



Date: **06 November 2020**
Our ref: **Local Plan Review CAG/Agenda**
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LOCAL PLAN REVIEW CABINET ADVISORY GROUP

16 NOVEMBER 2020

A meeting of the Local Plan Review Cabinet Advisory Group will be held at **5.00 pm on Monday, 16 November 2020** in this link, <https://youtu.be/bmdhqUmCIOE>.

Membership:

Councillor Cllr Everitt (Chairman); Councillors: Bailey, Fellows, Game, Garner, Huxley, Cllr Rev. S Piper, Scobie, Scott and Wright

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** (Pages 3 - 4)
To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)
3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 6)
To approve the summary of recommendations and decisions of the Local Plan Review Cabinet Advisory Group meeting held on 21 May 2020, copy attached.
4. **PROPOSED SCOPE OF LOCAL PLAN UPDATE AND INDICATIVE TIMETABLE; AND RECOMMENDATIONS TO CABINET** (Pages 7 - 14)

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Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992



If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

If you need to declare an interest then please complete the declaration of [interest form](#).

LOCAL PLAN REVIEW CABINET ADVISORY GROUP

Minutes of the meeting held on 21 May 2020 at 5.30 pm in the Online Viewing Only.

Present: Councillor Rick Everitt (Chairman); Councillors Bailey, Fellows, Garner, Huxley, Scobie and Scott

1. APOLOGIES FOR ABSENCE

There were no apologies made at the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations made at the meeting.

3. PRESENTATION TO SET CONTEXT FOR THE LOCAL PLAN REVIEW WORK

Adrian Verrall, Strategic Planning Manager led the discussion and made a PowerPoint presentation that highlighted the following points:

- The Plan provided certainty about where future development would be;
- This would help guide where investment could go;
- Currently the Council was involved in two major infrastructure investment; through the HIF and MRN (Main Road Network) process;
- KCC were leading on the current bid;
- Constraints faced for this Plan included around coastline and national wildlife, flood risk, conservation areas and green wedges;
- The strategy therefore was to prioritise brownfield sites;
- The examination was concluded in July last year and the Inspectors concluded that the draft plan was compliant subject to modifications that the Inspectors proposed;
- The draft Plan together with the Inspectors' modifications were going through the council decision making process until they get to the approval stage;-
- Key infrastructure needed to be set up in tandem with major housing development;
- A review would need to be conducted in six months' time from adoption of the Plan;
- There was a duty to cooperate with neighbouring authorities when developing the Plan;
- The Council would then have to inform MHCLG about the outcome of the decision on the new Local Plan.

Members asked questions and made comments as follows:

- There was a need to consider contingency planning in relation to strategic planning for when there is future pandemic;
- Before the new Local Plan was adopted, was there a grace period during which time planning application decisions were suspended?
- How did neighbourhood plans fit into the district Plan?

In response Mr Verrall said the following:

- There were some uncertainties characterizing the environment in which this plan was being developed. These included the challenges brought by the COVID-19 pandemic and DCO decision regarding Manston Airport;
- The DCO decision was likely to be made on 10 July 2020;

- Once the decision was made, that would have an impact on the content of the new Local Plan through the review;
- MHCLG had produced some guidelines for future planning;
- Planning applications would be processed as per usual timescales, without the need to suspend that process;
- Neighbourhood plans would be supporting the main district Local Plan. Officers were currently working with parish/town councils to coordinate the process for developing these plans.

Members noted the presentation.

4. **THE WORK PROGRAMME FOR THE CABINET ADVISORY GROUP**

Members noted the work programme.

Meeting concluded: 6.05 pm

LOCAL PLAN REVIEW CABINET ADVISORY GROUP

16 NOVEMBER 2020

PROPOSED SCOPE OF LOCAL PLAN UPDATE AND INDICATIVE TIMETABLE; AND RECOMMENDATIONS TO CABINET

Introduction

The Cabinet Advisory Group began work in May 2020. This report sets out the conclusions of the work of the Group over the last few months, and would be the basis for a formal report to Cabinet in December.

The purpose of this Group is to:

- To consider the need for an update of the Thanet Local Plan;
- To consider the possible scope of an update to the Plan; and
- To advise Cabinet of the views expressed by the Group.

The Terms of Reference for the Group are:

1. To review the adopted Local Plan and establish whether an update is necessary;
2. If so, to consider the scope of, and work programme for, any update of the Local Plan;
3. In their considerations, the Group should have regard to compliance with the relevant legislation, government policy and guidance, to the other parts of the Development Plan for the area and to all other material considerations, including emerging evidence;
4. The Group will receive briefings from Officers in the review process about key issues and outcomes from evidence-gathering and discussions with stakeholders;
5. Following the final meeting of the Cabinet Advisory Group, the key findings/conclusions/recommendations of the Group will be presented to Cabinet.

Local Development Scheme

Every local planning authority has to “*prepare and maintain*” a work programme for its Local Plan-related work, known as the Local Development Scheme (LDS). This is a requirement under the Planning & Compulsory Purchase Act 2004.

In January 2019, the Secretary of State (SoS), issued a [direction](#) to the Council in relation to the Local Plan. Part of the direction was to amend the Council’s Local Development Scheme (LDS), to provide for the completion of a review of the Local Plan within six months of its adoption.

The [new Local Plan](#) was adopted on 9 July 2020, which means that the review should be completed by January 2021, with a new LDS published.

This report sets out the broad scope and timetable for updating the Local Plan to form part of a new LDS, following the meetings of this Group over the last few months.

The existing [LDS](#) was agreed in March 2019.

The Local Plan review process

Over the last few months, a Cabinet Advisory Group, composed of Members of different political groups, and chaired by the Leader of the Council, has been exploring the potential scope of an update of the Local Plan, to form part of the Local Development Scheme (LDS - the Local Plan work programme).

In doing so, the Group has:

- considered the recommendations of the Local Plan Inspectors with regard to any Local Plan review;
- received consultants' advice in relation to potential future housing requirements;
- considered the requirements of the [2019 National Planning Policy Framework](#) (NPPF) and [national Planning Practice Guidance](#) (PPG);
- reviewed the position in relation to the adopted Cliftonville Development Plan Document and the proposed Westwood Supplementary Planning Document;
- discussed a range of important local issues; and
- considered how the current COVID situation might affect planning issues and local resilience.

In addition, in June 2020, all Council Members were offered the opportunity to raise issues that they felt should be addressed by the Local Plan, and these have been presented to the CAG.

In September 2020, under the “duty to cooperate”, officers wrote to a range of plan-making bodies and infrastructure organisations (as specified in legislation) to seek their views on the scope of any update of the Plan. The responses to that invitation have also been presented to the Group.

The **issues identified by the Inspectors** in their Report and [Main Modifications](#) (p3, MM4) are:

- To consider the implications of climate change;
- To review the provisions of the Plan in relation to Manston Airport in the light of a decision on the Development Consent Order;
- To assess the implications of the Local Housing Need Methodology on housing requirements for the district;
- To consider the provision of Gypsy & Traveller sites to meet [identified requirements](#); and
- To ensure compatibility with the most recent National Planning Policy Framework.

The Local Plan Review Cabinet Advisory Group has concluded that all of the matters raised by the Inspectors need to be addressed in the update of the Local Plan in some form, subject to changes in circumstances and Government guidance.

In addition, the **matters identified through the NPPF/PPG scoping exercise** should be addressed in the Plan update:

- need to consider an extension of the Plan period to 2040
- may be a requirement to identify additional employment land
- update retail floorspace figures for town centres
- guidance on type and size of dwellings may require updating
- some Environment Strategy policies may need updating, depending on the progress of the Environment Bill and Kent Environment Strategy
- some infrastructure policies (for example, transport; health and education) may need updating, depending on the scale and location of new housing
- some Town Centre policies may need amending in the light of changing Government guidance and other changes to the planning system
- Incorporate key policy aspects from the proposed Westwood SPD fully into the Plan

Members raised a number of other matters through the review process that should be addressed in the Local Plan update, as follows:

- the outcomes from the work of the Council's Climate Emergency Working Group, where relevant;
- ensure a robust policy relationship between biodiversity "net gain"; woodland protection/planting; green infrastructure and the Council's proposed Tree Strategy;
- to review the homeworking policy to assess whether any update needed in the light of a potentially significant shift to flexible/remote working;
- the evidence for a possible policy relating to hot food takeaways, in relation to local public health impacts;
- the provision of publicly-accessible electric vehicle charging points;
- any decision in relation to the future of Port Ramsgate, following the current consultation on the [High Level Feasibility Study](#);
- any planning implications arising from the Council's community wealth-building programme; and
- possible resilience/design measures to address COVID or similar threats to the social and economic life of the district.

In response to the invitation to "**duty to cooperate**" organisations, comments were received covering the following issues that they wish to be considered as part of the update of the Local Plan:

- Air Quality - impacts from agriculture; traffic and Manston Airport
- Sustainable Travel - minimising the need to travel in new development
- Community green spaces to be provided in new development
- Noise Pollution and areas of tranquility
- Renewable Energy - promotion and identifying suitable areas for renewable and low carbon energy sources
- Coastal policy - Undeveloped Coast/Heritage Coast/Coastal Change Management Areas
- Sustainable Tourism
- Further Development - land of low environmental quality or "brownfield" land
- Monitoring and Review for biodiversity

- Biodiversity net gain and conservation of Biodiversity and Green infrastructure; protection of priority habitats and species
- a range of draft South East Marine Plan policies - relating to matters of climate change; marine protected areas and biodiversity - to which any update of the Local Plan should have regard
- to help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets
- Thanet-wide 20mph zones on residential roads in towns
- cliff top safety due to climate change
- the 'consideration of climate change' should allow for action to secure the retention of top-grade agricultural land

Other organisations raised no specific comments, but all the respondents asked the Council to ensure that they continued to be included in ongoing Local Plan preparation work, and offering to assist with policy development.

Many of these issues are already addressed in the adopted Local Plan, or have been identified as matters to be addressed in the Plan update. Some are matters that need to be considered as part of any site assessment and selection process, for any new development sites that are needed.

As a matter of practice, we will seek to continue to engage with these organisations, and others, throughout the Local Plan update process.

Alongside the Plan itself, a number of other matters need to be considered:

- The [Cliftonville Development Plan Document](#) (DPD) - this was adopted in 2010, and the Cabinet Advisory Group recommends that this document is retained as a separate DPD for the time being. The document continues to be relevant, supported by evidence and effective. It supports other Council initiatives in the area.
- [Statement of Community Involvement](#) (SCI) - This was last fully reviewed in 2012; and will need to be reviewed and updated.
- Westwood Supplementary Planning Document (SPD) - This was proposed through the Local Plan Examination, but following the Examination process, it is recommended that much of the detail should be incorporated into the Local Plan itself.
- Other SPDs - There are a number of other SPDs, either current or proposed at the time that the now adopted Local Plan was being prepared, that need to be reviewed. Officers' recommendation is that the update of the Development Contributions SPD should be undertaken as planned, to reflect the adoption of the new Plan and amended Government guidance. A review of other SPDs is undertaken alongside the update of the Local Plan, to establish which should be retained or prepared, and whether any should be discontinued. It is possible that the update of the Plan will identify new areas that should be covered by SPDs.

- Policy wording - at this early stage, it is difficult to assess the effectiveness of the policies in the new Plan through our regular annual monitoring programme. However, it would be useful to liaise with Planning Application Team colleagues as the Plan update moves forward, to identify any improvements to policy wording that could be made, to add implementation. A balance will need to be struck between the significance of any change, the recommendations of the Examination Inspectors and the potential issues arising from adding more policies to the update process.

It is also important to recognise that existing Government policy and guidance may be amended or new policy developed during the update process. There may also be other Government initiatives, such as Town Deals, that may need to be considered. The LDS should be explicit about the need to respond flexibly should that occur.

Local Development Scheme

The key matters for inclusion in a new LDS are as follows:

Local Plan update (to 2040)

Scope of Plan Update:

1. The implications of climate change; including the outcomes from the work of the Climate Emergency Working Group, where relevant;
2. The provision of publicly-accessible electric vehicle charging points;
3. Ensure a robust policy relationship between biodiversity “net gain”; woodland protection/planting; green infrastructure and the Council’s proposed Tree Strategy;
4. Update Environment Strategy policies as necessary, depending on the progress of the Environment Bill and Kent Environment Strategies;
5. The implications of the Local Housing Need Methodology on housing requirements for the district;
6. Guidance on type and size of dwellings may require updating;
7. The provision of Gypsy & Traveller sites to meet identified requirements;
8. Update the provisions of the Plan in relation to Manston Airport in the light of the decision on the Development Consent Order;
9. Identify additional employment land, as required;
10. Review the homeworking policy to assess whether any update needed in the light of a potentially significant shift to flexible/remote working;
11. Incorporate any decision in relation to the future of Port Ramsgate;
12. Address any planning implications arising from the Council’s community wealth-building programme;
13. Update retail floorspace figures for town centres;
14. Some Town Centre policies may need amending in the light of changing Government guidance and other changes to the planning system;
15. Incorporate key policy aspects from the proposed Westwood SPD fully into the Plan;
16. Some infrastructure policies (for example, transport; health and education) may need

- updating, depending on the scale and location of new housing;
17. Consider the evidence for a possible policy relating to hot food takeaways, in relation to local public health impacts;
 18. Identify possible resilience/design measures to address COVID or similar threats to the social and economic life of the district; and
 19. Ensure new and revised policies address the Government's policy guidance in the NPPF and nPPG.

This would be a partial update of the Local Plan, not a full update. This reflects the recent adoption of the Thanet Local Plan (9 July), and the relatively narrow scope of issues identified by the Examination Inspectors, as well as the specific issues identified through the NPPF/PPG “scoping” exercise and the matters identified by the Group.

Indicative timetable:

2021	Development of evidence base; “call for sites”; Reg 18 engagement; “Duty to Cooperate” activity
October 2021	Consultation/engagement (Regulation 18)
2022	Consider consultation responses; finalise draft Plan for Publication/Examination
May 2022	Publication (Regulation 19)
September 2022	Submit Plan for Examination (Regulation 22)
2022/23	Examination (Regulation 23)
2023	Inspector’s Report; Adoption

Cliftonville Development Plan Document (DPD)

The current plan period for the Cliftonville DPD is until 2026. Following the review of this Local Plan, the DPD policies will be assessed again and incorporated as appropriate into the next Local Plan.

Statement of Community Involvement revisions

2021 - Review and update SCI, consult and adopt

Supplementary Planning Documents

2021 - review scope of SPDs and guidance as set out in the light of the update to the Local Plan

Recommendation of the Local Plan Review Cabinet Advisory Group

The recommendation of the Cabinet Advisory Group to Cabinet is therefore that the Local Plan update should extend the Plan period to 2040, and address the following issues:

1. The implications of climate change; including the outcomes from the work of the Climate Emergency Working Group, where relevant;
2. The provision of publicly-accessible electric vehicle charging points;
3. Ensure a robust policy relationship between biodiversity “net gain”; woodland protection/planting; green infrastructure and the Council’s proposed Tree Strategy;
4. Update Environment Strategy policies as necessary, depending on the progress of the Environment Bill and Kent Environment Strategies;
5. The implications of the Local Housing Need Methodology on housing requirements for the district;
6. Guidance on type and size of dwellings may require updating;
7. The provision of Gypsy & Traveller sites to meet identified requirements;
8. Update the provisions of the Plan in relation to Manston Airport in the light of the decision on the Development Consent Order;
9. Identify additional employment land, as required;
10. Review the homeworking policy to assess whether any update needed in the light of a potentially significant shift to flexible/remote working;
11. Incorporate any decision in relation to the future of Port Ramsgate;
12. Address any planning implications arising from the Council’s community wealth-building programme;
13. Update retail floorspace figures for town centres;
14. Some Town Centre policies may need amending in the light of changing Government guidance and other changes to the planning system;
15. Incorporate key policy aspects from the proposed Westwood SPD fully into the Plan;
16. Some infrastructure policies (for example, transport; health and education) may need updating, depending on the scale and location of new housing;
17. Consider the evidence for a possible policy relating to hot food takeaways, in relation to local public health impacts;
18. Identify possible resilience/design measures to address COVID or similar threats to the social and economic life of the district; and
19. Ensure new and revised policies address the Government’s policy guidance in the NPPF and nPPG.

The indicative work programme for the Local Plan update would be as follows:

2021	“Call for sites”; development of evidence base; Reg 18 engagement; “Duty to Cooperate” activity
October 2021	Consultation (Regulation 18)
2022	Consider consultation responses; finalise draft Plan for Publication/Examination
May 2022	Publication (Regulation 19)

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September 2022	Submit Plan for Examination (Regulation 22)
2022/23	Examination (Regulation 23)
2023	Inspector's Report; Adoption