

# Canterbury District Local Plan

## Examination

### Examination Inspector:

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Dear Mr Brown

I am grateful for the Council's letter of 23 January 2015 which set out a response to my initial queries about the Local Plan (LP). This focused on the duty to co-operate, meeting objectively assessed housing needs and the habitats regulations assessment.

### **Duty to co-operate and main modifications**

As I indicated in my initial letter, a failure to accord with the duty to co-operate is incapable of being remedied at examination. There are some respondents to the consultation on the submitted LP who have indicated that they wish to be heard on whether the Council has complied with this duty. I am therefore unable to come to a final view on this matter until I have heard those concerns. However, on the basis of the Council's letter, the written representations and the evidence base my conclusion at this point is that it is appropriate to move forward to the hearings. In that context, it is also appropriate to consider the position on possible main modifications to the LP.

As you will be aware, in order for me to make modifications to the LP the Council will need to notify me formally as to whether you wish to request modifications under section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended). In the absence of a request under section 20(7C), my report would be confined to identifying any soundness or legal compliance failures. If any were found I would be recommending non-adoption of the plan. An indication of the Council's position on main modifications at this stage will be advantageous to the efficiency of the examination process and the expectations of participants.

### **Next steps**

As I have indicated, I am satisfied that the examination can proceed to the hearings. However, in the light of the extent of the representations made on the Plan and the number of people and organisations who wish to participate, I have decided that there should be a pre-hearing meeting in this instance to deal with procedural and administrative matters. I have asked the Programme Officer to put in train the necessary arrangements.

Following that, it is my intention that the hearings should take place in two stages. Firstly, I would wish to deal with matters relating to the duty to co-operate, legal compliance and the soundness of the overall plan strategy, including meeting objectively assessed housing and other needs, the strategic site allocations and key infrastructure. There would then be a break before the second stage proceeds, dealing with other site allocations, designations, development management policies and any other aspects. I will provide more details of this in due course.

There are various other detailed matters on the content of the plan to which the Council could give some consideration ahead of the hearings. I will write to you in due course about those. However, this will not delay progress in making arrangements for the pre-hearing meeting.

I should be grateful for an early reply on the Council's position concerning main modifications.

Yours sincerely

*M J Moore*

Inspector