

Cabinet

Monday, 7 October 2019

7.30 pm

Present:

Cllr John Burden (Chair)
Cllr Lee Croxton (Vice-Chair)

Councillors: Shane Mochrie-Cox
 Lenny Rolles
 Brian Sangha
 Narinder Singh Thandi
 Jenny Wallace

Note: Councillors: Leslie Hills, Bob Lane and Jordan Meade were also in attendance
 were also in attendance

David Hughes	Chief Executive
Stuart Bobby	Director (Corporate Services)
Nick Brown	Director (Housing and Operations)
Kevin Burbidge	Director (Planning & Development)
Melanie Norris	Director (Communities)
Wendy Lane	Assistant Director (Planning)
Shazad Ghani	Planning Manager (Policy)
Andy Rayfield	Communications Manager
Lauren Wallis	Committee Services Officer (Minutes)

30. Apologies for absence

No apologies for absence were received.

31. To sign the minutes of the previous meeting

The minutes of the meeting held on 9 September 2019 were signed by the Chair.

32. Declarations of Interest

There were no declarations of interest made.

33. Delegated Decisions - Cabinet Members

No decisions other than those already circulated had been made.

34. Local Plan - Statement of Community Involvement

The Director (Planning & Development) introduced all three Local Plan reports and noted that his role had changed to enable him to focus on Housing Strategy and Development, Development Management and Planning Policy, which includes the delivery of the Local Plan in accordance with the updated Local Development Scheme which was being submitted for approval. He confirmed that resources were in place to drive forward and deliver this process.

The Planning Manager (Policy) introduced the Statement of Community Involvement which set out how local and statutory stakeholders would be consulted as part of the plan making and decision taking processes in terms of planning. The principle behind this approach was to provide greater clarity and transparency to stakeholders whilst fostering local ownership of both the strategic approach taken in planning terms and decisions taken.

A complete refresh of the Statement of Community Involvement was required rather than minor changes. However, the approach continued to be one that followed the requirements of Government regulations and best practice.

The following points were raised during discussion on this item:

- Following a question about the range of the consultation process, it was confirmed that the main Local Plan document would be submitted to Cabinet before being considered for approval by Council for formal adoption. However, the supplementary planning documents of the Local Plan, such as the windows and doors guidance document, can be adopted by Cabinet. The officer also confirmed that approval would not be sought from any Member-led review groups.
- It was noted that the Strategic Environment Cabinet Committee would be part of the consultation process.
- Attention was drawn to paragraph 5.13 of Appendix 2 and Members were advised that the Council was required to meaningfully engage with neighbouring local authorities on strategic cross-border issues for example, not being able to meet housing targets. For Kent County Council this cross-border discussion might include education, highways, waste and minerals. During the process of the preparation of our Local Plan documents, the duty to co-operate was with the Borough Council. Conversely for KCC's mineral and waste plans, the duty was within them. As they produce their own Local Plans, other local authorities will have their own duty to consult and co-operate on cross-boundary issues.
- It was confirmed that whilst social media would be used to promote the consultation such channels would not be utilised for two-way correspondence. Potential consultees would be directed to the Council's online consultation system and comments would be submitted using a standard format. The system would also provide general global feedback on the progress of the consultation and any oncoming deadlines. Consultees would also be reminded of response deadlines by appropriate means e.g. letter, by email and by social media.
- It was acknowledged that since the last Statement of Community Involvement had been published in 2007, the Neighbourhood Planning Act 2017 had introduced new requirements regarding the involvement of interested parties including parish councils who can prepare their own Neighbourhood Plans. The officer confirmed that the Council did engage with the parish councils, but it was up to the parishes to

promote their own neighbourhood plans. However, he undertook to look at this issue and discuss it further with Members in due course.

- Following a question on how stakeholders were identified, Members were advised that best practice was used as a guide. However, the officer asked for Members input to enable to Council to go above and beyond.
- The Planning Manager (Policy) confirmed that stakeholders could send their response to the consultation by letter.
- The Planning Manager (policy) explained that the Statement of Community Involvement set out what would normally be undertaken but, it was likely that for each consultation phase, consideration would be given to what might be needed in addition to the requirements set out in the Statement of Community Involvement. For example, it was anticipated that consultations could be also be publicised in “Your Borough”.
- The Chair confirmed that officers understood that the consultation and associated process would be run as per the recommended timescales within resources with no delays.

Resolved that the Statement of Community Involvement be approved.

35. Local Plan - Draft Development Management Policies Document

The Planning Manager (Policy) reported that the main purpose of a Development Management Policies document was to provide detailed policies to help determine day-to-day planning applications and to build upon the more strategic policies of the Local Plan Core Strategy.

The Stage 1 consultation version of the document had been revised in light of comments received and changes made to the National Planning Policy Framework (NPPF) and Planning Practice Guidance. This meant that some policies had been modified, some policies deleted and new policies added. There had also been changes to the NPPF such as the introduction of Build to Rent and Affordable Private Rent which would be dealt through the Local Plan Core Strategy Partial Review rather than this document.

Members were asked to note that the proposed Policy DM:22 Local Green Spaces set out a clear policy for protecting and managing Local Green Spaces. However, the designation of land as Local Green Space would be done via the Site Allocations element of the work currently being undertaken and this would be reported to Cabinet in January 2020.

The following points were raised during discussion on this item:

- Members noted that the Draft Development Management Policies Document did not cover strategic policies and a partial review of these would be submitted to Cabinet for consideration in January 2020. The officer confirmed that the Local Plan Core Strategy Partial Review would address strategic matters arising from changes to the NPPF e.g. Build to Rent.
- It was noted that the consultation responses included in the report were mainly from developers and other interested parties who had staff resources to go through and respond in detail to the Draft Development Management Policies Document. However, there were not many comments from public. Cabinet was advised that this

was not unexpected considering the detailed nature of the policies. In response to concerns that just relying on these views which were often trying to promote developer aspirations could be limiting, Members were reassured that as well as considering the views submitted, officers reviewed and made professional judgments on each response and proposed change, and accompanying explanations would assist the Planning Inspectorate when examining the plan. The Assistant Director (Planning) confirmed that interactive policy discussion at meetings of Regulatory Board (planning), appeal decisions and High Court judgements were used to inform officers when making these judgments. Another issue was the Government changing their previous approach to, for example, housing space standards. However, the officer confirmed that Members were a fundamental part of the decision-making process with regard to the Local Plan.

Resolved that:

- 1. the Development Management Policies Document (attached at Appendix 4 of the report) be placed on public consultation in January to February 2020 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and**
- 2. the Assistant Director (Planning), in consultation with the Cabinet Member for Strategic Environment, be authorised to agree changes to the document before publication, including further changes that maybe needed as a result of the iterative Sustainability Appraisal / Strategic Environmental Assessment process**

36. Local Plan - Local Development Scheme

Cabinet was advised that the Planning and Compulsory Purchase Act 2004 (as amended) placed a statutory duty on the Council to maintain an up-to-date Local Development Scheme. The revised Local Development Scheme would fulfil this requirement.

Cabinet was advised that the Local Development Scheme set out the timetable for local plan documents that the Council would be producing in the coming years. The timetable provided details regarding key milestones and highlights when decisions would be needed from Cabinet or Council. In summary, the Council would be going out to consultation in January and September 2020 followed by submission of the documents to the Planning Inspectorate by February 2021. After submission, the timetable was dictated primarily by the resources available at the Planning Inspectorate and the nature of the objections received from stakeholders. Section 8 of the Local Development Scheme also included a high level risk assessment.

The following points were raised during discussion on this item:

- Officers confirmed that, with the assistance of Members and in the knowledge of the risks identified, there should be no slippage on the proposed timetable. The Director (Planning & Development) confirmed that this process was a joint effort between Councillors and officers and he thanked Members for their support.
- The Planning Manager (Policy) confirmed that he has happy with the good, clear guidance received from Members
- Members were advised that work on the Local Plan was undertaken alongside the Council's Corporate Plan in an effort to shape the future of the Borough. It was considered to be of the highest priority which was why the three comprehensive

documents had been submitted to reassure Members that officers had a good grip on the process. It was recognised that this was a significant piece of work, but given sufficient resources and the continued co-operation of Members, the timetable was achievable.

The Chair advised that officers and the Portfolio Holder would be held to account during this process and he hoped that all Members of the Council would work together to safeguard the future of the Borough and to avoid haphazard, unwanted developments in the area.

In addition, the Chair reported that individuals, who were rightly perturbed, had complained about the failure of the Borough Council to undertake the Green Belt Review and update the Local Plan had threatened a Judicial Review. However it was important to acknowledge the tremendous amount of work undertaken by the Assistant Director (Planning) and the Planning Manager (Policy) and their colleagues and the Chair hoped that this enthusiasm would continue and the process would speed up in the next 4 to 5 months.

Resolved that the Local Development Scheme (attached at Appendix 2 of the report) be approved prior to its publication on the Council's website.

37. Minutes of the meeting of the Gravesham Joint Transportation Board held on 11 September 2019

The Cabinet noted the minutes of the meeting of the Gravesham Joint Transportation Board held on 11 September 2019.

Close of meeting

The meeting ended at 8.12 pm