

Basic Condition Statement- Broadstairs & St. Peter's Neighbourhood Development Plan 2nd Edition

1. Introduction

1.1 This statement has been prepared by Broadstairs & St. Peter's Town Council ("the Town Council") to accompany its submission of the Broadstairs & St. Peter's Neighbourhood Development Plan 2nd Edition ("the NDP") to the local planning authority, Thanet District Council ("the District Council"), under Regulation 15 of the Neighbourhood Development Planning (General) Regulations 2012.

1.2 The Neighbourhood Area, which coincides with the boundary of the Parished area of Broadstairs & St. Peter's, was designated by the District Council in November 2014. This Basic Condition Statement supports and provides information related to the 2nd Edition of the Neighbourhood Development Plan.

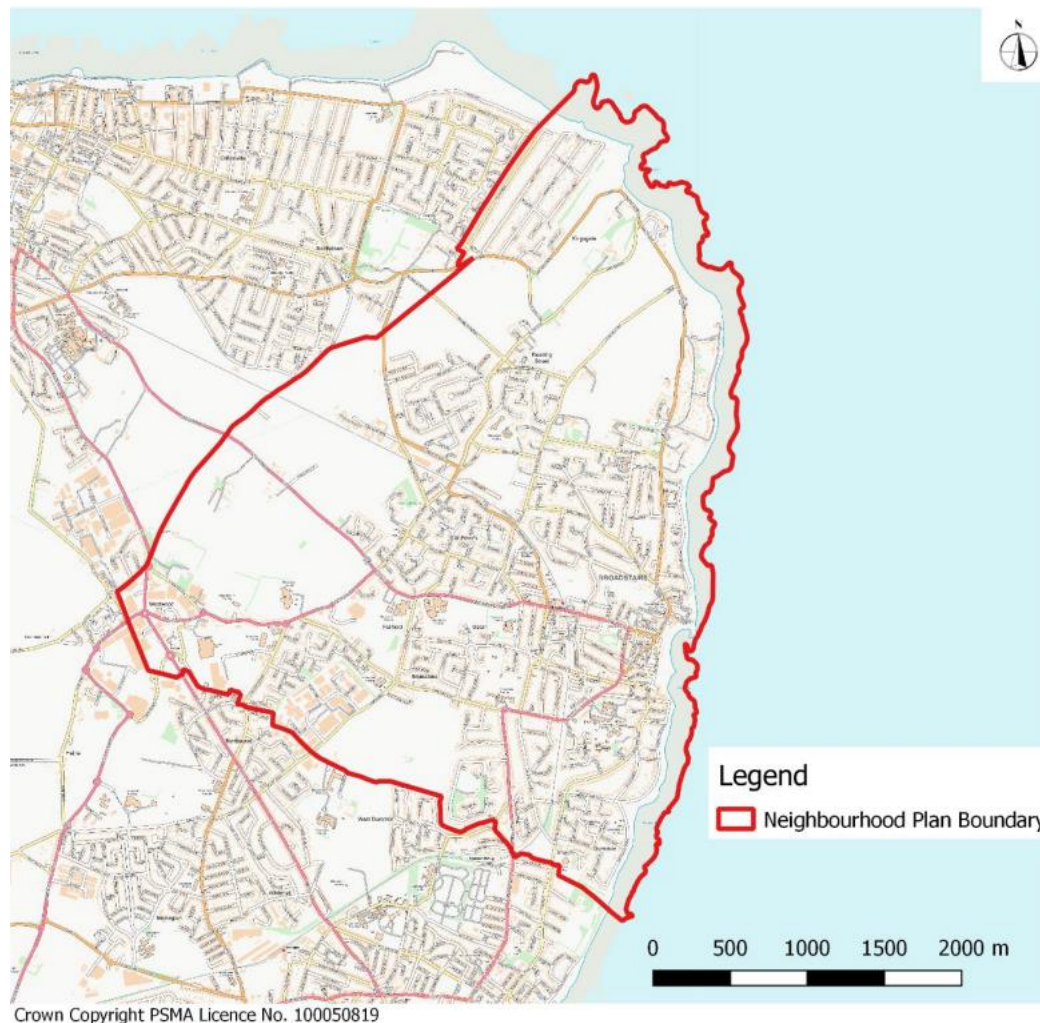
1.3 The NDP 1st Edition was formally 'made' on the 3rd of June 2021, following a successful referendum held in May of that year. Following a period of consultation and review, the NDP 2nd Edition Regulation 16 submission plan was formally approved for submission to Thanet District Council on the 12th of December 2022.

1.4 The Neighbourhood Development Plan has been prepared by a Neighbourhood Plan sub-committee of Broadstairs & St. Peter's Town Council, a qualifying body for the Neighbourhood Area. A plan of the Neighbourhood Area can be found overleaf in Figure 1. The sub-committee has been made up of Town Councillors, community members and has been supported by a freelance Town Planner with chartered RTPI accreditation.

1.5 The Town Council has consulted local communities extensively over the duration of the project. This Basic Condition Statement should be read in conjunction with the Consultation Statement which supports the plan and sets out the public engagement undertaken throughout its progress and creation.

1.6 The policies described in the Neighbourhood Development Plan relate to the development and use of land in the designated Neighbourhood Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Development Plan is from July 2018 to the end of 2040. This corresponds with the plan period of the emerging new Thanet District Local Plan update which will run to 2040. Details of the status of the Local Plan update can be found on the TDC website [Local Plan Update to 2040 - Thanet](#).

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



1.7 This statement addresses each of the 'Basic Conditions' required of the Regulations and explains how the submitted Neighbourhood Development Plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act.

1.8 The Basic Conditions for Neighbourhood Development Plans¹ must meet if they are to proceed to a referendum are as follows:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
2. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
3. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
4. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations. Read more about EU obligations.
5. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

¹ Basic conditions relating to Development Orders only have not been included.

1.9 The Neighbourhood Development Plan contains 19 topic policies, 6 of these are geographically referenced and mapping is provided to establish the exact policy boundary, the plan does not seek to allocate housing as this is being dealt with by the Local Planning Authority through the Thanet Local Plan.

2. Conformity with National Planning Policy

2.1 The Neighbourhood Development Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) 2021 and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Development Plans.

2.2 The table at Appendix 1 sets out where the proposed NDP policies are in conformity with the NPPF and PPG.

3. Conformity with the strategic policies of the Thanet Local Plan

3.1 The Neighbourhood Development Plan has been finalised to ensure its 'general conformity' with the development plan for the district, this is the Thanet Local Plan 2031. The Thanet Local Plan was adopted on 9th July 2020.

3.2 Thanet District Council provided comment on the Regulation 14 draft version of the NDP 2nd Edition and where there were identified potential conflicts with the NDP these have been rectified and amended in the submission version. The 'response to comments' background document should be read to clarify where conformity concerns were raised by TDC and where amendments to the submission NDP plan have been made.

3.3 Appendix 2 lists where the policies in the NDP 2nd Edition are in conformity with the Thanet Local Plan policies.

4. Sustainable Development

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

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

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

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

1. Adapt to climate change by making Broadstairs & St Peter's a more environmentally sustainable place to live through community action.
2. Protect important views and vistas, so they can continue to be enjoyed by the community for future generations.
3. Promote initiatives that value and sustain the natural environment and the biodiversity that lives here.

4. Ensure the protection of unique and important spaces, including the character of the seven beaches and bays and their environs.
5. Support the strict enforcement of the Thanet District Council's 'Green Wedge' policy, so the area retains its distinct character from other local towns.
6. Encourage good design of new developments, which protect the area's special and unique character, to mitigate and adapt to climate change.
7. Recognise and conserve the character and history of the Neighbourhood Area through the creation of a list of important local heritage assets and areas of high townscape value.
8. Encourage businesses in our shopping areas and support other appropriate employment opportunities.
9. Develop good transport and traffic management practices for the benefit of residents and visitors.
10. Create a welcoming environment for a diverse range of visitors to the town by providing services, facilities and entertainment that meet their wide-ranging interests and needs.
11. Improve health and wellbeing by promoting projects that improve air quality and access to healthy and balanced lifestyles.
12. Encourage projects to tackle litter, through initiatives which reduce, reuse and recycle.
13. Encourage a reduction in anti-social behaviour, through projects, initiatives and design of new development.

4.5 The NDP 1st edition had 14 policies which were subject to the assessment of Basic Conditions and were considered to meet the requirements and were sustainable. The 1st edition plan successfully went through referendum and the 2nd version provides an update and the provision of new additional policies.

4.6 The NDP 2nd Edition is considered to have further achieved the aims of the Sustainable Development, by actively trying to address the requirements of Climate Change.

4.7 The overall impact of all policies, with regard to sustainability, can be found at Appendix 3.

5. Compatibility with EU Legislation

5.1 The District Council provided a screening opinion of the emerging NDP in April 2022, this established the NDP was unlikely to have significant environmental effects and therefore a Strategic Environmental Assessment would not be required. The decision on the screening opinion was received by the Town Council in May 2022 and 'received' by the Neighbourhood Plan sub-committee on the 14th of June 2022 Neighbourhood Plan sub-committee (Minute 11).

5.2 The opinion on both the Habitats Regulation Assessment and Strategic Environmental Assessment is published in the evidence base supporting the NDP 2nd Edition.

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

6. Conclusion:

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

Appendix 1: NDP policies and conformity with National Policy

Broadstairs & St. Peter’s NDP policy and where it conforms to National Policy	NPPF 2021 and PPG References
CC 1: Clean Air for Residents	Para 185-186 PPG- https://www.gov.uk/guidance/air-quality--3
CC 2: Biodiversity	NPPF Section 15: Conserving and enhancing the natural environment. Paragraph 174; 179-182 PPG- https://www.gov.uk/guidance/natural-environment
BSP 1: The ‘Green Wedge’	NPPF paragraph 138(b)- preventing towns merging with one and other. PPG- https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space NPPF Section 15: Conserving and enhancing the natural environment. Paragraph 174(b) PPG- https://www.gov.uk/guidance/natural-environment
BSP 2: Important Views and Vistas	Para 185
BSP 3a: Providing Important Trees	NPPF Section 15: Conserving and enhancing the natural environment. Paragraph 131; 174(b); 180(c) PPG- https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas
BSP 3b: Protecting Important Trees	
BSP 3c: Remedial Tree Works	
BSP 4: Seafront Character Zones	NPPF Section 12: Achieving well-designed places and Paragraphs 112(C) and 124 PPG- https://www.gov.uk/guidance/design
BSP 5: Designation of Local Green Spaces	NPPF Section 8: Promoting healthy and safe communities - Paragraphs 101 and 102 PPG- Open space, sports and recreation facilities, public rights of way and local

	green space - GOV.UK (www.gov.uk)
BSP 6: Sustaining Community Facilities	NPPF Section 3: Plan making Paragraph 20(c), 93(a+e), Para 93
BSP 7: Areas of High Townscape Value	section 12 achieving well-designed places
BSP 8: Local Heritage Assets	NPPF Section 16: Conserving and enhancing the historic environment, specifically Paragraph 192 PPG- https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment
BSP 9: Design in Broadstairs & St Peter's	NPPF Section 12: Achieving well-designed places PPG- https://www.gov.uk/guidance/design
BSP 10: Shopping Areas	NPPF Section 7: Ensuring the vitality of town centres PPG- https://www.gov.uk/guidance/ensuring-the-vitality-of-town-centres
BSP 11: Retention of Employment Space	NPPF Section 6: Building a strong, competitive Economy
BSP 12: Full Fibre Broadband Connections	Paragraph 114
BSP 13: Live-work Space	Paragraph 82(d)
BSP 14: Sustaining Leisure and Tourism Assets	Section 6 Building a Strong and Competitive community.
BSP 15: Uses promoting health and exercise	Section 8 Promoting healthy and safe communities PPS- https://www.gov.uk/guidance/health-and-wellbeing

Appendix 2: NDP policies and conformity with Thanet Local Plan Policies.

Broadstairs & St. Peter's NDP policy and where it conforms to National Policy	Thanet Local Plan References
CC 1: Clean Air for Residents	SE05 Air Quality
CC 2: Biodiversity	SP30 Biodiversity and Geodiversity Assets SP31 Biodiversity Opportunity Areas
BSP 1: The 'Green Wedge'	SP21 Development in the Countryside SP25 Safeguarding the Identity of Thanet's Settlements E16 Best and Most Versatile Agricultural Land
BSP 2: Important Views and Vistas	SP24 Development in the Countryside SP26 Landscape Character Areas
BSP 3a: Providing Important Trees	SP24 Green Infrastructure
BSP 3b: Protecting Important Trees	SP27 Biodiversity and Geodiversity Assets
BSP 3c: Remedial Tree Works	
BSP 4: Seafront Character Zones	SP25 Protection of the International and European Designated Sites SP26 Strategic Access Management and Monitoring Plan (SAMM) SP33 Quality Development CC03 Coastal Development GI01 Protection of Nationally Designated Sites (SSSI) and Marine Conservation Zones (MCZ) QD02 General Design Principles QD01 Sustainable Design E10 Major Holiday Beaches E11 Intermediate Holiday Beaches E12 Undeveloped Beaches
BSP 5: Designation of Local Green Spaces	SP30 Local Green Space SP31 Provision of Accessible Natural and Semi Natural Green Space, Parks, Gardens and Recreation Grounds SP36 Healthy Communities GI04 Amenity Green Space and Equipped Play Areas Policy GI05 Protection of Playing Fields and Outdoor Sports Facilities GI06 Landscaping and Green Infrastructure
BSP 6: Sustaining Community Facilities	SP41 Community Infrastructure CM02 Protection of Existing Community Facilities
BSP 7: Areas of High Townscape Value	SP33 Quality Development SP34 Conservation and Enhancement of Thanet's Historic Environment
BSP 8: Local Heritage Assets	SP33 Quality Development SP34 Conservation and Enhancement of Thanet's Historic Environment QD02 General Design Principles
BSP 9: Design in Broadstairs & St Peter's	SP33 Quality Development SP34 Conservation and Enhancement of Thanet's Historic Environment

	HE02 Development in Conservation Areas QD01 Sustainable Design QD03 Living Conditions QD04 Technical Standards QD05 Accessible and Adaptable Accommodation QD06 Advertisements
BSP 10: Shopping Areas	E04: Primary and Secondary Frontages E06: District and Local Centres
BSP 11: Retention of Employment Space	E01: Retention of Existing employment space
BSP 12: Full Fibre Broadband Connections	QD07: Telecommunications E03: Digital Infrastructure
BSP 13: Live-work Space	E02: Home working
BSP 14: Sustaining Leisure and Tourism Assets	E07 Serviced Tourist Accommodation E08 Self- Catering Tourist Accommodation E09 Protection of Existing Tourist Accommodation
BSP 15: Uses promoting health and exercise	SP38 Healthy and Inclusive Communities

Appendix 3: Assessment of the sustainability of the NDP Policies

+ small positive response ++ large positive response 0 Neutral response - small negative response -- large negative response

Broadstairs & St. Peter's NDP policy	Was it in the NDP 1 st Edition (Y/N)	Social Factors	Economic Factors	Environmental Factors	Comment on achieving sustainable development
CC 1: Clean Air for Residents	N	++	0	++	Policy seeks to improve the quality for residents, improving their health and the local environment. This policy will also have positive benefits on the local biodiversity.
CC 2: Biodiversity	N	+	+	++	Policy seeks to meet the aspirations of Biodiversity Net Gain increasing habitats and biodiversity on new development coming forward in the Neighbourhood Area.
BSP 1: The 'Green Wedge'	Y	+	0	++	Policy seeks to restrict development in the green wedge areas to protect the surrounding countryside and ensure that Broadstairs & St. Peter's retains its unique identity compared with other Thanet towns. Better access to the countryside will have a positive social benefit.
BSP 2: Important Views and Vistas	Y	+	0	++	The policy seeks to protect the important views to and from the Broadstairs & St. Peter's NDP area. These views often include seascapes which provide the fundamental economic driver for the area. An improved outlook for residents will improve social wellbeing.
BSP 3a: Providing Important Trees	N	+	+	++	The provision of more trees will provide an important environmental benefit through increased green infrastructure networks. Provision of trees also provides a social benefit.
BSP 3b: Protecting Important Trees	N	+	+	++	Trees, especially well-established older trees provide important habitat, links to the past and positive impacts on health and the street scene.
BSP 3c: Remedial Tree Works	N	+	+	++	As above.
BSP 4: Seafront Character Zones	Y	+	+	++	It is really important to sustain and support the future of the coastal area of Broadstairs & St. Peter's as this is the main economic driver in the area. It also provides a major social and environmental benefit to the area.

BSP 5: Designation of Local Green Spaces	Y	+	0	++	The policy seeks to protect the community's most important open spaces. In addition, some provide through routes to ensure residents and visitors can continue to access facilities.
BSP 6: Sustaining Community Facilities	Y	++	0	0	This policy seeks to protect existing services and facilities used by the community to ensure the long-term sustainability and viability of their use and reduce the need to travel elsewhere.
BSP 7: Areas of High Townscape Value	Y	+	0	0	Retaining the character of the areas of HTZ will provide an enduring positive social outcome as it will retain these important areas for future generations.
BSP 8: Local Heritage Assets	Y	+	0	0	Retaining the character of the areas of HTZ will provide an enduring positive social outcome as it will retain these important areas for future generations.
BSP 9: Design in Broadstairs & St Peter's	Y (amended significantly)	+	+	0	Design is a very important feature in making great spaces for current residents, visitors and future generations.
BSP 10: Shopping Areas	Y	+	++	0	Providing improved shopping areas provides social cohesion as it provides a place for people to shop, meet and interact. It also provides an economic benefit to the wider area
BSP 11: Retention of Employment Space	Y	0	++	+	The policy seeks to support the existing employment space, so that there are other employment options in addition to tourism
BSP 12: Full Fibre Broadband Connections	Y (title of policy updated)	0	++	0	This policy seeks faster broadband provision in new builds. This will support local businesses and those residents who work from home. It also allows residents to better access some services and facilities on -line.
BSP 13: Live-work Space	Y	+	++	++	This policy aims to provide improved facilities for the large proportion of homeworkers in the area. Home working, increases social wellbeing as there is less time commuting and improves the environment due to the reduced travel.
BSP 14: Sustaining Leisure and Tourism Assets	Y	+	++	0	Sustaining leisure and tourism assets will ensure the long - term economic viability in the town.
BSP 15: Uses promoting health and exercise	N	++	+	0	Promoting planning applications that promote health and exercise will have positive social impacts and improve the health and wellbeing of residents.