

Chapter 17 – Communities

Document Section Path	17 - Communities CM01
Document Part Name	CM01

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
Cooper	Barbara	514	Kent County Council (KCC)		Object	<p>Sport and Physical Activity Service: Whilst sports facilities are referenced, KCC recommends reference to Sport England guidance and advice around technical specifications according to the type of facility is also provided. This could be included by using the following links:</p> <p>https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/ https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/ https://www.sportengland.org/facilities-planning/active-design/</p> <p>PRoW and Access Service: KCC is supportive of the policy's intention to make facilities accessible by walking or cycling to the local community.</p>		1533		Email
samme	terence	140			Observation	All very much wanted but, judging by what has happened at Westwood so far, none are likely to be built as the cost would fall on any doctors/ community groups, etc. We already have 2 large housing developments at Westwood but NO children's play areas, let alone community buildings, schools, nurserys etc.		352		Web
Spanton	Ed	125	Ed Spanton Farms	Howard Courtley - Courtley Planning Consultants Ltd	Object	See attached submission made on Chapter 17 of Local Plan by SPRU	See attached submission from SPRU	304	09.27.18.AB.K5022PS.GeneralRep.Final.pdf(739 KB)	Web

Document Section Path	Protection of Existing Community Facilities CM02
Document Part Name	CM02

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
Anderson	Michael	495	Planware LTD		Object	<p>Policy CM02: Protection of Existing Community Facilities – 04/10/2018 Response to Draft Thanet Local Plan (2031) – Pre-Submission Publication (Reg 19) Introduction This response relates to proposed Policy CM02: Protection of Existing Community Facilities</p> <p>We have considered the policy with regard to the principles set out within the Framework. Local Plans should “plan” positively for development; be justified; effective; and consistent with the Framework. Proposed Policy CM02 in our eyes, is not sound and fails to be consistent with the Framework.</p> <p>The proposed policy restricts development in areas where the local planning authority deems unviable, therefore contradicting the Frameworks aims of promoting sustainable development. Not only is this an example of negative, backward planning but it should be considered unjustified.</p> <p>The proposed policy is not positively prepared, justified, effective or consistent with the Framework. Paragraph 7 of the Framework confirms that “<i>the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs</i>”. The Framework confirms that sustainable development is about positive growth, making economic, environmental and social progress for our future generations. Simply maintaining a community facility, that may not be needed, can not outweigh the importance of the next generation.</p> <p>The proposed policy is overly protective and not justified or positive in its approach. This is contrary to</p>		1381	Policy CM02 - Planware Objection (1).pdf(337 KB)	Email

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
						<p>para 11 of the Framework which advises authorities to positively seek opportunities to meet development needs of their area. Therefore, this could signify the removal of a community facility for retail development as a benefit, not a detriment, dependent on the needs of that specific area.</p> <p>The policy is therefore inconsistent with para 80 and para 81 of the Framework.</p> <p>Para 80 states:</p> <p><i>“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation⁴⁰, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.</i></p> <p>Para 81 states:</p> <p><i>Planning policies should:</i></p> <p><i>a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;</i></p> <p><i>b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;</i></p> <p><i>c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and</i></p> <p><i>d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.</i></p> <p>The policy outlines that consideration will be made if <i>“the need for existing or alternative community</i></p>				

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
						<p><i>facilities has been researched and that there is in insufficient viable demand</i>". This is portrayed as vague and does not effectively outline exact parameters of considerations taken into account when determining 'need'. Additional detail is required to define 'viable' and how it would work in practice in a development management scenario.</p> <p>The policy states "<i>Proposals will not be permitted unless: 1. It can be demonstrated that there is insufficient viable need for the community use or there is alternative local provision which is accessible to the local community</i>". This is unjustifiable because whilst a facility can have a demand, it could remain financially unfeasible. To measure just the need of a community facility is not examining other key variables that carry significant weight when determining the viability and feasibility of any development.</p> <p>Further outlined in the policy's supporting text is the provision that "<i>the site has been actively marketed for its existing use and alternative community uses, at a realistic price and for a reasonable period of time of at least one year, proportionate to the type of and scale of the facility</i>". It is considered that one year is restrictive in the current economic climate. It is unfeasible and unreasonable to expect a developer to wait a year for the chance to develop. This is contained within the policy to stop developers even trying to develop. As a result, the inclusion of this hurdle will in fact reduce the viability for the developer and thus contradict the NPPF, which seeks to promote sustainable development.</p> <p>Further to this, the inclusion of this line (17.10, point #4) could prevent a deteriorating unviable facility to be developed at the benefit of the local community. It is considered that the proposed policy would be overly restrictive and would prevent development, which could provide a crucial asset to the wider community.</p> <p>No consideration is given to the achievement of sustainable development as required throughout the Framework.</p> <p>No consideration has been given to the potential negative impact that the policy may have on the local community, employment provision, retail provision or</p>				

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
						<p>on sustainability measures.</p> <p>We have demonstrated above that the policy is not consistent with the Framework.</p> <p>The proposal does not accord with the “golden thread” running through the Framework which seeks to build a strong competitive economy. The policy potentially stifles local economic development and is not consistent with the policy framework.</p> <p>Soundness – Summary The proposed policy is considered unsound and fails to meet the four tests of the Framework. It is not positively prepared; justified; effective; or consistent with national planning policy. The policy should therefore be deleted.</p> <p>If the policy is to be retained, it should be less vague and more specific, to retain consistency and clarity during its implementation.</p> <p>Further to this, one year of marketing for a community use is considered too long. Desirable sites will be sought-after and one year is deemed excessive to prove this. A 6-month period is considered more reasonable from both a marketing perspective and a developer’s perspective.</p> <p>We reserve the right to expand on and provide evidence to support the points raised above at any examination in public</p>				
Clarke MRTPI	Tom	302	Theatres Trust		Support	The Trust welcomes this policy, which should protect the district's valued facilities from unnecessary loss. We are also appreciative that cultural facilities have been included within the definition of community facilities articulated in paragraph 17.5 following our previous representation.	N/A	878		Web
Tuffs	Jo	79			Support	Community buildings maintained by Thanet District Council have been left to rot. In the rush to sell off various buildings there has been no thought to the effect on the communities.		197		Web

Document Section Path	Margate Cemetery Expansion CM03
Document Part Name	CM03

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
.		311	St Johns College	Mark Hodgson - Savills	Object	<p>We object to the cemetery extension proposed under policy CM03. This land is owned by our client and we believe it should be included within the strategic Westwood policy boundary shown on the Proposals Map as opposed to a separate allocation. Our reasoning is set out below.</p> <p>A draft cemetery proposal was consulted on in the Preferred Options consultation in January 2015 under Policy CM03. This policy stated that Margate Cemetery is nearing capacity and a need has been identified for its expansion and a site of 4.2 hectares has been identified to the east of the existing cemetery to accommodate the additional land requirement. This policy has been carried forward into the Submission Plan. However, there is no evidence provided in relation to the amount of land required or how this particular area of land was identified. This extension is proposed on land owned by St John's College and at present there is no funding in place to deliver this cemetery extension.</p> <p>In this context the College wishes to work with the Council in order to assist in the delivery of this cemetery proposal. However, it should be noted that this is not a requirement that arises as a result of the proposed residential allocation under Policy SP16. Rather it is an existing need and it is reiterated that any identified need for the cemetery extension results from broader need in the locality and not as a result of the proposed housing allocation. As such, it is necessary to make clear that any land offer over and above direct mitigation for the scheme will be offered to the Council to purchase in order to comply with relevant legislation and national policy. Reference is made to the following extract of the Planning Practice Guidance, which sets out the fundamental tests:</p> <p><i>Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework.</i></p> <p>23b-001-20161116</p> <p>Subject to agreement on the site area actually needed for the cemetery expansion we have included an alternative site for this</p>	<p>The policy should be deleted and replaced as below:</p> <p>The expansion of Margate Cemetery will be supported. Any ancillary cemetery uses must be compatible with the Strategic allocation SP16.</p> <p>Acting for a strategic site landowner we would welcome the opportunity to put our view in person to the Inspector. It is felt that discussions will be needed regarding the size and location of the cemetery extension and how this is best addressed in the policy.</p>	1296		Email

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
						<p>proposal within our illustrative masterplan. This site covers the same area of 4.2 ha as shown in the previous consultation document under Policy CM03. It should be stressed that this is an indicative masterplan and further discussions are required on the justification and size and location of the cemetery proposal.</p> <p>It is suggested that the policy approach to the provision of the cemetery extension should be changed to one of support but without the need to specify a size and location. This approach provides flexibility on the location subject to detailed site investigations. This could be a sensible way forward for the provision of the Margate cemetery extension given the uncertainties around the justification, timescales and area required.</p>				
Coombs	Joshua	292			Support	<p>I absolutely support this proposal. There also should also be a requirement for additional car parking of fifty more spaces with hard standing on the existing car park area already located in the Crematorium ground. Frequently access to services or the Crematorium/Cemetaries are restricted due to double parking and over capacity that causes delays and operation issues. This new parking area can be incorporated together with the Pipers Field/Land off Nash Road Fields and Manston Court Road with soft edging and expansion of the Gardens or Rest Cemetery towards the side.</p>		859		Web

Document Section Path	Expansion of Minster Cemetery CM04
Document Part Name	CM04

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
.		311	St Johns College	Claire Mills - Savills	Object	<p>The landowner has no in principle objection to offering additional land for the delivery of an expansion to Minster Cemetery. This is subject to suitable evidence base on need being secured through the planning application and/or Examination process. Thanet District Council officers have confirmed that they have not collated any evidence base to justify the need for a cemetery extension under this emerging policy. Whilst Minster Parish Council has offered the enclosed justification during pre-application discussions, it is considered this needs further exploration to ensure that the plan requirement is in fact justified and consequently sound.</p> <p>Assuming that the Inspector is content that a sufficient evidence of need is identified, it is reiterated that the landowner is content to offer the relevant parcel of land to Minster Parish Council.</p> <p>Instead concerns are raised over the precise wording of policy CM04. The use of the phrase 'Land is to be provided' ... 'as part of the adjoining housing allocation' implies that the land will be provided as an integral part of the housing-led scheme, effectively implying that it is required as part of this allocation. However, it is reiterated that any identified need for the cemetery extension results from broader need in the locality and not as a result of the proposed housing allocation. As such, it is necessary to reiterate that any land offer over and above direct mitigation for the scheme will be offered to Minster Parish Council to purchase (likely at agricultural land value) in order to comply with relevant legislation and national policy. Reference is made to the following extract of the Planning Practice Guidance, which sets out the fundamental tests:</p> <p><i>Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in</i></p>	<p>It is suggested that CM04 is rephrased as follows: 'The expansion of Minster Cemetery will be supported. Any ancillary cemetery uses must be compatible with housing-led allocation H012'.</p> <p>It is anticipated that discussions may be required in relation to the needs justification for the cemetery extension into which St John's College expect to input. It is reiterated that the landowner does not seek to dispute a need exists for the expansion of Minster cemetery. However, it is felt discussions are needed to ensure that the evidence base on which the policy is based is fair, justified and the most suitable way in which to calculate need during the plan period.</p> <p>St John's College also seek to engage in discussions regarding the precise wording of the policy and assurance that the policy meets the relevant requirements with regards to the CIL Regulations and national policy requirements with respect of planning obligations.</p>	925	061 Mills Claire Savills Cemetery.pdf(537 KB)	Email

Respondent Surname	Respondent First Name	Respondent number in this document	Respondent Organisation Name	Agent Name	What is the nature of this representation?	Comment	What changes do you suggest to make the document legally compliant or sound?	Comment ID	Attached documents	Submission Method
						<p><i>the Community Infrastructure Lew Regulations 2010 and as policy tests in the National Planning Policy Framework.23b-001-20161116</i></p> <p>In light of this, the policy wording of CM04 is considered ambiguous and requiring modification to ensure that it meets the legal requirements and national policy standards outlined above. The policy must not risk any ambiguity as to the expectations that the housing-led allocation is required to 'provide' a cemetery extension in order to come forward.</p>				
Bates	Zoe	288			Object	Land should be provided for the expansion of Minster Cemetery. This should not be dependent upon any potential adjacent housing allocations being successful or not.	Do not tie any expansion of Minster Cemetery in with any change in adjacent land use.	847		Web
Bates	John	226			Object	Minster Cemetery needs to be and should be expanded by taking up part of the adjacent field (west, south or both) but must not be tied in with building development inclusions or approvals. If needs be a CPO should be obtained to ensure the land is acquired.	a CPO should be obtained to ensure the land is acquired	869		Web