

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)

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