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<b>Subject:</b>	<b>PROPOSED REVISIONS TO THANET DISTRICT COUNCIL'S LOCAL PLAN (PREFERRED OPTIONS)</b>
<b>Meeting and Date:</b>	<b>Cabinet – 1 March 2017</b>
<b>Report of:</b>	<b>Nadeem Aziz, Chief Executive</b>
<b>Portfolio Holder:</b>	<b>Councillor Nicholas Kenton, Portfolio Holder for Environment, Waste and Planning</b>
<b>Decision Type:</b>	<b>Key</b>
<b>Classification:</b>	<b>Unrestricted</b>

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<b>Purpose of the report:</b>	To seek approval for representations to be submitted to Thanet District Council Local Plan (Preferred Options)
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<b>Recommendation:</b>	<p>Cabinet agree that the following representations to the Proposed Revisions to the draft Thanet District Council Local Plan (Preferred Options) are sent to Thanet District Council:</p> <ol style="list-style-type: none"> <li>1) Evidence from DDC's Strategic Housing Market Assessment (SHMA) has concluded that Dover District is best placed in a Shepway and Dover Housing Market Area (HMA) rather than a Thanet, Canterbury and Dover HMA which has been identified in Thanet District Council's SHMA. DDC therefore object to Dover District's identification in a Thanet HMA.</li> <li>2) It is extremely disappointing that as a neighbouring Local Planning Authority, Thanet District Council has not entered into a constructive, active dialogue with DDC under the Duty to Co-operate prior to the publication of the draft Local Plan in terms of the future of Manston airport given that the future of the airport is a strategic cross boundary issue.</li> <li>3) Until the Development Consent Order process has been decided, the DDC's resolution towards the retention of Manston as an operational airport is maintained and an objection is made to Policy SP05 for the redevelopment of the former Manston airport site for mixed use development.</li> <li>4) DDC objects to Policy SP05 as no justification, as part of the Local Plan-making process, has been given to the need for 85,000sqm of employment and leisure floorspace.</li> <li>5) Policy SP05 should be amended to clearly specify the amount of floorspace for the District centre in order for the Council to assess whether or not this District Centre on the former Manston airport site would have an impact on DDC.</li> </ol>
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- 6) DDC objects to Policy SP05 on that the grounds that no Landscape and Visual Impact Assessment has accompanied the Local Plan which clearly demonstrates how the redevelopment of the Manston airport will protect key vantage points from within Dover District.
  - 7) DDC support the revised location of the Thanet Parkway Station (Policy SP39) and welcome the provision of journey time reductions from Ashford through to Thanet. However, in so doing, DDC wish to seek assurance that Dover, Deal and Sandwich will continue to be served by the High Speed Rail Service with improvements to service frequency to provide at least two trains per hour and Dover under one hour.
  - 8) DDC has ongoing concerns associated with the performance and serviceability at Brenley Corner. DDC needs the assurance from Highways England over the suitability of the junction to serve all of the growth that has been identified in the Thanet District Council Local Plan while sustaining the strategic demands at the junction particularly in circumstances where the Lower Thames Crossing comes forward within the Plan period.
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## 1. **Summary**

Thanet District Council (TDC) is seeking views on proposed revisions to the Local Plan Preferred Options 2015. Public consultation on the revisions to the Local Plan runs from 20<sup>th</sup> January 2017 to 17<sup>th</sup> March 2017. The cross boundary issues are the future of Manston airport and whether Dover District should form part of a Canterbury, Thanet and Dover Housing Market Area and a revised location for the proposed Thanet Parkway railway station.

Officers have identified five issues that are relevant under the Duty to Co-operate: Strategic Housing Market Assessment/Housing Market Area; the future of Manston international airport; the proposed wording of Policy SP05 which allocates Manston airport for mixed use development; the revised location of the proposed Thanet Parkway Railway Station and ongoing concerns about the performance and serviceability at Brenley Corner to be able to serve the growth that has been identified in the Thanet District Council Local Plan.

## 2. **Introduction and Background**

2.1 Thanet District Council (TDC) is seeking views on proposed revisions to the Local Plan Preferred Options 2015. These main changes are:

- The re-designation of the former Manston Airport site for mixed use development
- The allocation of two additional housing sites at Manston Court Road/Haine Road and at Manston Road/Shottendane Road to meet the new objectively assessed housing need (as prescribed in national planning policy guidance) of 17,140 dwellings.

- 2.2 As well as this TDC is consulting on a new Strategic Routes Policy which safeguards certain routes and supports junction improvements to provide an inner circuit to relieve pressure on the existing road network, and an Implementation Policy which states how TDC will secure the implementation of key infrastructure.
- 2.3 In addition the consultation document TDC is seeking views on what national technical standards the Council should adopt and whether there is evidence to introduce locally defined technical standards to deal with issues such as water efficiency and accessible and adaptable accommodation. It also seeks suggestions for Local Green Space designations.
- 2.4 Finally there is an alteration to the location of the proposed Thanet Parkway Station. The consultation is accompanied by the Sustainability Appraisal, Strategic Housing Market Assessment (SHMA), Habitats Regulations Assessment, Draft Infrastructure Delivery Plan, Airport Viability Study and Economic Growth Strategy.
- 2.5 Officers have identified five issues that are relevant under the Duty to Co-operate which are outlined in Appendix 1.

## **2.6 Next steps**

- 2.7 The Consultation document states 'All comments submitted during the last plan consultation in 2015 have been considered but not all changes are being made at this stage. Due to the scale of change from the last plan we want to seek the views of the public on these main issues before submitting the plan to the Secretary of State. The other amendments will be available for comment during the pre-submission consultation, planned to take place later this year'.

## **2.8 Duty to Co-operate**

- 2.9 In accordance with the Government's Planning Policy Guidance local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated. Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination.

## **3. Identification of Options**

- 3.1 There are two options to consider, whether the Council make representations as part of this consultation or do not make representations.

## **4. Evaluation of Options**

- 4.1 TDC has invited comments on its Proposed Revisions to the draft Local Plan and it is important that Dover District Council is part of the Plan-making process to ensure that cross boundary issues are fully considered.
- 4.2 It is recommended that the representations, set out in Appendix 1, are sent to TDC as part of this consultation.

## **5. Resource Implications**

5.1 None.

6. **Corporate Implications**

6.1 Comment from the Section 151 Officer:

Finance has been consulted and has nothing further to add (SB)

6.2 Comment from the Solicitor to the Council:

The Head of Legal Services has been consulted during the preparation of this report and has no further comment to make.

6.3 Comment from the Equalities Officer:

This report does not specifically highlight any equalities implications however, in discharging their responsibilities members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15> ‘

6.4 Other Officers (as appropriate):

7. **Appendices**

Appendix 1 – Proposed Representations

8. **Background Papers**

Minutes of the meeting of Full Council on 23 July 2014

Contact Officer: Adrian Fox, Policy and Projects Manager, Dover District Council

## Appendix 1

- 1.1 DDC has identified five issues that are relevant under the Duty to Co-operate:
- 1) Strategic Housing Market Assessment/Housing Market Area;
  - 2) The future of Manston international airport;
  - 3) The proposed wording of Policy SP05 which allocates Manston airport for mixed use development;
  - 4) The revised location of the proposed Thanet Parkway Railway Station; and
  - 5) Ongoing concerns about the performance and serviceability at Brenley Corner to be able to serve the growth that has been identified in the Thanet District Council Local Plan.

### **Issue 1**

#### **1.2 Strategic Housing Market Assessment**

- 1.3 TDC was the first Local Planning Authority in East Kent to undertake a Strategic Housing Market Assessment (SHMA). This work, which was undertaken in January 2016 prior to DDC and SDC commissioning its own Consultants to complete a SHMA – see separate Cabinet Report elsewhere on this agenda on the need to commence with a Local Plan Review.

#### **1.4 Housing Market Area**

- 1.5 One of the key outputs from a SHMA is to identify a Housing Market Area (HMA). The Government's Planning Practice Guidance (PPG) provides a definition of housing market area: "*A housing market area is a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work. It might be the case that housing market areas overlap*".
- 1.6 A HMA can be broadly defined by using 3 different sources of information which includes:
- House prices and rates of change in house prices
  - Household migration and search patterns
  - Contextual data (for example travel to work area boundaries, retail and school catchment areas)
- 1.7 The underlying logic is that housing need is not tied to local authority areas, because many people do not care what local authority they live in as long as they are close enough to jobs, schools, families etc. An HMA is an area of search, bringing together places which households regard as reasonably close substitutes for one another.
- 1.8 Defining and agreeing a HMA is particularly important as under the Duty to Co-operate, if a Local Planning Authority is unable to demonstrate that it is able to meet all its of own Objectively Assessed Need (OAN) they would first ask a Local Planning Authority within the same HMA to take some of their housing need.
- 1.9 According to TDC's SHMA the 'best fit' for a HMA would comprise of the three authorities of Canterbury, Dover and Thanet. According to page 21 of TDC's SHMA these authorities considered collectively, demonstrate a community self-containment level of between 79-87% and a migration self-containment level of 68-74%.

- 1.10 Placing Dover District in a HMA is more challenging; especially as Thanet is surrounded by the sea on three sides which means that any mathematical self-containment will always improve with Dover District and Canterbury included. But looking in detail at Dover District and the towns as a whole, Dover District is better placed with Shepway; recognising the strong links between the Dover and Deal and Folkestone. The Consultants that have been appointed by DDC and SDC, therefore, disagree with the findings from the TDC SHMA in terms of the HMA. Dover District has very strong links with Shepway and parts of Dover District particularly Sandwich, do have links with Canterbury and Thanet. DDC's Consultants have, however, recommended that on balance, Dover District is best placed in a Shepway and Dover HMA rather than a Thanet, Canterbury and Dover HMA which has been identified in Thanet District Council's SHMA. This particular point has already been raised informally with Officers from TDC as part of the preparation of DDC's SHMA.

## **Issue 2**

### **1.11 Manston airport**

- 1.12 Clearly the future of Manston airport is a strategic cross boundary issue that affects East Kent and the whole of the South east. Given the proximity to Dover District and the various transportation and employment interactions it is, therefore, extremely disappointing that TDC has not entered into a constructive, active dialogue with DDC under the Duty to Co-operate prior to the publication of the draft Local Plan in terms of the future of Manston airport and the drafting of Policy SP05.
- 1.13 Policy SP05 of the draft Local Plan has allocated Manston airport for a mixed use settlement with the capacity to deliver 2,500 new dwellings and up to 85,000 sqm employment and leisure floorspace.
- 1.14 A mixed use planning application, supported by an Environmental Impact Assessment, has been submitted by Stonehill Park for 2,500 homes and a range of leisure and sports activities but this has not yet been determined by TDC. DDC has objected to this particular planning application and owing to the fact that the planning application would represent a departure from the TDC's Adopted Local Plan, it is unknown at this stage whether or not there is scope for potential call-in from the Secretary of State depending on whether the leisure and offices uses exceeds the Government's thresholds.

### **1.15 Council resolution**

- 1.16 At an Extraordinary Meeting of the Council on 14th May 2014 the Leader of the Council spoke of the recent runway closure of Manston Airport. The closure would impact on the Enterprise Zone at Sandwich and on the area as a whole. The Leader expressed his support of its retention and would make appropriate representations as necessary. This led to a motion being passed at Full Council on 23<sup>rd</sup> July 2014: which stated:
- 1.17 *'This Council supports the campaign to retain Manston as an operational airport, recognising the role and place it can have in the UK aviation industry, making the better use of regional capacity in accordance with the views of the South East Local Enterprise Partnership, while making a significant contribution as one of the strategic priorities for regeneration of the East Kent area'.*

### **1.18 What has changed since the Council resolution was passed in 23<sup>rd</sup> July 2014?**

- 1.19 Since the closure of Manston Airport in May 2014 the airport no longer has an operational aerodrome licence from the Civil Aviation Authority, the new owners of the site have sold off operational equipment and the site is being used a

temporary emergency lorry park as part of Operation Stack (which the Department of Transport has granted an Order through to the end of 2017).

- 1.20 In May 2016 TDC commissioned Avia Solutions to investigate whether an airport was a viable option for the site within the Plan period to 2031. This report took into account national and international air travel and transport and the way in which it is likely to develop over the next 15 to 20 years and looked at previous reports and developments in national aviation. The report has concluded (with an opening disclaimer in the Report) that airport operations at Manston are very unlikely to be financially viable in the longer term, and almost certainly not possible in the period to 2031.
- 1.21 Whilst the Avia Solutions viability report has considered that the airport is unlikely to be financial viable, RiverOak Strategic Partners (RPS), an American investment group based in Connecticut in the USA, are actively committed to reviving Manston Airport as a fully operational airport that would be used as a:
- area for cargo freight operations (able to handle at least 10,000 movements per year);
  - passenger terminal and associated facilities;
  - aircraft teardown and recycling facility;
  - flight training school;
  - base for at least one passenger carrier;
  - fixed base for executive travel; and
  - business facilities for aviation related organisations.
- 1.22 Given the scale of the proposed redevelopment of Manston Airport, the plans by RPS would be considered as a 'Nationally Significant Infrastructure Project' within the meaning of the Planning Act 2008. RPS are committed to make an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO) later in 2017 <http://www.riveroakinvestments.co.uk/our-proposals-for-manston/> Whilst RPS have not yet formally submitted a DCO to PINS there is clearly a strong commercial interest in maintaining and re-opening the airport as an operational going concern. This would greatly assist with the regeneration of the East Kent economy and the UK aviation economy by making better use of regional airport capacity and ability to create new markets post Brexit.
- 1.23 The Planning Inspectorate has very recently confirmed to Bircham Dyson Bell, lawyers working for RPS, that Section 53 authorisation (permission to access the Manston Airport site), has now been granted. Whilst a considerable amount of environmental analysis has already been completed, access to the site will now enable the necessary level of detail that is required for a DCO application. As much data as possible will also be used for the Preliminary Environmental Information Report. According to RPS, this report, together with other work already well underway, will be made available during the process of statutory consultation, which will take place as soon as possible in 2017. RPS has now published their Draft Statement of Community Consultation (SoCC). The SoCC sets out how RPS will consult the local community on its proposals. Comments on the SoCC need to be sent to RPS by the 10<sup>th</sup> March 2017.
- 1.24 Aside from the reported interest from RPS, it has become apparent that a London based investment company, Disruptive Capital, is understood to be commissioning an independent viability report into the future of Manston airport. Disruptive Capital's interest in Manston was officially announced back in November

2016: <http://www.supportmanstonairport.org/breaking-news-press-release-ukip-thanet-concerning-edi-truell/> Officers believe that this information will be used to validate or further inform a business case for future aviation use at Manston airport.

- 1.25 Officers also understand that the former Manston airport site will be pitched to the UK Space Agency as a potential launchpad. Campaigners working to get planes flying again in Thanet have secured the meeting with space chiefs at the Royal Aeronautical Society in London on 21st February. It is understood that there will be a ten-minute presentation from the campaigners, who will champion the benefits of using Manston for launching spacecraft. [http://www.kentnews.co.uk/business/spaceships\\_at\\_manston\\_campaigners\\_to\\_pitch\\_airport\\_site\\_to\\_uk\\_space\\_agency\\_as\\_potential\\_launchpad\\_1\\_4874408](http://www.kentnews.co.uk/business/spaceships_at_manston_campaigners_to_pitch_airport_site_to_uk_space_agency_as_potential_launchpad_1_4874408)
- 1.26 Taking all of the above into consideration, it is very clear that the future of Manston airport continues to remain extremely uncertain and until the DCO process has concluded Officers are recommending that the Council resolution is maintained.

### **Issue 3**

#### **1.27 Policy SP05 – Former Airport site**

- 1.28 Notwithstanding the comments above, Officers consider that further clarification is required from TDC in respect of a number of criteria in Policy SP05:

#### **1.29 Employment and Leisure floorspace**

- 1.30 Policy SP05 has allocated the former airport site for 85,000sqm of employment and leisure floorspace. No evidence is available on the Local Plan website that justifies this amount of retail and leisure floorspace. Without the justification for the need for this amount of floorspace Officers consider that a representation is submitted that seeks clarification on this particular point in order to ensure that it would not adversely divert trade out of the District and more importantly it diverts businesses out of Discovery Park Enterprise Zone (EZ) especially when the EZ designation ends. In terms of leisure floorspace (which has not been defined separately) DDC would need to be assured that this would not adversely impact the Council's corporate priority of providing a new leisure centre in Dover. DDC would be particularly keen to see the prospect of any future EZ designation being specifically linked to the aeronautical sector with emphasis on skills should Manston airport be re-established as an operational airport through the DCO process.

#### **1.31 District Centre**

- 1.32 Policy SP05 allows, as part of a mixed use development of the former Manston airport site, a 'District centre' to meet the retail need of the catchment, fit within the retail hierarchy and serve the appropriate catchment. Owing to the fact that Policy SP05 has not specified the quantum of floorspace Officers consider that a representation is submitted that seeks clarification on this particular point in order to ensure that it would not draw trade out of Dover District.

#### **1.33 Landscape and Visual Impact Assessment**

- 1.34 Manston airport occupies an elevated position on the landscape and there are long distance views of the site from a number of key vantage points from within Dover District particularly, from the western approach.
- 1.35 Policy SP05 has a requirement that a visual impact assessment should be undertaken in order to protect the visual sensitivity of the site and to protect the wide open landscape and the strategic views of the site. Officers understand that

Landscape Visual Impact Assessment has been undertaken to support the Stonehill Park planning application (which has not yet been determined) although this has not formed part of the evidence base to support the Local Plan making process and in the absence of this information, a representation should be submitted accordingly.

**Issue 4**

**1.36 Thanet Parkway Station**

1.37 The proposed location of the Thanet Parkway Station has been revised; the wording of Policy SP39 remains unchanged. Officers understand that the proposed location of the Thanet Parkway Station has been altered to be more efficient in land take.

1.38 Owing to the fact that the Thanet Parkway Station would support future investment at Discovery Park Enterprise Zone Officers and the change in the location is relatively minor, Officer recommend the support is given to Policy SP39 providing that Dover, Deal and Sandwich will continue to be served by the High Speed Rail Service with improvements to service frequency to provide at least two trains per hour and Dover under one hour.

**Issue 5**

1.39 DDC has ongoing concerns associated with the performance and serviceability at Brenley Corner. DDC needs the assurance from Highways England over the suitability of the junction to serve all of the growth that has been identified in the Thanet District Council Local Plan while sustaining the strategic demands at the junction particularly in circumstances where the Lower Thames Crossing comes forward within the Plan period. A representation should be submitted accordingly.