



**Birchington Parish Council  
Neighbourhood Plan Consultation  
Feedback and Action Responses**

The Neighbourhood Development Planning (General) Regulations 2012 (Localism Act 2011) as amended, requires a Consultation Statement to set out the consultations undertaken for the Neighbourhood Plan and the people that have been consulted.

Guidance of what should be contained in a Consultation Statement is set out in Regulation 15 (2), thus:

*In this regulation “consultation statement” means a document which—*

*(a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;*

*(b) explains how they were consulted;*

*(c) summarises the main issues and concerns raised by the persons consulted; and*

*(d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.*

This document seeks to satisfy requirements (c) and (d) above.

All feedback has been considered by the Neighbourhood Plan Core Group to identify key issues and necessary actions for discussion and adoption by Full Council. These are all collated in Plan order over the following pages; where a section heading is missing this indicates no feedback received and no proposed change.

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| GENERAL COMMENTS                                |   | ACTION |
|---|---|--------|
| <b><i>Statutory Consultee Responses</i></b>     |   |        |
| TDC   | It is very clear that a huge amount of time, thought and care has gone into the preparation of this document. It is well set out, easy to read and understand, and attractive with its photos, maps and other images. The quality of this draft Neighbourhood Plan shows the dedication and enthusiasm of all those involved. | Noted  |
| D Crow-Brown<br>KCC Councillor                  | Well done to all involved in producing the draft neighbourhood plan. A fantastic team effort.   | Noted  |
| Westgate-on-Sea<br>Town Council                 | Our Members considered your draft document at a Full Council meeting on Tuesday 5 <sup>th</sup> October and are in support of your draft Neighbourhood Plan and wish you well with the consultation process.  | Noted  |
| <b><i>Non Statutory Consultee Responses</i></b> |   |        |
| Community<br>Feedback 12                        | Maps shown in the summary plan are hard to read and clearer markings of places in the maps.   | Noted  |
| Community<br>Feedback 18                        | Thank you for doing this - TDC and KCC don't care but at least the parish council is doing its bit  | Noted  |
| Community<br>Feedback 23                        | *Thank you for all your hard work*  | Noted  |
| Community<br>Feedback 30                        | I moved to Birchington because it had all the things I hold dear. Peace charm, friendly neighbours, lovely views. Worry over development will spoil all this and it will become more like a small town than a village.  | Noted  |
| Community<br>Feedback 34                        | The parish council speak for the residents with local knowledge and experience  | Noted  |
| Community<br>Feedback 34                        | I support the plan  | Noted  |

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|                       |  |             |
|-----------------------|--|-------------|
| Community Feedback 39 | I support the plan   | Noted       |
| Community Feedback 40 | I support the idea of what you're trying to do but TDC needs to take notice and make sure that the policies are applied properly and in every case   | Noted       |
| Community Feedback 41 | Congratulations to you on a fine piece of work, which will hopefully protect us from the worst excesses of developers  | Noted       |
| Community Feedback 44 | I am nor sure if this consultation is following the guidelines set in the local planning regulations 2014. Why are the responses anonymous?  | Noted       |
| Community Feedback 44 | The plan continually refers to the NPPF 2019, but a new NPPF was published in July 2021  | Modify Text |
| Community Feedback 45 | I have just moved here and love Birchington. Good variety of shops and businesses, carpark and friendly people. Really love brills as amazing stock, so helpful and friendly. Thankyou. Some nice restaurants too...spoilt for choice. | Noted       |
| Community Feedback 47 | The plan is very clear, setting out objectives and policies that meet the needs of the community.  | Noted       |
| Community Feedback 47 | Well done, very good work and a credit to the village.   | Noted       |
| Community Feedback 48 | From the information I have read it seems that the major concerns have been addressed  | Noted       |
| Community Feedback 48 | I have nothing to add, as previously stated this plan seems to cover all the major concerns.   | Noted       |
| Ptarmigan Land        | In principle, we support Birchington Parish Council's aspiration to bring forward this Neighbourhood Plan and the vision of the document.  | Noted       |

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|------------------|---|-------|
| Le Vaillant Owen | Please accept this letter supporting the draft Neighbourhood Plan, particularly those sections which impact on Station Road - Economic Development and Movement & Getting Around. | Noted |
|------------------|---|-------|

|   |
|---|
| <p><b>Key Issues</b></p> <p>Comments are supportive of the document in general; presentation and structure well received. References to NPPF should be updated to NPPF (2021).</p> <p><b>Recommendations</b></p> <p>Modify and update references to NPPF where necessary.</p> |
|---|

| 1. FOREWORD, INTRODUCTION & EXECUTIVE SUMMARY |   | ACTION      |
|---|---|-------------|
| <b>Statutory Consultee Responses</b>          |   |             |
| TDC   | <p>The 'Development Plan' comprises a number of planning policy documents that apply in Thanet and includes the Thanet Local Plan, Cliftonville Development Plan Document, Broadstairs Neighbourhood Plan, Kent Minerals &amp; Waste Local Plan).</p> <p>The Birchington Neighbourhood Plan will become part of the Development Plan if it is successful at referendum.</p>   | Modify Text |
| KCC   | <p>There will be a need to ensure sufficient flexibility for the delivery of community services as they evolve to meet client needs. Post-pandemic, many service providers are adapting their delivery methods to best meet community and individual needs and this may not always be through direct delivery of new physical infrastructure such as buildings or facilities. Some community needs may be better met by directing resources via third party specialist providers.</p> | Noted       |

|                   |
|-------------------|
| <b>Key Issues</b> |
|-------------------|

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TDC recognises and accepts the importance of the Neighbourhood Plan.

KCC is supportive of a holistic approach to sustainable development which is capable of flexing to changing needs and means of service delivery in the future.

### Recommendations

Modify body text to reflect the TDC definition of the 'Development Plan'.

| 3. BRIEF HISTORY OF THE PARISH OF BIRCHINGTON |   | ACTION      |
|---|---|-------------|
| <i>BIRCHINGTON TODAY</i>                      |   |             |
| <b>Statutory Consultee Responses</b>          |   |             |
| KCC   | <u>Highways and Transportation:</u> The County Council, as Local Highway Authority, recommends that reference is made to the existing bus services and the footway/cycleway network within the village (or areas where this is perceived to be lacking) to provide a balanced picture of existing transport connectivity. | Modify Text |
| KCC   | <u>Public Rights of Way (PRoW):</u> The County Council would welcome the reference to the PRoW network. The Parish has over 14km of PRoW, including the newly designated England Coast Path (which is a National Trail and promoted nationally) and the Viking Coast Trail, which is part of the National Cycle Network.  | Modify Text |

### Key Issues

All modes of transport / movement should be acknowledged.

### Recommendations

Include references, where appropriate, to public transport, foot/cycle path and Right of Way networks.

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| <i>THE FUTURE</i>                        |  |             |
|--|--|-------------|
| <b>Statutory Consultee Responses</b>     |  |             |
| KCC                                      | <u>Highways and Transportation</u> : This section refers to Thanet Local Plan Policy SP16, however, it is relatively silent on the proposed road connectivity requirements which form part of this policy and which may have a bearing on road/cycle and public transport connectivity within the village in the future.   | Modify Text |
| KCC                                      | The County Council would recommend annotating the proposed highway infrastructure on the diagram at the bottom of page 19.   | Noted       |
| <b>Non Statutory Consultee Responses</b> |  |             |
| Ptarmigan Land                           | <p>We note that paragraph 20 on page 19 of the document states that the population of Birchington could rise by 4,000-4,800 as a result of the development of Land at South- West Birchington. Whilst not a major issue, it is useful to clarify that the planning application documentation (most notably the Socio-Economic and Health chapter of the Environmental Statement) outlines that the scheme will produce an extra 3,581 people based on TDC's average household of 2.17.</p> <p>Further to this, it is important to remember that the TDCLP Inspector has established that the level of growth proposed by SP16 is justified. We believe that it is important to build upon the policy requirements of SP16 to support this population growth in a sustainable manner.</p> | Modify Text |

### Key Issues

Movement will be a key issue in the future, more so than today, as the current road networks operate at capacity with the consequent impacts on congestion and environmental pollution.

Future population estimates are speculative and subject to multiple variables.

### Recommendations

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Strengthen references to movement and in particular the importance of highways networks.  
 Broaden reference to population estimates to accommodate alternative methodologies.

| 4. COMMUNITY VISION AND PRIORITIES          |  | ACTION |
|---|--|--------|
| <i>CONTEXT</i>                              |  |        |
| <b><i>Statutory Consultee Responses</i></b> |  |        |
| KCC   | <u>Highways and Transportation</u> : Paragraph 2 references air and noise pollution from continuing growth in traffic and congestion, however, the Neighbourhood Plan does not really set out how this issue could be addressed.   | Noted  |
| <i>OUR VISION</i>                           |  |        |
| <b><i>Statutory Consultee Responses</i></b> |  |        |
| KCC   | <u>Highways and Transportation</u> : The key components of the Vision appear to be sound, however there is limited reference to transport measures which could help to address relevant matters highlighted within the context section.  | Noted  |
| KCC   | <u>PRoW</u> : KCC recommends that text should include an aim to provide high quality routes for pedestrians and cyclists to encourage more people to use sustainable modes of travel. This would bring health benefits to the local community and help to address vehicle congestion on the road network by providing realistic alternatives to short distance car journeys. This can be achieved by working in partnership with KCC to improve the existing network and identify opportunities for further evolution. | Noted  |
| <i>OUR ASPIRATIONS</i>                      |  |        |
| <b><i>Statutory Consultee Responses</i></b> |  |        |

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|-----|--|-------------|
| KCC | <u>PRoW</u> : The County Council recommends the following amendment “1. New development including sufficient <i>and sustainable</i> infrastructure”. | Modify Text |
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| <p><b>Key Issues</b></p> <p>Highways and transportation are key issues and are the responsibility of Thanet Council and Kent County Council; the need for improved and efficient infrastructure is repeated throughout the draft plan.</p> <p>Sustainability is at the heart of the plan.</p> <p><b>Recommendations</b></p> <p>Modify aspiration No1 to strengthen the emphasis on sustainability.</p> |
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| 6. THE POLICIES  |   | ACTION |
|--|---|--------|
| 6.1 SUSTAINABLE DEVELOPMENT (Community feedback support 75.6%) |   |        |
| <b>Statutory Consultee Responses</b>                           |   |        |
| KCC  | Highways and Transportation: It is important to acknowledge the key role that transport can play in achieving sustainable development by reducing the need to travel using private motorised vehicles through the provision of safe and direct walking and cycling links, and the ongoing provision of public transport services/infrastructure.  | Noted  |
| KCC  | PRoW: Reference should be made to the contribution that the PRoW network makes to delivering sustainable development. The document should include reference to the provision of sustainable transport choices, with walking and cycling routes available that provide realistic alternatives to short distance car journeys. Community facilities should be easily accessible so that residents and visitors are not dependent on private vehicle use for travelling across the parish. | Noted  |



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### Key Issues

An important consideration in striving for sustainability is provision of easily accessible amenities and services, supported by safe and direct segregated walking and cycling links.

### Recommendations

No change.

### 6.1.1 Conserving Village Character - Design

#### Statutory Consultee Responses

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|-------------|---|-------|
| KCC         | Design can play a key part in creating a sustainable community. With the advent of increased levels of home working and new communication technologies, new development should cater for the potential need for increased home working space to meet this need and thus reduce the need to travel. The County Council welcomes the reference for development to make provision for digital infrastructure.  | Noted |
| Kent Police | We would kindly ask that the Kent Police Designing Out Crime Officer (DOCO) Team are consulted at the earliest possible stage of proposed future developments to ensure that appropriate advice and guidance is provide and to ensure that Crime Prevention Through Environmental Design (CPTED) is incorporated thus contributing to the creation of safe, sustainable, liveable and mixed communities. Please note Kent Police follow the Police Crime Prevention Initiative (PCPI) Secured By Design (SBD) guidance and specifications to address CPTED as a minimum level of security. Early consultation will address both our statutory duties under Section 17 of the Crime and Disorder Act 1998 and will show a clear audit trail for Design for Crime Prevention and Community Safety. We strongly recommend conditions be imposed for commercial sites and residential sites of 10 dwellings or more to achieve an SBD award. This would address multiple sections within the recently published NPPF. | Noted |

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### Key Issues

Community safety is an important consideration in any development. The Birchington Village-wide Design Guidelines reference the requirements of CPTED and SBD.

### Recommendations

No change.

### 6.1.1 Conserving Village Character - Peripheral Development

#### Statutory Consultee Responses

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|-----|---|--------------------------------------|
| TDC | <p>Policy B2 - If this policy relates to the urban edge boundary with the Strategic Site allocation, the policy should specify this and the map on p22 should clearly show the urban edge boundary the policy relates to.</p> <p>As it stands, it allows development on the periphery of any urban edge and could allow development in the open countryside on non-allocated land and in green wedge.</p> <p>It would be contrary to policies SP24 (Development in the Countryside) and SP25 (Safeguarding the Identity of Thanet's Settlements) in the Local Plan.</p> | <p>Modify Text<br/>Modify Policy</p> |
| KCC | <p>Highways and Transportation: The purpose behind this policy is supported, however, as and when highway infrastructure is delivered, there is sometimes an inevitable impact on vistas and views, which will need to be weighed up. The policy wording "protect as far as possible" should be sufficient to make the policy effective without conflicting with Local Plan policy, however, reference to the context should be included within the supporting text.</p>  | <p>Noted</p>                         |

#### Non Statutory Consultee Responses

|                |  |              |
|----------------|--|--------------|
| Ptarmigan Land | <p>We support the Parish Council's desire to achieve integration and transition between new development and the existing settlement. We believe the Land at South-West Birchington scheme achieves this aim and creates a softer</p> | <p>Noted</p> |
|----------------|--|--------------|

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|  | <p>edge to form an improved transition between the settlement and the surrounding countryside.</p> <p>It is important to appreciate, however, that this is a very subjective matter and is open to interpretation. We agree, therefore, that this policy can only provide a framework for considering planning applications and there must be recognition and flexibility within the wording that there are different approaches to achieving the policy goal.</p> |  |
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| <p><b>Key Issues</b></p> <p>Policy B2 is intended to ensure that any development on the urban periphery as it exists now or in the future is such that it provides continuity between the existing and new. The Strategic Site allocation abuts the existing urban edge and would be expected to be developed to provide continuity with the existing settlement and progressively as development extends across the whole site.</p> <p>It is expected that existing and future protections provided under policies SP24 and SP25 will prevail, however should they change this policy is intended to provide additional protection.</p> <p><b>Recommendations</b></p> <p>Modify policy B2 as follows:</p> <p><i>Policy B2: Development and adaptation <u>on land allocated for development in the DP, which is</u> adjacent to, and outside <del>the urban edge</del> <u>the existing urban area, will be supported</u> where it provides continuity and a seamless transition between the new and the character of the existing settlement, <del>will be supported</del>. Proposals should incorporate measures in design and construction to protect as far as possible existing significant views and vistas.</i></p> <p><i>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.</i></p> |
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|                                      |  |             |
|--------------------------------------|--|-------------|
| <b>Conserving Our Heritage</b>       |  |             |
| <b>Statutory Consultee Responses</b> |  |             |
| KCC                                  | Heritage Conservation: Birchington is rich in heritage assets dating from the earliest times. There are extensive archaeological landscapes dating from prehistoric, Roman, Saxon and medieval times visible as cropmarks on | Modify Text |

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|  | <p>aerial photographs covering most of the undeveloped land in the parish. Several of these sites have been designated as Scheduled Monuments recognising their national interest. Others are not designated but may be of comparable interest individually and cumulatively. The intertidal areas, especially at Minnis Bay are also rich in well preserved remains including prehistoric structures. Archaeology can also be seen throughout the built area of the parish and is often encountered in plans for development. The village core and other key locations will include archaeology and built heritage associated with the post medieval development of the parish. The parish also includes the historic Quex House and Park.</p>  |               |
| KCC  | <p>KCC welcomes that the richness of the heritage is recognised in the Neighbourhood Plan and the inclusion of this section and “Objective 2 – To conserve and enhance heritage assets, the Conservation Area(s), listed buildings and ancient monuments”. KCC notes the recognition in clause 14 that there are local heritage assets and that an indicative list has been developed by the Birchington Heritage Trust. This is also included in section 15 (page 60). The County Council would welcome joint working with the Trust to assist with the list and ensure that the archaeology of the area is incorporated. KCC has several present projects in place or underway which could help, including development of Archaeological Notification Areas and a potential mapping project for Thanet. The present Historic Environment Record is also a rich source of information and is regularly being updated with the latest discoveries.</p> | Noted         |
| KCC  | <p>Policies B3 – B6 are proposed to support the conservation of the parish’s heritage. Policy B4 could also include reference to impacts on archaeological assets including the setting of the Scheduled Monuments. The County Council is supportive of Policy B6 that promotes the need for onsite and other interpretation of the archaeological sites which are incorporated in, or affected by, new development. The County Council has sought to address this in advice concerning the strategic allocation and also is seeking community archaeology and outreach so that the local community can be involved and informed of what are likely to be significant archaeological discoveries during the expansion of the built areas. The heritage and engagement with it can also support the wellbeing aspirations of Objective 14 in the Neighbourhood Plan.</p>  | Modify Policy |
| <p><b><i>Non Statutory Consultee Responses</i></b></p> |  |               |

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|          |   |             |
|----------|---|-------------|
| J Repsch | <p>Historic England has just released an unusual map. It's produced from aerial photography and laser technology. It shows features around England which are invisible at ground level but which are crystal clear from the air. Roman camps, Iron Age fields, ditches and relics of WW2 defences. The map compiles the data discovered over the past 30 years of aerial mapping.</p> <p>This technology will bring into sharper focus Thanet's prehistoric settlements, monuments and burials dating from the Neolithic period to the Anglo-Saxon and Iron Age. A small Bronze Age settlement shows that the area has been occupied by man for over 10,000 years.</p> <p>Rather than destroying and covering over our heritage - as happened at Thanet Earth and will happen at Thanet Parkway - we should be viewing it as an opportunity to boost our tourist industry. It could even go hand-in-hand with the raising of maritime craft in the Goodwin Sands.</p> <p>In the words of the spokesman for the Canterbury Archaeological Trust: "Thanet has one of the best archaeological heritages waiting to be found in the whole of Kent." Let's preserve it.</p> <p>The inappropriate use of the words "enhance" and "sustainable" in the shortened version of the Neighbourhood Plan points to arrant bias in the document. Those words pop up again and again, like some sort of hypnotist's brainwashing act. It reminds me of the Thanet Local Plan of 2017: "Landscape character - Objective 9: to protect and enhance the area's natural landscape." If that were true, they would leave it alone. You don't protect the landscape by covering it in concrete and tarmac.</p> <p>If we scrub out all the blether about sustainable enhancements, and fight for Birchington as if it really was worth fighting for, there might be something left for the children of the next hundred years.</p> <p>"The countryside keeps us physically fit and contributes to our happiness and well-being. Our connection with nature reduces our stress levels, boosts our mood, eases our pain and sharpens our attention." [CPRE]</p> | Modify Text |
|----------|---|-------------|

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### Key Issues

An important aspect of sustainability is to preserve features and artifacts from the past for the benefit of future generations, and in doing so it is necessary to preserve not only the physical components of the past but to ensure the safety and conservation of their setting too.

### Recommendations

Modify policy B4 as follows:

*Policy B4: Planning permission will not normally be 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 development which would adversely affect the appearance or setting of such buildings or structures or have any adverse impact on archaeological assets including Scheduled Monuments, will not be supported.*

### 6.1.3 Climate Change

#### Non Statutory Consultee Responses

|                |  |       |
|----------------|--|-------|
| J Repsch       | <p>Building an average house in the UK generates over 50 tonnes of CO2. For a tonne of bricks it's a quarter of a tonne of CO2, and more for steel and other household elements. Meanwhile the Government intends to build 300,000 new homes every year. [citu.co.uk, 2021]</p> <p>The planet is heating up. And the house-building programme will throw more oil on the fire. According to Sir Roger Gale, "Thanet's farmland is needed to grow and produce crops to reduce the amount of food that we import at a cost of carbon emissions. but if we haven't got the agricultural land, we can't grow food." [2021]</p> | Noted |
| Ptarmigan Land | <p>Whilst we support the general principle of delivering sustainable development, it is important that Policy B7 conforms with the relevant policies within the TRDCLP. Policy SP37 of the TDCLP identifies a general framework for minimising the impacts of climate change through mitigation and adaptation measures. It does not identify specific quantitative targets such as requiring net zero greenhouse gas emissions.</p>   | Noted |

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|  | <p>Whilst we appreciate the aspiration, the implications of such a requirement have not been assessed through the evidence base. We, therefore, believe that Policy B7 should be amended to remove specific targets to ensure it aligns with the more general principles of TDCLP Policy SP37.</p> |  |
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| <p><b>Key Issues</b></p> <p>International concern about climate change has been highlighted at the recent COP26 conference and the need for urgent and effective action is all too apparent. Government policy on climate change sets a broad framework which is reflected in general policies included in the TDCLP. Thanet Council acknowledges the scale of this issue and has declared a climate change emergency.</p> <p>Policy B7 is entirely consistent with national and district policy frameworks and is a first step in development of a comprehensive climate change strategy for Birchington.</p> <p><b>Recommendations</b></p> <p>No change.</p> |
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| <i>6.1.4 Sustainable Utilities</i>   |  |               |
|--------------------------------------|--|---------------|
| <b>Statutory Consultee Responses</b> |  |               |
| TDC                                  | <p>The first section of this policy would seek to replicate and add to the provisions within non-planning legislation (including the Water and Industry Act 1991 - in relation to the duties on water and sewerage companies), without any clear evidence as why this policy should be imposed above the requirements set out in national planning guidance and legislation.</p> <p>It is also not clear what an “assurance statement from utility service providers’ would constitute, or whether it is possible to attain such a document at the planning stage in the process (as opposed to at building control stage).</p> <p>It would also apply to development at all scales (including householder applications) on the basis of the current wording, which is not reasonable on the basis of the limited evidence provided as to the need for the policy.</p> | Modify policy |

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|   | Therefore, as drafted this policy is not considered reasonable or sound, and if included it should be amended to remove “only” from the first sentence.  |             |
| KCC   | Waste Management: The County Council, as Waste Disposal Authority for this area, welcomes the inclusion of Policy B8, which looks to ensure “waste management is sustainable and not detrimental to existing users”. Whilst the wording is more focused towards wastewater management, KCC would like it recognised that waste management is also critical and the impact of new developments on existing infrastructure needs to be included in the assessments too. The Margate Household Waste Recycling Centre (HWRC) that serves this area, is currently at capacity and as such, a project to increase the capacity is required to ensure the service remains sustainable. Recognition of this, and support for developer contributions towards the expansion, is important. | Modify Text |
| National Grid                                   | We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation.   | Noted       |
| Southern Water                                  | Thank you for consulting Southern Water on the Regulation 14 Birchington Neighbourhood Plan. I can confirm we have reviewed the documents and have no further comments to make.  | Noted       |
| UK Power Networks                               | I am the lead planning engineer for this area. The key point for us at IK Power Networks is to get informed what are the load requirements for the new development.  | Noted       |
| <b><i>Non Statutory Consultee Responses</i></b> |  |             |
| Community Feedback 12                           | Objective 4. Southern Water must upgrade their treatment before any planned/pending building carries on  | Noted       |
| Community Feedback 16                           | Great concern regarding water supply and waste (especially following recent Southern Water problems ) along with Thanet road infrastructure.   | Noted       |
| Community Feedback 24                           | We are having difficulty importing gas,  | Noted       |



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|-----------------------|---|-------|
| Community Feedback 33 | Considering that this area is classed as "water stressed", any proposals for building extra houses, anywhere in Thanet, should be rejected. Any buildings that restrict the flow of ground water into the aquifers will put further strain on these aquifers and result in water having to be being supplied from elsewhere.  | Noted |
| Community Feedback 35 | Also, as Southern Water cannot cope, for many years with constant spills of sewage into the sea. This must be a priority for the environment, holiday makers and businesses. This should be delivered before any building starts.   | Noted |
| J Burgess             | What happens when there is not enough water in our Aquifer to service all these extra people in Thanet - and how much will it cost to provide us with a de-salination plant?  | Noted |
| J Repsch              | The investigation of Southern Water uncovered the worst environmental crime in the 25-year history of the Environment Agency. For example, between 2010 and 2015 there were 8,400 illegal discharges of raw sewage into the sea. This year most of Thanet's coastline has been affected, with bathers advised to stay out of the sea. Southern Water has already been fined £90m, the largest figure ever imposed on a water company. In June this year 11 Thanet beaches and bays were affected for 6 days following a lightning strike and heavy rainfall. Beware of inadequate infrastructure. | Noted |
| Ptarmigan Land        | Whilst we understand the aspiration, we object to the proposed requirement that planning applications need to be accompanied by assurance statements from utility service providers. This is simply not a requirement of the planning system and there is no reasonable basis for this proposed policy wording. The proposed wording is not in accordance with the requirements of the TDCLP (Policies SP16 and SP41) and, therefore, must be removed to ensure that the Neighbourhood Plan can meet its basic conditions.  | Noted |

#### Key Issues

There is widespread concern in the community that utility services are already operating at capacity so it is important that any significant development in the future addresses these concerns by providing assurance that development proposals are sustainable and deliverable.

A requirement that developers submit an assurance statement from utility service providers confirming that they will meet their statutory obligations is consistent with existing legislation. The form of such a statement does not need to be specified other than that it provides sufficient and appropriate

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assurance that necessary ‘*additional supply and waste management is sustainable and will not be detrimental to existing users.*’

### Recommendations

Modify Policy B8 as follows:

*Policy B8: Proposals for **major** new development and adaptation will **only** be supported where they are 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.*

### 6.1.5 Developer Contributions

#### Statutory Consultee Responses

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| TDC | <p><b>Policy B9</b> - Amend the first sentence as follows:</p> <p><i>Applicants <del>must</del> should present these to the Parish Council for discussion during the determination period.</i></p> <p>A neighbourhood plan imposing obligations on a local planning authority would not be considered sound at Examination. Delete the second sentence:</p> <p><i>Thanet District Council must seek the opinion of the Parish Council when negotiating Section 106 or 278 Agreements both prior to and following resolution to grant planning Permission for Major Development proposals in the Parish.</i></p> <p>This sentence could be replaced with:</p> <p><i>The Parish council will work collaboratively 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</i></p> | Modify Policy |
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# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

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|---|---|-------------|
| KCC   | <u>County Council Community Services and Infrastructure:</u> KCC welcomes the recognition that sustainable housing growth should be developed alongside adequate infrastructure, as well as the Parish Council’s acknowledgement of the importance of developer contributions in new developments.  | Noted       |
| KCC   | The County Council welcomes a collaborative approach to ensuring that development within Birchington is delivered viably and sustainably, supported by the relevant community infrastructure.   | Modify Text |
| <b><i>Non Statutory Consultee Responses</i></b> |   |             |
| Ptarmigan Land                                  | <p>Whilst we understand the premise of this policy, we don’t believe that it captures the requirements of planning law with respect to planning obligations. The policy wording must have regard to the requirements of Regulation 122 of the Community Infrastructure Levy Regulations, which states that planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. Any contribution must, therefore, be:</p> <ol style="list-style-type: none"> <li>1. necessary to make the development acceptable in planning terms;</li> <li>2. directly related to the development; and</li> <li>3. fairly and reasonably related in scale and kind to the development.</li> </ol> <p>As such, any negotiations between an applicant and the local planning authority must be based on these first principles. We don’t believe that the current policy recognises this and should, therefore, be re-drafted to reflect these requirements.</p> <p>Further to this, we appreciate that the Parish Council wishes to be involved in the process of contributing towards the discussion of where improvements are needed to local infrastructure. We do not object to the principle of this, where this is undertaken having regard to Regulation 122 requirements. However, the most appropriate mechanism for achieving this should be agreed with TDC and the policy should be amended based on these discussions.</p> | Noted       |

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### Key Issues

New development will inevitably give rise to increased demand on existing infrastructure and facilities, and demand for additional community infrastructure and amenities. The legislative framework sets out the general terms under which developers must mitigate these impacts.

This policy is intended to ensure that the Parish Council is involved as an active participant from the outset in the discussions and determination of developer contributions to ensure that agreements reflect the best interests of the community.

### Recommendations

Incorporate in body text KCC support for recognition that sustainable housing growth development should be accompanied by adequate infrastructure and developer contributions.

Modify Policy B9 as follows:

*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 ~~must should~~ present these to the Parish Council for discussion during the determination period. ~~Thanet District Council must seek the opinion of the Parish Council when negotiating Section 106 or 278 Agreements both prior to and following resolution to grant Planning Permission for Major Development proposals in the Parish.~~*

*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.

# Birchington Neighbourhood Plan

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| 7 NATURAL ENVIRONMENT (Community feedback support 91.7%) |  | ACTION      |
|--|--|-------------|
| <b>Statutory Consultee Responses</b>                     |  |             |
| TDC  | <p><b>Policy B10</b> - Evidence Base document 18 (Open Space Assessments) includes the Local Green Space assessments and very clear maps showing the exact boundary and location of each LGS. However the detailed maps should be included in the Neighbourhood Plan (the assessments can remain as part of the evidence base document)</p> <p>The boundaries for Open Space at King Ethelbert school and Park Lane Primary school should be redrawn to exclude the built form of the site and reflect just the open area and playing fields. An Examiner will likely find it unreasonable to include buildings in an area to be protected for open space.</p> <p>This approach should also be applied at the St Thomas C of E Church LGS proposal which would also be more appropriate as Open Space rather than a LGS.</p> <p>Crispe Park and Neame Woods would be more appropriate for LGS designation rather than just Open Space.</p> <p>There are discrepancies between the list of LGS on P37 part B) and the plan on P38 as both the schools are shown on the map as LGS which is inappropriate.</p> <p>Sites 5, 19, 17 and 9 are shown on plan as LGS but not listed.</p> <p>The supporting text should clearly list sites identified as Open Space and sites identified as Local Green Spaces.</p> <p>There is nothing on the key to the map on 38 referring to the red numbers.</p> | Modify Text |
| Environment Agency                                       | Thank you for consulting us. We are unable to provide any bespoke comments but would like to share our standard advice with you.   | Noted       |
| KCC  | <p><b>PROW:</b> With reference to paragraph 7.1, the County Council recommends that the Neighbourhood Plan should encourage and ensure connectivity is achieved without short car journeys and that views and tranquillity from the PRoW network are protected. The parish is home to a large area of Coastal Access and to the significant assets of the England Coast Path and Viking Trail promoted routes. The Plan should ensure reference to the England Coast Path, a newly created long distance walking route with National Trail status, delivered in partnership with KCC and</p>   | Modify Text |

# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

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|     | Natural England.   |   |
| KCC | <p><b>Policy B10</b></p> <p>Highways and Transportation: The primary purpose of this policy is understood and supported; however, it must be acknowledged that strategic road infrastructure improvements, such as the upgrades of the Manston Road, Shottendane Road corridor and Columbus Avenue extension, may (once fully developed) require a level of incursion into the areas identified at Green Space. Therefore, policy wording should be revised to reflect this and should provide a level of policy flexibility over incursion (for the purpose of delivering future road infrastructure improvements).</p>   | Modify Policy                           |
| KCC | <p><b>Policies B10-B13</b></p> <p><u>PROW</u>: The County Council would recommend specific reference is made to the PRoW network within these policies and any impact that development may have on the landscape character to ensure the continuation of user enjoyment of the network.</p> <p><u>Biodiversity</u>: The recognition given within the Neighbourhood Plan to the landscape character and biodiversity of the parish is most welcomed. The parish contains several nationally and internationally important sites for nature conservation, as well as some Priority Habitats.</p> <p><i>Statutory Nature Conservation Sites</i></p> <p>There are several sites that are of national and international nature conservation importance that are protected by law.</p> <p>It should be noted that all planning applications for new residential development within the parish will need to be subject to Appropriate Assessment under Regulation 55 of the Conservation of Habitats and Species Regulations, 2017 (as amended). Further detail on this matter is available in Appendix 1.</p> <p>There are currently no statutory Local Nature Reserves or Local Wildlife Sites in the Parish.</p> <p><i>Priority Habitats</i></p> <p>The Neighbourhood Plan identifies woodland, trees and hedgerows as being important components of the</p> | <p>Modify Policy</p> <p>Modify Text</p> |

# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

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|  | <p>landscape and biodiversity of the Parish. KCC would also advise adding the following habitats, which are also Priority Habitats:</p> <ul style="list-style-type: none"><li>• Wood Pasture and Parkland at Quex Park;</li><li>• Lowland Deciduous Woodland e.g. at Crispe Park and Neame Woods; and</li><li>• Arable Field Margins – the Parish has a significant area of arable land.</li></ul> <p>Under Section 40 of the Natural Environment and Rural Resources (NERC) Act, 2006, every public body (including Parish Councils) has a duty to conserve biodiversity as part of the exercise of its functions, which in this case means in preparing the Neighbourhood Plan. Section 41 of the NERC Act<sup>1</sup> sets out the habitats which the Government has identified as being of principal importance for nature conservation, i.e. priority habitats such as those set out in Appendix 1 (Figure 2).</p> <p><i>Priority Species</i></p> <p>Section 41 of the NERC Act also sets out the list of species which the Government has identified as being of principal importance for nature conservation, i.e. priority species<sup>2</sup>. Many of these species also receive legal protection under the Wildlife and Countryside Act, 1981 (as amended) and the Conservation of Habitats and Species Regulations, 2017 (as amended). The Parish of Birchington is known to support some of these species.</p> <p>Whilst Kent is a national stronghold for great crested newt (GCN), only one record exists in the parish and there is a scarcity of potential breeding ponds. The parish falls within the Green Zone for GCN populations in Kent.<sup>3</sup></p> <ul style="list-style-type: none"><li>• <i>Red zones</i> – These zones contain key populations of GCN, which are important on a regional, national or even international scale. District Level Licensing is not available as a licensing option in these areas.</li><li>• <i>Amber zones</i> – These contain main population centres, habitats and dispersal routes for GCN. Development with a significant land take in these zones would be expected to have a high impact on GCN.</li><li>• <i>Green zones</i> – GCNs are sparsely distributed in this zone and development would be expected to have a low impact in this zone, though may still pose a risk to GCN.</li></ul> <p>Bats (all species), dormouse, otter, water vole, badger, common reptile species such as the slow worm and common lizard are further examples of Priority Species which also receive varying degrees of protection in law and</p> |  |
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# Birchington Neighbourhood Plan

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which may occur within the parish. Many species of invertebrates including insects are also Priority Species and some have legal protection. All breeding birds are protected by law and additionally several species of breeding birds (Schedule 1 under the Wildlife and Countryside Act, 1981) such as red kite, barn owl and kingfisher receive full legal protection for their nesting sites.

KCC would advise that under Objective 6, the Neighbourhood Plan should make specific references to the need to conserve and enhance statutory sites, priority habitats and populations of legally protected and priority species. This could be achieved through a re- wording of Policies B14 and B15.

As currently drafted, the Policies B10 to B13 which are aimed at achieving Objective 6 (conserving and enhancing the natural environment), read more as policies protecting green spaces and open spaces and as such, would be more appropriate to delivering Objective 14 (to provide, maintain and enhance high quality indoor and outdoor leisure and recreation facilities that meet the needs of the whole community and support our visitor economy).

Whilst there is a close link between the distribution of green spaces within the parish and biodiversity, not all green spaces are of biodiversity value. Therefore, the Plan may wish to consider identifying projects and targets for improving the biodiversity of these green spaces perhaps in partnership with other organisation such as Kent's Plan Bee4 to conserve our pollinating insects.

### *Biodiversity Net Gain and Biodiversity Enhancement*

New development, including that proposed under policy SP16 of the Thanet District Council Local Plan, provides significant opportunities for biodiversity enhancement within the Parish. The National Planning Policy Framework (NPPF) requires that new development should result in no net loss of biodiversity and contribute to delivering net gains. The Environment Bill, which is currently passing through its Parliamentary stages<sup>5</sup>, will make it a mandatory requirement that all new development delivers a minimum of 10% biodiversity net gain. This can be delivered on site or off site depending on the circumstances. Defra has recently published the latest Version 3 of the Biodiversity Metric<sup>6</sup> for measuring net losses and gains from new development. In anticipation of this new legal requirement, the Plan may wish to consider including reference to it and to identify the type of new habitat features which would be appropriate and beneficial e.g. ponds, since there are currently so few in the parish. This could be achieved through re-wording of Policies B15 and B16. The County Council would also draw attention the work being carried out by the Kent Nature Partnership in respect of biodiversity net gain.

It is also worth noting that Parish Councils, along with District and County Councils, have the powers to lease or



# Birchington Neighbourhood Plan

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|                                | purchase land and to designate statutory Local Nature Reserves (under Section 19 of the National Parks and Access to the Countryside Act, 1949).   |               |
| KCC                            | <p>The Neighbourhood Plan does not appear to acknowledge the water environment, other than a brief reference in relation to increased highway areas.</p> <p>Birchington does not have a significant extent of flood risk. Areas of surface water flood risk are associated with low areas that cross from Quex Park. The parish itself is traversed by a significant overland flow route. Much of the parish area is underlain by Upper Chalk bedrock. It is therefore very important that drainage provision within any new development is appropriately considered and ground conditions fully investigated so that potential impacts of new development are appropriately mitigated. It must be emphasised that discharge of the sewer system is not a preferred discharge destination given infrastructure issues.</p> <p>It would be beneficial if the Neighbourhood Plan fully considers surface water and local flood risk. Housing delivery sites should include priority for integrating sustainable drainage systems within green infrastructure. This is supported by the latest revision to the NPPF paragraph 167 (2021), which requires that “major development should incorporate sustainable drainage systems (and) should where possible, provide multifunctional benefits.” The Parish should require all development drainage systems to include drainage systems which are at surface and provide water quality benefits, promote amenity and increase biodiversity. Pre-application advice has been sought in relation to recent development proposals at Birchington but other future developments need to be encouraged to integrate surface water management within open space.</p> <p>Neighbourhood planning resources are available<sup>10</sup>, including some specific advice in relation to inclusion of the environment and surface water, accessible via “Neighbourhood Planning for the Environment<sup>11</sup>”.</p> <p>KCC would recommend that the Parish Council also refers to KCC’s Drainage and Planning Policy (November 2019) and specifically the Drainage Policies defined in Chapter 5 (Appendix 2).</p> | Modify Text   |
| Marine Management Organisation | As the marine planning authority for England, the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent the Marine Plan boundaries extend up to the level of the mean high water spring tides mark (which includes the tidal extent of any rivers), there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.   | Modify Policy |

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|   | Marine plans will inform and guide decision makers on development in marine and coastal areas. Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure the necessary considerations are included. In the case of the document stated above, the South East Marine Plan is of relevance.   |               |
| Natural England                                 | Natural England does not have any specific comments on the draft Birchington Neighbourhood Plan.   | Noted         |
| The Coal Authority                              | The Coal Authority is only a statutory consultee for coalfield Local Authorities. As Thanet District Council is outside the coalfield, there is no requirement for you to consult us and / or notify us of any emerging neighbourhood plans.   | Noted         |
| UK Centre for Ecology & Hydrology               | UKCEH is an independent research institution and does not have any sites in or near your parish that I'm aware of, so please remove us from your list. I'm not sure how we got onto your list of consultees, but we don't actually have the capacity to comment on development plans at any level.   | Noted         |
| <b><i>Non Statutory Consultee Responses</i></b> |  |               |
| Community Feedback 41                           | I am responding for myself & my wife. I wonder if some mention should be made regarding flooding/drainage issues.  | Modify Text   |
| Community Feedback 42                           | Would like to see more specific proposals for new woodland planting (e.g. on Crispe Park adjoining Neame Woods or off Canute Road and a new "green wedge" to separate the village from Hawk Place to the west.   | Noted         |
| Community Feedback 43                           | I have concerns about TPOs on mature trees. It says this will be looked into however, I have written four times! To get a local yew tree a TPO and either get fobbed off with a wrong department or no answer at all!! Trees are our life source and I feel very strongly about any felling or disregard to them. I would very much like the acting TPO officer to answer my queries. I would also like to see what trees are to be saved and those that are destined to the scrap heap! | Noted         |
| Ptarmigan Land                                  | <b>Policies B12-13: Green and Open Spaces and the Coast</b><br><br>We note that the Neighbourhood Plan proposes that the 'Farmland south of Manston Road' is designated as a new green wedge (reference 12). Policy B13 sets out limits on the type of development that is suitable within these   | Modify Policy |

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|  | <p>green wedges.</p> <p>Having reviewed the policy, we would query whether the process of considering this proposed designation has accounted for Kent County Council's wider infrastructure aims, most notably the proposed 'Inner Circuit'. Policy SP47 of the TDCLP identifies that Manston Road is safeguarded for improvement and upgrade work as part of the Thanet Transport Strategy. Indeed, planning application OL/TH/20/1755 already proposes the re-routing of part of Manston Road as part of providing a new junction at Park Lane. This will require land that the Neighbourhood Plan is proposing as to be included as part of the green wedge.</p> <p>We, therefore, object to Policy B13 as currently worded as it is not compatible with the provisions of the TDCLP and it does not appear that the proposed allocation is based on a sound evidence base. The policy should be amended to either remove this land from the proposed green wedge designation or sufficient flexibility should be provided to the policy wording to ensure that some forms of built development (strategic infrastructure for example) can come forward on this land where this is in accordance with the provisions of the TDCLP.</p> |  |
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### Key Issues

Objective 6 is a broad statement which would benefit from the addition of further detail.

Maps and lists should reflect correct designations; inclusion of a further map showing Community Facilities would be beneficial. Green Wedges make a valuable contribution to green infrastructure to the east of the parish, additional Green Wedges are proposed to the west to encourage creation and enhancement of wildlife habitats, and in response to concerns expressed about loss of agricultural land and potential loss of identity due to urban sprawl.

Views and vistas from the public rights of way network should be highlighted as valuable and worthy of protection.

The water environment has been a significant consideration during development of the draft plan, addition of references to maritime management and SuDS strengthens the evidence and policy base.

The importance of SuDS and the water environment are recognised in part of SU.03 Water Management in the Sustainability section of the Birchington Site Design and Guidance Codes.

The requirements of planning application OL/TH/20/1755 should not be confused with strategic allocations and other policies in the DP.

# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

### Recommendations

Modify the draft plan body text where appropriate to reflect the key issues outlined above.

Modify Policy B10 as follows:

*Policy B10: The sites identified on the Local Green Space Map will be protected from development in accordance with the National Planning Policy Framework ~~2019~~ 2021. 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.*

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

Modify Policy B13 as follows:

*Policy B13: Proposed new development, including change of use of land and buildings in the 'Green Wedge' areas, will not be permitted, except for:*

*a) outdoor sports and recreational uses, with minimal built development or new amenity public space.*

*b) agricultural uses*

*c) proposals which improve biodiversity or create new habitats*

*d) essential infrastructure works, subject to satisfactory mitigation to reduce the likely impact on the "Green Wedge".*

Insert new policy B13A as follows:

*Policy B13A: Development proposals which integrate sustainable drainage systems within green infrastructure and provide multifunctional benefits, will be supported, subject to all other policies in the Plan.*

Insert new policy B13B as follows:

*Policy B13B: Proposals for coastal development should be compliant with the policies contained in the South East Marine Plan adopted by the Marine Management Organisation.*

Modify Policy B16 as follows:

*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.*

# Birchington Neighbourhood Plan

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| <i>Statutory Consultee Responses</i> |   |   |
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| Highways England                     | <p>We will be concerned with plans and/or proposals that have the potential to impact on the safe and efficient operation of the SRN. In the case of the Birchington Draft Neighbourhood Plan, our focus will be on any potential impact to the A2 and M2.</p> <p>We note that the number of dwellings identified in the draft Neighbourhood Plan exceeds the quantum identified in the adopted Thanet Local Plan by 50 dwellings ie 1650 homes. However, we were consulted on outline planning application OL/TH/20/1755 for 1650 homes and supporting facilities on most of the allocated site and unallocated land beyond. We provided a No Objection response on 14 April 2021 as we were content that any increase in traffic generation would not materially affect the safety, reliability and/or operation of the SRN. This is mainly due to the remoteness of the Parish from the SRN.</p> <p>We have no other comments to make at this time.</p>  | Noted                                   |
| KCC                                  | <p><u>PRoW</u>: The County Council would recommend that this section includes reference to the PRoW network, and the opportunities and benefits that PRoW improvements can bring to the Parish. The PRoW network provides valuable opportunities for active travel and outdoor recreation. In discussion with KCC, the development of the Neighbourhood Plan should consider the scope for upgrading the status and condition of existing PRoW to improve access opportunities e.g. converting Public Footpaths into cycle tracks, upgrading footpaths to bridleways. Further, there may be potential to create new PRoW, which can address existing network fragmentation and improve connectivity across the Parish. The aims of the Rights of Way Improvement Plan<sup>7</sup> should be referenced in relation to movement and sustainable travel.</p> <p>The County Council would also recommend that “improve walking routes and cycle paths” is amended to “<i>improve and enhance the PRoW network and cycle routes</i>”.</p> | Modify Text                             |
| KCC                                  | <p><b><i>Policy B17</i></b></p> <p><u>Highways and Transportation</u>: Given that the allocated site covered under Thanet District Council Local Plan Policy SP16 has several PRoWs running through it, a level of flexibility over the retention of these routes on existing alignments may be required. Therefore, it is suggested that this policy is modified to allow for diversions of existing</p>   | <p>Modify Policy</p> <p>Modify Text</p> |

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|  | <p>PRoWs where this is necessary to achieve an effective masterplan or maintain/ensure highway safety. The inclusion of the creation of new routes is generally supported, however, it will need to be considered on a case-by-case basis.</p> <p>Paragraph 4 – The County Council agrees with this paragraph. It is important that road infrastructure is designed with the needs of pedestrians, cyclists, and public transport in mind, and not simply catering for increased vehicle-based traffic capacity. A balanced provision of infrastructure is needed within the village, and this is reflected within the Thanet Transport Strategy.</p> <p>Paragraph 6 – This section is relatively unclear on what the area of concern relates to i.e. is there not enough parking at the station or does this lead to inappropriate parking on surrounding highway streets? Whilst improved parking provision at the station could be an option, this would need to be considered carefully as excess parking could encourage additional car trips into the village. It is noted that Policy B36 seeks to encourage sustainable travel to the local rail station.</p> <p>Paragraph 7 – It is agreed that proposals should encourage reductions in the need to travel by private vehicles and this reflects some of the key themes of the Thanet Transport Strategy (Reduce the Requirement to Travel and Encourage Sustainable Travel Habits). Whilst in some situations, on-street parking may need to be discouraged, a level of on-street parking can sometimes enhance design and increase the scope of convenient communal visitor parking provision.</p> <p>The County Council, as Local Highway Authority, recommends that additional policy detail could be added relating to specific parts of the village where movement and getting around could be enhanced or maintained through the provision of development. KCC would be happy to engage with the Parish Council and the Neighbourhood Planning Group to seek joint identification of specific themes which may seek to enhance policy or complement supporting text.</p> <p><u>PRoW:</u> The County Council would recommend an amendment to “incorporates protects <i>and</i> (not or) enhances existing <i>Public Rights of Way</i>, including Public Footpaths, Bridleways, Restricted Byways and Byways Open to all Traffic as well as cycle routes”.</p> |  |
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| KCC | <p><b><i>Policy B18</i></b></p> <p><u>PRoW</u>: The Policy encourages sustainable transport modes, including cycling and walking and therefore, KCC would recommend reference to the Rights of Way Improvement Plan (ROWIP). One of the ROWIP's key themes is evolution of the network to achieve the objective of a modal shift to cycling and walking to reduce road air pollution. The policy should also seek provision of cycle routes and safe walk to school routes, and safe travel initiatives, along with a better network for leisure and daily use.</p> <p><u>Public Health</u>: KCC is supportive of the reference to health and wellbeing within the Neighbourhood Plan and is pleased that this is a consideration throughout the document including the support for 'Building for a Healthy Life' and reference to the Kent Joint Strategic Needs Assessment (JSNA) and the Kent Health and Wellbeing Strategy.</p> <p>The County Council would recommend consideration of additional sources of Public Health data to further support the Neighbourhood Plan. Additional data is available from the <a href="#">Public Health Outcomes Framework</a> (PHOF), including ward level data (<a href="#">Local Health - PHE</a>). On the whole, residents who live in Birchington generally live in good health in comparison to the rest of Thanet, however, there are still areas of concern which can be supported through the Neighbourhood Plan.</p> <p>Birchington has the highest percentage of people who self-reported as having a limiting long- term illness or disability in Kent (although it must be noted this is from the 2011 census data) and this is significantly higher than the England average. Birchington also has the highest percentage of over 65s in the County. Objective 7 and Policy B18 could have greater emphasis on improving the public realm for individuals with limiting long-term illness or disability and older populations, such as through the provision of benches, tree planting toilets and lighting where appropriate.</p> <p>It is also worth noting that although both Birchington South and Birchington North, on the whole, enjoy generally good health for residents in Thanet, there are differences between the wards. Birchington South often performs worse on a number of indicators within the PHOF, including (but not limited to) income deprivation, the percentage of older people living alone and unemployment. These indicators are often worse than England averages. This should be taken into account when progressing the Plan so that health inequalities can be understood, tackled and not inadvertently widened.</p> | Noted |
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| <i>Non Statutory Consultee Responses</i> |   |       |
|--|---|-------|
| Community Feedback 1                     | Also adequate roads connecting Thanet Way must be put in place as congestion is already a problem   | Noted |
| Community Feedback 9                     | Hope public transport can be looked at, this will also make a difference to older residents (even though its not part of the plan it needs to be addressed!) Thank you                              | Noted |
| Community Feedback 21                    | B17-b18 will always be subject to KCC trying to impose their views and do not listen to residents (who know best)   | Noted |
| Community Feedback 22                    | The pollution factor is already high for exhaust fumes!!!   | Noted |
| Community Feedback 27                    | Road traffic and resultant pollution is a fundamental concern.  | Noted |
| Community Feedback 28                    | Don't forget the Birchington bypass to reduce air pollution and traffic chaos at present  | Noted |
| Community Feedback 31                    | I would much prefer no redevelopment - just improvement - bi-pass as an example   | Noted |
| Community Feedback 33                    | Again, in my opinion, these will be primarily fossil fuel vehicles, further aggravating what is already poor air quality.   | Noted |
| Community Feedback 35                    | Also more pedestrian crossing on the Canterbury Road and Westgate high street.  | Noted |
| Community Feedback 35                    | Since I've lived here over 11years the traffic has increased tenfold.   | Noted |
| Community Feedback 40                    | I don't support the movement policy because the roads need to be in place before the houses, so do the school, doctors, dentists and so on - it's not fair and too risky to leave all that til last | Noted |



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|------------------|---|-------|
| J Repsch         | <p>Building more roads and widening others lacks foresight. Not only does it produce air pollution, noise, accidents and unsightliness, but it attracts more motor traffic onto the roads and fewer people onto public transport. Motor vehicles fill the space they are allotted. (Friends of the Earth]</p>   | Noted |
| J & S Taylor     | <p>Our main concern is the item titled Movement and Getting Around.</p> <p>Policy B17 &amp; B18.</p> <p>In 1979 when we moved into our bungalow, which is situated at the top end of Minnis Road, we were the only residents to have a car. As Minnis Road isn't particularly wide, one of the first things we decided to do was to put a driveway in our front garden, so that we could park our car off the road. We applied to the local council for a permit to have a skip delivered outside our property, but we were refused the permit because apparently Minnis Road was too narrow and it was a Bus Route!</p> <p>However, 42 years on.....Minnis Road is the same width and is still a Bus Route and on one side has a comparatively narrow pavement. The volume of traffic has increased immensely, a large commercial vehicle is often parked on the road, causing an obstruction. Drivers regularly drive up and down Minnis Road as if it is a race course, exceeding the speed limit and quite often there are loud expletives from frustrated drivers who don't 'give way' where cars are parked.</p> <p>This is all happening before the huge increase of extra vehicles which will use Minnis Road to access the new development.</p> <p>We have often thought that the speed of traffic could be controlled a little better if there was some sort of traffic calming or speed signs erected.</p> | Noted |
| Le Vaillant Owen | <p>We understand and accept issues such as car parking, waiting restrictions and charges are not planning matters, but there is no doubt these are considered important to local traders and so other Planning means should be deployed to help support local businesses in Station Road, some of which are set out in the section entitled 'Movement and Getting Around' in the Neighbourhood Plan.</p> <p>The Traders are keen to explore additional, sustainable off-road parking facilities to enhance their competitiveness against out-of-town retail centres, and to investigate the possible pedestrianisation of parts of Station Road, to create a vehicle free zone. For this reason, we fully support Objective 7 and Policies B17 and 18, as again they resonate with the Traders' concerns and should support both the existing traders and new economic development within and around Station Road</p>   | Noted |

# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

|                |  |               |
|----------------|--|---------------|
| Ptarmigan Land | <p><b>Policy B17 – Rights of Way</b></p> <p>We note that Policy B17 addresses the issue of rights of ways and states that the loss of any public rights of way will be resisted. Whilst the submitted planning application OL/TH/20/1755 does not propose the extinguishment of any rights of way, we note that Policy B17 does not fully conform with the requirements of Policy CM02 of the TDCLP. Whilst this does similarly resist the loss of any community facilities (the definition of which is clarified by paragraph 17.5 as including public rights of way), Policy CM02 does set out some circumstances where the loss of these facilities may be accepted.</p> <p>To conform with Policy CM02, and meet the basic conditions to move to referendum, we consider Policy B17 must include recognition that there may be reasonable circumstances where it is necessary to accept a diversion or extinguishment of a right of way.</p> | Modify Policy |
|----------------|--|---------------|

### Key Issues

The existing public rights of way network and the Kent County Council Public Rights of Way Improvement Plan are valuable assets which should be recognised in the plan.

Many of the concerns raised will be addressed through the development of a Birchington Highways Improvement Plan (HIP) and Development of an Improvement Plan for Station Road, both of which are listed as Community Inspired Projects.

### Recommendations

Modify the draft plan body text where appropriate to reflect the key issues outlined above.

Modify Policy B17 as follows:

*Policy B17: Development which incorporates, protects ~~or~~ and enhances existing public rights of way including footpaths, bridleways, restricted byways and byways open to all traffic as well as ~~and~~ cycle routes, or creates new safe routes particularly those serving schools and other community facilities, ones, will be supported, subject to all other policies.*

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

# Birchington Neighbourhood Plan

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| 9 AGRICULTURE (Community feedback support 80.9%) |   | ACTION        |
|--|---|---------------|
| <b><i>Statutory Consultee Responses</i></b>      |   |               |
| KCC  | <p><b><i>Policy B19</i></b></p> <p><u>Highways and Transportation</u>: The primary purpose of this policy is understood and supported by the County Council as Local Highway Authority; however, it must be acknowledged that strategic road infrastructure improvements identified within the Local Plan such as upgrade of the Manston Road, Shottendane Road corridor and Columbus Avenue improvements, may (once fully developed) require a level of incursion into the areas identified at Green Space/Agricultural land. Therefore, it is requested that the policy is revised to reflect this potential need and provide a level of policy flexibility over incursion for the purpose of delivering future road infrastructure improvements.</p> | Modify Policy |
| KCC  | <p><b><i>Policy B20</i></b></p> <p><u>PRoW</u>: it should be recognised that the PRoW network provides substantial opportunities for active travel and outdoor recreation, which can help to address issues associated with health, wellbeing and air quality. The ROWIP key theme of Active Lifestyles seeks to increase health and wellbeing benefits and address health inequalities through active travel and recreational activity. Walking for Health walks can lead to improvements in health and active travel can aid reduction in air pollution levels, through changes in transport modes.</p>   | Noted         |
| <b><i>Non Statutory Consultee Responses</i></b>  |   |               |
| Community Feedback 8                             | Still very unhappy about losing prime agricultural farmland   | Noted         |
| Community Feedback 10                            | We could be virtually self sufficient locally with all the farming land!!   | Noted         |

# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

|                       |   |             |
|-----------------------|---|-------------|
| Community Feedback 12 | Objective 8 all farmland must be kept for the production.   | Noted       |
| Community Feedback 14 | Proposed development is using prime agricultural land once this used how are the people of his country to be feed?  | Noted       |
| Community Feedback 17 | The farmers should be ashamed of selling their land for a quick buck - they are letting down the local community.   | Noted       |
| Community Feedback 22 | We do not support building development on prime agricultural land.  | Noted       |
| Community Feedback 24 | 78ha is too much agriculture landscape (grade 1) to take for building on, the housing minister has stopped and reviewing all development as the algorithm was wrong. If we take this land out of production will we have this sort of problem in years to come with food???   | Noted       |
| Community Feedback 32 | On principle do not agree with building on prime agricultural land  | Noted       |
| Community Feedback 35 | I'm very concerned with the amount of homes being built and on quality farm land.   | Noted       |
| J Repsch              | <p>Sir Roger Gale says that Kent has enough brownfield sites that should be built on "before we touch a blade of green grass".</p> <p>There is capacity for at least 1m new homes on brownfield land in England. Of that, Kent has enough brownfield land for at least 70,000 new homes, according to CPRE. Sir Roger continues: "A vast swath of brownfield land is available to be built upon, and the Members of Parliament for Kent will not stand idly by and vote for measures that will turn the Garden of England into a building site. We should not be using arable land - Grade 1 arable land in particular - for development before all the other available sites."</p> | Modify Text |
| J Repsch              | Thanet's soil is Grade 1. Land within this grade has little to no limitations to agricultural use. This quality land can support a very wide range of agricultural and horticultural crops including top fruit (eg. tree fruits such as apples  | Noted       |

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|                |   |               |
|----------------|---|---------------|
|                | <p>and pears) , soft fruit (eg. raspberries and blackberries) and winter-harvested vegetables. Yields are consistently high. [Land Research Associates, Ira.co.uk, 2021]</p> <p>The UK now produces only 59% of the food it consumes. [National Farmers' Union, 2021]</p> <p>The UK is prone to floods and droughts, leaving it vulnerable to low yields. This could put us at risk of greater reliance on imports from countries whose standards are not as strict as our own. For example, Australia and the US:</p> <ul style="list-style-type: none"> <li>(a) use antibiotics which are banned in Britain</li> <li>(b) treat beef with growth hormones</li> <li>(c) allow battery cages for hens</li> <li>(d) allow chlorine-washed chicken</li> <li>(e) use the weedkiller Paraquat, prohibited in the EU since 2007.</li> </ul> <p>At the time of writing, there is plenty of work in the UK but not enough labour from Britain and abroad. And there is a shortage of lorry drivers to collect produce. "So (Daily Telegraph, 17.10.21) across the UK vegetables are rotting in the fields."</p> <p>Of course, we would be put at even greater risk in the event of war.</p> |               |
| Ptarmigan Land | <p>Policy B19: Agriculture</p> <p>We feel that this policy needs to be amended slightly to reflect/recognise the allocation of Land South-West of Birchington within the TDCLP (Policy SP16). This could be achieved quite easily through the addition of the following wording at the beginning of the policy text:</p> <p>"Save for land allocated for other uses within the Thanet District Council Local Plan..."</p>   | Modify Policy |

### Key Issues

The loss of agricultural land to development is a matter of wide concern for the community due to the loss of amenity, the impact on food production

# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

and employment. A requirement for ‘brownfield development first’ should be emphasised.

The allocation of prime agricultural land at Birchington for development is already TDC policy (SP16) and is acknowledged under ‘Strategic Development Site: South West Birchington (SP16)’.

Land required for upgrade of the Manston Road, Shottendane Road corridor and Columbus Avenue improvements is already protected under Local Plan Policy SP24 - Development in the Countryside.

### Recommendations

Modify the draft plan body text where appropriate to reflect the key issues outlined above.

Modify Policy B19 as follows:

*Policy B19: Except where land has been allocated for other uses within the Thanet Local Plan, 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*

*3) there are no otherwise suitable sites available to facilitate the provision of essential infrastructure to meet the requirements of the DP.*

Modify Policy B20 as follows:

*Policy B20: Development of land for continued agricultural use and related purposes or to provide enhanced public rights of way in the Plan area will be supported but developers should demonstrate that appropriate mitigation is provided to protect the community from environmental and light pollution arising from the proposed development and that new or adapted buildings will be screened using appropriate materials.*

| 10 HOUSING (Community feedback support 68.1%)               |  | ACTION        |
|---|--|---------------|
| 10.1 Housing Quantity, Allocation, Tenure and Affordability |  |               |
| <b>Statutory Consultee Responses</b>                        |  |               |
| TDC   | The second paragraph of this policy is in conflict with Policy SP23 of the Local Plan and should be deleted.<br>Negotiations around affordable housing provision and provision of other infrastructure requirements need to be | Modify Policy |

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|  |  |               |
|--|--|---------------|
|  | <p>considered as a whole.</p> <p>The second paragraph could be replaced with the same clause as set out in Policy SP23 - 'The above requirements will only be reduced if meeting them would demonstrably make the proposed development unviable' or similar wording.</p>   |               |
| KCC                                      | <p><b>Policy B21</b></p> <p>In relation to the second paragraph of this policy, KCC supports the approach taken by Thanet District Council in its Local Plan policy and is concerned that Policy B21 of the Neighbourhood could contradict that approach – delivery of 30% affordable housing must be balanced against required development contributions to support local infrastructure to ensure sustainable and viable growth.</p>   | Modify Policy |
| <b>Non Statutory Consultee Responses</b> |  |               |
| Community Feedback 1                     | Although it is understood extra housing is needed I feel a lovely welcoming village will no longer exist.  | Noted         |
| Community Feedback 24                    | Housing must be for locals   | Noted         |
| Community Feedback 32                    | I understand that some new housing is needed, but the number being imposed on the area is too excessive and can foresee problems with water shortage etc with climate change   | Noted         |
| J Resch                                  | <p>"Ownership of 2nd Homes highest in County." [Front page headline in Thanet Extra, Oct 2018]</p> <p>Birchington's housing development is also expecting to be catering for 2nd homes. HM Revenue and Customs reveal that in 2017-18 more than a quarter (28%) of residential properties bought in Thanet were 2nd homes. If 2nd homes in Thanet could be banned, more of Thanet's prime soil could be saved for future generations.</p> <p>Meanwhile 976 long-term empty houses in Thanet are left lying around. [2019]. And the owners' money-making tactics are all at our expense: our walks, our views, our rural legacy to future generations and our infrastructure.</p> | Noted         |
| Ptarmigan Land                           | By proposing a blanket resistance to a potential reduction in affordable housing provision below the Local Plan  | Modify Policy |

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|  |   |  |
|--|---|--|
|  | <p>target of 30%, Policy B21 is, firstly, not supported by any evidence and, secondly, simply not in conformity with the provisions of Policy SP23 of the TDCLP. Policy SP23 explicitly states that requirements for affordable housing provision will be reduced “if meeting them would demonstrably make the proposed development unviable”.</p> <p>To meet the relevant conditions for proceeding to a referendum, Policy B21 must be reworded to allow for a reduction in affordable housing provision where viability dictates that the proposal cannot meet the policy requirement. Otherwise, we strongly object to proposed Policy B21.</p> |  |
|--|---|--|

### Key Issues

Local Plan policy for 30% of all new housing to be affordable is supported by evidence of need and has been subject to public examination. The Birchington Housing Needs Assessment supports the need for a minimum of 30% of all new homes to be affordable. Therefore, any proposed reduction could exacerbate the existing shortfall and prolong hardship for those living in unsuitable or inappropriate accommodation.

The policy to ‘resist’ a reduction in the 30% affordable housing requirement unless it can be clearly and openly demonstrated to the Parish Council that it is unviable is not considered to be in conflict with Policy SP23 of the Local Plan.

The current arrangements for allocating social housing on the basis of ‘local connection’ is supported; control of ownership of second or empty homes and the sale of market housing are matters of concern but beyond the scope of this plan.

### Recommendations

Modify the draft plan body text where appropriate to reflect the key issues outlined above.

Modify Policy B21 as follows:

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

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



# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

| 10.1 Housing Quality                     |   |       |
|--|---|-------|
| KCC                                      | <p><b>Policy B23</b></p> <p><u>PRoW</u>: “Building for Healthy Life” development proposals should show commitment to encouraging modal shift from short car journeys to Active Travel. Reference to the ROWIP should be included here.</p> <p>A growing population arising from the new developments will increase the importance and use of the PRoW network, so it is critical that wording is included to recognise the need for improvements to preserve highly regarded PRoW links and ensure they are not degraded.</p> | Noted |
| <b>Non Statutory Consultee Responses</b> |   |       |
| Community Feedback 10                    | We also need to take on board the insulation issues - (not that I agree with protesters) what about shortages,  | Noted |
| Community Feedback 30                    | Note sure if a new development would either mean overcrowding or it would make it become an old fashioned neglected backwater looking shabby - that would be a terrible backward step in a time when most people want to conserve character and charm   | Noted |
| Community Feedback 47                    | My only comment would be that parking is a growing problem, with garages being converted to offices or home gyms and driveways being built upon. Can you include something that deters or prevents increased parking on the roads as it can be dangerous and causes unnecessary congestion?   | Noted |

### Key Issues

Housing quality standards are set out in national and local policy and guidelines. In addition, the Birchington Village-wide and Site Design Guidelines provide a framework for development within the parish.

### Recommendations

None.

# Birchington Neighbourhood Plan

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| 11 ECONOMIC DEVELOPMENT (Community feedback support 83%) |  | ACTION        |
|--|--|---------------|
| <b>Statutory Consultee Responses</b>                     |  |               |
| TDC  | <p><b>Policy 26</b></p> <p>Are these mapped? Also, given that "sui generis" covers a wide range of activities, is this appropriate? An Examiner might ask BPC to identify "sui generis" uses of particular concern.</p>  | Noted         |
| KCC  | <p><b>Policy B24-35 (24-26?)</b></p> <p><u>PRoW</u>: Tourism is an important industry for Thanet parishes and the landscape is a key attractor; sustainable tourism is a way of supporting rural areas, providing jobs, and supporting community services. The PRoW network and the ROWIP has a critical role in this, and as such there should be specific mention of KCC supporting improvements to walking and cycling routes where they can assist the Council's tourism objectives.</p> | Modify Policy |
| <b>Non Statutory Consultee Responses</b>                 |  |               |
| Community Feedback 14                                    | If the high street is to remain a vibrant area, by allowing additional shops in the new development. This will be a loss for the high street less footfall   | Noted         |
| Community Feedback 28                                    | The provision of an industrial area for various construction and factories for work of residents current & future. Together with a larger supermarket. TDC have provided very little for Birchington. Manston road is an ideal location as farming land is sold  | Noted         |
| Community Feedback 28                                    | I would prefer to use a large supermarket closer than Westwood Cross, the village prices are expensive and will never reduce. Public transport would have been provided.   | Noted         |
| Community Feedback 42                                    | Would like the parish council to be proactive in sorting out Station Road and making it a more pleasant street for shoppers, cafe users and pedestrians.   | Noted         |
| J Repsch   | According to Sir Roger, Thanet will be a "dumping ground for the problem in London". Londoners moving to Thanet will be unable to find work due to lack of jobs. At 7.9%, Thanet still has the highest unemployment rate in  | Noted         |

# Birchington Neighbourhood Plan

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|                  |  |             |
|------------------|--|-------------|
|                  | Kent. Total = 6,370. [KCC, Sept 2021]  |             |
| Le Vaillant Owen | <p>Station Road has a wide range of shops and businesses, which have lost customers during the pandemic owing to an increase in on-line shopping and, despite an increase in potential customer base owing to a major housing development to the south-west, it is possible this business will be lost to other local centres such as Westwood Cross if the general attractiveness of Station Road is not improved, particularly with regard to traffic management, parking and soft landscaping/greening.</p> <p>Our preliminary findings fully support the Economic Development section of the Neighbourhood Plan. In collaboration with the Traders’ group, we undertook a Traders’ survey, and an anonymised version is attached. We found the top key issues of concern were:</p> <ul style="list-style-type: none"> <li>• The threat posed by on-line shopping and retail parks.</li> <li>• The high cost of local parking resulting in loss of potential business.</li> <li>• Too little green infrastructure - hanging baskets and planting.</li> <li>• Too much litter - more rubbish bins and street cleaning.</li> <li>• Inadequate external/outdoors seating areas.</li> <li>• High rents.</li> <li>• Insufficient community events to attract local trade, street markets, Christmas fairs etc.</li> <li>• Poor traffic management – one way system.</li> </ul> <p>For this reason, we fully support Objective 11 and Policies B24, 25 and 26 as they resonate with the Traders’ concerns and should support both the existing traders and new economic development within and around Station Road.</p> | Modify Text |

### Key Issues

Station Road is the main focus for community and economic activity, other retail and hospitality locations in the village also provide important services and employment opportunities.

# Birchington Neighbourhood Plan

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There is support within the community and from Traders to enhance these locations to improve attractiveness and access.

### Recommendations

Modify the draft plan body text where appropriate to reflect the key issues outlined above.

Modify Policy B24 as follows:

*Policy B24: Development that supports the local economy, including tourism-related businesses, is sustainable and located to maximise convenience and, at a scale which is beneficial to the community and the character of the locality, will be supported.*

| 12 PUBLIC SERVICES: HEALTH, SOCIAL CARE & EDUCATION (Community feedback support 85.1%) |  | ACTION |
|--|--|--------|
| <b>Non Statutory Consultee Responses</b>   |  |        |
| Community Feedback 16  | Health, social care & education buildings need to be suitably & adequately staffed. Health & wellbeing for all is the top priority.  | Noted  |
| Community Feedback 17  | KCC need to sort out the roads and schools first - they haven't got any money yet they are promising all sorts in Birchington and Westgate.  | Noted  |
| Community Feedback 18  | Nicely presented and easy to understand but I am not happy about developers coming in before roads and other essential facilities are provided. You should have a policy about infrastructure before houses so that we don't have to worry about these things. | Noted  |
| Community Feedback 43  | I know housing is inevitable. I am concerned about the infrastructure as Birchington has become extremely busy   | Noted  |

### Key Issues

There is general community concern about physical infrastructure and the capacity of key public services to meet current and future needs. In particular, delivery of infrastructure and additional service capacity should match the pace of the delivery of new homes at each stage of development.

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### Recommendations

No change.

### 12.1 Health and Social Care

#### Statutory Consultee Responses

|     |  |             |
|-----|--|-------------|
| KCC | <p><b>Objective 12 / Policy B28</b></p> <p><u>County Council Community Infrastructure and Services:</u> The County Council welcomes the aims of this objective, that seeks to support development of facilities that help to sustain, improve and enhance residents' access to health, social and long-term care facilities. However, KCC would wish to emphasise the changing nature of post-pandemic adult social care needs which may not be met by the provision of physical buildings/facilities alone. Services continue to evolve to meet changing client demand and expectations and will require resourcing as appropriate.</p>   | Modify text |
| KCC | <p>Public Health: KCC is supportive of the reference to health and wellbeing within the Neighbourhood Plan and is pleased that this is a consideration throughout the document including the support for 'Building for a Healthy Life' and reference to the Kent Joint Strategic Needs Assessment (JSNA) and the Kent Health and Wellbeing Strategy.</p> <p>The County Council would recommend consideration of additional sources of Public Health data to further support the Neighbourhood Plan. Additional data is available from the Public Health Outcomes Framework (PHOF), including ward level data (Local Health - PHE). On the whole, residents who live in Birchington generally live in good health in comparison to the rest of Thanet, however, there are still areas of concern which can be supported through the Neighbourhood Plan.</p> <p>Birchington has the highest percentage of people who self-reported as having a limiting long-term illness or disability in Kent (although it must be noted this is from the 2011 census data) and this is significantly higher than the England average. Birchington also has the highest percentage of over 65s in the County. Objective 7 and Policy B18 could have greater emphasis on improving the public realm for individuals with limiting long-term illness or disability and older populations, such as through the provision of benches, tree planting toilets and lighting where</p> | Modify Text |

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|   |   |       |
|---|---|-------|
|   | <p>appropriate.</p> <p>It is also worth noting that although both Birchington South and Birchington North, on the whole, enjoy generally good health for residents in Thanet, there are differences between the wards. Birchington South often performs worse on a number of indicators within the PHOF, including (but not limited to) income deprivation, the percentage of older people living alone and unemployment. These indicators are often worse than England averages. This should be taken into account when progressing the Plan so that health inequalities can be understood, tackled and not inadvertently widened.</p> |       |
| <b><i>Non Statutory Consultee Responses</i></b> |   |       |
| Community Feedback 22                           | The current medical centre is under staffed and QEQM is already under pressure serving the current population.  | Noted |
| Community Feedback 24                           | Dr Hill is the only full time GP. The other four are locums - how are they going to manage with over 1600 more homes and their families also QEQM hospital  | Noted |
| Community Feedback 32                           | Infrastructure and extension to medical practice needs to be in place before any new housing is completed   | Noted |

### Key Issues

Public Health data indicates that Birchington South and Birchington North, on the whole, enjoy generally good health for residents in Thanet although there are differences between the wards.

There is widespread community concern about the capacity of health and social care services to meet need. The plan is supportive of development of new facilities and recognises the changing nature of care delivery but is unable to address operational issues concerning recruitment, retention and associated skills development.

### Recommendations

Modify the draft plan body text where appropriate to reflect the key issues outlined above.

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| <i>12.2 Education</i>                    |  |       |
|--|--|-------|
| KCC                                      | <p><b>Objective 13 / Policy B30</b></p> <p><u>County Council Community Infrastructure and Services:</u> KCC is supportive of the provision of community-wide education establishments and facilities.</p> <p>It should be noted that it will be difficult for the Local Education Authority (LEA) to dictate that schools or other educational premises are available for use by the wider community outside of normal operating hours, due to the independence of Academy Trusts. However, this policy is encouraged from an LEA perspective and can provide an additional income stream for schools.</p> | Noted |
| KCC                                      | <p><b>Policy B31</b></p> <p><u>County Council Community Infrastructure and Services:</u> This policy acknowledges redundant facilities might be disposed of, which is welcomed.</p>  | Noted |
| <b>Non Statutory Consultee Responses</b> |  |       |
| Community Feedback 43                    | Is there a need for another primary school as Birchington has capacity for 3 form entry but had to drop to a two form entry this year?   | Noted |

### Key Issues

Wider use of educational establishment facilities as supported but may not achievable under current legislation and control.

Disposal of redundant facilities may provide other opportunities for reuse or adaptation.

### Recommendations

Modify the draft plan body text where appropriate to reflect the key issues outlined above.

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| 13 LEISURE AND RECREATION (Community feedback support 88.9%) |  | ACTION                       |
|--|--|------------------------------|
| <i>Statutory Consultee Responses</i>                         |  |                              |
| KCC  | <p><b>Objective 14</b></p> <p><u>County Council Community Infrastructure and Services</u>: This section recognises the gap in leisure and recreational facilities for young people. However, there is no mention of other ways of supporting the wellbeing of young people other than through the provision (or enhancement) of indoor and outdoor leisure facilities such as through youth outreach work, for example.</p>  | Modify Text                  |
| KCC  | <p><b>Policy B32 and B33</b></p> <p><u>PRoW</u>: The County Council recommends that this policy should aim to increase the provision of accessible leisure and recreation spaces. It should also improve opportunities to access this resource with good public transport and active travel links so that the public is not dependent on private vehicle use for visiting community facilities.</p>  | Modify Text                  |
| Sport England  | <p>Government planning policy, within the <b>National Planning Policy Framework (NPPF)</b>, identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 98 and 99. It is also important to be aware of Sport England’s statutory consultee role in <b>protecting playing fields</b> and the presumption against the loss of playing field land.</p> <p>Any <b>new housing</b> developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any</p> | Modify Policy<br>Modify Text |



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|  |   |  |
|--|---|--|
|  | <p>playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.</p> <p>In line with the Government’s NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how <b>any new development</b>, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England’s Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> |  |
|--|---|--|

|   |
|---|
| <p><b>Key Issues</b></p> <p>There is widespread recognition of the value of accessible leisure and recreation and there is strong support for provision of sufficient facilities. Additional demands arising from new development should be quantified and new sports facilities, or improvements to existing sports facilities secured.</p> <p>These issues are addressed in the Birchington Leisure and Recreation Assessment document.</p> <p><b>Recommendations</b></p> <p>Modify the draft plan body text where appropriate to reflect the key issues outlined above.</p> <p>Modify Policy B32 as follows:</p> <p><i>Policy B32: Development that sustains <u>or helps to increase</u> the viable use of existing community leisure and recreation facilities or contributes towards eliminating the shortfall of provision as set out in the Leisure and Recreation Assessment 2021, will be supported.</i></p> |
|---|

| 14 STRATEGIC SITES ALLOCATED FOR DEVELOPMENT (Community feedback support 78.3%) |  | ACTION |
|---|--|--------|
| <b>Statutory Consultee Responses</b>  |  |        |
| KCC   | <p><u>Biodiversity</u>: It should be noted that all planning applications for new development or the conversion and re-use of existing buildings should be accompanied by a Preliminary Ecological Appraisal (PEA) prepared by a competent professional ecological consultant. Further surveys for legally protected species may be required along with an</p> | Noted  |

# Birchington Neighbourhood Plan

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|   |   |       |
|---|---|-------|
|   | Ecological Impact Assessment (EclA) in cases where the PEA identifies potential for them to be present within an application site. In such cases, ecological mitigation measures may be required to minimise impacts on legally protected species. The KCC Ecological Advisory Service, which advises Thanet District Council on all planning applications that may affect biodiversity, routinely requires such surveys in order that KCC can make a thorough assessment of ecological impacts and identify the appropriate type and scale of mitigation.  |       |
| KCC   | <p><b><i>Policy B36</i></b></p> <p><u>Highways and Transportation</u>: The requirement for development to provide safe and attractive pedestrian/cycle routes is fully supported. It is also important that the site contributes positively to off-site infrastructure within the village such as providing improved cycle facilities linking to existing infrastructure on the coast. The Plan could be further enhanced by identifying specific routes that the development should focus on and specific interventions that it should fund (at a more local level than the overarching policy included within the adopted Thanet Local Plan).</p> | Noted |
| KCC   | <p><u>PROW</u>: KCC would recommend reference is made to the PROW network and therefore the existing opportunities and routes for off-road connectivity, ensuring Active Travel links are enhanced. Particular emphasis should be given to safety at the PROW crossings of the mainline railway (Public Footpaths TM37 and TM35), as due consideration must be given to increased use and the impact on crossing safety. Further emphasis should be given to the low percentage of Bridleways in the area, which can be improved with planning and upgrades to provide high quality links for walkers, cyclists, and equestrians.</p>               | Noted |
| KCC   | <p><b><i>Policy B37</i></b></p> <p><u>County Council Community Infrastructure and Services</u>: KCC welcomes this policy, that supports KCC's aspiration for a new 2FE Primary School at Birchington to mitigate the impact of proposed housing growth. Reference should also be provided in respect of the impact of the proposed development on other county services.</p>  | Noted |
| <b><i>Non Statutory Consultee Responses</i></b> |   |       |
| B. White  | <ol style="list-style-type: none"> <li>1. Where will the water come from to service the houses?</li> <li>2. Where will the school teachers come from?</li> </ol>  | Noted |

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|                       |  |       |
|-----------------------|--|-------|
|                       | <p>3. Where will all the doctors and nurses at the surgery come from? – these are already in short supply.</p> <p>4. QEQMH cannot cope with the population as it stands at the moment.</p> <p>5. It will create more pollution by traffic movement.</p> <p>It will take up more agricultural land – at present there is not enough to feed the population.</p> |       |
| Community Feedback 10 | As a rider I would like to say - I am concerned on many levels, infrastructure, amenities, services and more currently, the news statement that shortage of fuel is greater in the south east due to it being over populated!!   | Noted |
| Community Feedback 15 | What will happen if say they build 400 houses and only 200 get sold in the first phases  | Noted |
| Community Feedback 16 | Fully support " build a village, not a housing estate "  | Noted |
| Community Feedback 19 | Concerned about new housing developments in the village, traffic, GP's. This list goes on -  | Noted |
| Community Feedback 19 | I do not support new housing in Birchington  | Noted |
| Community Feedback 20 | At present all our services are over stretched and under pressure the village would cease to exist in its present form. You propose to change a village into a town without consideration to the present population  | Noted |
| Community Feedback 23 | Keeping Birchington as a village is key any housing development should prioritise local people   | Noted |
| Community Feedback 23 | Infrastructure to support any new development must be assured before work starts.  | Noted |
| Community Feedback 27 | Where construction takes place sound reduction Haras type fencing must be in place and noise levels monitored. Construction work should only take place between 8am and 5pm weekdays in order to guarantee quality of life for those residents directly affected.  | Noted |

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|                       |  |       |
|-----------------------|--|-------|
| Community Feedback 27 | The "heritage park" that protects the archaeological sites in the field along canterbury road (a28) must be in place before construction starts. This will ensure the areas are protected and provide screening of activities for residents.   | Noted |
| Community Feedback 27 | Before any construction works are started, a new road layout must be in place to reduce the traffic congestion and reduction in air quality that would accompany such activities.  | Noted |
| Community Feedback 32 | Doubt we need housing for local people   | Noted |
| Community Feedback 33 | Building 1650 houses on what is essentially farmland, with the consequent 40 - 48% increase in population, will, in my opinion, potentially increase the vehicle use by between 1500 and 3000.   | Noted |
| J Repsch              | If this misbegotten mess goes ahead, local elderly residents could have 10 years of hell. That's 10 years to cope with clouds of building site dust kicked up by lorries and angle grinders; lorries thundering up and down King Edward Road spreading nitrogen dioxide and other toxic air pollutants. When I asked the planning inspector what was to be done about minimizing the effects of dust, he had nothing to say except there is a "policy" about it.   | Noted |
| Ptarmigan Land        | <p>Policies B34 &amp; B35 - By proposing a blanket resistance to a potential reduction in affordable housing provision below the Local Plan target of 30%, Policy B21 is, firstly, not supported by any evidence and, secondly, simply not in conformity with the provisions of Policy SP23 of the TDCLP. Policy SP23 explicitly states that requirements for affordable housing provision will be reduced "if meeting them would demonstrably make the proposed development unviable".</p> <p>To meet the relevant conditions for proceeding to a referendum, Policy B21 must be reworded to allow for a reduction in affordable housing provision where viability dictates that the proposal cannot meet the policy requirement. Otherwise, we strongly object to proposed Policy B21.</p> | Noted |

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### Key Issues

TDC has allocated land at Birchington for development of up to 1,600 new homes, infrastructure and associated amenities, the neighbourhood plan cannot change that decision.

KCC recommendations that recognition of potential gains for biodiversity, pedestrian and cycle connectivity and off road routes from this development are welcome. As is KCC support for increased provision of education and other county services.

Recurring community concerns about capacity and timing of delivery of infrastructure and amenities are long standing and well documented. Specific policy statements elsewhere in the plan are designed to mitigate adverse effects of development.

Potential disruption caused by construction should be addressed and strictly managed through contractual agreements between developers and TDC.

Matters concerning affordable housing are addressed under Housing Policy.

### Recommendations

Modify the draft plan body text where appropriate to reflect the key issues outlined above.

Modify Policy B36 as follows:

*Policy B36: Proposals for protection of **public** rights of way and provision of new safe and attractive pedestrian and cycle routes across the 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.*

### 15 COMMUNITY INSPIRED PROJECTS (Community feedback support 77.8%)

#### ACTION

#### **Non Statutory Consultee Responses**

Community  
Feedback 17

I like what is being done at the rec - I heard there is going to be a new playground and maybe other stuff too - shows what can be done if local people have control.

Noted

### Key Issues

Community inspired projects reflect the experiences and aspirations of local people and should be central to locally driven development.

# Birchington Neighbourhood Plan

## Regulation 14 Consultation Responses

### Recommendations

Continue to seek and support development programmes through community involvement.

| 17 ACTION PLAN – IMPLEMENTATION, MONITORING AND REVIEW OF THE PLAN |   | ACTION |
|--|---|--------|
| <b>Statutory Consultee Responses</b>                               |   |        |
| KCC  | <u>PRoW</u> : It is requested that KCC is directly involved in future discussions regarding projects which will affect the PRoW network. KCC can then advise on the design and delivery of these projects, ensuring that new routes successfully integrate with the existing PRoW network. KCC would welcome future engagement with the Parish Council to consider local aspirations for access improvements and potential funding sources for the delivery of these schemes. | Noted  |

### Key Issues

Strategic management and development of the PRoW network is vitally important, it is recognised that KCC has a key role to play in any future plans affecting PRoW.

### Recommendations

KCC be directly involved in future discussions regarding projects which will affect the PRoW network.

| APPENDIX                                   |  | ACTION      |
|--|--|-------------|
| <i>Part A: Summary of Support Evidence</i> |  |             |
| <b>Statutory Consultee Responses</b>       |  |             |
| KCC  | <u>PROW</u> : The ROWIP <sup>8</sup> must be included as KCC policy. | Modify Text |

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### *Non Statutory Consultee Responses*

Ptarmigan Land

Birchington Site Design Guidance and Codes

Noted

Whilst we do not have any general issues with the aspirations of providing a Site Design Guidance and Codes document, and believe that our application proposals deliver on the key aspirations of the Parish Council, we would raise the following points that need to be addressed:

- We note that the concept masterplan within the document suggests potential locations for key facilities such as the primary school, community hub and convenience provision within SP16. However, there is no robust justification for these suggested locations, and we don't feel that these locations necessarily reflect the Community Feedback at various design days (in respect of the Neighbourhood Plan and the planning application). Moreover, the locations suggested in the masterplan concepts have the potential to detract from the vitality of the existing village centre, whilst they would also fail to lead to sustainable travel patterns.

We consider that the document should clarify that these key facilities (and other elements such as the location of open space) can come forward in different locations where this is justified through the planning application process. We feel that it is incumbent upon this document to provide sufficient flexibility and pragmatism to ensure the facilities come forward in the right (and most sustainable) locations as part of a more detailed masterplanning process.

- We are concerned that some proposals are put forward within the document without adequate analysis of the viability or feasibility of the options. In particular, we note that figure 5 indicates potential locations for footbridges across the railway line. We have not seen any technical analysis which demonstrates that the provision of footbridges would be feasible, having regard to landownership issues or the viability of providing such works. This analysis needs to be undertaken or the document needs to insert a suitable provision that potential proposals such as this will need to be subject to detailed feasibility analysis or the potential will be explored.
- Similar to our comments in respect of proposed Policy B9, we note that the document contains references to potential developer contributions towards improvements to existing infrastructure and services within the village. It is critical that the document recognises that any developer contributions or obligations sought from

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|  |  |  |
|--|--|--|
|  | <p>development schemes must meet the tests outlined within Paragraph 122 of the CIL Regulations.</p> <ul style="list-style-type: none"><li>• With respect to the various masterplan concepts shown in the document, we believe that these need to be reviewed to ensure that the keys are accurate. For example, Figure 1 on page 16 confuses the scheduled monuments and the areas of archaeological interest, and this appears to be continued through the subsequent figures.</li><li>• We are very concerned with some of the detail contained within the Design Guidance and Codes element of the document. We consider that other work undertaken as part of the Neighbourhood Plan preparation process provides detailed understanding of the existing character of Birchington. However, this work isn't truly represented or interpreted correctly by the Design Guidance and Codes and, therefore, our view is that the guidance is not necessarily appropriate to the Birchington context.</li></ul> <p>Furthermore, we are unsure whether some of the concepts, particularly the visuals, are deliverable, with some of the guidance appearing to be contrary to best practice and other design guidance (such as the Kent Design Guide). Careful consideration is required to ensure that the Design Guidance and Codes provide a suitable framework for delivering high quality development which complements and integrates with the existing village. We would be happy to discuss this in more detail with the Neighbourhood Planning Group as preparation of the document continues.</p> |  |
|--|--|--|

### Key Issues

The Rights of Way Improvement Plan (ROWIP) is an important source and should be referenced to support other parts of the plan.

The draft plan has been developed over a period of 5 years with continuous participation by residents and business representatives. During this time the opinions and aspirations of many Birchington residents and other stakeholders have been gathered through workshops, surveys, public meetings and consultation feedback. Additionally, TDC and KCC officers have been informally consulted about and have contributed to policy development. Plan policies and the evidence base have been subject to two independent professional expert reviews.

It is against this background that the Plan and supporting documents are considered robust and truly representative of the community.

The Birchington Site Design Guidance and Codes document was developed in partnership with AECOM, a major international planning consultancy, appointed by the government funded body *Locality* and funded by grants from the Ministry of Housing, Communities and Local Government. The



# Birchington Neighbourhood Plan

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document reflects national, regional and local policy and guidelines, and good practice. Community feedback and aspirations have informed its development to ensure that contents are applicable locally. As such the document is considered reliable and robust.

The typological error is noted.

### Recommendations

Include the ROWIP in the plan reference section.

Request that AECOM corrects the typological errors concerning Figure 1 on page 16 of the Birchington Site Design Guidance and Codes.

| <i>Part B: Key Maps and Plans</i>    |  | ACTION      |
|--------------------------------------|--|-------------|
| <b>Statutory Consultee Responses</b> |  |             |
| KCC                                  | <u>PRoW</u> : Key Maps and Plans (TP02 and TP03) should include a Public Rights of Way Map. The Parish Council should hold a copy of the Definitive Map to reference. If not, KCC is able to provide this <sup>9</sup> . | Modify Text |

|                        |   |
|------------------------|---|
| <b>Key Issues</b>      | Public Rights of Way (PRoW) are important community assets and should be included as a key reference. |
| <b>Recommendations</b> | Include a map of PRoW in the draft plan.  |

| <i>Part D: Glossary of Terms and Definitions</i> |  | ACTION |
|--|--|--------|
| <b>Statutory Consultee Responses</b>             |  |        |
| TDC  | Supplementary Planning Documents<br>Final sentence is incomplete. It could either just read 'Supplementary planning documents are capable of being a | Modify |

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|     |   |        |
|-----|---|--------|
|     | material consideration in planning decisions’, or add ‘...statutory planning documents’ to the end of the existing sentence.  |        |
| KCC | <u>PRoW</u> : Right of Way – the text is incorrect and requires amendment to <i>Public Rights of Way Network, definition</i> “A way over which the public have a right to pass and repass, including Public Footpaths, Public Bridleways, Restricted Byways and Byways Open to All Traffic. | Modify |

|   |
|---|
| <p><b>Key Issues</b></p> <p>Recommended amendments are noted and accepted.</p> <p><b>Recommendations</b></p> <p>Modify the plan as recommended.</p> |
|---|

| ADDITIONAL COMMENTS                  |   | ACTION                                       |
|--------------------------------------|---|--|
| <i>Minerals and Waste</i>            |   |  |
| <b>Statutory Consultee Responses</b> |   |  |
| KCC                                  | <p>The County Council, as Minerals and Waste Planning Authority, confirms that the Neighbourhood Plan area has no safeguarded minerals or waste management facilities. Therefore, it does not have be considered against the safeguarding exemption provisions of Policy DM 8: Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted Kent Minerals and Waste Local Plan 2013-30 (KMWLP).</p> <p>With regard to land-won minerals safeguarding matters, the Neighbourhood Plan area of the plan is not coincident with a safeguarded mineral deposit.</p> <p>The County Council would recommend that the Neighbourhood Plan makes reference to the KMWLP to ensure</p> | <p>Modify Text</p> <p>Noted</p> <p>Noted</p> |

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|  |   |  |
|--|---|--|
|  | the Plan is fully robust if any waste management and/or mineral related development is ever proposed in the area. |  |
|--|---|--|

### Key Issues

Safeguarded minerals and waste management facilities are not present in the area and are therefore not an immediate consideration. However, reference to Kent Minerals and Waste Local Plan 2013-30 (KMWLP) would ensure a robust position if any waste management and/or mineral related development is ever proposed in the area.

### Recommendations

Modify the draft plan to Include reference to KMWLP.