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13.May.2016

Ms K Britton

Planning Policy Manager

Canterbury City Council

Military Road

Canterbury

CT1 1YW

Dear Ms Britton

The Inspector has asked me to write to you concerning the Court of Appeal’s judgement of 11 May 2016 in *Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441*.  In this context, the policies in the Secretary of State’s Written Ministerial Statement of 29 November 2014 should once again be considered as national planning policy, material to the examination of the Local Plan.  These define the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, including confirmation that those restrictions do not apply to development on Rural Exception Sites, and the circumstances where the vacant building credit should be offered to developers.  In the first instance the Inspector would be grateful for the Council’s comments on the implications of the judgement for the Local Plan.  He is adding an additional question to Matter 8 of the Stage 2 examination to enable other parties to comment but it would be advantageous if the Council could indicate what it considers to be the position ahead of that.  I should be grateful for a response by Friday 4 June 2016.

Yours sincerely

Angela Furlong

Programme Officer