

BASIC CONDITIONS STATEMENT

THE BROADSTAIRS & ST. PETER'S NEIGHBOURHOOD DEVELOPMENT PLAN

2018-2031

Regulation 15



BROADSTAIRS & ST. PETER'S
TOWN COUNCIL

*Published by Broadstairs & St. Peter's Town Council under the
Neighbourhood Development Planning (General) Regulations 2012*

Published 6th November 2018

1. Introduction

1.1 This statement has been prepared by Broadstairs & St. Peter's Town Council ("the Town Council") to accompany its submission of the Broadstairs & St. Peter's Neighbourhood Development Plan ("the NDP") to the local planning authority, Thanet District Council ("the District Council"), under Regulation 15 of the Neighbourhood Development Planning (General) Regulations 2012.

1.2 The Neighbourhood Development Plan has been prepared by a Neighbourhood Plan sub-committee of Broadstairs & St. Peter's Town Council, a qualifying body for the Neighbourhood Area. The Neighbourhood Area, which coincides with the boundary of the parished area of Broadstairs & St. Peter's, was designated by the District Council in November 2014.

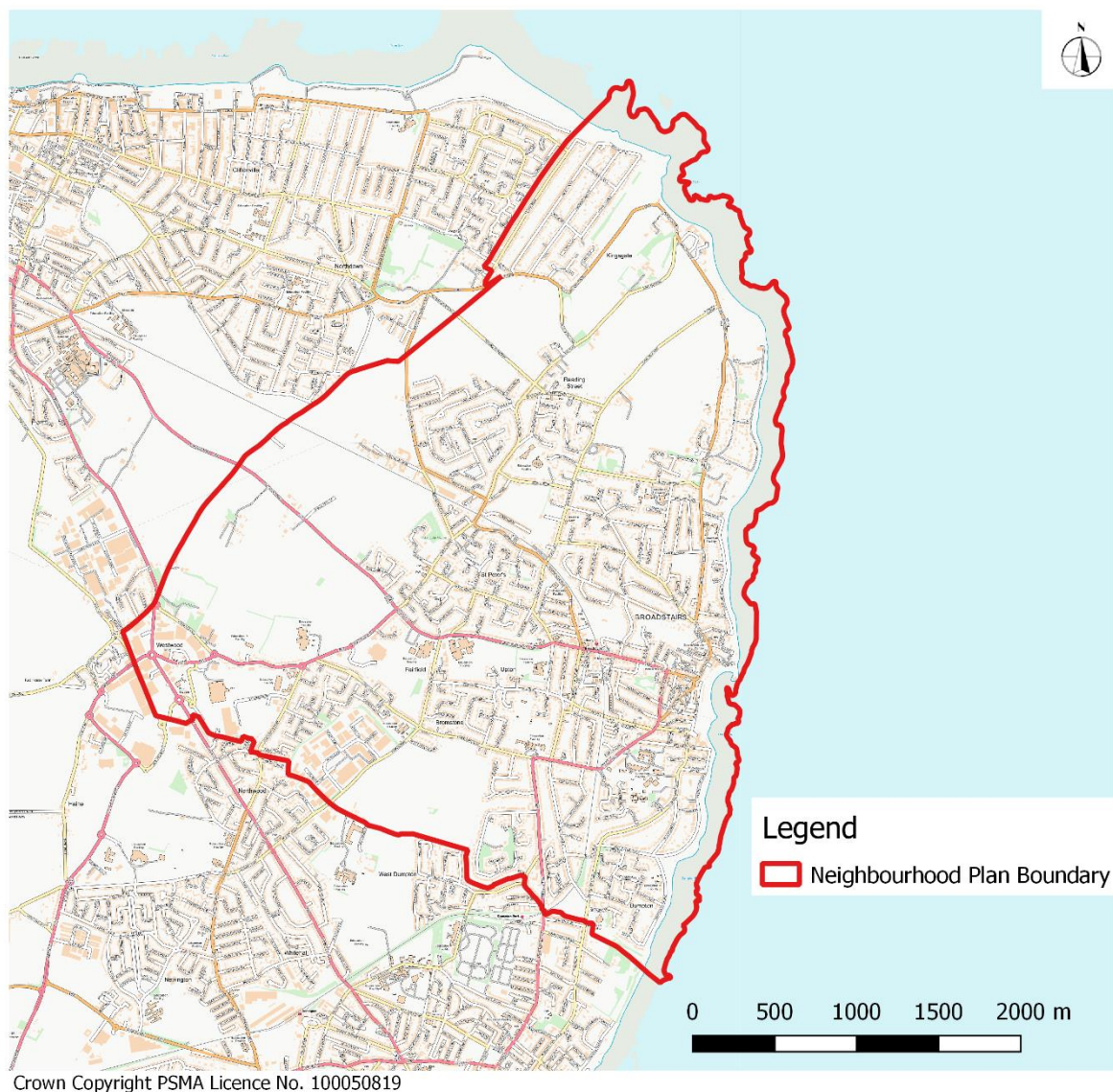


Figure1-Neighbourhood Area for the Broadstairs & St. Peter's NDP

1.3 The policies described in the Neighbourhood Development Plan relate to the development and use of land in the designated Neighbourhood Area. They do not relate to

‘excluded development’, as defined by the Regulations. The plan period of the Neighbourhood Development Plan is from July 2018 to the end of 2031. This corresponds with the plan period of the Thanet District Local Plan which will run from 2011-2031 and is currently at Regulation 19 stage.

1.4 The statement addresses each of the four ‘Basic Conditions’ required of the Regulations and explains how the submitted Neighbourhood Development Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Development Plan will be considered to have met the conditions if:

1. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
2. The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
3. The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
4. The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.

2. Background

2.1 The decision to proceed with a Neighbourhood Development Plan was made by the Town Council in 2014 following a stage 1 consultation, this gauged the views of local residents and stakeholders to ascertain if they wanted to produce a NDP.

2.2 A steering group was formed in July 2014 comprising of residents¹ and Town Councillors. The group had delegated authority by the Town Council to make day-to-day decisions on the preparation of the Neighbourhood Development Plan. However, due to low attendance levels at the steering group, it was dissolved in October 2015. From this point forward a Neighbourhood Plan Sub-committee continued the work on the NDP, this sub-committee comprised of Town Councillors and the remaining community steering group members. Subsequently, as the qualifying body, the Town Council approved the publication of the Pre-Submission plan in July 2018. The Council approved delegated Powers to the Planning Committee to approve the NDP for submission on the 24th September 2018, the Regulation 16 plan was formally approved for submission on the 5th November 2018.

2.3 The Town Council has consulted local communities extensively over the duration of the project². It has also worked with officers of the District Council since the start of the project. The outcome of that work is the submission version of the Neighbourhood Development Plan. At appendix 1 is an email from the heading strategic planning, which states that the Regulation 14 NDP is in general conformity with Thanet District Council Local Plan.

¹ These residents had come forward as volunteers during the earlier Stage 1 consultation.

² Set out in the Regulation 15 Consultation Statement

2.4 The Neighbourhood Development Plan contains 14 topic policies, 6 of these are geographically referenced and mapping is provided to establish the exact policy boundary, the plan does not seek to allocate housing as this is being dealt with by the Thanet Local Plan.³The Plan has sought to avoid containing policies that duplicate other development plan or national policies that are already being used to determine planning applications. The policies are therefore a development management matters that seek to refine and supplement the new emerging Local Plan policies.

3. Conformity with National Planning Policy

3.1 The Neighbourhood Development Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) 2018 and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Development Plans.

3.2 The table at Appendix 2 sets out where the proposed NDP policies are in conformity with the NPPF and PPG.

4. Sustainable Development

4.1 The main purpose of the planning system is to contribute towards the achievement of sustainable development whether it is the policies in a local or NDP, or the decisions being taken on planning applications. The NPPF states that the three dimensions of sustainability are economic, social and environmental for which gains should be sought jointly.

4.2 The basic conditions require that the NDP contributes to the achievement of sustainable development. The Neighbourhood Plan sub-committee were mindful of this requirement during the course of plan preparation and the principles of sustainable development are embedded in the vision and objectives.

4.3 The vision for the NDP is: To preserve and enhance Broadstairs and St. Peter's natural beauty and its coastal and cultural heritage whilst at the same time maintaining and, where possible, improving the quality of life of all residents.

4.4 To deliver this vision the plan has the following objectives:

1. Protect important views and vistas, so they can continue to be enjoyed by the community for future generations.
2. Protect the character of the seven beaches and bays and their environs.
3. Ensure the protection of unique and important spaces.
4. Support the strict enforcement of the Thanet District Council's 'Green Wedge' policy, so the area retains its distinct character from other local towns.
5. Encourage businesses in our shopping areas and support other appropriate employment opportunities.
6. Encourage good design of new developments, while protecting the area's special and unique character.
7. Develop good transport and traffic management practices for the benefit of residents and visitors.

³ This is explained in more detail in paragraph 8.8.1 of the Regulation 16 NDP.

8. Improve the facilities on our streets and the seafront.
9. Encourage projects to tackle litter and anti-social behaviour.
10. To create a welcoming environment for a diverse range of visitors to the town by providing services, facilities and entertainment that meet their wide-ranging interests and needs.

4.5 In addition, policies BSP6 'sustaining community facilities' and BSP14 'sustaining leisure and tourism assets' specifically addresses the need to achieve sustainable development in the Brodstairs & St. Peter's area.

4.6 The overall impact of these policies can be found at Appendix 3.

5. General conformity with the strategic policies of the Thanet Local Plan

5.1 The Neighbourhood Development Plan has been finalised to ensure its 'general conformity' with the development plan for the District, this is the Thanet Local Plan 2031. Consultation on the Regulation 19 stage of the Thanet Local plan plan ended on 4th October 2018. To ensure ongoing conformity the NDP also has the same plan period running to 2031.

5.2 The new emerging Local Plan for Thanet sets a large number of themes, these are clearly set in the contents of the emerging Local Plan (reproduced at Appendix 4)

5.3 Not all policies contained in the Thanet Local Plan are relevant to the Brodstairs area, and of the polices that are relevant to Brodstairs, some are not relevant to the NDP. Appendix 5 lists where the policies in the NDP are in conformity with the Thanet Local Plan.

6. Compatability with EU Legislations

6.1 The District Council provided a screening opinion of the emerging NDP in August 2017, this established the NDP did not require a Strategic Environmental Assessment (in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004). The decision on the screening opinion was received by the Town Council in November 2017 and minuted⁴ at the 12th December 2017 Neighbourhood Plan sub-committee.

6.2 The Screening Opinion also screened for effects in relation to the Habitats Directive but concluded that the Plan would not require any further assessment, as a Habitats Regulation Assessment of the Local Plan had already been produced and was considered relevant in the assessment of the environmental effects of the Brodstairs & St. Peter's NP.

6.3 The opinion on both is published separately in the evidence base, but concludes:

"in the opinion of the Local Planning Authority, the plan, in its current form is unlikely to have significant environmental effects and therefore a SEA will not be required and the plan will not have an adverse effect on the integrity of internationally designated sites either on its own or in combination with other plans and therefore does not require a HRA."

6.4 The Plan has also had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

⁴ Minute reference 307 from the 2017-18 Civic Year

7. Conclusion:

7.1 In accordance with paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 this Statement demonstrates that the proposed Broadstairs & St. Peter's Neighbourhood Development Plan prepared by the Town Council meets the requirements of each basic condition and the other legal tests.

Broadstairs & St Peters draft Neighbourhood Plan

Subject: Broadstairs & St Peters draft Neighbourhood Plan

From: Adrian Verrall <adrian.verrall@thanet.gov.uk>

Date: 27/09/2018 17:07

To: Danielle Dunn Town Clerk <bsptc@broadstairs.gov.uk>

Hello, Danielle

Thank you for the opportunity to comment on the draft Neighbourhood Plan.

Thanet Council officers have reviewed the draft Plan and we believe that it meets the test that the Plan is "*in general conformity with the strategic policies contained in the development plan for the area of the authority*", the Thanet Local Plan (as set out in the Neighbourhood Planning Act 2017).

Many of the policies in the draft Plan are closely aligned to the strategic policies in the Thanet Local Plan and are supported.

If there are any detailed matters you would like to discuss, or other representations, please let me know.

Regards.

Adrian

Adrian Verrall
Strategic Planning Manager

Broadstairs & St. Peter's NDP policy and where it conforms to National Policy	NPPF 2018 and PPG References
BSP 1: The 'Green Wedge'	NPPF para 133; 134 b & d
BSP 2: Important Views and Vistas	NPPF para 170 a & b; 172
BSP 3: Protecting and Providing Important Trees	NPPF para 170 b
BSP 4: Seafront Character Zones	NPPF para 170 c; 170-177
BSP 5: Local Green Spaces	NPPF para 91 b & c; 96-97 (relating to sports pitch provision- Dumpton Park Drive is a football pitch); 99-101; 170 d; 171 PPG Open Space, sports and recreation facilities, public rights of way and local green space
BSP 6: Sustaining Community Facilities	NPPF para 91 a & c; 96-97
BSP 7: Areas of High Townscape Value	NPPF para 124
BSP 8: Local Heritage Assets	NPPF para 185-186; 189-192 Conservation Areas para 200-202 PPG Conserving and enhancing the Historic Environment
BSP 9: Design in Broadstairs & St. Peter's Including Appendix 5 Design Guidelines	NPPF para 28; 124-127; 170 d; 174 b; 185 c; Green Networks 170 d PPG Design PPG Advertisements
BSP10: Shopping Areas	NPPF para 85 b & d; 92 d PPG Ensuring the vitality of Town Centres
BSP11: Retention of Employment Space	NPPF para 81 a and section 6
BSP 12: High -Speed Internet Access	NPPF para 81 a & d; 112
BSP 13: Live-work Space	NPPF para 81 a & d
BSP 14: Sustaining Leisure and Tourism Assets	NPPF para 81 d; 83 c

Assessment of the sustainability of the Neighbourhood Development Plan Policies

+ small positive response

++ large positive response

0 Neutral response

- small negative response

-- large negative response

Policy and title	Social Factors	Economic Factors	Environmental Factors	Comment on achieving sustainable development
BSP1: The 'Green Wedge'	+	0	++	Policy seeks to restrict development in the green wedge areas to protect the surrounding countryside and ensure that Broadstairs & St. Peter's retains its unique identity compared with other Thanet towns. Better access to the countryside will have a positive social benefit.
BSP2: Important Views and Vistas	+	0	++	The policy seeks to protect the important views to and from the Broadstairs & St. Peter's NDP area. These views often include seascapes which provide the fundamental economic driver for the area. An improved outlook for residents will improve social wellbeing.
BSP3: Protecting and Providing Important Trees	+	0	++	The provision of more trees will provide an important environmental benefit through increased green infrastructure networks. Provision of trees also provides a social benefit.
BSP4: Seafront Character Zones	+	+	++	It is really important to sustain and support the future of the coastal area of Broadstairs & St. Peter's as this is the main economic driver in the area. It also provides a major social and environmental benefit to the area.
BSP5: Local Green Spaces	+	0	++	The policy seeks to protect the community's most important open spaces. In addition, some provide through routes to ensure residents and visitors can continue to access facilities.

BSP6: Sustaining Community Facilities	++	0	0	This policy seeks to protect existing services and facilities used by the community to ensure the long term sustainability and viability of their use and reduce the need to travel elsewhere.
BSP7: Areas of High Townscape Value	+	0	0	Retaining the character of the areas of HTZ will provide an enduring positive social outcome as it will retain these important areas for future generations.
BSP8: Local Heritage Assets	+	0	0	Retaining the character of the areas of HTZ will provide an enduring positive social outcome as it will retain these important areas for future generations.
BSP9: Design in Broadstairs & St. Peter's	+	+	0	Design is a very important feature in making great spaces for current residents, visitors and future generations.
BSP10: Shopping Areas	+	++	0	Providing improved shopping areas provides social cohesion as it provides a place for people to shop, meet and interact. It also provides an economic benefit to the wider area.
BSP11: Retention of Employment Space	0	++	0	The policy seeks to support the existing employment space, so that there are other employment options in addition to tourism.
BSP12: High-Speed Internet Access	0	++	0	This policy seeks faster broadband provision in new builds. This will support local businesses and those residents who work from home. It also allows residents to better access some services and facilities on-line.
BSP13: Live-work space	+	++	++	This policy aims to provide improved facilities for the large proportion of homeworkers in the area. Home working, increases social wellbeing as there is less time commuting and improves the environment due to the reduced travel.
BSP14: Sustaining Leisure and Tourism Assets	+	++	0	Sustaining leisure and tourism assets will ensure the long-term economic viability with the town.

Themes in the Regulation 19 Thanet Local Plan:

Chapter 1 - Economic Strategy (includes Manston Airport)

Chapter 2 - Town Centre Strategy (includes policies for each of the Thanet towns and Westwood)

Chapter 3 - Housing Strategy (includes housing numbers and strategic housing allocations)

Chapter 4 - Environment Strategy (includes green wedges, protection of environmental sites and mitigation strategy)

Chapter 5 - Community Strategy (includes new medical centre at Westwood, expansion of schools)

Chapter 6 - Transport Strategy (includes strategic road network, Parkway station)

Chapter 7 - Economy (includes retention of employment sites, home working, digital infrastructure)

Chapter 8 - Town and District Centres (includes primary and secondary frontages, sequential test)

Chapter 9 - Tourism (includes tourist accommodation, Thanet's beaches, language schools, Quex park)

Chapter 10 - Rural Economy (includes economic development in the rural area, farm diversification)

Chapter 11 - Housing (includes non-strategic housing allocations, retention of housing stock, ancillary accommodation, fostering homes)

Chapter 12 - Green Infrastructure (includes national and local wildlife sites, green space, play areas, playing fields)

Chapter 13 - Quality Development (includes sustainable design, general design principles, technical standards)

Chapter 14 - Heritage (includes archaeology, conservation areas, heritage assets)

Chapter 15 - Climate Change (includes flooding, renewable energy, solar parks)

Chapter 16 - Safe and Healthy Environment (includes pollution - land, air, noise & light, groundwater protection)

Chapter 17 - Communities (includes community facilities, cemeteries)

Chapter 18 - Transport (includes walking, cycling, public transport, coach & car parking)

Relevant Thanet Local Plan policies and the Broadstairs & St. Peter's NDP:

NDP Policy and title	Relevant Thanet Local Plan policies that the NDP is in conformity with
BSP1: The 'Green Wedge'	SP21 Development in the Countryside SP22 Safeguarding the Identity of Thanet's Settlements
BSP2: Important Views and Vistas	SP21 Development in the Countryside SP23 Landscape Character Areas
BSP3: Protecting and Providing Important Trees	SP24 Green Infrastructure SP27 Biodiversity and Geodiversity Assets
BSP4: Seafront Character Zones	SP25 Protection of the International and European Designated Sites SP26 Strategic Access Management and Monitoring Plan (SAMM) SP33 Quality Development CC03 Coastal Development GI01 Protection of Nationally Designated Sites (SSSI) and Marine Conservation Zones (MCZ) QD01 Sustainable Design QD02 General Design Principles E10 Major Holiday Beaches E11 Intermediate Holiday Beaches E12 Undeveloped Beaches
BSP5: Local Green Spaces	SP30 Local Green Space SP31 Provision of Accessible Natural and Semi Natural Green Space, Parks, Gardens and Recreation Grounds SP36 Healthy Communities Policy GI04 Amenity Green Space and Equipped Play Areas Policy GI05 Protection of Playing Fields and Outdoor Sports Facilities Policy GI06 Landscaping and Green Infrastructure
BSP6: Sustaining Community Facilities	SP36 Healthy and Inclusive Communities SP39 Community Infrastructure CM02 Protection of Existing Community Facilities
BSP7: Areas of High Townscape Value	SP33 Quality Development SP34 Conservation and Enhancement of Thanet's Historic Environment HE02 Development in Conservation Areas
BSP8: Local Heritage Assets	SP34 Conservation and Enhancement of Thanet's Historic Environment HE03 Local Heritage Assets
BSP9: Design in Broadstairs & St. Peter's	SP33 Quality Development SP34 Conservation and Enhancement of Thanet's Historic Environment HE02 Development in Conservation Areas QD01 Sustainable Design QD02 General Design Principles QD03 Living Conditions QD04 Technical Standards QD05 Accessible and Adaptable Accommodation QD06 Advertisements
BSP10: Shopping Areas	SP06 Thanet's Town Centres

	SP10 Broadstairs E04 Primary and Secondary Frontages E05 Sequential and Impact Test E06 District and Local Centres
BSP11: Retention of Employment Space	SP10 Broadstairs E01 Retention of Existing Employment Sites
BSP12: High-Speed Internet Access	E03 Digital Infrastructure QD07 Telecommunications
BSP13: Live-work space	SP02 Economic Growth E02 Home Working
BSP14: Sustaining Leisure and Tourism Assets	SP10 Broadstairs SP02 Economic Growth E07 Serviced Tourist Accommodation E08 Self Catering Tourist Accommodation E09 Protection of Existing Tourist Accommodation E10 Major Holiday Beaches E11 Intermediate Holiday Beaches E12 Undeveloped Beaches E13 Language Schools