLP 10.12 SA Technical Note, which responded to point 7 of the Inspector's letter dated 1 April 2015 (sent 8 May 2015)

**37. KCC A28 study**

It is understood that this refers to the Amey A28/ A291 Capacity Study which has just been completed – see enclosed Kent County Council, Sturry and Herne Highway Capacity Study Summary Report, April 2016 (CDLP, 16.29.17).

**Items a) to k) of paragraph 52 of the note accompanying Inspector’s letter of 10 August 2015**

1. **A 5-year housing land supply calculation based on 800 dpa.**

See (CDLP 5.8) Housing Land Supply position statement Canterbury City Council Jan 2016

An update to this has also been prepared, which is enclosed.

1. **Evidence of the deliverability of the sites that make up the 5-year land supply in accordance with the requirements of para 47 of the Framework.**

See (CDLP 5.8) Housing Land Supply position statement Canterbury City Council Jan 2016

1. **Evidence that in the Plan period as a whole 16,000 new homes could be achieved in accordance with the requirements of para 47 of the Framework.**

See (CDLP 5.8) Housing Land Supply position statement Canterbury City Council Jan 2016

1. **A review of omission or SHLAA sites to assess whether there are any that are sustainable and could be brought forward quickly to contribute to the 5 –year land supply.**

Following Stage 1 of the Examination, Officers prepared and consulted on CDLP 18.1 Canterbury District Local Plan Proposed Amendments which addresses the 5 year housing land supply issue.

This meant reviewing the suitability of additional housing sites. The review considered the 3 specific omission sites identified in the Inspector’s note of 10 August 2015; namely Land South of John Wilson Business Park, Chestfield; Former Colliery Land South of the A28, Island Road, Hersden; and “New Thanington” where the Inspector felt some circumstances had changed since the Plan was submitted in November 2014.

This review also looked at the “Strategic Housing Omission Sites” and the “Other Housing Omission Sites”, as listed by the Inspector in his Examination paper “Matters, Issues and Questions” (9 July 2015). For completeness, Officers also carried out a general review of all Strategic Housing Land Availability Assessment Sites (SHLAA) put forward through the “Call for Sites” in 2008 and 2010; as well as the Preferred Options and Publication Draft consultations. This focused specifically on those sites ranked “green” or “amber” in their accompanying Sustainability Appraisal. The SHLAA and original Sustainability Appraisal documentation can be found at CDLP 4.1 to CDLP 4.15.

1. **If there are sites within the proposed 5-year land supply that are dependant on the Sturry or Herne relief roads then for each of those schemes there must be –**

**• A robust justification**

**• Details of cost, the sources of funding and evidence of the commitment to that funding from providers.**

**• Details of who will deliver the schemes.**

**• Details of the timescale for provision.**

Justification for the proposed Relief Roads is set out in the KCC, Sturry and Herne Highway Capacity Study Summary Report (CDLP, 16.29.17).

The Statement of Apportionment (enclosed) sets out the details of the funding that will be sought. We are advised by KCC that grant funding of £5.9M has been identified from the Local Enterprise Partnership towards this project.

We are advised by Kent County Council, Highways that all developers, referred to in the Statement of Apportionment, have agreed in principle to contribute towards the Sturry Relief Road.

Funding through s106 has already been received from Herne Bay Golf Club for the Herne Relief Road. The Highways Authority are currently working towards a formal agreement with the remaining developers for the Strode Farm and Hillborough sites.

On this basis, we are advised by KCC that at this stage they anticipate completion of the Surry Relief Road by 2020/21 and the Herne Relief Road by 2022/23.

**f) Where a site is expected to make a proportionate financial contribution to the Sturry or Herne relief roads there must be a demonstration of the basis for that.**

This is set out in the enclosed Statement of Apportionment

1. **If pooling of financial contributions towards the Sturry or Herne relief roads is proposed it must be demonstrated that this is consistent with CIL Regulation 123.**

The Statement of Apportionment sets out how contributions can be secured so as to comply with CIL Regulation 123.

**h) A reassessment of whether 30% affordable housing is achievable on all strategic allocations.**

Adams Integra has carried out an updated viability report - Viability Assessment of Strategic Sites in Canterbury District April 2016 (CDLP 16.29.16). It concluded that:

 **“***It is our professional view that the twelve strategic sites are viable and the majority can deliver 30% affordable housing alongside the major infrastructure works required to enable the schemes to proceed. In two instances, a reduced affordable housing provision may be necessary for the schemes to remain viable.*”

**i) Details of the relationship between development and the funding of the Wincheap A2 off-slip and A28 Wincheap relief road are built.**

See response to question 18 (relating to Wincheap A2 off-slip) and question 29 (relating to A28 Wincheap relief road) above.

**j) Details of park and ride provision at Wincheap if the off-slip and relief road are built.**

The relocation and expansion of the Park and Ride site is deliverable and included in the council’s capital funding programme.

**k) Consultation with appropriate parties on the outcomes of the above.**

The Council has had continuing dialogue with statutory consultees, neighbouring councils, developers and interested parties in the intervening months since the first stage of the Examination on the matters listed above. For example:

* The City Council has worked with Kent County Council (KCC) and Amey to produce the Forecasting Report Canterbury VISUM Model Update Run (CDLP CCC 16.29.13). CCC has also worked closely with KCC and Amey on the provision of the Herne and Sturry relief roads and Wincheap improvements, as well as with the Highways Agency on the provision of additional A2 slip roads and associated improvements.
* The City Council in association with Adams Integra have contacted developers with respect to obtaining viability information for the production of a Viability Assessment of Strategic Sites in Canterbury District (CDLP 16.29.16).
* The proposers/owners of all housing site allocations and those omission sites included in the Proposed Amendments November 2015 were contacted with respect to their continued interest in maintaining/proposing the allocations.
* Developers of strategic and allocated housing sites were contacted about the phasing of their developments, which fed into the Housing Land Supply position statement Canterbury City Council Jan 2016 (CDLP 5.8).
* The Canterbury District Local Plan Proposed Amendments consultation document (CDLP 18.1) was agreed by Policy and Resources Committee on 11 November 2016 and approved by Full Council on 19 November 2016, for consultation to go ahead from 27 November 2015 to 22 January 2016. All statutory consultees, including neighbouring authorities, Parish Councils and local interest and amenity groups and persons on our data base were informed of the consultation by letter or email. A summary of the main issues arising from the Proposed Amendments consultation is available (CDLP16.29.10).
* The City Council Local Plan Steering Group have been involved at all stages.
* CCC has continuing contact and dialogue with Natural England and the Environment Agency, as outlined above.
* CCC has consulted DDC with respect to Wincheap (see separate document).
* A document entitled “Record of Consultation and Engagement with Key Stakeholders and Public Bodies, November 2014 to 28 April 2016” has also been prepared to capture key meetings that have taken place.