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# **Report on Staplehurst Neighbourhood Development Plan 2015-2031**

**An Examination undertaken for Maidstone Borough Council with the support of Staplehurst Parish Council on the July 2015 Submission version of the Plan.**

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## **Main Findings - Executive Summary**

From my examination of the Staplehurst Neighbourhood Development Plan and its supporting documentation, including the representations made, I have concluded that subject to the recommended policy modifications I set out in this report, the plan meets the Basic Conditions.

I have also concluded that:

- The plan has been prepared and submitted for examination by a qualifying body – Staplehurst Parish Council;
- The plan has been prepared for an area properly designated – the Neighbourhood Plan area, the boundary of which is coterminous with the Parish boundary;
- The plan specifies the period to which it is to take effect – from 2015 to 2031; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *Staplehurst Neighbourhood Development Plan 2015-2031*

- 1.1 Staplehurst is a large village and parish, situated some 10 miles south of Maidstone with the village being on the A229 road between Maidstone and Hastings. The parish has a population of over 6,000, with most retail, employment and community facilities being focused within the village. Beyond the village, the parish is rural in character, with agriculture being the predominant land use within a landscape that also contains some extensive areas of woodland.
- 1.2 The historic core of the village is focused around the High Street between Cuckold's Corner and All Saints Church. The development of the railway and Staplehurst Railway Station led to development in the late-19<sup>th</sup> Century in and around Station Road, and this extended the village northwards to the railway line. There is virtually no built development to the north of the railway line, which remains as a 'development limit' to the expansion of the village further northwards.

- 1.3 Expansion of the village in the post-war period has occurred in a series of phases both to the east and west of the High Street. The most recent phase, in the Lime Trees area, has largely occurred during the past 15 years.
- 1.4 There are also a significant number of businesses based in Staplehurst, many of which are concentrated in the commercial area immediately south of the Railway Station. The primary retail area is along the High Street in the centre of the village, which is also the focus for a number of community facilities including the health centre and library.
- 1.5 The countryside beyond the village of Staplehurst is characterised by differing landscapes. To the south-east of the village is Staplehurst Manor with a formal parkland landscape. There are some extensive areas of woodland, particularly to the south-west of the village, whilst other areas have a pattern of smaller fields and paddocks bounded by tall hedgerows.
- 1.6 The plan preparation process began in 2013 and has been informed by a series of distinct public engagement events. The plan seeks to set out a vision for the parish through until 2031 and comprises specific planning policies and objectives, grouped under six policy themes. These are all supported by a strategic village framework, indicating how new development needs to integrate with the existing village.

#### *The Independent Examiner*

- 1.7 I have been appointed as the examiner of the Staplehurst Neighbourhood Development Plan by Maidstone Borough Council, with the agreement of the Staplehurst Parish Council, who are the qualifying body for the purposes of this examination.
- 1.8 I am a chartered town planner, with over 40 years of experience in planning, and have worked in both the public and private sectors. I have also served on a Government working group considering measures to improve the Local Plan system, and I have also undertaken peer reviews on behalf of the Planning Advisory Service.
- 1.9 I am independent of the qualifying body and the local authority and do not have an interest in any of the land that may be affected by the plan. I therefore have the appropriate qualifications and experience to carry out this independent examination.
- 1.10 I have had sight of an 'Interim Report' (dated 4 May, 2016) prepared by an independent examiner, who carried out an initial assessment of the plan prior to my appointment. However, as the newly (and sole) appointed examiner of this plan, I must carry out my own full and independent examination. I am neither relying on, nor bound by any previous work of the formerly appointed examiner. I must, through the consideration of the plan and relevant evidence, come to my own

independent conclusions and recommendations on compliance with the Basic Conditions and other legal requirements.

### *The Scope of the Examination*

- 1.11 As the independent examiner I am required to produce this report and recommend either:
- a) that the neighbourhood plan is submitted to a referendum without changes; or
  - b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.12 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The examiner must consider:
- Whether the plan meets the Basic Conditions;
  - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the Local Planning Authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;
    - it does not include provisions and policies for 'excluded development';
    - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
    - whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum; and
  - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').
- 1.13 I am not to consider any matter that does not fall within paragraph 8(1) other than the additional requirement that the plan is compatible with the Human Rights Convention.

### *The Basic Conditions*

1.14 The 'Basic Conditions' are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.15 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the neighbourhood plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007), either alone or in combination with other plans or projects.

## **2. Approach to the Examination**

### *Planning Policy Context*

- 2.1 The Development Plan for Maidstone Borough Council, not including documents relating to excluded minerals and waste development, is the saved policies from the Maidstone Borough Local Plan (2000).
- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented.

### *Submitted Documents*

- 2.3 I have considered all policy, guidance and other reference documents that I consider relevant to this examination, including those submitted which comprise:

- the Staplehurst Neighbourhood Plan – Submission Plan (2015-2031), dated July 2015;
- the designated Neighbourhood Plan Area and accompanying map for Staplehurst, which was approved by Maidstone Borough Council on 14 January, 2013 and which identifies the Parish of Staplehurst area as the area to which the proposed neighbourhood development plan relates;
- the Consultation Statement dated July 2015;
- the Basic Conditions Statement, dated July 2015, explaining how the proposed neighbourhood development plan meets the Basic Conditions;
- all the Representations that have been made in accordance with the Regulation 16 consultation undertaken between 23 October and 4 December, 2015; and
- the Strategic Environmental Assessment (SEA) Screening Opinion, dated September 2015, prepared on behalf of Maidstone Borough Council for the neighbourhood plan, together with the supplementary information regarding the SEA and Habitats Regulation Assessment (HRA) Screening Report dated June 2016.

2.4 As noted in paragraph 1.10 above, I have also seen an 'Interim Report' (dated 4 May, 2016) prepared by a previously appointed independent examiner.

#### *Site Visit*

2.5 I made an unaccompanied site visit to the Neighbourhood Plan Area on 21 June, 2016 to familiarise myself with it and to visit relevant sites and areas affected by the policies.

#### *Written Representations or Public Hearing*

2.6 Following my consideration of the submitted neighbourhood plan and its accompanying documents, my site visit and consideration of the representations made during the Regulation 16 consultation period, I have dealt with this examination by Written Representations. I did not consider that a Public Hearing was necessary, as the representations and accompanying submissions have, in all cases, provided me with sufficient information to enable me to reach a conclusion on the matters concerned.

#### *Modifications*

2.7 Where necessary, I have recommended Plan Modifications (PMs) in this report in order that it meets the Basic Conditions and other legal requirements. Within the body of the report, these are shown in **bold**



type. For ease of reference, I have also listed these modifications separately in the Appendix.

### **3. Procedural Compliance and Human Rights**

3.1 I now consider the plan's compliance with the relevant procedural requirements for the preparation of neighbourhood plans.

#### *Qualifying Body and Neighbourhood Plan Area*

3.2 Staplehurst Parish Council is the qualifying body able to lead the preparation of a neighbourhood plan, in accordance with the aims of neighbourhood planning set out in the Localism Act 2011 and the NPPF. Accordingly, this requirement is met.

3.3 The plan area is coterminous with the Staplehurst Parish Council administrative boundary. Maidstone Borough Council approved the designation of the area on 14 January, 2013. The plan relates to this area and does not relate to more than one neighbourhood area. Similarly, it does not purport to deal with any matters outside the plan area. It therefore complies with the relevant legal requirements in this regard.

#### *The Plan Period*

3.4 A neighbourhood plan must specify the period during which it is to have effect. The Staplehurst Neighbourhood Plan clearly states on its front cover and in its introductory section that the plan period is from 2015 to 2031.

#### *Excluded Development*

3.5 From my review of all the documents before me, the Staplehurst Neighbourhood Plan does not include policies or proposals that relate to any of the categories of excluded development set out in the relevant legislation.

#### *Development and Use of Land*

3.6 Policies in neighbourhood plans should only relate to the development and use of land. While supporting text can reflect the aspirations and priorities of a community, they should not be reflected as specific policies. Where I consider that a policy or part of a policy does not relate to the development and use of land, I have recommended that it be amended as a modification to the plan. Subject to these recommended modifications, this requirement is met.

## *Public Consultation*

- 3.7 In accordance with Regulation 15 of the 2012 Regulations, the Parish Council has submitted a Consultation Statement to Maidstone Borough Council. I have considered this statement as part of this examination.
- 3.8 The consultation statement sets out the process by which the plan has been prepared (including the Regulation 14 consultation stage), taking into account the comments and views of residents, land owners, key stakeholders and other interested parties.
- 3.9 The preparation of the plan began with a Village Visioning Event held in September 2013, which was followed by a three day Design Forum held in October 2013. This culminated in the production of a concept drawing, which formed the basis for subsequent work.
- 3.10 A Draft Strategic Framework Plan with a draft set of six planning policy themes was prepared, and displayed at an exhibition in January/February 2014. A questionnaire invited comments on the draft policy themes. A further exhibition was held in March 2014, at which a full set of draft planning policies was presented, together with an analysis of the questionnaire responses. Following this event, a dedicated web-site was also established which enabled people to comment on the emerging plan at any time. Further comments were also made in writing.
- 3.11 The Consultation Statement provides a comprehensive digest of the comments that were made during these Pre-Submission stages in the preparation of the plan, together with specific responses by the Parish Council to each comment.
- 3.12 I have reviewed the scale and extent of the consultation and engagement work that was undertaken during the preparation of the plan. I am satisfied that the general approach was extensive and inclusive, and that consultation events were organised and publicised to enable as many people as possible to attend. Whilst it is not part of my examination to consider the responses that were made by the Parish Council during the preparation of the plan, I am satisfied that the Parish Council has taken full account of the comments that were received and has amended the plan, where necessary, to address those comments.
- 3.13 Following submission of the plan to Maidstone Borough Council, formal consultation under Regulation 16 of the 2012 Regulations was held between 23 October and 4 December, 2015. A total of 57 representations were made during that period, and I have considered these representations as part of this examination.
- 3.14 In summary, I consider that the public consultation and community engagement work that has been undertaken throughout the preparation of the plan has been open and transparent, and to a very thorough level. I consider that it has enabled all residents, stakeholders, land owners and

other interested parties to be able to comment upon the draft plan at the key stages in its preparation, and following its submission to Maidstone Borough Council. Accordingly, I conclude that the consultation process has met the legal requirements.

### *Human Rights*

3.15 In the course of conducting the examination, I have not seen any evidence to suggest that the Staplehurst Neighbourhood Plan breaches Human Rights (within the meaning of the Human Rights Act 1998). Maidstone Borough Council has raised no issues on this matter in its formal Regulation 16 consultation response on the plan, and I conclude that this legal requirement is also met.

## **4 Compliance with the Basic Conditions**

4.1 I have approached the assessment of compliance with the Basic Conditions of the Staplehurst Neighbourhood Development Plan as two main matters:

- General issues of compliance of the Plan, as a whole; and
- Specific issues of compliance of the Plan policies.

### *General Issues of Compliance of the Plan*

Regard to National Policy and Guidance

- 4.2 The NPPF explains that a presumption in favour of sustainable development will mean that neighbourhood plans should support the strategic development needs set out in Local Plans and plan positively to support local development. The NPPF is also clear that neighbourhood plans should be aligned with the strategic policies of the Local Plan. They should not promote less development than is set out in the Local Plan or undermine its strategic policies. Neighbourhood plans should provide a practical framework within which decisions on planning applications can be made with predictability and efficiency.
- 4.3 The PPG at ID: 41-041-20140306 further advises that neighbourhood plan policies should be clear and unambiguous, and that they are concise, precise and supported by appropriate evidence which reflects and responds to the context and characteristics of the area.
- 4.4 The Conditions Statement sets out the key parts of the NPPF which have been taken into account during the preparation of the plan. It notes, in particular, that "...the Staplehurst Neighbourhood Plan fills an economic, social and environmental role in planning positively to shape the future development and needs of the parish". I also note that, as part of the evidence base for the preparation of the plan, the Parish Council has undertaken a housing needs survey to help inform policies on housing mix and tenure in Staplehurst.

- 4.5 I also take into account the view of Maidstone Borough Council, set out within a report to the Council's Strategic Planning, Sustainability & Transport Committee on 10 November, 2015, that "the Neighbourhood Plan is considered to have met the objectives of paragraph 184 of the NPPF regarding making sufficient provision for new housing, and thus meeting its contribution to the Council's objectively assessed need".
- 4.6 I am satisfied that, subject to the detailed compliance points I address in in the Specific Issues section below (paragraph 4.27 onwards), the plan has been prepared having regard to current national planning policy and guidance.

#### Contribution to the Achievement of Sustainable Development

- 4.7 The Conditions Statement describes how the plan contributes to the achievement of sustainable development. It notes that the plan "is a sustainable plan that incorporates employment, key services and new facilities together with a range of access and movement options that help reduce the need to travel". It goes on to state that "the Parish Council believes that this neighbourhood plan supports the needs of the wider community by addressing the social, economic and environmental aspects of village life".
- 4.8 I have reviewed the plan in this context. I note, in particular, that the eight vision points for the plan, which were established through the consultation and engagement work undertaken during the plan's early stages of preparation, reflect the aims and objectives of achieving sustainable development. These vision points have been carried through into the specific policy themes within the plan. By way of examples, I note that the Parish-wide theme is to "create an integrated set of neighbourhood planning policies that support sustainable development across the whole of Staplehurst parish", whilst the Community theme is to "ensure that housing development brings an appropriate level of investment into community infrastructure".
- 4.9 Most of the policy themes are then developed into a series of planning policies. I consider the detailed drafting of these policies below, but as a general overview I consider that they do contribute, individually and collectively, to the fundamental objective of seeking to achieve sustainable patterns of development. I am therefore satisfied that subject to the detailed points and associated modifications in the Specific Issues section below, the plan does fulfil its important role in contributing to sustainable development.

## General Conformity with the Strategic Policies of the Development Plan

- 4.10 The Borough Council considers that the Neighbourhood Plan is in general conformity with the strategic policies of the adopted Local Plan, but that it is inconsistent with a number of non-strategic adopted policies. However, in view of the requirement for general conformity only with the strategic policies of the adopted plan, I am limited in the extent to which I can address any points relating to these inconsistencies, unless they raise a substantive issue in relation to another Basic Condition(s). With regard to the strategic policies of the adopted Local Plan, I agree with the Borough Council's view that the Neighbourhood Plan is in general conformity with those policies. In my assessment, I find nothing in the Neighbourhood Plan that would lead me to a different conclusion.
- 4.11 Whilst it is not a statutory requirement for a Neighbourhood Plan to be in general conformity with an emerging plan, I am clear that the Staplehurst Neighbourhood Development Plan has also been prepared in the context of the emerging Maidstone Borough Local Plan 2011-2031, which has now been submitted for examination under section 20 of the Planning and Compulsory Purchase Act 2004 (as amended).
- 4.12 The Conditions Statement reflects guidance in the PPG, stating, inter alia, that "...in order to future-proof a neighbourhood plan, those preparing the plan should ensure, through close dialogue with the borough council, that the plan is appropriately in line with up to date evidence of any strategic needs identified for the area and takes account of the strategic priorities of the emerging local plan." It goes on to state that "...the Staplehurst Neighbourhood Plan has aligned itself with the Maidstone Borough Local Plan consultation (Regulation 18) version (March 2014) in order to be as up to date as possible." The Borough Council's assessment of the Neighbourhood Plan in the context of the emerging Local Plan is set out at paragraphs 2.24-2.26 of the above-mentioned report dated 10 November, 2015. I note, in particular, the Borough Council's comment that "...it is regarded as broadly in line with the vision of the local plan which sees the role of Staplehurst as a rural service centre being reinforced by directing suitable development and supporting infrastructure".
- 4.13 I have also taken into account other representations that have been made to the plan during the Regulation 16 Consultation, a number of which cite a failure of the plan to acknowledge the housing need identified in the Maidstone Strategic Housing Market Assessment (SHMA), and that the plan should make further allocations of land for housing to meet this need. It is also stated in a number of representations that the Borough Council presently cannot demonstrate a five year supply of housing land, and that additional allocations of housing land are necessary in that situation. It is further suggested in some representations that the

examination of the Neighbourhood Plan be postponed or put on hold pending the outcome and adoption of the Local Plan.

- 4.14 I have given careful consideration to these points, and to other representations that seek to draw a distinction between the neighbourhood plan and the emerging Local Plan. In the majority of cases, I note that those parties proposing the additional allocations of land and specific sites for housing in the Neighbourhood Plan area have made the appropriate submissions and representations to the Borough Council through, for example, their Strategic Housing Land Availability Assessment (SHLAA) two 'calls for sites', and by making representations at the formal consultation stages of the Local Plan.
- 4.15 The latest consultation version of the Local Plan (March 2016) itself describes, at paragraphs 6.2-6.5, the methodology and process by which the allocation of development sites has been undertaken by the Borough Council.
- 4.16 These are points which in my assessment are, quite properly, matters which remain to be tested at the Local Plan examination. The PPG at ID: 41-009-20160211 indicates a neighbourhood plan can be prepared and adopted before or at the same time as an emerging Local Plan. Furthermore, the requirement of the Basic Conditions is that the neighbourhood plan "must be in general conformity with the strategic policies of the development plan for the area". In this case, as noted above, the relevant development plan is the Maidstone Borough-Wide Local Plan, 2000, and specifically its saved policies. I am satisfied that the Staplehurst Neighbourhood Development Plan is in general conformity with that Plan, which concurs with the view of the Borough Council. I see no case to postpone or put this examination in abeyance pending the future examination of the Maidstone Borough Local Plan, 2011-2031, and that the strategic issues being raised in representations to this plan are all matters that fall within the purview of the Inspector appointed to examine the Local Plan.
- 4.17 For that reason, I recommend no modifications to the Strategic Planning narrative of the plan, which is contained at Section 4 of the document. I note that the plan is accurate as at the date of its submission (July 2015), with regard to its narrative regarding the emerging Local Plan but that the Local Plan has, as noted previously, been submitted for examination.

Compatibility with (and absence of breach of) European Union (EU) Obligations

- 4.18 A neighbourhood plan must be compatible with EU obligations, as transposed into domestic legislation, in order to be legally compliant. Principal EU obligations that may potentially be of relevance include Directives 2001/42/EC (Strategic Environmental Assessment); 2011/92/EU (Environmental Impact Assessment); 92/43/EEC (Habitats);

2009/147/EC (Wild Birds); 2008/98/EC (Waste); 2008/50/EC (Air Quality) and 2000/60/EC (Water).

(i) Strategic Environmental Assessment

- 4.19 Directive 2001/42/EC, often referred to as the SEA Directive, relates to the assessment of the effects of certain plans and programmes on the environment, and is of relevance to this plan. Similarly, Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, and Directive 2009/147/EC on the conservation of wild birds (referred to as the Habitats and Wild Birds Directives respectively) aim to protect and improve Europe's most important habitats and species and can also be germane.
- 4.20 Maidstone Borough Council screened the plan for the need for a SEA and/or a HRA, and received responses from the statutory consultees (Historic England, Environment Agency and Natural England). The Screening Opinion for the plan is set out in a document dated September 2015, prepared on behalf of Maidstone Borough Council, and I have considered this document as part of this examination. I have also considered the additional information prepared by Maidstone Borough Council and Staplehurst Parish Council (in June 2016 and July 2016 respectively).
- 4.21 I have further noted the Interim Report dated 4 May, 2016 prepared by a previous examiner of this plan. That Interim Report draws reference, in relation to a representation by Gladman Developments (Representation Ref. 15), to a possible concern over the robustness of the site allocations methodology undertaken as part of the preparation of the plan. This concern is on the basis that the emerging Maidstone Borough Local Plan 2011-2031 has not yet reached a stage whereby its policies and supporting evidence have been considered at an examination (the position at the time the representation was made), and that it is inappropriate for the neighbourhood plan, and particularly that part relating to site allocations, to only place reliance on supporting evidence to demonstrate its compatibility with EU obligations.
- 4.22 I have considered this matter in depth, and it is of course necessary to restate in this particular context that a neighbourhood plan "can be prepared and adopted before or at the same time as an emerging Local Plan" (as per para 4.16 above). I have noted the additional information prepared by Maidstone Borough Council and Staplehurst Parish Council. I draw particular reference to the Borough Council's statement that "the Screening Report makes independent judgements concerning the need for a SEA and likely significant effects on the environment based on a range of local factors including the scale of housing development and other proposals and policies in the Staplehurst Neighbourhood Plan; the spatial

extent of the effects of the plan; the value and vulnerability of the area likely to be affected by the plan and certainly does not rely on the SEA for the emerging Maidstone Local Plan 2014.” Furthermore, I note the Parish Council’s comments that it has sought, throughout the preparation of the plan, to work collaboratively with the Borough Council on emerging Local Plan development allocations in the plan area, notably the sites at Hen and Duckhurst Farm to the north-west of the village, and Fishers Farm to the north-east.

4.23 Taking all documents into consideration, including the representations submitted to the plan, I conclude that the Screening Opinion for the plan is robust, has been based on the correct methodology for the SEA process and has made an accurate assessment of the likely significant environmental effects arising from the plan’s policies and proposals. I am satisfied that it has been undertaken separately from the equivalent SEA process for the emerging Maidstone Borough Local Plan. I have also taken into account the responses made to the Screening Opinion by the statutory consultees, none of which request that the plan be subject to a Strategic Environmental Assessment and/or a Habitats Regulations Assessment.

4.24 Accordingly, from all that I have seen on this issue, I accept the conclusion (set out at Section 7 of the Screening Opinion report) that a SEA and HRA is not required for the plan. Whilst I am aware of the preliminary concerns raised in the Interim Report, I have reached this view from my own independent scrutiny of the evidence as the appointed examiner. I disagree with the concerns expressed in the Interim Report, and I have therefore disregarded those concerns in reaching my conclusions, as set out in this report, on the examination of the plan.

(ii) Habitats Regulations Assessment

4.25 As noted above, and having considered the Screening Opinion report and particularly the response of Natural England, I am satisfied that the plan does not need a HRA. There are no designated European sites or European Offshore Marine Sites within the plan area, the nearest sites being the North Downs Woodlands SAC to the west of Staplehurst and Queendown Warren SAC to the north of Maidstone, and I agree with the assessment set out in the Screening Opinion that there will be no significant effects upon those areas arising from developments proposed in the plan.

4.26 In conclusion on this main issue, I therefore consider that the plan is compatible with the relevant EU obligations. The additional Basic Condition in Regulation 32 of the 2012 Regulations is also met. I am further mindful that the PPG at ID: 11-031-20150209 establishes that the ultimate responsibility of determining whether a draft neighbourhood plan meets EU obligations is placed on the local authority, and from



examination of the documentation I have no reason to disagree with Maidstone Borough Council's assessment on this issue.

#### *Specific Issues of Compliance of Plan Policies*

4.27 I turn now to consider detailed matters relating to the drafting of the planning policies in the plan. In addressing this issue, I have taken into account the Borough Council's view that there are certain inconsistencies with saved Policies ENV28, ENV44, ENV45, ED2, R1, R2 and R10 of the adopted Local Plan, together with other representations concerning the policies in the plan.

#### Sections 1- 3 of the Plan

4.28 Sections 1 (Maintaining And Enhancing The Village Character), 2 (Planning For The Future) and 3 (Meeting The Conditions) of the plan describe the aims and ambitions of the plan, the context for its preparation and how it seeks to meet the Basic Conditions. These sections of the plan are generally in the form of a narrative, supported by photographic images and diagrams. Nothing in each of these sections is, in my assessment, either controversial or would prevent the plan meeting the Basic Conditions.

#### Parish-wide Policies PW1-PW4

4.29 Policy PW1 – I am not satisfied that this policy is appropriately drafted as an effective planning policy, and that it presently takes the form of a statement of intent. In this context, and in the case of other policies in the plan, I consider that it is insufficiently clear regarding its land use planning purposes and therefore failing to be in compliance with national guidance as set out in the PPG. The plan itself notes that Policy PW1 will act as a "hook" or a starting point for a series of infrastructure projects to be developed further. These projects are listed at paragraphs 7.10-7.16 of the plan and include, for example, investment in the primary school and rationalisation of parking provision in the village heart. However, in order to meet the Basic Condition of having regard to national policies and advice contained in the guidance issued by the Secretary of State, I recommend as a modification that the policy should be redrafted as follows:

**"POLICY PW1 PROPOSALS FOR NEW AND IMPROVED COMMUNITY INFRASTRUCTURE AND UTILITIES IN THE PLAN AREA, INCLUDING THE PROJECTS LISTED AT PARAGRAPHS 7.10-7.16, WILL BE SUPPORTED SUBJECT TO THOSE PROPOSALS MEETING THE OBJECTIVES OF THIS PLAN AND BEING COMPATIBLE WITH OTHER PLANNING POLICIES IN THE PLAN". (PM1)**

- 4.30 Policy PW2 – The Borough Council consider that this policy, which addresses development in the countryside beyond the extended village envelope, is not in general conformity with Local Plan Policies ENV28, ENV44 and ENV45 and would in my view preclude the operation of those policies. Whilst I appreciate that the policy as drafted is quite restrictive, and could possibly preclude development that is entirely appropriate for a rural area, I also recognise the plan’s desire to restrict new development in the countryside, and to protect and enhance the natural environment. However, as drafted I consider that the policy fails to contribute to the achievement of sustainable development. I therefore recommend as a modification that the policy should be deleted in its current form, and that it be replaced as follows:

**“POLICY PW2 PROPOSALS FOR NEW DEVELOPMENT IN THE COUNTRYSIDE BEYOND THE EXTENDED VILLAGE ENVELOPE WILL BE ASSESSED IN TERMS OF THE POTENTIAL IMPACT OF THE DEVELOPMENT UPON THE VISUAL SETTING AND LANDSCAPE FEATURES OF THE SITE AND ITS SURROUNDINGS, THE POTENTIAL IMPACT UPON THE BIODIVERSITY OF THE AREA AND OTHER RELEVANT PLANNING CONSIDERATIONS, SUCH AS THE IMPACT OF TRAFFIC AND NOISE. PROPOSALS WHICH FAIL TO DEMONSTRATE THAT THESE IMPACTS CAN BE SATISFACTORILY ADDRESSED WILL NOT BE SUPPORTED”. (PM2)**

- 4.31 Policies PW3 and PW4 – I do not consider that any modifications to these policies are necessary. They have due regard to national policy, noting in particular the references to the NPPF in the supporting text to Policy PW4.

Community Theme Policies C1-C6

- 4.32 There are six policies in this section of the plan, which address various aspects of the community infrastructure in the plan area. In assessing the drafting of these policies, I am concerned that they potentially embrace elements that fall beyond the scope of land use policies, and that they encompass the provision and quality of services within the facilities. Service provision is not a direct land use consideration, often being the responsibility of providers, such as Kent County Council, under other legislation, but the development of new and improved facilities is clearly a land use function. Therefore, in order that these policies are directly concerned with the development and use of land, I recommend a series of modifications, as set out below.

- 4.33 Policy C1 – I consider that this policy should be redrafted as follows:

**POLICY C1 – “MAINTAIN AND ENHANCE THE PUBLIC LIBRARY BUILDING, INCLUDING ITS EXTENSION IF NECESSARY, TO MEET THE NEEDS OF THE COMMUNITY”. (PM3)**

4.34 Policy C2 – I consider that this policy should be redrafted as follows:

**POLICY C2 – “MAINTAIN AND ENHANCE THE PRIMARY SCHOOL AND ITS FACILITIES, INCLUDING THEIR EXTENSION IF NECESSARY, TO MEET THE NEEDS OF THE COMMUNITY”. (PM4)**

4.35 Policy C3 – I consider that this policy should be redrafted, as follows:

**POLICY C3 - “MAINTAIN AND ENHANCE THE YOUTH CLUB BUILDING AND ITS FACILITIES, INCLUDING THEIR EXTENSION IF NECESSARY, TO MEET THE NEEDS OF THE COMMUNITY”. (PM5)**

4.36 Policy C4 – I consider that this policy should be redrafted as follows:

**POLICY C4 - “MAINTAIN AND ENHANCE THE HEALTH CENTRE BUILDING AND ITS FACILITIES, INCLUDING THEIR EXTENSION IF NECESSARY, TO MEET THE NEEDS OF THE COMMUNITY”. (PM6)**

4.37 Policy C5 – I consider that this policy should be redrafted as follows:

**POLICY C5 – “MAINTAIN AND ENHANCE THE JUBILEE FIELD SPORTS AND RECREATION SITE, INCLUDING THE DEVELOPMENT OF NEW AND IMPROVED FACILITIES AT THE SITE”. (PM7)**

4.38 Policy C6 – I consider that this policy should be redrafted as follows:

**POLICY C6 – “SUPPORT THE REDEVELOPMENT OF THE VILLAGE CENTRE SITE, RETAINING IMPORTANT ARCHITECTURAL FEATURES OF THE EXISTING BUILDING IF APPROPRIATE, TO PROVIDE NEW AND IMPROVED COMMUNITY CENTRE FACILITIES”. (PM8)**

4.39 I do not consider that any modifications are necessary to the supporting text of these policies to meet the Basic Conditions. The text helpfully articulates the vision and objectives of the plan for each of the above-mentioned facilities to the necessary level of detail.

Access and Movement Theme

4.40 There are no land use policies under this theme, and the plan lists a series of objectives for improving traffic circulation, footpaths, cycleways and public transport across the plan area. This is the correct approach, in my assessment, as the statutory responsibility for the provision of highways and transportation infrastructure largely rests with other bodies such as Kent County Council, under other legislation. Accordingly, I do not recommend any modifications to this section of the plan.

## Village Heart Theme Policy VH1

- 4.41 This policy reflects the objectives of the plan to strengthen the focal centre of the village, which is at the centre of the High Street, and contains the Village Centre, the Public Library, the Health Centre, the Primary School and a parade of shops. The policy is supported by illustrative material showing how this focal point could be improved. After my consideration of this section of the plan, I recommend no modifications to the supporting text of the policy, but I do recommend a modification to the text of the policy to ensure that its land use purpose is made clear, as follows:

**POLICY VH1 – “SUPPORT THE RETENTION AND ENHANCEMENT OF THE EXISTING RETAIL AND ANCILLARY FACILITIES IN THE VILLAGE HEART, INCLUDING IMPROVEMENTS WHERE NECESSARY TO MEET THE NEEDS OF USERS OF THOSE FACILITIES”. (PM9)**

## Gateways Theme Policy GW1

- 4.42 This policy reflects the objectives of the plan to improve the function and visual qualities of the land around the railway station and other approaches to village from the east, west and south. The policy is supported by illustrative material, including sketches and photographs showing how improvements could be made to those approaches.
- 4.43 Maidstone Borough Council consider that Policy GW1 and its supporting text is not in general conformity with Local Plan Policies ED2, R1, R2 and R10, in particular by not seeking to sufficiently protect the existing High Street Local Centre for retailing. I have also considered other representations, including those by landowners and other parties with interests in sites in the area.
- 4.44 During my site visit, I spent some time to make a detailed assessment of the area around the railway station. Bearing in mind that the railway station is a busy gateway to the village of Staplehurst, and other nearby villages, I do agree with the objectives of the plan that its surrounding environment would benefit considerably from improvements, and especially public realm improvements to the front of the station. I also consider that a decked car park to serve the railway station is a realistic way of reducing the amount of surface car parking in the area. There is an opportunity, in my assessment, to secure those improvements through the development of under-used land in the vicinity of the station, negotiated as part of any Section 106 agreements linked to any planning permissions granted within the area. Clearly, this approach will need the support of Maidstone Borough Council.
- 4.45 I consider that Policy GW1 does not fully comply with the Basic Condition to contribute to the achievement of sustainable development, and I therefore recommend as a modification that the policy be redrafted as follows:

**POLICY GW1 – “THE REDEVELOPMENT OF SITES IN THE RAILWAY STATION AREA WILL BE SUPPORTED, WHERE SUCH PROPOSALS CAN DEMONSTRATE THAT THEY WOULD LEAD TO IMPROVEMENTS TO THE PUBLIC REALM IN THE AREA AND ENHANCE THE VISUAL APPROACH TO THE VILLAGE FROM THE NORTH. PROPOSALS FOR NEW COMMERCIAL DEVELOPMENT INCLUDING ANY RETAIL FLOORSPACE, WILL BE ASSESSED IN TERMS OF ANY POTENTIAL IMPACT UPON EXISTING RETAIL PROVISION IN THE HIGH STREET LOCAL CENTRE”. (PM10)**

Edges Theme Policy E1

- 4.46 This policy reflects the plan’s objective to identify and strengthen green edges to the village of Staplehurst, and to encourage public access to the countryside beyond. The policy is directed at ensuring that all new development sites on the edge of the village should integrate positive planting and recreational routes along their boundaries to help define a long term edge to the village.
- 4.47 I am satisfied that the policy, as drafted, reflects the objectives of the plan, and I make no recommendations to modify the policy. However, as an optional modification the interpretation of this policy by developers, residents and other interested parties could be helped by the inclusion of a sketch diagram, similar to those included within the Housing Theme, to illustrate how a green edge could be strengthened. I do not consider that this policy should be used to interpret or designate a defined development boundary for the village of Staplehurst. I have examined the plan and this policy on the basis of its theme of strengthening specific green edges and to encourage public access to the countryside beyond, as noted above.

Housing Theme Policies H1-H6

- 4.48 The Housing Theme in the plan seeks to ensure that the mix and tenure of new housing responds to local needs, whilst also being designed to reflect the local landscape and village setting. I have assessed each of the policies in this Theme, together with the representations made in respect of the policies and supporting text.
- 4.49 Policy H1 – In my assessment of this policy, I have also noted the representation which states that the policy has failed to take sufficient regard to paragraphs 59 and 60 of the NPPF. In my view, the policy has regard to national policy and it does not seek to impose design standards or styles. In this context, I note paragraph 13.10 states that “Policy H1 does not exclude innovation or modern and contemporary architecture”. I recommend no modifications to this policy.
- 4.50 Policy H2 – As drafted, this policy is unclear particularly in its use of the phrase “...fit for modern living”. The house-building industry must comply

with the Building Regulations, which are regularly updated to reflect technical advances. It is also unrealistic, as stated in paragraph 13.12, to require all new housing to meet "Lifetime Homes" standards, and the normal expectation is that a proportion of new housing should meet those standards. I consider that this policy, and parts of its supporting text are too onerous, having regard to national policy and guidance, and should be redrafted with the following recommended modifications:

**POLICY H2 – "NEW HOUSING DEVELOPMENTS SHOULD INCORPORATE, WHERE POSSIBLE, DESIGN FEATURES TO PROMOTE ENERGY AND WATER EFFICIENCY, ACCESSIBILITY FOR THE ELDERLY AND THOSE WITH RESTRICTED MOBILITY AND FLEXIBLE SPACES THAT WOULD SUPPORT WORKING FROM HOME".**

**Paragraph 13.11** – delete the words "requires all" in the 1<sup>st</sup> line, and replace with "encourages".

**Paragraph 13.11** – delete the phrase "must all be considered" in the 7<sup>th</sup> line, and replace with "will be encouraged".

**Paragraph 13.12** – delete the paragraph, and replace with "New housing should seek to promote the efficient use of water and energy, and accessibility for the elderly and those with restricted mobility. Other features, including flexible internal space to support working from home, will be encouraged". (PM11)

- 4.51 Policy H3 – I consider that the policy as drafted is satisfactory, but that parts of the supporting text should be modified to better reflect national and local policy for new housing, as follows:

**Paragraph 13.13** – delete the second sentence.

**Paragraph 13.15** – delete the word "must" in the 1<sup>st</sup> line, and replace with "should".

**Paragraph 13.15** – delete the word "must" in the 4<sup>th</sup> line, and replace with "should". (PM12)

- 4.52 Policy H4 – this policy specifically addresses the proposed development of up to 250 dwellings at the Hen and Duckhurst Farm site to the north-west of the village. I have considered the representations submitted by the parties promoting the development of this site, and in particular to the concerns expressed regarding the illustrative masterplan shown on page 52 of the plan, together with other representations by other parties including the Kent Wildlife Trust. I also note the concerns expressed by Southern Water in relation to this policy, in that it does not comply fully with national policy and guidance.

- 4.53 In my overall assessment, I consider that Policy H4 does requires two modifications in order to meet the Basic Condition requirement to have regard to national policies and advice, and accordingly I therefore recommend the following modifications:

#### **POLICY H4**

##### **Amend criterion 5) to read as below:**

**“5) The masterplan should incorporate a green infrastructure strategy, which designates sufficient space within the site to meet obligations linked to ecological requirements, such as the retention of mature hedgerows and trees and the creation of wetland habitats, linked to a SuDS implementation plan”.**

##### **Add additional criterion 8) as below:**

**“8) The development makes provision for an adequate sewerage connection and for the protection of existing sewers on the site or their diversion, in accordance with the requirements of Southern Water.” (PM13)**

- 4.54 I have considered the supporting text, and am satisfied that it provides a reasoned justification for the various key requirements of the policy. However, as an informative, and having taken note of the representations submitted, I do consider that the text would benefit from a reference to the fact that the preservation of the settings of the Grade II Listed Buildings at Hen and Duckhurst Farm is an important priority of Maidstone Borough Council. With regard to the illustrative masterplan on page 52 of the plan, I am clear that, as stated, “it is a preliminary design sketch only”, and reflects the views and comments received during the earlier stages of the preparation of this plan. I note that the prospective developers have prepared a different, and more recent, masterplan. It is not my role as examiner to substitute this more recent masterplan into the neighbourhood plan, and would expect this to be the subject of future consultation as part of the planning application process for the site. I also note that Maidstone Borough Council, as local planning authority, has not drawn my attention to any issues or concerns with Policy H4 and its supporting material.
- 4.55 Policy H5 – this policy specifically addresses the proposed development of up to 400 dwellings at the Fishers Farm site to the north-east of the village. The policy is drafted and presented in a very similar style to Policy H4, again with a supporting illustrative masterplan. I have considered the representations submitted by the parties promoting the development of the site, together with other representations concerning the site, again including concerns expressed by Southern Water regarding compliance with national policy and guidance.

- 4.56 In my assessment, I consider that three modifications are necessary to the text of Policy H5 in order to meet the Basic Condition requirement to have regard to national policies and advice, and accordingly I therefore recommend the following modifications:

#### **POLICY H5**

**Amend criterion 4) to read as below:**

**"4) The masterplan should include a green infrastructure strategy, which designates sufficient space within the site to meet obligations linked to ecological requirements, such as the retention of mature hedgerows and trees and the creation of wetland habitats, linked to a SuDS implementation plan. Space should also be designated for informal recreation and children's play as part of the green infrastructure strategy."**

**Add additional criteria 7) and 8) as follows:**

**"7) The development makes provision for an adequate sewerage connection and for the protection of existing sewers on the site or their diversion, in accordance with the requirements of Southern Water."**

**"8) The layout of the proposed development should be designated to take into account the proximity of the Staplehurst Wastewater Treatment Works to the north of the site, in order to safeguard residential amenities from potential smell and pollution." (PM14)**

- 4.57 I have considered the supporting text to this policy, and am satisfied that no modifications are needed to that text which meets the requirements of the Basic Conditions.
- 4.58 Policy H6 – this policy relates to land at Lodge Road, and includes the existing established employment area to the west of the railway station, together with further land that lies east of the residential allocation at Hen and Duckhurst Farm (see Policy H4). The plan promotes the potential extension of the Lodge Road employment area by a possible mixed-use residential and employment area, which could be linked in due course to the residential development at Hen and Duckhurst Farm. The policy is again supported by an illustrative sketch layout. The quantum of possible new employment floorspace and residential units is not stated in the plan (although a representation on behalf of the landowner's states in the region of 7,700 sq.m. of employment floorspace and 100 dwellings).
- 4.59 I have considered the representations submitted in respect of this policy, and notably those on behalf of the landowners. I note that there is a conflict regarding the preferred use of this land between the Neighbourhood Plan and the adopted Local Plan Policy ED2 (Retention of Employment Sites). The Borough Council state that Policy H6 is not in



general conformity with the adopted Local Plan for that reason. The adopted Local Plan dates from 2000, and pre-dates the decision to allocate land at Hen and Duckhurst Farm for residential development.

- 4.60 In my assessment, there is a realistic opportunity to provide a link between the Hen and Duckhurst Farm site and the Lodge Road area, and this would be of significant benefit for people travelling to/from the railway station. I also consider that it is realistic to consider that the land covered by Policy H6 does represent a good opportunity to secure a mixed-use development possibly with an emphasis on flexible Class B1 floorspace, suitable for start-up and small businesses. Accordingly, as it still allows for employment usage, I do not recommend any modifications to Policy H6 or its supporting text, which I consider to be satisfactory, and based upon a key objective of the Plan (Objective 12).
- 4.61 I turn now to consider a representation which states that a further Housing Policy should be included in the plan concerning Land North of Henhurst Farm. It is my understanding that this site is included within the emerging Local Plan as a proposed Housing allocation (Ref. H1 (51)) for approximately 60 dwellings. It is the case that to satisfy the Basic Conditions, the plan must be in general conformity with the strategic policies of the development plan. As I have already noted elsewhere in this report, the development plan in this case is the adopted Maidstone Borough Local Plan, 2000 and its saved policies, and not the emerging Maidstone Borough Local Plan 2011-2031. Therefore, whilst the Land North of Henhurst Farm is identified in the emerging Local Plan, I cannot consider it in the context of the adopted development plan. I note that the plan makes no reference to the emerging site allocation, and that Maidstone Borough Council has not drawn it to my attention as an issue within their representations to the neighbourhood plan. It is therefore a matter which will need to be addressed by the appointed Inspector examining the submitted Local Plan. Should the allocation be approved as part of that examination, it would be sensible for it to be addressed in a future review of the Neighbourhood Plan. Guidance in this regard has recently been updated (19 May 2016) in the PPG at ID: 41-084-20160519 to ID: 41-086-20160519.

### *Suggested Corrections*

- 4.62 I have noted a small number of minor errors in the Plan, which would benefit from correction as follows:
- Paragraph 1.2 – 2<sup>nd</sup> line: should read “...A SET OF PLANNING **POLICIES**”
- Paragraph 3.2 – 3<sup>rd</sup> line: should read “Localism Act **2011**...”
- Paragraph 3.3 - 1<sup>st</sup> line: should read “..production **of** neighbourhood plans..”
- Paragraph 3.28 – 6<sup>th</sup> line: should read “in the **Neighbourhood Planning**”

Paragraph 13.11 – delete the word “waster” in the 6<sup>th</sup> line, and replace with “**waste**”.

Paragraph 13.14 – insert the word “**the**” before “adopted” in the 8<sup>th</sup> line.

Paragraph 13.15 – delete the word “aging” in the 2<sup>nd</sup> line, and replace with “**ageing**”

- 4.63 There is also an erroneous reference in paragraph 7.2 to three parish-wide policies. Given the relevant policies are PW1 - PW4, paragraph 7.2 should be revised to state that, “The neighbourhood plan therefore contains **four** overarching parish-wide policies...”, and that paragraph 7.3 should be revised to state, “These **four** parish-wide policies...”. The parish-wide policies are intended to be relevant to the whole of the parish and the corresponding plan area, and apply to all proposed developments. They are therefore of considerable importance, and will be used to assess planning applications.
- 4.64 These are put forward as suggested corrections only and do not constitute plan modifications.

## **5. Conclusions**

### *Summary*

- 5.1 The Staplehurst Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the plan meets the Basic Conditions and other legal requirements for neighbourhood plans. It has focused on the main issues set out and described in Section 4 of this report, and during my assessment I have had regard to all the representations that were made during the Regulation 16 consultation stage, and to the documents and evidence submitted as part of the submission of the plan.
- 5.2 I have made recommendations to modify a number of policies and supporting text to ensure the plan meets fully all the relevant legal requirements and Basic Conditions. Subject to these modifications, I consider that that the Staplehurst Neighbourhood Plan complies with the legal requirements set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act, 1990 and I therefore recommend that the plan, once modified, should proceed to a Referendum.

### *The Referendum and its Area*

- 5.3 I have considered whether or not the Referendum area should be extended beyond the designated area to which the plan relates. The Staplehurst Neighbourhood Plan as modified has no policy or proposals

which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the Referendum to extend beyond the plan boundary.

- 5.4 I therefore consider that the boundary for the purposes of a future referendum on the Staplehurst Neighbourhood Development Plan shall be the boundary of the designated Neighbourhood Plan area for the plan, as approved by Maidstone Borough Council on 14 January, 2013.
- 5.5 Accordingly, I therefore recommend to Maidstone Borough Council that, subject to the modifications proposed in this report, the Staplehurst Neighbourhood Development Plan can proceed to a referendum.
- 5.6 It is evident that a considerable amount of time and effort has been committed to the development and production of this plan and I commend all those who have been involved. It should prove to be a useful tool for future planning and change in Staplehurst over the coming years.

*Derek Stebbing*

Derek Stebbing  
Examiner

## Appendix: Modifications

<b>Proposed Modification number (PM)</b>	<b>Page no./ other reference</b>	<b>Modifications</b>
PM1	25	POLICY PW1: PROPOSALS FOR NEW AND IMPROVED COMMUNITY INFRASTRUCTURE AND UTILITIES IN THE PLAN AREA, INCLUDING THE PROJECTS LISTED AT PARAGRAPHS 7.10-7.16, WILL BE SUPPORTED SUBJECT TO THOSE PROPOSALS MEETING THE OBJECTIVES OF THIS PLAN AND BEING COMPATIBLE WITH OTHER PLANNING POLICIES IN THE PLAN.
PM2	26	POLICY PW2: PROPOSALS FOR NEW DEVELOPMENT IN THE COUNTRYSIDE BEYOND THE EXTENDED VILLAGE ENVELOPE WILL BE ASSESSED IN TERMS OF THE POTENTIAL IMPACT OF THE DEVELOPMENT UPON THE VISUAL SETTING AND LANDSCAPE FEATURES OF THE SITE AND ITS SURROUNDINGS, THE POTENTIAL IMPACT UPON THE BIODIVERSITY OF THE AREA AND OTHER RELEVANT PLANNING CONSIDERATIONS, SUCH AS THE IMPACT OF TRAFFIC AND NOISE. PROPOSALS WHICH FAIL TO DEMONSTRATE THESE IMPACTS CAN BE SATISFACTORILY ADDRESSED WILL NOT BE SUPPORTED.
PM3	29	POLICY C1: MAINTAIN AND ENHANCE THE PUBLIC LIBRARY BUILDING, INCLUDING ITS EXTENSION IF NECESSARY, TO MEET THE NEEDS OF THE COMMUNITY.
PM4	30	POLICY C2: MAINTAIN AND ENHANCE THE PRIMARY SCHOOL AND ITS FACILITIES, INCLUDING THEIR EXTENSION, TO MEET THE NEEDS OF THE COMMUNITY.
PM5	30	POLICY C3: MAINTAIN AND ENHANCE THE YOUTH CLUB BUILDING AND ITS FACILITIES, INCLUDING THEIR EXTENSION IF NECESSARY, TO MEET THE NEEDS OF THE COMMUNITY.
PM6	31	POLICY C4: MAINTAIN AND ENHANCE THE HEALTH CENTRE BUILDING AND ITS

		FACILITIES, INCLUDING THEIR EXTENSION IF NECESSARY, TO MEET THE NEEDS OF THE COMMUNITY.
PM7	31	POLICY C5: MAINTAIN AND ENHANCE THE JUBILEE FIELD SPORTS AND RECREATION SITE, INCLUDING THE DEVELOPMENT OF NEW AND IMPROVED FACILITIES AT THE SITE.
PM8	32	POLICY C6: SUPPORT THE REDEVELOPMENT OF THE VILLAGE CENTRE SITE, RETAINING IMPORTANT ARCHITECTURAL FEATURES OF THE EXISTING BUILDING IF APPROPRIATE, TO PROVIDE NEW AND IMPROVED COMMUNITY CENTRE FACILITIES.
PM9	39	POLICY VH1: SUPPORT THE RETENTION AND ENHANCEMENT OF THE EXISTING RETAIL AND ANCILLARY FACILITIES IN THE VILLAGE HEART, INCLUDING IMPROVEMENTS WHERE NECESSARY TO MEET THE NEEDS OF USERS OF THOSE FACILITIES.
PM10	42	POLICY GW1: THE REDEVELOPMENT OF SITES IN THE RAILWAY STATION AREA WILL BE SUPPORTED, WHERE SUCH PROPOSALS CAN DEMONSTRATE THAT THEY WOULD LEAD TO IMPROVEMENTS TO THE PUBLIC REALM IN THE AREA AND ENHANCE THE VISUAL APPROACH TO THE VILLAGE FROM THE NORTH. PROPOSALS FOR NEW COMMERCIAL DEVELOPMENT INCLUDING ANY RETAIL FLOORSPACE, WILL BE ASSESSED IN TERMS OF ANY POTENTIAL IMPACT UPON EXISTING RETAIL PROVISION IN THE HIGH STREET LOCAL CENTRE.
PM11	49	POLICY H2: NEW HOUSING DEVELOPMENTS SHOULD INCORPORATE, WHERE POSSIBLE, DESIGN FEATURES TO PROMOTE ENERGY AND WATER EFFICIENCY, ACCESSIBILITY FOR THE ELDERLY AND THOSE WITH RESTRICTED MOBILITY AND FLEXIBLE SPACES THAT WOULD SUPPORT WORKING FROM HOME.

		<p>Paragraph 13.11 – delete the words “requires all” in the 1<sup>st</sup> line, and replace with “encourages”.</p> <p>Paragraph 13.11 – delete the phrase “must all be considered” in the 7<sup>th</sup> line, and replace with “will be encouraged”.</p> <p>Paragraph 13.12 – delete the paragraph, and replace with “New housing should seek to promote the efficient use of water and energy, and accessibility for the elderly and those with restricted mobility. Other features, including flexible internal space to support working from home, will be encouraged”.</p>
PM12	49	<p>Paragraph 13.13 – delete the second sentence.</p> <p>Paragraph 13.15 – delete the word “must” in the 1<sup>st</sup> line, and replace with “should”.</p> <p>Paragraph 13.15 – delete the word “must” in the 4<sup>th</sup> line, and replace with “should”.</p>
PM13	50	<p><b>POLICY H4:</b> Amend criterion 5) to read as below: “5) The masterplan should incorporate a green infrastructure strategy, which designates sufficient space within the site to meet obligations linked to ecological requirements, such as the retention of mature hedgerows and trees and the creation of wetland habitats, linked to a SuDS implementation plan.”</p> <p>Add additional criterion 8) as below: “8) The development makes provision for an adequate sewerage connection and for the protection of existing sewers on the site or their diversion, in accordance with the requirements of Southern Water.”</p>
PM14	53 & 54	<p><b>POLICY H5:</b> Amend criterion 4) to read as below: “4) The masterplan should include a green infrastructure strategy, which designates sufficient space within the site to meet obligations linked to ecological</p>

		<p>requirements, such as the retention of mature hedgerows and trees and the creation of wetland habitats, linked to a SuDS implementation plan. Space should also be designated for informal recreation and children’s play as part of the green infrastructure strategy.”</p> <p>Add additional criteria 7) and 8) as follows:  “7) The development makes provision for an adequate sewerage connection and for the protection of existing sewers on the site or their diversion, in accordance with the requirements of Southern Water.”  “8) The layout of the proposed development should be designated to take into account the proximity of the Staplehurst Wastewater Treatment works to the north of the site, in order to safeguard residential amenities from potential smell and pollution.”</p>
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**Examiner’s suggested optional modification for clarity**

Edges Theme Policy E1: the interpretation of this policy by developers, residents and other interested parties could be helped by the inclusion of a sketch diagram, similar to those included within the Housing Theme, to illustrate how a green edge could be strengthened.

**Suggested Corrections**

Paragraph 1.2 – 2<sup>nd</sup> line: should read “...A SET OF PLANNING POLICIES”

Paragraph 3.2 – 3<sup>rd</sup> line: should read “Localism Act 2011...”

Paragraph 3.3 - 1<sup>st</sup> line: should read “..production of neighbourhood plans..”

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Paragraph 7.2 should be revised to state that, “The neighbourhood plan therefore contains four overarching parish-wide policies....”

Paragraph 7.3 should be revised to state, “These four parish-wide policies....”

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