

Subject:	DRAFT THANET LOCAL PLAN TO 2031 PREFERRED OPTIONS CONSULTATION
Meeting and Date:	Cabinet – 2 March 2015
Report of:	Nadeem Aziz, Chief Executive
Portfolio Holder:	Councillor Nick Kenton, Portfolio Holder for the Environment, Waste and Planning
Decision Type:	Key
Classification:	Unrestricted
Purpose of the report:	To seek approval for representations to be submitted to Thanet District Council on their Preferred Options consultation.
Recommendation:	The proposed representations to the Thanet Local Plan Preferred Options, as set out in Appendix 1, are sent to Thanet District Council.

1. Summary

- 1.1 Thanet District Council (TDC) has published the Thanet Local Plan Preferred Options for public consultation and is now seeking the views of local residents, organisations and neighbouring authorities.
- 1.2 The consultation period runs from the 9th January until 6th March 2015 and this provides an opportunity for Dover District Council to express any views on their preferred options. The proposed response from Dover District Council is set out in Appendix 1.

2. Introduction and Background

- 2.1 TDC carried out an 'Issues and Options' consultation in June 2013 to ascertain views on the strategic issues (including the overall levels of development and broad strategy for the location of development) and general policies (housing, economy, environment and infrastructure).
- 2.2 TDC has now published the draft Thanet Local Plan Preferred Options, which has been prepared following consultation on the 'Issues and Options' document and taking into account the evidence the Council has also produced. The Plan is set out in three main sections.
- 2.3 Section 1 sets out the context, vision and strategic priorities and objectives of the Plan. There are five Strategic Priorities which are to create addition employment and training opportunities; regenerate coastal towns; provide homes suited to the needs and aspirations of the community; protect the natural and historic environment; and to deliver the infrastructure to support existing and new development.
- 2.4 Section 2 sets out the strategic issues and policies of the Plan. This section includes strategies for the economy (including a policy relating to the future of Manston

Airport); town centres; housing; environment; community; and for transport. The headline figures are:

- to create a minimum of 5,000 jobs during the Plan period to 2031 based on the assumption of high growth in the tourism and green sectors;
- to designate Manston Airport as an 'Opportunity Area', which will be subject to an Area Action Plan;
- to provide for just over 46,700 sqm for retail (of which 36,280 sqm will be at Westwood);
- to provide for 12,000 additional homes over the plan period to 2031; and
- a policy for a new rail station.

2.5 The third section sets out the development management policies for Thanet District under eleven headings, which include economy, town and district centres, housing and climate change. These include general and site specific policies.

Issues relating to Dover

2.6 The suggested responses to the Thanet Local Plan Preferred Options are set out in Appendix 2.

2.7 The main issue of concern relates to the Duty to Cooperate. The Localism Act 2011 and NPPF places a legal duty on Local Planning Authorities to cooperate with neighbouring authorities and other prescribed bodies when planning for strategic matters. It is considered that Thanet DC has not fully undertaken this legal duty.

2.8 Dover District Council has not been consulted on the evidence base that has formulated the proposed housing figure (total 12,000, p. 53), the employment growth and job predictions (a minimum of 5,000 additional jobs, p. 28) or the proposed provision of retail floor-space (34,300 sq. m of comparison goods and 3,941 sq m of convenience goods, p. 35). Moreover, there has been no up-to-date evidence base published with the Plan (such as a Sustainability Appraisal or Habitat Regulations Assessment) which could have informed our response. These matters could all potentially have cross-boundary issues on the Dover District.

2.9 Without any involvement in the preparation of this evidence base Officers are struggling to reach any helpful conclusions. Officers are, therefore, recommending that the Council reserves its position until these matters have been addressed.

2.10 It is extremely disappointing that as a neighbouring Local Planning Authority, Thanet District Council has not entered into a constructive, active dialogue with Officers from Dover District Council under the Duty to Co-operate prior to the publication of the Preferred Options Consultation Document. It will be essential that Thanet DC engages in a constructive active and on-going dialogue with Officers and Members of Dover District Council from now on, especially on cross boundary issues and strategic matters (e.g. housing, employment, retail and infrastructure).

2.11 The remaining responses relate to individual policies and these are set out to reflect the format of the Questionnaire Thanet DC has produced for consultation purposes (also set out in Appendix 2). These include suggested responses relating to:

- Thanet's economic growth;
- Thanet's housing growth;
- Manston Airport;
- a new rail station;
- nature conservation & biodiversity; and
- strategic transport issues.

3. **Identification of Options**

- 3.1 There are two options to consider, whether the Council make representations as part of this consultation or do not make representations.

4. **Evaluation of Options**

- 4.1 TDC has been invited to make comments on the Local Plan Preferred Options and it is important that Dover District Council is part of the plan making process to ensure that cross boundary issues are considered. The Council's representations will then be considered by TDC before they prepared the Pre-Submission draft of the Local Plan and submit it to the Secretary of State.

- 4.2 It is recommended that the responses, as set out in Appendix 2, are sent to Thanet District Council as part of this consultation.

5. **Resource Implications**

- 5.1 There are no resource implications.

6. **Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Finance has been consulted and has nothing further to add (SB).

- 6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this Report and makes no further comment

- 6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications however, in discharging their responsibilities members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>.

7. **Appendices**

Appendix 1 – Proposed response to TDC's Preferred Options consultation

8. **Background Papers**

Issues and Options Consultation: letter to Thanet District Council.

Contact Officers: Sarah Platts, Principal Planner
David Whittington, Senior Planner and Urban Designer

Proposed response to TDC's Preferred Options consultation

Duty to Cooperate

Section 110 of the Localism Act 2011 places a legal duty on Local Planning Authorities to cooperate with neighbouring authorities and other prescribed bodies when planning for strategic matters. The National Planning Policy Framework (NPPF) also makes several references to the Duty to Cooperate on strategic matters and refers specifically to housing development, retail and other commercial development, infrastructure provision, local facilities, environmental assessments and the evidence base. A strategic matter is defined as:

“Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas”.

The duty requires that Councils ‘engage constructively, actively and on an on-going basis’ to develop the strategic policies. Paragraph 181 of the NPPF states that LPAs will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. ‘This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy...Cooperation should be a continuous process of engagement from initial thinking through to implementation’.

A number of Councils have been advised by the Planning Inspectorate to withdraw their plans because of a failure to meet the Duty to Cooperate requirement and we are concerned that at present, Thanet would also struggle to meet this requirement. We have not been involved in the processes that have informed the plan’s strategic policies and without having had this involvement, we cannot ascertain what the cross-boundary impacts on the Dover District are likely to be.

For instance, the Council has not been involved in or consulted on the evidence base that has formulated the proposed housing figure (total 12,000, p. 53), the employment growth and job predictions (a minimum of 5,000 additional jobs, p. 28) or the proposed provision of retail floor-space (34,300 sq. m of comparison goods and 3,941 sq m of convenience goods, p. 35). Moreover, there has been no up-to-date evidence base published with the Plan (such as a Sustainability Appraisal or Habitat Regulations Assessment) which could have informed our response.

Without having a strong evidence base available for the Council to make judgements on and our concern is that this undermines the proposals set out in the document and without this, the District Council is struggling to reach any helpful conclusions. We reserve our position in detail until these matters have been addressed.

It is extremely disappointing that as a neighbouring Local Planning Authority, Thanet District Council has not entered into a constructive, active dialogue with officers from Dover District Council prior to the publication of the Preferred Options Thanet Local Plan. It will be essential that Thanet DC engages in a constructive active and on-going dialogue with officers and Members of Dover District Council from now on, especially on cross- boundary issues and strategic matters.

(The following responses are set out to reflect the Questionnaire produced by TDC)

Policy SP02 – Economic Growth

A minimum of 5,000 additional jobs is planned for in Thanet to 2031.

The aim is to accommodate inward investment in job creating development, the establishment of new businesses and expansion and diversification of existing firms. Sufficient sites and premises suited to the needs of business are identified and safeguarded for such uses. Manston Business Park will be the key location for large scale job creating development.

Land is identified and allocated to accommodate at least 65ha of employment space over the period to 2031. Land and premises considered suitable for continued and future employment use will be identified and protected for such purpose.

Thanet's town centres are priority areas for regeneration and employment generating development, including tourism and cultural diversification, will be encouraged.

The growth of the Port of Ramsgate is supported as a source of employment and as an attractor of inward investment.

New tourism development, which would extend or upgrade the range of tourist facilities particularly those that attract the staying visitor, increase the attraction of tourists to the area and extend the season, will be supported.

Development is supported that enhances the rural economy subject to protecting the character, quality and function of Thanet's rural settlements.

Do you agree with the level and approach to encouraging economic growth in Thanet?
Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

The District Council would need assurance, through the discussions with Thanet District Council and through sight of the relevant documents, that Thanet District Council has assessed whether the level of growth proposed would have any impact on Dover District in relation to the job provision and transport (particularly in relation to Discovery Park).

SP03 – Land allocated for economic development

At the following sites land is allocated for business and employment generating purposes:

- 1. Manston Park, Manston**
- 2. Eurokent Business Park, Ramsgate**
- 3. Thanet Reach Business Park, Broadstairs**
- 4. Hedgend Industrial Estate, St Nicholas**

At Manston Park and Hedgend Industrial Estate development will be restricted to use classes B1 (business), B2 (general industry) and B8 (storage and distribution). Thanet Reach Business Park is also suitable for education uses.

Do you agree with the allocations?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

The policy infers that the whole Eurokent Business Park, Ramsgate site would be allocated for business and employment generating purposes (and this is reflected on the plan on p. 209). However, an outline application has been allowed at appeal for a mixed use (including 550 dwellings) and the site is also allocated for residential development (plan on p. 234). There is concern that there is conflict here. If there was a separate policy, for mixed use development at Eurokent, this would provide more clarity.

SP05 – Manston Airport1

The site of Manston Airport and the adjoining area will be designated as an “Opportunity Area” for the purposes of preparing the Manston Airport Area Action Plan” Development Plan Document. The Manston Airport AAP will explore through the development plan process the future development options for the site of the airport and the adjoining area. A consideration of the AAP should be the retention, development and expansion of the airport and aviation operations where supported by a feasibility study and a viable Business Plan, while exploring alternative options for the future development of the area for mixed-use development.

While the Manston Airport Area Action Plan is being prepared and until adopted by the Council as a development plan for the Manston Airport area, the following policy for the Manston Airport will apply.

Proposals at the airport, that would support the development, expansion and diversification of Manston Airport, will be permitted subject to all of the following requirements.

1) That there be demonstrable compliance by the applicants with the terms of the current agreement under section 106 of the Town and Country Planning Act 1990 as amended or subsequent equivalent legislation.

2) That new built development is to be designed to minimise visual impact on the open landscape of the central island. Particular attention must be given to roofscape for the purposes of minimising the mass of the buildings at the skyline when viewed from the south.

3) The provision of an appropriate landscaping scheme, to be designed and implemented as an integral part of the development.

4) That any application for development for the purpose of increasing aircraft movements in the air or on the ground, auxiliary power or engine testing, be supported by an assessment of cumulative noise impact and the effectiveness of mitigation measures to be implemented in order to minimise pollution and disturbance. The acceptability of proposals will be judged in relation to any identified and cumulative noise impact, the effectiveness of mitigation and the social and economic benefits of the proposals.

5) The provision of an air quality assessment in compliance with the Air Quality Management Plan to demonstrate that the development will not lead to a harmful deterioration in air quality. Permission will not be given for development that would result in national air quality objectives being exceeded.

6) That any new development which would generate significant surface traffic must meet requirements for surface travel demand.

7) That it must be demonstrated both that new development cannot contaminate groundwater sources and that appropriate mitigation measures will be incorporated in the development to prevent contamination.

8) There will be no significant harm to Thanet's SSSI/SAC/SPA/Ramsar sites. A Habitats Regulations Assessment will be required.

Do you agree with the approach taken for this site?

- Yes
- No
- Not sure

Please enter any additional comments

The District Council supports the retention of Manston Airport.

Members resolved at Council on 23 July 2014 that *"this Council supports the campaign to retain Manston as an operational airport, recognising the role and place it can have in the UK aviation industry, making better use of regional capacity in accordance with the views of the South East Local Enterprise Partnership, while making a significant contribution as one of the strategic priorities for regeneration of the East Kent area"*.

SP05 – Manston Airport2

Do you think this area should be subject to an area action plan?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

The District Council does not support this approach. The future of Manston Airport is fundamental to the Local Plan strategy as it will have direct implications on a number of the strategic policy assumptions that are within the Local Plan (such as housing figure targets, employment targets and transport implications). It should be an integral part of the plan as it is a key strategic issue that needs to be discussed with neighbouring LPA's, KCC and other interested parties under the Duty to Cooperate.

SP07 – Westwood

The Council will seek to support the evolution and development of Westwood as a mixed use business and residential community in line with the following area based policies, indicated on Map 7.

Development (in the vicinity of Westwood) will be required to have regard to and contribute towards implementation of a Westwood Relief Scheme. Development that would prejudice implementation of the Scheme will not be permitted. New development should also seek to improve pedestrian connectivity.

1) Westwood Town Centre

Retail development will be directed to the core town centre area at Westwood and complementary town centre uses will be accommodated within the wider town centre boundary, as defined by the primary and secondary frontages. Any development proposals should ensure there is no net loss in overall commercial floorspace.

2) Eurokent Mixed Use Area

Development of Eurokent will be for a mix of residential and business purposes, in accordance with a comprehensive development masterplan linking and integrating the development into the wider Westwood community.

Land at Eurokent will provide for:

- in the region of 350 new dwelling houses, and
- the development and retention of 15.5 ha of land for flexible business uses.

Town centre uses that cannot be accommodated within the designated town centres due to format and scale can be located here.

The masterplan shall incorporate, be informed by and/or address the following:

- Small scale convenience retail provision required to accessibly serve the day to day needs of the community
- A minimum of 34 ha of publicly accessible natural/semi natural open space in accordance with the requirements of Policy SP27
- A minimum of 30% of all dwellings will be affordable homes in accordance with Policy SP19. The design brief should feature and reflect investigation of the need to incorporate an element of housing to meet the needs of particular groups including specifically sheltered and extra care homes. The proportion of houses as opposed to flats should exceed as much as possible that in Policy SP18
- Contribute to new, or improvements to existing community facilities at Newington
- Liaison with service providers to investigate the need to upgrade the capacity of any utility services and infrastructure
- Archaeological assessment and the need to preserve and enhance the setting of heritage assets adjoining the site.
- A wintering and breeding bird survey to assess impact upon bird populations (including farmland birds) and the need to mitigate/compensate
- Clearly demonstrate how the SPA mitigation strategy as set out in Policy SP25 is being met and how it will ensure that development does not increase recreational pressure on designated sites

Proposals will be accompanied by a Transport Assessment informing the masterplan and including assessment of impact of development on the local road network and demonstrating measures to promote multi-modal access, including footway and cycleway connections and an extended bus service accessible to the development. Development will be expected to provide an appropriate contribution to offsite highway improvements in respect of Westwood Relief Scheme, improvements to the A256 from Lord of the Manor and any other improvements identified in the Transport Assessment.

3) Thanet Reach Mixed Use Area

In accordance with Policy SP03, part of Thanet Reach is allocated for employment and education uses. The southern part of the site is allocated for residential development.

Do you agree with the approach taken to the development of Westwood town centre?
Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

This policy could benefit from additional supporting text, to clarify the objectives of a masterplan and the recent appeal decision for mixed use at the Eurokent site. Moreover, clarification is needed on map 7 (p. 38) to show the town centre boundary. If the Eurokent site is outside the town centre boundary, a requirement should be included to sequentially test the site for its suitability to accommodate town centre uses in accordance with the NPPF/NPG.

SP11 – Housing provision

Provision is made for a total of 12,000 additional homes in the period to 2031, with notional delivery across the period as indicated below.

Period	2011-16	2016-21	2021-26	2026-31	Total
Additional homes	3000	3000	3000	3000	12000

Do you agree with this approach including the proposed quantity and notional delivery of housing provision?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

There has been no communication with Dover District Council in relation to the housing provision figure and what implications it may have on Dover District. It is not clear from the supporting text whether a Habitat Regulation Assessment and a Sustainability Appraisal have been carried out to assess the level of housing provision proposed.

SP22 – Protection and Enhancement of Thanet’s Historic Landscapes

Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance:

- 1) Thanet's local distinctiveness including historical, biodiversity and cultural character,**
- 2) gaps between Thanet's towns and villages,**
- 3) visually sensitive skylines and seascapes,**

Within the landscape character areas identified, the following policy principles will be applied:

- 1) At Pegwell Bay, priority will be given to the conservation and enhancement of the natural beauty of the landscape over other planning considerations;**
- 2) In the former Wantsum Channel area, new development will not normally be permitted;**
- 3) In the Wantsum Channel North Shore Area, development will only be permitted that would provide opportunities for enhancement and would not damage the setting of the Wantsum Channel, and long views of Pegwell Bay, the Wantsum Channel, the adjacent marshes and the sea;**
- 4) On the Central Chalk Plateau, a number of sites are identified for various development purposes. Where development is permitted by other policies in this plan, particular care should be taken to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea, and proposals should demonstrate how the development will take advantage of and engage with these views;**
- 5) At Quex Park, new development proposals should respect the historic character of the parkland and gardens; and**
- 6) At the Urban Coast, development that does not respect the traditional seafront architecture of the area, maintain existing open spaces and long sweeping views of the coastline will not be permitted.**

Development proposals that conflict with the above principles will only be permitted where it can be demonstrated that they are essential for the economic or social well-being of the area or for reasons where the need for the development outweighs the detriment to the landscape. The developer may be required to submit a Landscape and Visual Impact Assessment with any development proposals likely to have a significant landscape impact.

Do you agree with the approach taken to protect and enhance Thanet's landscapes?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

The District Council supports the general objectives of the policy. However, the terminology is vague in the second bullet point. The use of 'not normally' should be clarified, with criteria incorporated where necessary, to set out what the exceptions would be.

P.75 refers to East Kent Green Infrastructure (EKGI) and lists the EKGI typology. However, this is not followed up within the Local Plan. The purpose of the EKGI typology is to allow GI types to 'flow' across boundaries in recognition that elements of GI (e.g. biodiversity) are not limited by administrative boundaries. (See NPPF para 117).

Biodiversity Opportunity Areas and the Green Wedges are protected from inappropriate development, and proposals which would provide enhancements and contribute to a high quality biodiverse environment will be supported.

Do you agree with the approach to protect, maintain and enhance biodiversity?
Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

“Inappropriate development” needs to be defined.

P.77 Biodiversity Opportunity Areas (BOA) – a map showing the BOAs would assist and this could be combined with an EKGI map illustrating cross-boundary linkages. (See NPPF 117)

Policy SP25 – Protection of the European Sites, Sites of Special Scientific Interest and National Nature Reserve

Development that would have a detrimental impact on the European Sites, Sites of Special Scientific Interest or National Nature Reserve will not be permitted.

Planning permission may only be granted when it can be demonstrated that any harm to internationally and nationally designated sites resulting from that development will be suitably mitigated.

Proposals for residential development must include an assessment of significant effects and measures to mitigate against the effects of potential increased recreational pressure on protected sites.

Proposals for major residential developments must include provision of open space suitable for dog walking and general recreation, in accordance with policy SP23.

In developing these measures, regard must be had to the SPA Mitigation Strategy which requires a financial contribution towards wardening, and applicants must demonstrate clearly how they are meeting the strategy and how they will ensure that development will mitigate against any increase in recreational pressure on designated sites.

Do you agree with the approach for protecting important nature conservation sites?
Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

Para.4.37 is inaccurate as Ramsar sites are not European sites and not defined under European law. (See NPPF para 118)

Policy SP25 appears weak and it does not reflect the Habitats Regulations:

1. There is no provision in the policy for imperative reasons of overriding public interest;
2. It is for the LPA to assess significant effects (Appropriate Assessment) – an applicant simply provides information to assist that assessment;
3. There is no formulated Mitigation Strategy to assist in understanding the demands on developers. Without such and its accompanying evidence base, all policies relying on such are flawed);
4. The implication in the last paragraph is that development must both contribute to the strategy and provide other mitigation. This appears to flow through some of the subsequent housing policies.

SP33 – Expansion of Primary and Secondary Schools

The Council will support the expansion of existing and development of new primary and secondary schools in Thanet to meet identified needs and will work with Kent County Council in identifying, allocating and safeguarding land as appropriate.

Do you agree with the approach to accommodate the expansion of schools?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

It is not clear what the expansion requirements would be generated from the proposed housing growth and whether the housing growth would put additional demands on schools within neighbouring authorities. The District Council would encourage further discussions on the need for primary and secondary school provision between neighbouring LPA's and KCC under the Duty to Cooperate.

SP38 – Strategic Road Network

In conjunction with neighbouring districts, the Council will prepare a joint assessment of planned development and the expected volume and direction of road traffic movement it would generate, to understand its potential impact on these junctions and how this may, if appropriate, be mitigated.

Do you agree with the approach regarding the strategic road network?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

The District Council is concerned that the objectives of the joint assessment will look only at the impact on junctions.

The District Council would expect that a strategic road network assessment would have been carried out (with consultation with neighbouring authorities) to inform this Local Plan, to establish what (if any) impacts would arise from the Local Plan strategic proposals on the wider road network across neighbouring authorities.

SP39 – New Rail Station

Planning permission will be granted for a new railway station at a suitable location on land west of Ramsgate alongside the existing railway line. Land west of Cliffsend (shown on Map 15) is safeguarded for this purpose. Proposals will be required to specifically demonstrate all of the following:

- 1) Satisfactory vehicular access arrangements from East Kent Access
- 2) Suitable level of car parking
- 3) Integration with wider public transport services
- 4) Mitigation of any noise impacts on sensitive receptors
- 5) Compatibility with the landscape character of its location
- 6) Located to minimise the loss of best and most versatile agricultural land

The District Council supports Policy 39 as this would greatly assist the Discovery Park Enterprise Zone.

Policy E12 - Undeveloped Beaches

On, or adjacent to undeveloped beaches identified on the map (see Appendix A), priority will be given to the maintenance and enhancement of their natural and undeveloped character. New development including new built facilities, the provision of public car parking facilities and new or improved vehicular access to serve such beaches will not be permitted. In the exceptional event that development is permitted, proposals must fully mitigate against any impact upon the designated nature conservation sites, and will be subject to the Habitats Regulations.

Do you agree with the approach taken to the development and protection of Thanet's major holiday, intermediate and undeveloped beaches?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

Policy E12: The Map in Appendix A indicating beach type is indecipherable.

Policy H01– Housing Development

Permission for new housing development will be granted on:

- 1) sites allocated for such purposes, subject to consistency with indicative phasing,
- 2) non-allocated sites within the existing built up confines consisting of previously developed land,
- 3) residential gardens where not judged harmful to the local area in terms of the character and amenity considerations set out in Policy QD01, and provided that all the following criteria are met:
- 4) The relevant area specific housing objectives set out in the housing strategy section are addressed.
- 5) It is demonstrated that adequate infrastructure will be in place to serve each unit ready for occupation.
- 6) Satisfactory details are provided showing how any physical conditions including land stability and contamination, affecting the site can be overcome.
- 7) Sufficient mitigation is provided in accordance with Policy SP25 to protect designated nature conservation sites.
- 8) There is no conflict with other policies.

In determining applications for development under this policy the Council will seek to ensure that development does not increase recreational pressure on designated nature conservation sites without sufficient mitigation.

Alternative development on sites allocated for residential development will not be permitted.

Do you agree with the approach and criteria regarding whether housing development will be granted?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

There appears to be a lack of explanation as to why some housing sites require Mitigation (Policy HO2F) and others not (HO2G). The lack of a Mitigation Strategy, which is supported by an evidence base, compromises the policies.

Policy GI01 – Locally Designated Wildlife Sites

Development which would have a detrimental impact on locally designated wildlife sites will not be permitted unless suitable mitigation can be provided either on or off site within Thanet. Exceptionally, where a strategic need for a proposed development is identified which outweighs the importance of the locally designated sites and cannot be located elsewhere, an equivalent area of habitat will be created elsewhere at a suitable location well related to other existing habitats.

Wherever possible and appropriate, new developments will include measures to enhance and connect locally designated wildlife sites.

Do you agree with the approach taken to protect Local Wildlife Sites?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

This appears weak. The policy should seek to enhance biodiversity (NPPF para 118)

Policy GI02 – Regionally Important Geological Sites (RIGS)

At RIGS sites, development which would result in the loss or obstruction of geological features of importance will not be permitted.

Protected Species and other significant species

Do you agree with the approach to preserving Regionally Important Geological Sites?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

P.138, para 12.5 does not mention the Natural Environment and Rural Communities Act Section 41 species (for which the LPA has a duty of regard).

Policy GI03 – Protected Species and other significant species

On sites where protected species or farmland birds may be present, the Council will require a Protected Species survey to be carried out alongside any development proposals. Any mitigation necessary should be carried out in line with Natural England's Standing Advice.

Do you agree with the approach to protecting species?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

Policy GIO3 appears weak. Are farmland birds 'protected species'? If not, then the policy does nothing for them. If they are, then they are covered by 'protected species'.

Policy GI06 - Landscaping and Green Infrastructure

When a development proposal requires a design and access statement, it will include a landscape survey. The landscape survey should describe the current landscape features on the application site, and demonstrate how the proposed development will provide landscaping and green infrastructure to enhance the setting of the development, where possible and appropriate, to:

- Create an attractive environment for users and occupiers**
- Establish a sense of enclosure with hedges and trees**
- Soften hard building lines and the impact of new buildings**
- Provide screening from noise and sun**
- Create new wildlife corridors and stepping stones**
- Create new wildlife habitats and improve biodiversity**

The Council will require to be satisfied that the developer has made adequate arrangements to ensure continued maintenance of landscaping, and may seek to secure arrangements for this purpose by entering into a planning agreement.

Do you agree with the approach for the inclusion of landscaping and green infrastructure in new developments?

Please select one option.

- Yes
- No
- Not sure

Please enter any additional comments

Policy GIO6 is weak in respect of a 'landscape survey'. This has no formal meaning and is better described by a 'landscape and visual impact appraisal'.