

## OVERVIEW & SCRUTINY PANEL

**Minutes of the meeting held on 26 May 2020 at 5.00 pm in View Online Only.**

**Present:** Councillor Robert W Bayford (Chairman); Councillors Campbell, Boyd, Coleman-Cooke, Hopkinson, Huxley, Keen, Moore, L Piper, Rattigan, Rusiecki, Scott and Wing

**In Attendance:** Councillors Ashbee, Bailey, Dexter, Cllr Everitt, Garner, Cllr Rev. S Piper, Pugh, Rogers and Savage

### **233. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Roper, substituted by Councillor Wing.

### **234. DECLARATION OF INTERESTS**

There were no declarations made at the meeting.

### **235. MINUTES OF PREVIOUS MEETING**

Councillor Campbell proposed, Councillor Coleman-Cooke seconded and Members agreed the minutes as a correct record of the Panel meeting held on 20 February 2020.

### **236. THANET LOCAL PLAN - INSPECTORS' REPORT (REG 25) AND ADOPTION (REG 26)**

Councillor Bayford, Chairman of the Panel made the opening remarks under this item and commented as follows:

- The report by the Independent Inspector concluded that the draft Local Plan was sound only if all the modifications proposed by the inspectors were accepted;
- This is because these modifications are considered by the Inspector's to be necessary to make the plan sound and legally compliant, capable of adoption;
- The decision to be made by the Council was either to adopt the plan with the Inspector's modifications or to not adopt the Plan;
- It was not up to the Council to either partially accept modification or to make further changes to the Plan that go beyond the inspector's report, as this would leave the Council with a Plan that was not sound;
- The role of the Panel was to consider the draft Plan and the Inspector's main modifications and make recommendations for Cabinet to consider prior to forwarding its final recommendations to Council;
- The recommendation in the report should be changed to read as follows:
  - ❖ The Overview and Scrutiny Panel is recommended to consider the main modifications from the Inspector's report and what representations if any to make to Cabinet, for Cabinet to consider before making its final recommendations to Council.

Adrian Verrall, Strategic Planning Manager led the discussion and said that the key modifications from the Inspector's report were highlighted in the committee report and the related annex. Mr Verrall also made the following comments:

- It was important to have an adopted Local Plan in place, as this ensured that the Council would have a strong Planning Policy Framework that gave greater control over the planning process;
- The plan also provided certainty for local communities about the scale and location of local development;
- The Plan also provided support to the work of the team that processed planning applications particularly when it came to dealing with planning applications for large housing sites and appeals;
- The document could also be used for funding bids and ensure that infrastructure was provided in a timely manner;
- Without a sound Local plan there was a risk of intervention by the Secretary of State. This would also place the council at risk in terms of appeal decisions and losing control of the development process.

Members made a number of comments for consideration by Cabinet as follows:

- Could the Climate Emergency Working Group and the Local Plan Review Cabinet Advisory Group work collaboratively in order that any key issues that emerge from the work of the Working Group that included climate change would be forwarded to the Cabinet Advisory Group and captured in the final recommendations going to Cabinet, as these issues could be added to the Local Plan as part of the Local Plan review;
- Green infrastructure projects – could the publicly accessible woodlands projects that were not implemented in the previous plan that included Dane Valley Woods be included in the new plan?
- Could the Ramsgate Port be cited in the new plan as it would be playing a significant part in the economic development of the area?
- The population figures used in the draft Plan were out of date as they were from the 2014 census. Could these figures be updated?
- Employment and community wealth creation should be also be highlighted in the new Local Plan;
- The draft Plan was developed before the COVID-19 pandemic. How flexible was the new plan to address challenges posed by the post Covid-19 situation (the new normal)?
- Would the delayed decision regarding Manston Airport affect the Local Plan?
- Potential agricultural land would be lost through the current proposals in the Plan. If brown fields were found in the future, could these replace the green fields that were being proposed for housing?
- How was the Plan going to be treated post Covid-19?
- Could the plan be reviewed earlier than the six months stated in the current proposals?
- How were planning applications treated currently considering that there would be the 6 months review? How would those applications be treated after the review?

Mr Verrall responded as follows:

- The Modifications in the Inspectors' report are considered necessary "to make the Plan sound, legally compliant and capable of adoption;"
- It was not open to the Council either to partially accept the Modifications, or to make further changes to the Plan that go beyond the Inspectors' report, and have not been recommended by the Inspectors. It was therefore too late to make any material changes to the Local Plan at this stage;
- Many of the points raised by Members would be addressed through the Local Plan review and update process;
- It was correct that there were no specific sites identified for new woodland planting in this Local Plan. The two sites identified in the 2006 Plan were projects on which the Council was working at that time. None were being proposed or developed during this

Local Plan process. If new projects do emerge, these could be picked up in the review of the Local Plan;

- However, the Plan did require substantial areas of new open space on the strategic housing sites, of which part was likely to be landscaping and woodland areas. There were also other policies in the Plan which required or encourage new tree planting, landscaping and other “green infrastructure;”
- In relation to the Dane Valley Woods site, the Plan protects this area as Local Green Space. As this site was currently used as open space and woodland, that was sufficient to protect the site for that purpose in future;
- Officers were working in conjunction with the Climate Emergency Working Group (and the officer group) and would enable the planning aspects of that work to be picked up in the Local Plan review and update process;
- Port Ramsgate - at the time of the Examination, there was not a clear future direction emerging from the consultants’ study on the Port, and it was appropriate to maintain the Policy position until that happened. With the consultants’ work now published, any final decision about this can be incorporated in the Local Plan review and update;
- Population projections - the current Plan’s housing requirement is derived from the 2014-based population projections, and the subsequent household projections. In accordance with Government guidance, the Plan figures have not been updated with the 2016-based figures;
- Community wealth-building programme - any planning aspects could be addressed in the review of the Plan (as could other elements of TDC’s Corporate Statement);
- Resilience (COVID-19) - the review of the Plan will need to address resilience issues (including COVID-19), and it was likely that new advice and guidance would emerge with time. In relation to planning applications, it may be that in the meantime detailed designs would start to take these issues into account;
- Airport - the future of the airport is a matter for the Local Plan review process. Should the DCO be granted, a number of matters would need to be considered as part of the Local Plan review and update, such as aircraft noise contours; air pollution; Public Safety Zones; transport impacts; and any potential impact on housing requirements, depending on the level of job creation anticipated in the district. If the DCO was refused, the Council would need to consider what other uses might be appropriate for the site during the next Local Plan period;
- Agricultural land/“brownfield sites” - The Local Plan includes a significant amount of brownfield land, including 30ha of older employment sites released for housing development. It was likely that more brownfield sites may come forward in the next few years, and those can be considered through the Local Plan review process;
- Agricultural land issues were considered by the Inspectors as part of the Examination process. In their report, they did not recommend that any of the site allocations should be removed, including those on agricultural land. The strategic allocations account for just 5.6% of the total agricultural land in Thanet.
- Local Plan review and planning applications - The Local Plan review process was an internal process that probably take the full 6 months indicated, and any update to the Local Plan follows that review. Any planning applications that are received while the review process was being undertaken will need to be considered against this Plan.

In concluding the discussion, Councillor Campbell proposed, Councillor Rusiecki seconded and Members agreed that subject to noting the comments made above, the Panel recommends that the proposals and Inspectors’ main modifications in the committee report be forwarded to Cabinet and then Council for approval.

## **237. NO POST DECISION ITEMS ON THIS AGENDA**

There were no post decision scrutiny items for consideration.

**238. REVIEW THE OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME FOR 2020/21**

Members noted the report.

**239. FORWARD PLAN & EXEMPT CABINET REPORT LIST**

Members noted the report.

Meeting concluded: 5.40 pm