

Annex 1 - Birchington NP Cabinet Report - 10 August

Modifications proposed by the Examiner to be made to the Neighborhood Plan in order for it to meet the Basic Conditions - track changes

Policy B1

Policy B1: New development ~~and adaptation~~ which accords fully with the Birchington Village-wide Design Guidelines and Site Design Guidance and Codes will be supported.

The Design and Access Statement submitted with a planning application should set out how this policy has been complied with and provide an explanation of any divergence from the requirements of this policy.

Policy B2 - Peripheral Development

Policy B2: Development proposals ~~and adaptation~~ on land allocated for development in the DP, which is adjacent to, and outside the existing urban area, will be supported where it provides continuity and a seamless transition between the new and the character of the existing settlement. Proposals should incorporate measures in design and construction to protect as far as possible existing significant views and vistas.

The Design and Access Statement submitted with a planning application should set out how this policy has been complied with and an explanation of any divergence from the requirements of this policy.

Policy B3

Policy B3: New development ~~and adaptation~~ that responds positively to heritage and character assets that may be affected by the proposals ~~ed changes~~ will be supported.

Policy B4

Policy B4: Planning permission will not normally be supported granted for development resulting in the loss of existing buildings or structures on the local list of heritage assets unless they are deemed unsafe or beyond economic repair.

~~Alterations, extensions or other d~~ Development which would adversely affect the appearance or setting of such buildings or structures or have any adverse impact on significant archaeological assets including Scheduled Monuments, will not be supported.

Policy B5 (no modifications).

Policy B5: Within designated Areas of High Townscape Value, the conservation and / or enhancement of the local character will be the primary planning aim. In furtherance of this aim, development will be supported only where it conforms with Policy B1.

Policy B6

Policy B6: At designated and non-designated archaeological sites of particular significance likely to be affected by, or incorporated into new development, proposals for appropriate information and permanent interpretation to be displayed at the site(s) will be required.

Policy B7

Please delete Policy B7

Policy B8

Policy B8: Proposals for Major New Development ~~and adaptation~~ will be supported where they are shown to be demonstrably sustainable in relation to the provision and use of utility services. ~~accompanied by assurance statements from utility service providers that additional supply and waste management is sustainable and will not be detrimental to existing users.~~

~~Developers should submit a connectivity statement explaining how their proposals will use and future-proof the most effective and up-to-date communications technology.~~

Policy B9 (no modifications).

Policy B9: Planning applications for new development within the Plan Area should demonstrate how they will contribute towards the delivery of community development. Section 106* Heads of Terms must support planning applications for Major Development Proposals in the Parish. Applicants should present these to the Parish Council for discussion during the determination period.

To further this policy, and in the interests of local democracy, the Parish Council would welcome early collaboration with Thanet District Council and Kent County Council in formulating requests for planning obligations to the Local Planning Authority as part of major application proposals in the parish.

Following the adoption of the Plan, the Parish Council will:

- a) Seek to meet with Applicants of planning applications for Major Developments to discuss local infrastructure needs and the features of the development prior to the preparation of a planning application;
- b) Monitor all applications dealing with reserved matters on Major Developments in the Parish to review conformity to the Neighbourhood Plan Policies, providing representations to Thanet District Council as required.

*Or any subsequent legislation governing developer contributions.

Policy B10

Policy B10: The sites identified as open space on the [Birchington-on-Sea green and open spaces map](#) [Local Green Space Map](#) and listed below will be protected from development with an equivalent level of protection accorded to areas of protected open space provided by Policy SP32 in the Thanet Local Plan, in accordance with the [National Planning Policy Framework 2021](#)

5 Birchington Bowls Club and Tennis Courts,

9 King Ethelbert School Open Space and Playing Fields,

15 Canterbury Road/Charlesworth Drive,

17 Primary School Open Space and Playing Field,

19 All Saint's Church Graveyard (excluding the footprint of all buildings) and

25 Open land at St Thomas C of E Church, Minnis Road

Development proposals that provide beneficial proportionate new and/or enhanced public open space will be supported.

The sites identified as Local Green Space on the [Birchington-on-Sea green and open spaces map](#) and listed below will be protected from development in accordance with the National Planning Policy Framework 2021.

8. Queen Bertha's Avenue

18. Norrie Road

20. Duncan Drive

23. The Green, Minnis Bay, and

24. Grenville Gardens

Proposals for development in a designated Local Green Space will not be supported, unless necessary for the use of the land for public recreation or are required for a statutory utility or other public infrastructure purpose.

Policy B11

Policy B11: New development ~~proposals and adaptation of properties~~ adjoining open spaces, countryside and sites designated as Local Green Space ~~which should~~ reflect the character of the area and respect the setting provided by such spaces will be supported subject to other policy requirements.

~~Development should not inhibit or reduce the views, importance and enjoyment of public open spaces:~~

Policy B12

Policy B12: In the open countryside or overlooking the coast, ~~development proposals any intensification of use resulting in adaptation or new buildings~~ should be sustainable, of an appropriate scale and have minimal impact on the character of the open landscape surrounding the village. Development proposals which maintain the views and vistas shown on the Views and Vistas Map as listed below will be supported, subject to other policy requirements.

Point 1 – Hawk Place / Plum Pudding

Points 2 & 3 - Grenham Bay Cliff Tops

Point 4 - Epple Bay Cliff Tops

Point 7 – Canterbury Road at King Ethelbert School:

Point 9 - Park Road:

This policy should be implemented in conjunction with Policy SP24 (Development in the Countryside) of the Thanet Local Plan 2020.

Policy B13

Please delete Policy B13.

Policy B13a

Please delete Policy B13a.

Policy B13b

Policy B13b: Proposals for coastal development ~~which are demonstrably should be~~ compliant with the policies contained in the South-East Inshore Marine Plan adopted by the Marine Management Organisation will be supported.

Policy B14

Integrate with Policy B15 as shown in Appendix 2.

Policy B14 *(incorporating Policy B15 of the submission version of the BNP).*

Policy B14: Proposals for major development which are accompanied by a survey that catalogues the location, health and includes where relevant a management plan for all viable trees and hedgerows on-site will be supported, subject to compliance with other policies in this Plan.

A net gain in the quantity and quality of appropriate trees on all large new planning application sites will be expected, unless supporting design guidelines for the development state that this would be unachievable. In this scenario, the potential for providing new tree planting off-site should be explored.

Policy B16

Policy B16: Landscaping schemes should be consistent with and reinforce local character areas where appropriate. Schemes which improve biodiversity or create new habitat features will be supported.

Policy B17

Development which incorporates, protects and enhances existing public rights of way including footpaths, bridleways, restricted byways and byways open to all traffic as well as cycle routes, or creates new safe routes particularly those serving schools and other community facilities, will be supported, subject to all other policies in the Plan.

The loss of any public rights of way will be resisted unless it can be demonstrated that any diversion or alternative provision would help to improve or enhance safe and convenient routes for pedestrians, cyclists and horse riders.

Policy B18

Policy B18: ~~In order to~~ To encourage safe movement of traffic and to promote the reduction in vehicle use and emissions, development proposals and adaptations will be supported which include appropriate provision of features such as:

- vehicle-free zones
- car club spaces
- charging points and dedicated parking spaces for electric vehicles
- sustainable off-road parking for vehicles, electric scooters, wheelchairs and storage for cycles
- schemes designed to reduce air pollution caused by vehicle emissions including proposals that support and encourage greater use of low- emission public transport and well-being through Active Travel proposals.

Proposals will not be supported where the Local Planning Authority identifies that additional on street parking is will-likely to be detrimental to safety or impede access for public transport, emergency vehicles or any other service vehicles.

Policy B19

Policy B19: Except where land has been allocated for other uses within Policy SP16 of the TLP, development will not be supported if it results in the permanent irreversible loss of versatile and productive agricultural land, defined for the purposes of this policy as grade 3a and above, unless it can be clearly demonstrated that:

- 1) the benefits of the proposed development outweigh the harm resulting from the loss of agricultural land;
- 2) there are no otherwise suitable sites of poorer agricultural quality that can accommodate the development; and
- 3) there are no otherwise suitable sites available to facilitate the provision of essential infrastructure to meet the requirements of the Local Plan and/or relevant Local Transport Policy.

Policy B20

Please delete Policy B20

Policy B21

Policy B21: Development of new housing to meet local needs and deliver affordable housing in accordance with the required rate identified in the Local Plan will be supported, subject to other policy requirements.

Any diminution of the requirement contained in the Local Plan relating to any site in the Plan area will be resisted unless it can be clearly and openly demonstrated to the Local Planning Authority ~~to the Parish Council~~ that compliance with the policy (SP23) in the Local Plan would make the proposed development unviable.

Policy B22

Please integrate Policy 22 with Policy 23 as recommended in the consideration of Policy B23.

Policy B24

No modification to Policy B24 is recommended if the Plan is to proceed to referendum.

Policy B25

Policy B25: Development Proposals Any changes in the Plan Area, including changes of use, new or replacement shop fronts and fascias within the commercial areas identified on Map 6 in the Appendix, Part B Maps, ~~that require planning consent~~ should be sensitively managed having regard to the character of the neighbourhood, particularly in the Conservation Area(s) and the Station Road Area of High Townscape Value.

Development which enhances the character of the public realm and/or cultural and leisure space within the commercial areas of the village will be supported, subject to other policies of the Plan.

Policy B26

Please delete Policy B26.

Policy B27

No alterations are necessary to Policy B27 if the Plan is to proceed to referendum.

Policy B28

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Policy B29

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Policy B30

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Policy B31

Please delete Policy B31.

Policy B32

Policy B32: Development that sustains or helps to increase the viable use of existing community leisure and recreation facilities or contributes proportionately towards eliminating the shortfall of provision as set out in the Leisure and Recreation Assessment 2021 comprising;

- a) Football, cricket and provision for badminton (community hall provision); and
- b) for new housing development provides space and facilities for
 - Playing Pitches – Sport England New Housing Development Playing Pitch Calculator Tool.
See Appendix Part 4.
 - Indoor Sport, sports halls, swimming pools and indoor bowls facilities – Sport England Sports Facility Calculator. See Appendix 10.
 - Open Space – Thanet District Council Development Plan standard requirements

for new developments

will be supported.

Development for leisure and recreational facilities that demonstrably encourages Active Travel will be supported.

Policy B33

Please delete Policy B33 and the supporting text.

Policy B34

No modifications are necessary to Policy B34 if the submission draft BNP is to proceed to referendum.

Policy B35

Please delete Policy B35 and references to it in the supporting text to the BNP.

Policy B36

Policy B36: Proposals for protection of public rights of way and provision of new safe and attractive pedestrian and cycle routes across the site allocated for development (Policy SP16 within the Local Plan) ~~whole site~~ that serve the wider community, providing links to Quex Park, Minnis Bay, the railway station, medical centre, designated cycle routes and to the commercial centre of the village, will be supported.

Policy B37

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Appendix 3

Birchington on Sea Neighbourhood Plan – Submission Version Recommended Revised Policies (Clean)

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Policy B22

Please integrate Policy 22 with Policy 23 as recommended in the consideration of Policy B23.

Policy B23

Policy B23: In relation to affordable housing design, proposals which:

- a) are indistinguishable from market housing, including densities; and**
- b) are of a quality no less than dwellings built for private sale, to ensure that the overall character, environment and amenities of the area are sustained or enhanced; and**
- c) meet the criteria contained in “Building for a Healthy Life 2020” and respond positively to the Birchington Village-wide and Site Design Guidelines 2021; and**

d) are spread throughout the development to maintain diversity of tenures;

will be supported subject to other policy requirements of the Plan.

Where it is not possible for developers to adhere to these requirements, the Design and Access Statement should explain the reasons for non-compliance and offer proposed mitigation.

Policy B24

No modification to Policy B24 is recommended if the Plan is to proceed to referendum.

Policy B25

Policy B25: Development Proposals in the Plan Area, including changes of use, new or replacement shop fronts and fascia's within the commercial areas identified on Map 6 in the Appendix, Part B Maps, should be sensitively managed having regard to the character of the neighbourhood, particularly in the Conservation Area(s) and the Station Road Area of High Townscape Value.

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