



Report to Thanet District Council

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an Inspector appointed by the Secretary of State for
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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE CLIFTONVILLE DEVELOPMENT PLAN DOCUMENT

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1. Introduction and Overall Conclusion

Introduction

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a Development Plan Document (DPD) falls into two parts. Firstly, to decide whether it satisfies the legal requirements of section 19 and section 24(1) of the 2004 Act, the Regulations under section 17(7), and any Regulations under section 36 concerning the preparation of the DPD; and, secondly, whether it is sound.
- 1.2 To be found sound there are three criteria against which I have to assess the Cliftonville DPD, and these are set out in Planning Policy Statement (PPS) 12 at paragraphs 4.51 and 4.52. These criteria are that a DPD should be justified, effective, and consistent with national policy. This report contains my assessment of the DPD in terms of all these legal and soundness issues, along with my binding recommendations and the reasons for them, as required by section 20(7) of the 2004 Act.
- 1.3 None of the respondents wished to appear before me, and so the Examination was conducted solely by written representations with no hearing sessions. The starting point for my Examination is the assumption that the Council has submitted what it considers to be a sound plan. The basis for my Examination is the Council's DPD that it submitted to the Secretary of State.
- 1.4 At the same time as it submitted the DPD the Council also put forward some suggested changes for me to consider, which it has subsequently added to during the Examination. These suggested changes were divided into two lists – the first was a list of significant changes; and the second was a combination of minor amendments designed to update the DPD, correct small inaccuracies and/or provide further clarification. The lists were available on the Council's web site and I advised all respondents to look at them and to submit comments, if desired. They have formed the basis of my own recommendations.
- 1.5 The changes I have specified in this binding report are made only where there is a clear need to amend the DPD in the light of the legal requirements and/or the soundness criteria in PPS12. None of these changes will materially alter the substance of the overall plan and its policies, or undermine the sustainability appraisal (SA) and the public consultation processes already undertaken.
- 1.6 I have had regard to the issues raised in all the representations duly made on the DPD following its submission to the Secretary of State. It is not a requirement of the 2004 Act that I consider or report on "objections", and consequently my Report does not list individual representations or respond to all the points made. I have concentrated on the issues that go to the heart of whether the DPD meets the legal requirements and is sound or not. My task is not to make the DPD "more sound".
- 1.7 Cliftonville is showing clear signs of social, economic and physical stress. Given this, I accept that the situation is sufficiently urgent that this DPD should unusually be implemented in advance of the Core Strategy. But as this DPD has such a limited focus it can only be a partial resolution and a more holistic approach will be required in the forthcoming Core Strategy. This has caused some consequent problems, particularly with the Vision and Objectives (see later) which are too ambitious. As this DPD focuses on a

relatively small part of the Council's area, I do not consider that it would prejudice future overall policy for the District as a whole or for the adjoining communities.

- 1.8 My report firstly considers the legal requirements, and then deals with the relevant matters and issues considered during the Examination to assess whether the DPD is sound.

Overall Conclusion

- 1.9 My overall conclusion is that the DPD is sound, provided it is changed in the ways specified. The principal changes which are required are, in summary:

- Enhance the biodiversity protection of policy CV4.
- Refine the Vision and Objectives.
- Provide a clearer map of the DPD area and remove references to irrelevant Renewal Areas.
- Improve the monitoring section in line with Government advice and move it to the end of the DPD.
- Make policies CV1, CV3, CV4 and CV5 clear and effective.
- Introduce a new cycle parking policy.

- 1.10 My report sets out all the detailed changes required, whether they have come from me, the Council, or from respondents, in order to ensure that the DPD meets the legal requirements and the three soundness criteria.

2. The Legal Requirements for the DPD

- 1.11 Paragraph 4.50 of PPS12 summarises five particular legal requirements with which the DPD should comply. The first is that it should have been prepared in accordance with the Local Development Scheme (LDS) and in compliance with the Statement of Community Involvement (SCI).
- 1.12 The Cliftonville DPD is contained within the LDS, the updated version being approved in February 2009. There it is shown as having a submission date of June 2009, the delay in submission being due to an extended consultation period. The subject matter and area covered by the DPD accord with the LDS.
- 1.13 The Council's SCI has been found sound by the Secretary of State and was formally adopted by the Council in February 2007. From the documents submitted to me, including the Regulation 30(1)(d) and 30(1)(e) Statements and the Self Assessment document, I conclude that the Council has met its requirements for community involvement in the SCI.
- 1.14 The second requirement is for the DPD to be subject to sustainability appraisal (SA). In this case, alongside the preparation of the DPD it is clear that the Council has carried out a parallel process of SA.
- 1.15 In addition to the SA the Council carried out in February 2009 an Appropriate Assessment screening exercise in accordance with the Habitats Directive. This concluded, with one

proviso, that there would be no significant harm as a result of the DPD's policies and proposals to the conservation of a number of European sites within Thanet (primarily along the coast) and within a 15 kilometres buffer distance of Thanet's boundary. The one proviso was that policy CV4 should be altered to ensure that the habitats were better protected.

- 1.16 Whilst the submission version includes this altered wording, Natural England suggested changes to further strengthen the policy protection for biodiversity by requiring proposals to incorporate full and detailed mitigation measures. With those changes (agreed to by the Council) and which I recommend in order to make the policy sound, subject to the insertion of the term "where necessary" (to prevent a too restrictive policy as some proposals may not need biodiversity enhancements or mitigation measures), I am satisfied that there would be no significant conservation harm caused to these internationally protected sites.

Recommendation 1: Alter to add biodiversity protection measures to policy CV4.

- 1.17 The third legal requirement is for the DPD to have regard to national policy. I consider that matter throughout my report and, where necessary, I recommend any essential changes to ensure that the DPD is sound on this criterion.
- 1.18 Concerning the fourth requirement (general conformity to the Regional Spatial Strategy), the South East England Partnership Board indicated in July 2009 that the DPD is in general conformity with the South East Plan. I agree.
- 1.19 Finally, I am satisfied that the DPD meets the fifth requirement by having appropriate regard to the sustainable community strategies for the area.
- 1.20 I consider that the DPD complies with all the other specific requirements of the 2004 Act and Regulations (as amended). Therefore, I conclude that the legal requirements have all been met.
- 1.21 I now turn to my assessment of the soundness of the DPD against the PPS12 criteria, which I have divided into a number of key issues.

3. Whether the area to be covered by the DPD is clearly defined and thus effective in operation

- 1.22 Appendix 1 of the DPD contains a map which I understand is the area its policies affect. But the Appendix 1 titles do not say this. In addition, the map is difficult to read, and it is not easy to identify the roads and properties, or to determine the exact external boundaries of the DPD area. This lack of clarity would hinder the delivery and effectiveness of the policies in the DPD as there could be confusion as to which properties and land its policies applied to. For soundness, therefore, the titles should be altered, and the plan made clearer and larger (to an A3 size).

Recommendation 2: Change the titles of Appendix 1 to refer to the DPD area, and make the DPD map clearer and larger to an A3 size.

- 1.23 I am unsure of the purpose of the map in Appendix 2 of the DPD, and the associated statement in ¶ 2.13 about the Renewal Area extensions. I cannot find a Vision, Objective or a policy relating to those Areas, which in any event lie outside the DPD area. The Council

said that these elements had been inserted for information only, but I consider that they confuse the reader as to the area covered by the DPD and create uncertainty about the status and relationship of the additional Renewal Areas to the policies. This makes the DPD less effective and thus unsound, and so I recommend the removal of Appendix 2 and associated references.

Recommendation 3: Delete Appendix 2 and the last paragraph of 2.13.

4. Whether the Vision and Objectives are sufficiently clear, realistic, and so effective for the stated purpose of this DPD

- 1.24 PPS12 at 4.1 and 4.2 requires a Core Strategy to have an overall vision on how the area will develop, and objectives which focus on the key issues to be addressed. Although not directly applicable to other DPDs, I consider these to be sound guiding principles. In addition, PPS12 5.2(4) says that a DPD should not be used to take the place of the Core Strategy, which is where the clear spatial choices about where development should go should be taken. PPS12 goes on to say that a DPD must be effective, and that one of the components of effectiveness is that the DPD must be deliverable.
- 1.25 The stated purpose of this DPD is to introduce a set of development management policies for assessing planning applications. These policies are primarily aimed at reducing the present high level of transient population, the "dumping" of dependant and vulnerable people into the area, and generally improving the environmental quality of the area. These aims would be achieved by promoting a more balanced community, moving away from flats and houses in multiple occupation; by encouraging family housing; by managing parking, including specific provision for cyclists; and by encouraging tourist accommodation.
- 1.26 However, the Vision and Objectives stated in the DPD have much wider aspirations than its stated limited purposes, and they trespass on the wider strategic policies that the Core Strategy will rightfully cover. Moreover, they do not address the DPD's key concerns. In addition, the Vision and Objectives commit the DPD to improving the urban environment and to supporting and encouraging existing businesses and leisure facilities along the sea front when, in fact, there are no policies which would deliver these improvements. So these parts are unclear, unrealistic and hinder delivery and the DPD's effectiveness.
- 1.27 The Council recognised this soundness failing during the Examination and suggested changes to the Objectives, although not to the Vision. But I consider both these sections of the DPD need altering to remove these extraneous and over-ambitious parts of the Vision and Objectives which are not addressed by the policies and proposals of the DPD. My recommended changes to the Objectives reflect the SA objectives which were used in assessing the DPD as well as the stated purpose of, and policy initiatives actually in, the DPD. In addition, I have used some of the bullet point aims in the bold type section after ¶ 6.3 in the DPD. In this way, all of my recommended Objectives will have come from either within the DPD itself or its SA and so will come as no surprise.

Recommendation 4: Remove the superfluous parts of the Vision and Objectives, and add to the Objectives so that both reflect the DPD's purposes, the SA objectives, and the intended DPD policy delivery, as indicated above.

- 1.28 However, I acknowledge that the DPD is but one part of other policy initiatives that the Council and its partners are taking to deal with the challenges of improving the Cliftonville West Renewal Area, which this DPD covers. I therefore recommend that the bold type section after ¶ 6.3 in the DPD should be moved to the Objectives section in order to put the more limited objectives of this DPD into the wider context of the objectives that the Council has for the area. In other words, the Council needs to "tell the story" about how it intends to improve the area through other initiatives. In doing so, the explanatory text should be altered to clarify that it is for the purpose of information only and is not part of the policies of this DPD. The Objectives which I have deleted should be placed within this section to act as indicators for future action.

Recommendation 5: Move the bold type section after ¶ 6.3 to underneath the Objectives as a new paragraph, with alterations to clarify its informative intent; to delete those points moved to the Objectives; and to include deleted Objectives which are outside the scope of this DPD.

5. Is the DPD able to be monitored in line with the Government's advice in the *Good Practice Guide*?

- 1.29 I find it illogical that discussion on monitoring the policies should take place in the DPD before the policies themselves have been stated and explained. I therefore recommend moving the monitoring section to the end of the DPD so that the DPD is seen to be sound in ensuring that its policies are effective.

Recommendation 6: Move section 5 to the end of the DPD (before Appendix 1).

- 1.30 I had some doubts about the DPD citing as justification for its policies the Margate Central ward statistics when only a small part of that ward is included in the DPD area. But it is a fact that the DPD area covers parts of both this and the Cliftonville West wards, and I agree with the Council that both wards have been identified as having similar severe problems which this DPD aims to address. There are no other smaller area statistical figures available. So I am content for the Margate Central ward statistics to be used.
- 1.31 Monitoring should adopt a positive, future orientated approach. In particular, it requires the identification and monitoring of a set of key indicators and targets for each policy. It also depends on the means of, and responsibility for, implementation being clearly established, along with the resource implications and the timescales. Targets should allow for direct effects to be measured and should be SMART (**S**pecific; **M**easurable; **A**chievable; **R**ealistic; **T**ime-bound). Not all of the targets fit these requirements; not all of the policies are monitored; and there are some extraneous monitoring indicators and targets which have nothing to do with the DPD's policies (e.g. Jobseeker claimants); and some Indicators were to be used to monitor localities which were not, in fact, part of the geographical coverage of the DPD. Thus the DPD fails the effectiveness criterion as its policies are not able to be monitored.
- 1.32 However, during the Examination the Council re-assessed the DPD's monitoring provisions using the Government's *LDF Monitoring: Good Practice Guide* and set some new or amended indicators, targets and delivery mechanisms. I consider these changes to be modifications based on the SA and other already published data, and the Council published

the changes on its web site for public comment. Therefore, I consider that I am able to recommend them.

- 1.33 The Council suggested that some policies should have a target of 100% success or 0% permissions, which may be difficult to achieve. For instance, new tourist accommodation may not achieve planning permission because of poor design (the target is that 100% of applications achieve permission). But I do not think that targets should be lowered at this stage as otherwise the policy objectives could be undermined and exceptions could become the norm. However, the Council should review at set times the DPD's objectives, policies and targets in the light of its monitoring experience. So I recommend that ¶ 5.7 be altered to say this, and to say that policy performance will be re-evaluated every 3 years on a "rolling" basis. And it is at each of those 3-yearly periods that any review of the DPD could be triggered, subject to the Council's consideration of the detailed reasons for any variation. The Council suggested the "trigger" should be a variation in target of more than 25%, which I accept given related Government advice in PPS3 of a 20% plus variation being a figure which could trigger management action.
- 1.34 With these recommended changes I consider that the monitoring provision would meet the key test of providing sufficient information to assess policy implementation and its significant effects, having regard to the Council's available resources (4.28 of the *Good Practice Guide*). Thus, with my recommended changes, I find the DPD to be sound in this respect.

Recommendation 7: Alter ¶s 5.5 to 5.7, and the indicators, targets and monitoring measurements to conform to the *Good Practice Guide* and to apply to each policy.

6. Whether the proposed policies will effectively deliver the Vision and Objectives

Policy CV1 – One Bedroom Flats

- 1.35 Although the Cliftonville West Renewal Area and the DPD plan area are the same, I consider that the policy's reference to the Renewal Area could create confusion in implementation for developers as there are other Areas, and so the policy would lack effectiveness. I therefore recommend that it is changed.

Recommendation 8: Alter policy CV1 to refer to the DPD plan area.

- 1.36 It is clear from the evidence that the large numbers of single bedroomed flats, bed-sits and other similar accommodation in houses in multiple occupation have been a prime cause of a downward cycle of decline by attracting large numbers of vulnerable and dependant people into the area. I saw from my visit to Cliftonville the negative visible signs of this decline on a once prosperous area. I am also satisfied from the evidence that this policy (and policies CV2 and CV3) will play a major part in the Council's efforts to halt that cycle of deterioration in the physical, economic and social well-being of the area.
- 1.37 I accept that to continue to allow increasing numbers of small residential units in this area would add to these deep-seated problems. Retaining family dwellings and encouraging a greater variety in housing stock is an essential element in creating a more stable, mixed and cohesive community. The Council has implemented a similar policy (the "Council Policy &

Supplementary Planning Guidance for Residential Accommodation in Cliftonville West Renewal Area 2005") which has been supported on appeal.

- 1.38 I agree with the Council that introducing an exception to the policy for specialised forms of small accommodation, such as sheltered flats, would dilute a clearly understood and simple policy to not permit single bedroom residential accommodation in the area. An exception would make it less effective in operation. A departure from this policy (and policy CV3) could be made by the Council if robust and convincing evidence of a need for flats was provided.
- 1.39 Many of the respondents were concerned that the Council should review its guidelines concerning the size of flats, setting minimum sizes, and that its lack blunted the effectiveness of this policy. However, I have not seen any evidence which suggests that flat sizes should be different in different parts of the district. So I have no reason to disagree with the Council's expressed view that any size limitation should be decided for the whole District and not just for Cliftonville. More importantly, the Council does not have any evidence which would inform the appropriate size range for flats in the DPD area, and nor has there been any evidence-based proposal for a specific size limitation which has been the subject of public consultation. Because of these last two points I could not introduce such a change to the policy at this late stage.
- 1.40 However, in order to be sound the DPD should say in the explanatory text on this matter (¶ 7.10 onwards) where and when the flat guidelines will be considered so that the policy is made as effective as possible and there is certainty about future progress on this point. The Council said that this will be done in a Supplementary Planning Document (SPD) by 2012, and not in any future conservation area management plan (as ¶ 7.12 hints). A possible conservation area is a separate matter covered by other legislation and this, together with the confusion that would otherwise be caused about the future implementation of flat size guidelines, means that I recommend that ¶ 7.12 should be deleted as it is unsound.

Recommendation 9: Alter ¶ 7.10 to indicate that an SPD on flat guidelines is to be adopted by 2012, and delete ¶ 7.12 concerning a possible conservation area.

Policy CV2 – Retention of Family Housing

- 1.41 I consider that this policy and its explanatory text are sound. My reasoning in paragraph 7.2 above applies to this policy as well.

Policy CV3 – Provision of Family Housing in New Developments

- 1.42 Again, my reasoning in paragraph 7.2 above applies to this policy as well. Policy CV3 does not permit flats unless it can be shown there are specified design concerns, one of which is that there is no acceptable design solution for individual family dwellings. The policy and its explanatory text are unclear as to what those design concerns might be in practice, which makes it unsound as its clarity and hence effectiveness are uncertain. The Council suggested some additional text to ¶ 7.16 which remedies this point, and which I recommend.

Recommendation 10: Alter ¶ 7.16 to give examples of family dwelling design conflict.

Policy CV4 – Provision of Tourist Accommodation

- 1.43 The first two bullet point criteria are too strict in policy CV4 as they would prevent any tourist accommodation where there was any detriment to amenity or to on-street car parking provision for neighbours and residents. I think it unlikely that any new tourist development would pass two such strict tests. It must be a matter of judgement as to whether the matters at issue have been so significantly affected that permission should be refused, and so the policy is unsound as it is not effective in promoting tourist accommodation. I therefore recommend inserting the word “significant” into both these criteria to make the policy sound and effective.

Recommendation 11: In the first two bullet points amend to: “significant detriment” and “significantly reducing” respectively.

- 1.44 The last paragraph of this tourism section (¶ 8.4) on occupancy control is more than just explanatory text – it is part of the policy setting out how permission would be granted. In order to make the policy effective and thus sound I recommend that it be included within the policy. I agree with the Council that the enforcement of occupancy controls in this criterion must be effective to make the policy work. For that reason I recommend the deletion of the word “reasonable” (as it is undefined) and also the inclusion of the words “without prior notice”. Otherwise the inspection of the occupiers’ register for a property could be delayed and enforcement made difficult or impossible.

Recommendation 12: Add ¶ 8.4 to the policy CV4 criteria, deleting the word “reasonable” and adding the words “without prior notice”.

Transportation

- 1.45 Section 9 of the DPD deals with transportation, and starts by discussing cycle parking provision in its explanatory text. This part of the DPD relies for its effectiveness on the ability to require cycle parking provision using a Supplementary Planning Guidance (SPG) note produced by the County Council, which in turn relies upon a policy in the Structure Plan. However, the Structure Plan has been superseded by the South East Plan, and so I am doubtful that the SPG could be given much weight. Thus, I consider it likely that the DPD’s requirement for cycle parking would be ineffective. I therefore recommend that ¶s 9.4 and 9.5 should be rephrased as a positive new policy in order to give effect to this provision. This would accord with regional policy T4 of the South East Plan which seeks to ensure the provision of sufficient cycle parking.

Recommendation 13: Alter ¶s 9.4 and 9.5 to become a new policy (CV5) on cycle parking provision.

Policy CV5 – Parking Provision for the Conversion of Former Hotel Accommodation

- 1.46 Car parking provision for the conversion of former hotel accommodation is addressed in policy CV5 (now CV6). I consider for a number of reasons that the policy is not clear and so its effectiveness is blunted and thus unsound. Firstly, the Council told me that when the policy says “level” it actually means “amount” and, secondly, that when the policy says “material” it means “individual”. To make the policy sound these words should be changed accordingly.

- 1.47 Secondly, the criteria listed underneath the policy as explanatory text are essential to the policy's operation and effectiveness. I therefore recommend or soundness that they should be included within the policy.

Recommendation 14: Substitute "amount" for "level"; and "individual" for "material"; and make the explanatory text criteria part of policy CV5 (now CV6).

7. Minor Changes

- 1.48 The Council wishes to make several minor changes to the submitted DPD in order to clarify, correct and update various parts of the text. It also suggests deletions of various parts of the text which are merely summaries of the evidence base. Although these changes do not address key aspects of soundness, I endorse them on a general basis in the interests of clarity and accuracy and they are set out in the attached Schedule of Minor Changes.

8. Overall Conclusion

- 1.49 I conclude that, with the changes I recommend in Annex 1, the Cliftonville DPD satisfies the requirements of section 20(5) of the 2004 Act and meets the criteria for soundness in PPS12.

David Vickery

INSPECTOR

Attachments: **Annex 1 – Recommended Changes;** and **Schedule of Minor Changes**

Annex 1 – Recommended Changes

The changes below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the change in words in *italics*. The left-hand column sets out my Report recommendation number.

The page numbers and paragraph numbering below refer to the submission DPD, and do not take account of the deletion or addition of text.

Rec	Page	Policy/ Paragraph	Recommended Change
R4	4	Vision	<i>Delete the last paragraph.</i>
R4	5	Objectives	<p><i>Delete the Objectives and replace with the following:</i></p> <ul style="list-style-type: none"> • <u>To contribute towards a more balanced pattern of types, sizes and tenures of residential properties in the area, reducing the transient nature of residents, by curtailing the development of small, low quality flats and bedsits.</u> • <u>To retain or increase the proportion of family houses in the area.</u> • <u>To help to attract long term commitments from families and individuals who will invest in high quality accommodation.</u> • <u>To encourage and stimulate quality tourist accommodation back to the area.</u> • <u>To mitigate the impact of new development on the demand for on-street car parking.</u>
R5	5	Objectives	<p><i>Insert new paragraph after the Objectives:</i></p> <p><u>The issues affecting Cliftonville are persistent, wide ranging and cannot be resolved solely by this DPD. This DPD is part of a number of Council initiatives, and initiatives being progressed by other bodies, which aim to achieve wider objectives for the area. Actions which the Council and its partners can help to deliver as part of these wider objectives separate from this DPD include:</u></p> <ul style="list-style-type: none"> • <u>Ensuring that new development is of high quality, good design and of an appropriate scale and character.</u> • <u>Improving the urban fabric, streetscene and environment within the area.</u> • <u>Encouraging a high standard of refurbishment or redevelopment of obsolete and neglected properties for the benefit of the area incorporating high quality and inclusive</u>

Rec	Page	Policy/ Paragraph	Recommended Change
			<p><u>design.</u></p> <ul style="list-style-type: none"> • <u>Providing for adequate and efficient garden space.</u> • <u>Greening the neighbourhood and improving the appearance of the street scene.</u> • <u>Facilitating the convenient and discrete storage and collection of materials for recycling and reduce the amount going to landfill.</u> • <u>Encouraging and supporting existing and new businesses, employment and leisure opportunities in Cliftonville.</u> • <u>Providing employment opportunities in locations where there is no conflict with residential amenity.</u> • <u>Improving the provision of local community, leisure and health facilities.</u>
R3	12	2.13	<i>Delete the last paragraph starting "Further phases ..."</i>
R6	20	Section 5	<i>Move the whole section "Monitoring & Implementation" to the end of the DPD but before its Appendix 1.</i>
R7	20	5.5	... The policies within this DPD support and advance the aims of that policy, and therefore include the same contextual indicators.
R7	20	5.6 to 5.7	<p><i>Delete all from ¶ 5.6 to ¶ 5.7 inclusive, and replace with the following:</i></p> <p><u>Output Indicators</u></p> <p><u>The following are local output indicators which are used to assess the performance of the policies in this DPD. All of the policies in this DPD are to be implemented by the Council. Responsibility for its implementation will be via the Development Management function by using the policies to help determine planning applications received in the DPD area. This will be carried out within the timescales shown and using established monitoring practice through the Councils Annual Monitoring Report (AMR) which is the responsibility of the Councils Strategic Planning Team.</u></p> <p><u>Policy CV1</u></p> <p><u>Indicator 1</u></p> <p><u>% of single bed and/or non self-contained accommodation permitted in the DPD area (Baseline 2005: 27%, 2006: 18%, 2007: 0%, 2008: 0%).</u></p> <p><u>Target</u></p> <p><u>0% permissions within the DPD Area following introduction of policy</u></p>

Rec	Page	Policy/ Paragraph	Recommended Change
			<p><u>and annually thereafter.</u></p> <p><u>Monitoring</u></p> <p><u>Planning applications for planning permission granted.</u></p> <p>Policy CV2</p> <p><u>Indicator 2</u></p> <p><u>Net loss of family housing.</u></p> <p><u>Target</u></p> <p><u>0% permissions within the DPD area following the introduction of policy and annually thereafter.</u></p> <p><u>Monitoring</u></p> <p><u>Number of planning applications granted as a departure to policy CV2.</u></p> <p>Policy CV3</p> <p><u>Indicator 3</u></p> <p><u>Number of residential schemes including the provision of flats granted planning permission.</u></p> <p><u>Target</u></p> <p><u>Maximum of 20% of all residential schemes to be monitored annually (this target will be reviewed in the light of experience).</u></p> <p><u>Monitoring</u></p> <p><u>Planning applications for planning permission granted.</u></p> <p>Policy CV4</p> <p><u>Indicator 4</u></p> <p><u>% Planning applications for new tourist accommodation granted in accordance with Policy CV4.</u></p> <p><u>Target</u></p> <p><u>100% granted permission within the DPD area following the introduction of the policy and annually thereafter.</u></p> <p><u>Monitoring</u></p> <p><u>Planning applications for planning permission granted.</u></p>

Rec	Page	Policy/ Paragraph	Recommended Change
			<p>Policy CV5</p> <p><u>Indicator 5</u></p> <p><u>% of planning applications granted for new residential development where cycle parking is provided in accordance with Policy CV5.</u></p> <p><u>Target</u></p> <p><u>100% to be monitored annually.</u></p> <p><u>Monitoring</u></p> <p><u>Through planning applications granted.</u></p> <p>Policy CV6</p> <p><u>Indicator 6</u></p> <p><u>Number and % of planning applications granted for the conversion/redevelopment of hotels where no notional allowance has been made for existing car parking requirements.</u></p> <p><u>Target</u></p> <p><u>100% granted permission within the DPD area following the introduction of policy and annually thereafter.</u></p> <p><u>Monitoring</u></p> <p><u>Planning applications for planning permission granted.</u></p> <p><i>Insert new ¶ 5.7 as follows:</i></p> <p><u>Performance of policies against objectives will be monitored against the above indicators and targets through the Council's Annual Monitoring Report. The targets aim to be challenging but achievable. However, because this DPD deals with very specific local issues, the Council acknowledges that there will be a need to reassess these in light of experience as to what is realistic and achievable.</u></p> <p><u>In some instances targets have been calibrated at 100% or 0%. Performance below targets does not necessarily mean that objectives or policies require adjustment, and account will be taken of the circumstances of any application permitted as a departure to policy in this DPD. Performance reviews will be carried out every 3 years (following adoption of the DPD) on a "rolling" basis. Any variation in performance in meeting targets of more than 25% could trigger a review of the DPD, subject to the reasons for the variation. Such performance reviews will consider whether monitoring indicates the need to:</u></p>

Rec	Page	Policy/ Paragraph	Recommended Change
			<ul style="list-style-type: none"> • <u>review objectives</u> • <u>review policies</u> • <u>review or recalibrate targets.</u>
R5	23	6.3	<i>Delete bold text and bullet points after ¶ 6.3.</i>
R8	27	Policy CV1	Proposals to provide single bedroom flatted accommodation, bed-sits and non self-contained accommodation (houses in multiple occupation) within the <u>DPD Plan Area</u> of the declared Cliftonville West Renewal Area will not be permitted. This includes ...
R9	27	7.10	... However it is considered appropriate for the Conversions to Flats Guidelines, including internal space standards, to be reconsidered, <u>reviewed</u> and this has been programmed as a Supplementary Planning Document in to the most recent Local Development Scheme (<u>third revision effective from 2nd February 2009</u>). <u>This will be a new Supplementary Planning Document with work scheduled to begin in April 2011 and estimated adoption March 2012.</u>
R9	27	7.12	<i>Delete this paragraph.</i>
R10	29	7.16	This approach could result in conflict with design and townscape issues where smaller <u>individual family homes dwellings</u> may be proposed adjacent to existing more substantial larger scale property. <u>For example, a development of 2-storey family houses would look out of place in a street solely comprising four or five storey buildings. Additionally, modern development tends to have smaller floor-ceiling heights than typically found in the area which could lead to fenestration patterns appropriate to flats rather than family houses.</u> Notwithstanding this potential conflict, <u>the Council considers that in most cases innovative design solutions, such as the use of 3-storey town houses or similar, should may</u> enable appropriate solutions to be reached to the overall benefit of the area.
R11	30	Policy CV4	<p>Planning permission for new tourist accommodation will be granted if all of the following criteria can be met:</p> <ul style="list-style-type: none"> • the new use would not cause <u>significant</u> detriment to the amenity of neighbouring properties through noise and disturbance; • the new use can accommodate the necessary parking requirement, without damage to the character of the local area, and without <u>significantly</u> reducing the availability of on-street parking to the detriment of existing residents; • front gardens will be retained, including ...; • in considering applications for planning permission ...;

Rec	Page	Policy/ Paragraph	Recommended Change
R1			<ul style="list-style-type: none"> • the proposal does not result in; • the proposal is well designed and; • there is no negative impact on biodiversity or the internationally designated sites. • <u>there is no negative impact on biodiversity arising from the development and, where necessary, biodiversity enhancements are integral to the proposal.</u> • <u>the proposal incorporates, where necessary, full and detailed mitigation measures to avoid and reduce disturbance to interest features of the internationally designated sites.</u>
R12			<p><u>Any planning permission would be subject to an occupancy condition, which will normally involve restricting occupation by one person or group of persons to a maximum continuous period of six weeks in any one year. In addition, the use of such premises for habitation will be limited to a maximum of 11 months in any one year. To facilitate the enforcement of such controls, applicants will be required to make available to the Council, upon request and without prior notice, the register of occupiers of the premises to which the permission relates.</u></p>
R12	31	8.4	<i>Delete this paragraph.</i>
R13	32	9.4 & 9.5	<i>Delete these paragraphs.</i>
R13	32	After 9.3	<p><i>Insert new policy after ¶ 9.3 text::</i></p> <p>Policy CV5 – CYCLE PARKING PROVISION</p> <p><u>All proposals for new residential development will require the following minimum provision for cycle parking to be met:</u></p> <ul style="list-style-type: none"> • <u>Individual residential dwellings – 1 space per bedroom ¹</u> • <u>Flats & Maisonettes – 1 space per unit ²</u> • <u>Sheltered Accommodation – 1 space per 5 units ²</u> <p><u>This may necessitate, and the Council will encourage and support, the demolition of existing rear extensions/outbuildings in order to meet these requirements. It is recognised that the provision of cycle storage facilities may result in fewer residential units being provided.</u></p> <p><u>Notes to Policy:</u></p> <p><u>1. Cycle parking provision should normally be provided within the curtilage of the residential dwelling. Where a garage is provided it</u></p>

Rec	Page	Policy/ Paragraph	Recommended Change
			<p><u>should be of a suitable size to accommodate the required cycle parking provision.</u></p> <p><u>2. Parking provision should be provided as a secure communal facility where a suitable alternative is not available.</u></p>
R14	35	Policy CV5	<p><i>Renumber as CV6, and amend as follows:</i></p> <p>POLICY CV56 - PARKING PROVISION FOR THE CONVERSION OF FORMER HOTEL ACCOMMODATION</p> <p>In considering parking requirements for alternative use through conversion/redevelopment of former hotel accommodation, the level <u>amount</u> of any existing notional parking standard that may be netted off such requirement will be based on the material <u>individual</u> circumstances of each case.</p>
R14	35	After Policy CV5	<p><i>Make the explanatory text criteria, beginning "Criteria to be considered will ...", part of the policy by highlighting them all in bold.</i></p>
R2	36	Appendix 1	<p>Appendix 1 – Cliftonville West Renewal Area <u>Development Plan Document - Plan Area</u></p>
R2	37	Map	<p><i>Replace with clearer and larger A3 size map labelled:</i></p> <p><u>Cliftonville Development Plan Document – Plan Area</u></p>
R3	38	Appendix 2	<p><i>Delete Appendix 2 and Map.</i></p>
R3	40	Appendix 3	<p><i>Renumber as Appendix 3.</i></p>

Schedule of Minor Changes

The changes below are expressed either in the conventional form of ~~strike through~~ for deletions and underlining for additions of text, or by specifying the change in words in *italics*.

The page numbers and paragraph numbering below refer to the submission DPD, and do not take account of the deletion or addition of text.

Page	Policy/ Paragraph	Change
1		... Document — Proposed Submission Document Proposed Submission Document - May 2009
1		<i>Add paragraph at end:</i> <u>This Development Plan Document contains a set of planning policies to be used for Development Management purposes to manage the large number of planning applications that are submitted in the area. It is being introduced in advance of the Core Strategy as the quickest way to implement additional planning controls as urgent intervention is needed to enable the area to improve. There are other Council initiatives being developed to address some of the other issues that cannot be dealt with via planning policy. There is no conflict between the emerging Core Strategy and policies contained within this document.</u>
7	1.5	... Thanet is ranked 62 <u>65</u> out of 354 local authorities
10	2.4	The emerging South East Plan, March 2006 has been subject to an Examination in Public and in July 2008 the Government published its proposed changes to the plan. Whilst it does not yet have the full weight of an adopted plan it carries sufficient weight to merit consideration. It <u>The South East Plan (adopted June 2009)</u> recognises the priority to be given to ...
11	2.9	<i>Delete this paragraph.</i>
11	2.10	... The Cliftonville DPD does not replace any of the policies in the Local Plan, but has evolved from Policy H10 which identifies Cliftonville West as an Area in Need of Special Action. <u>This area is shown on the Local Plan Proposals Map, and is the area covered by the Cliftonville West Renewal Area – this is also the area to which this DPD applies.</u> The lifespan ...
12	2.12	This DPD echoes the sentiments of the draft <u>East Kent Local Strategic Partnership Sustainable Community Strategy (consultation draft, January 2009)</u> 2009 <u>2009</u> which identifies ...
12	2.13	A Renewal Area was declared for parts of Cliftonville West and Margate Central wards in 2005 – <u>this is the area covered by this DPD.</u> A map showing this area is in Appendix 1 ...

Page	Policy/ Paragraph	Change
15	3.5	<i>Delete final sentence as shown below:</i> ... application to the DPD / SPD. The relationship of these stages to the plan production is shown in the following figure:
16	3.5	<i>Delete Diagram after paragraph 3.5.</i>
16	3.8 – 3.18	<i>Delete these paragraphs.</i>
19	4.1 – 4.2	<i>Delete Section 4 and these paragraphs.</i>
27	7.10	A significant issue arising from public consultations is the number of small of flats ...
29	7.15	... Therefore it is appropriate to introduce <u>a</u> policy that requires consideration ...
30	8.3	It will be necessary to ensure that <u>any</u> new serviced accommodation ...
Throughout Document		<i>Change 'Development Control' to 'Development Management'.</i>