

## Annex 1: Town and Country Planning (General) Regulations 2012: Consultation under Regulation 16: 15 September - 27 October 2022

### WESTGATE ON SEA NEIGHBOURHOOD PLAN

#### Formal comments from Thanet District Council

The Council welcomes the opportunity to comment on the Westgate on Sea draft Neighbourhood Plan. It is clear that there is a strong concern to improve the town and preserve the many important characteristics that the town currently boasts.

The Council's formal response to the draft Neighbourhood Plan is set out in the table below.

Page/ Paragraph/ Policy No.	Comment
Various policies	Remove any references to the Town Council from policy wording - policies should be 'authority neutral'. The Town Council will not be the decision making authority when the policies are implemented.
WSNP1	The Council supports the criteria added to this policy. The NPPF states that plans should be positively prepared. The policy should be reworded to reflect this, eg, '...will be supported unless.....' (maybe 'will be supported subject to Policy WSNP2')
WSNP2	The character and design requirements mentioned in the text could be included in the policy to give it more weight. The policy refers to the bullet points in section 10.2. The second set of bullet points applies to large developments - it would be helpful for large developments to be defined (TDC defines them as over 10 dwellings). Where are the local guidelines for parking referred to in the 4th bullet point? The NP needs a link to these or name the document that contains them,
WSNP6	The 'conservation area policies as set out by TDC and CAAG' should be specified, ie title of document and policy number.

WSNP7	What status does the local list have? Have the procedures in Historic England's Advice Note <a href="#">'Identifying and Conserving Local Heritage'</a> been followed? A statement should be provided demonstrating how the procedures in the HE Advice Note have been met so that the local list can be afforded full weight as part of the Neighbourhood Plan.
WSNP8	It may be better to use 'that cause detrimental impact' rather than 'disturb' as not all Scheduled Ancient Monuments are beneath the ground
p35	Reference to EV charging points in local plan policy is incorrect. It states 'It is encouraging to see in the Local Plan that developments of ten units or more are required to add electric car charging points'. However the requirement in Local Plan Policy SP14 is for one charging point for every 10 parking spaces in communal areas, or one charging point to be provided for every new dwelling with parking provision within its curtilage.
WSNP9	<a href="#">Part L</a> : is called Conservation of Fuel and Power - amendment needed to wording at the end of the policy
P37	Local Green Spaces - The Council objects to some of the proposed allocations. The Local Plan does not allocate Linksfield Village Green/Linksfield Community Green or Esplanade Gardens as Local Green Spaces. Esplanade, (Esplanade Gardens) was not designated as Clifftop areas were not deemed appropriate. The cliff top gardens are already protected open spaces in the Local Plan. To be consistent with the Councils approach to LGS allocation, Esplanade Gardens should be removed. The Linksfield sites should also be removed unless the LGS assessments against the criteria set out in the NPPF for their suitability are provided to justify their allocation. Maps should also be included for these sites if they are being proposed as LGS. The Lymington Road Allotment is allocated under Policy SP32 - Protection of Open Space and Allotments - not under the LGS policy. This should be reflected in Table 14.1.
WSNP10	<p>The National Planning Practice Guidance has changed since the previous draft of the Neighbourhood Plan. The requirement is now that all sources of flooding should be taken into consideration and that developers should undertake a site-specific flood risk assessment to accompany applications for planning permission. Any sites within Flood Zones 2 or 3 developments of 10 or more units will require a flood risk assessment, or on sites liable to other sources of flooding.</p> <p>Suggest wording to Policy WSNP10 as follows: 'Planning applications <b>in areas if there is a known risk from all sources of flooding</b>.....'</p> <p>The paragraph marked with a * could reference the <a href="#">NPPG</a> on flood risk for details on flood risk assessments</p>
WSNP13	The Council objects to this policy. Part of the site within the 'triangle' is within the boundary of the current planning application. The planning application boundary extends beyond the local plan boundary. This was a matter discussed at the

	Local Plan Examination, and the Inspectors indicated that the exact boundary should be considered through the planning application process. The area is protected by general countryside/farmland policies (SP24) in the Local Plan, but there is no evidence to justify that it warrants any higher level of protection. The Scheduled Ancient Monument is protected by other policies. The 'Westgate Countryside Triangle' should be deleted as a proposed open space allocation.
WSNP14	This should follow LP Policy E16 which sets out the circumstances under which development would be acceptable.
WSNP16	Biodiversity Net Gain will become mandatory from November 2023 - this policy should reflect this, however, the NPPF supports the requirement for BNG now. The policy should require planning applications to provide at least 10% BNG in line with the Environment Act 2021.
P45 Supporting text to WSNP18	The infrastructure requirements for all of the Strategic Sites were considered with all of the relevant bodies (as set out in the Infrastructure Delivery Plan). The Council's Regulation 19 consultation included consultation on the Transport Strategy. These were considered and agreed at the Local Plan Examination in Public.
WSNP19 and WSNP20	At this stage, the Council has not implemented CIL in addition to s106, as it would make development in most areas of the district unviable. Policy WSNP19 should be deleted as a Neighbourhood Plan cannot enforce the implementation of CIL. The range of Section 106 contributions has already been agreed through the Local Plan process.
Page 48	Figure 17-2 has now been superseded by the most recent trajectory in the 2021 Annual Monitoring Report. This trajectory is only until 2025/26 however, as it relates to allocated sites that contribute to the 5 year supply as at 31st March 2021. The trajectory is as follows: Total units - 1450 2021/22 - 0 2022/23 - 0 2023/24 - 0 2024/25 - 50 2025/26 - 150
Section 17	Reference should be made to the current planning application OL/TH/20/1400 P49 reference to Westgate Triangle should be deleted
WSNP21	Last paragraph - the planning application boundary extends beyond the local plan boundary. This was a matter discussed at

	<p>the Local Plan Examination, and the Inspectors indicated that the exact boundary should be considered through the planning application process. This policy must align with the Local Plan policy. The last paragraph of WSNP21 should be deleted.</p>
WSNP22	<p>The Council objects to this policy. The 'functional green corridor' wasn't supported by the Inspectors at examination. The Council included a 'functional green corridor' in the Reg 19 Strategic site policy in response to consultation comments received. However the Inspectors Report did not support its inclusion:</p> <p>As submitted Policy SP15(1) requires a functional green corridor to be provided between the existing urban edge and the development. One of the main reasons for the separation is to 'preserve the more rural characteristics of the existing urban edge.' However, no convincing evidence has been provided to justify why this is necessary from a landscape or ecological perspective. By extending Westgate in the manner proposed, the edge of the Urban Area would become the southern perimeter of the allocation. Moreover, the requirement would be contradictory to the objectives of Policy SP15 which state that the masterplan must address the need for 'integration'. MM35 is therefore necessary to modify criterion (1) by removing reference to a specific 'corridor' and referring to the provision of green spaces.</p> <p>It is now a matter for detailed design in the planning application process.</p> <p>The 'functional green corridor' element of Policy WSNP22 should be deleted.</p>
P60 monitoring WSNP9	<p>This states No development built with low energy efficiency - this would be better worded more positively, eg, 'all new development built with high energy efficiency'</p>