



Department for Levelling Up, Housing & Communities

Rachel Maclean MP

Minister of State for Housing and Planning
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Our reference: 31575568

Cllr Rick Everitt
Leader of the Council
Thanet District Council
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9 October 2023

Dear Cllr Everitt,

Thank you for your letter of 11 September to the Rt Hon Michael Gove MP, regarding the government's planning policies for housing and protecting agricultural land. I am responding as the Minister responsible for this policy area. Please find enclosed my response of 28 July in reply to Cllr Ashbee's letter of 14 March to the Secretary of State.

I do understand that this is an important matter for you and Thanet District Council, and I am grateful for your letter.

As I set out in my letter of 28 July, having an effective, up-to-date plan in place is essential to planning for and meeting housing requirements in ways that make good use of land and result in well-designed and attractive places to live.

I understand that, following a review of the Thanet Local Plan adopted in 2020, it is subject to a partial update and is scheduled for Regulation 18 consultation in September 2023. At that time, the public will be able to respond to the Council and make their concerns known. A wide section of the community should be proactively engaged so that plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area.

Thanet District Council should prioritise updating their Local Plan, as there is no doubt that having an up-to-date plan in place is the best way to protect an area from speculative and unwanted development. The government is clear that councils and their communities are best placed to take decisions on local planning matters in their area without unnecessary interference from central government.

I note your request for the Secretary of State to intervene and determine any future appeals about the development proposals on agricultural land in Thanet. I hope you will understand that the Secretary of State will, in general, only consider the use of his call-in powers if planning issues of more than local importance are involved.

The Planning Inspectorate performs an important role in the planning process on behalf of the Secretary of State by providing an impartial appeals service. Inspectors who determine planning appeals act under delegated powers for the Secretary of State. Planning Inspectors are required

to determine an appeal in accordance with the development plan unless material considerations indicate otherwise. The Planning Inspector has to balance national policy, wider government objectives and safeguarding local interests. In coming to a decision, the Inspector will give careful consideration to the planning merits of the case, having regard to the local plan and other material considerations. The Inspector will visit the site to familiarise themselves with the location and its surroundings. They will consider the likely effect of the proposed development on the surrounding area and take into account the views of the local planning authority and local residents before reaching a decision to allow or dismiss an appeal.

While a Planning Inspector may come to a different view from the local planning authority and allow the appeal, this does not mean that they have disregarded the views of the local authority or local residents – rather that they have attributed different weight to the issues in coming to their decision. Only around 1% of all local authority decisions on planning applications are overturned on appeal.

Local planning authorities may need to defend appeals as part of the day-to-day planning of their area. All parties normally meet their own expenses and are expected to behave reasonably to support an efficient and timely process.

We have always been clear that we place great importance upon our agriculture and food production, and this is reflected in the National Planning Policy Framework (NPPF). The NPPF requires local planning authorities to take into account all the benefits of the best and most versatile agricultural land. Where significant development of agricultural land is shown to be necessary, planning authorities should seek to use poorer quality land in preference to that of a higher quality. They should also consider the needs of the food production industry and any barriers to investment that planning can resolve. The NPPF states that, to promote a strong rural economy, local and neighbourhood plans should promote the development and diversification of agricultural and other land-based rural businesses. Moreover, local planning authorities are asked to encourage the re-use of brownfield land (provided that it is not of high environmental value), to recognise the character and beauty of the countryside, and to maintain the strong protections in place for Green Belt and other designated countryside.

Further to this, the government recently consulted on our proposed approach to updating the NPPF. This included a change which seeks to add detail on the consideration that should be given to the relative value of agricultural land for food production, where significant development of higher quality agricultural land is demonstrated to be necessary, compared to areas of poorer quality land. The consultation is now closed, and the Department is now analysing the responses received before issuing a formal response.

Thank you again for your letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rachel Maclean', followed by a period.

RACHEL MACLEAN MP
Minister of State for Housing and Planning