

Neighbourhood Planning Team
Maidstone Borough Council

Date: 23 September 2020

Maidstone Borough Council

Maidstone House,
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By email only

Dear Sir/Madam

BOUGHTON MONCHELSEA NEIGHBOURHOOD DEVELOPMENT PLAN FOR THE PERIOD TO 2031

Consultation pursuant to Regulation 16 of The Neighbourhood Planning (General) Regulations 2012 (as amended)

Consultation period 14 August 2020 to 28 September 2020

Boughton Monchelsea parish was designated a neighbourhood area on 29 October 2012. During the preparation of the plan, the Borough Council has offered advice and support to the parish council on matters such as the neighbourhood planning process, the evidence base, the plan's regard to national policy, and general conformity with the strategic policies of the Maidstone Development Plan. Contact with the parish council has been maintained throughout the plan's preparation. The parish council has afforded the Council opportunities to informally comment on draft iterations of the plan, and the parish council has responded positively to the advice given.

The parish council undertook public consultation on the pre-submission version of the Boughton Monchelsea Neighbourhood Plan (Regulation 14) between 26 April 2019 and 11 June 2019. The Borough Council submitted representations on the plan and, in response to all representations received, the parish council has amended the neighbourhood plan as appropriate.

The Borough Council is satisfied that public consultation on the pre-submission draft neighbourhood plan was carried out in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended), and the submission plan and supporting documents meet the requirements of Regulation 15. Natural England, Historic England and the Environment Agency have confirmed that a Strategic Environmental Assessment and/or Habitats Regulation Assessment is not required for the plan.

Public consultation (Regulation 16) on the Boughton Monchelsea Neighbourhood Plan, facilitated by Maidstone Borough Council, commenced on 14 August and closes on 28 September 2020.

The Boughton Monchelsea Neighbourhood Plan was considered by the Council's Strategic Planning and Infrastructure Committee on 22 September 2020 when support for the plan, subject to the resolution of matters raised in the Council's representation, was confirmed.

The neighbourhood plan is clear and well written and, with one exception, its policies conform to the strategic policies of the Maidstone Borough Local Plan 2017. Neighbourhood plan policies PWP4(B)(ii): Provision for new housing development; RH2: Affordable housing – local priority; and RH3(c): Redevelopment and/or remodelling of existing affordable housing provision, refer to the occupation of affordable housing being prioritised for applicants with a local connection. Strategic policy SP20 of the Maidstone Borough Local Plan seeks the provision of affordable housing as a percentage of market housing schemes to meet a borough-wide need. The criteria for the occupation of affordable housing provided under this policy is set by the Borough Council, and does not prioritise occupation for people with a proven local connection. Non-strategic policy DM13 of the Local Plan brings forward affordable local needs housing on rural exception sites, and people with a local connection are prioritised for the occupation of these homes. Policies RH2 and RH3(c) of the neighbourhood plan are not rural exception site policies. Definitions for 'affordable housing' and 'rural exception sites' are clearly set out in the glossary of the NPPF.

This point was raised by the Council in its representation on the neighbourhood plan at Regulation 14 stage consultation. In its Consultation Statement, the parish council has responded:

"Noted. It is understood that MBC does not currently prioritise people with local connections. However this was an important issue in community engagement, and it was felt that people with local connections should have the opportunity to occupy affordable housing in the parish, and contribute to the sustainability of the local community by being able to live where they have a positive connection, while not debarring others from moving into the parish. The policies apply "outside the Maidstone Urban Area" which means that they do not apply to the largest housing sites in the parish, but do apply in the more rural part of the parish where facilities are more limited. The Neighbourhood Plan has to "generally conform" to MBC strategic policies, and this is felt to be an appropriately balanced approach. No change."

Despite being an important issue for the community, the approach is not considered to be in general conformity with the strategic policies of the adopted local plan, and the Council has exclusive rights to nominate suitable households in housing need in accordance with its Allocations Scheme. Affordable housing for occupants with a local connection can be provided on rural exception sites (either through sites allocated in local plans or neighbourhood plans, or through the planning application process). The reality of the situation is that those who are on the Council's Housing Register who might have a local connection to Boughton Monchelsea, would have the opportunity to bid on any affordable properties that are advertised in their particular band and bed-need.

Without modification, the Council believes that the Boughton Monchelsea Neighbourhood Plan fails to meet the basic conditions for neighbourhood plans with regard to conformity to

adopted Maidstone Borough Local Plan strategic policy SP20. There is also a matter of consistency with other neighbourhood plans in the borough, whereby parish councils have removed affordable housing policies seeking a local connection from their plans (prior to submission) in order to meet the basic conditions at examination.

Consequently, this representation seeks a modification to the neighbourhood plan, to delete references to prioritising affordable housing for people with a local connection to Boughton Monchelsea parish. Other representations listed below seek greater clarity or correction.

Page no.	Paragraph/Policy no.	Representations
30	Map 9 Local Landscape Designations	<p>Amendment: Under Section 4.5, paragraph 2 (page 29), reference is made to the Local Plan designations for the Greensand Ridge and Loose Valley Landscapes of Local Value being shown on Map 9. These have not been included on Map 9.</p> <p>It is also considered that Map 9 would be clearer if the 'existing LCA classifications' were removed. These classifications can be accessed in Maidstone's Landscape Character Assessment and, without the supporting description, there is limited value in showing them on Map 9.</p> <p>Reason: Correction and for clarity.</p>
33	Map 10 Key Views	<p>Amendment: In its Regulation 14 consultation response, the Council recommended that the direction of key views taken at the viewpoints be included, and to cross-reference to photographs. The Consultation Statement confirms that the map will be amended, but this has not been updated. An alternative would be to include photographs of all of the key views, rather than a selection.</p> <p>Reason: For clarity.</p>
38	PWP2: Priority Local Landscape	<p>Amendment: "Development proposals in this area will not be permitted supported unless ..."</p> <p>Reason: The Borough Council is the responsible authority for determining planning applications.</p>
39, 50 & 51	<p>PWP4(B)(ii): Provision for new housing development</p> <p>RH2: Affordable housing – local priority</p> <p>RH3(c): Redevelopment and/or remodelling of existing affordable housing provision</p>	<p>See main body of representation for background information.</p> <p>Amendment: Delete references in the neighbourhood plan to prioritising the occupation of affordable housing for people with a local connection.</p> <p>Reason: To conform to the NPPF and strategic policy SP20 of the Maidstone Borough Local Plan 2017.</p>

Page no.	Paragraph/Policy no.	Representations
59	LRE2(c)(i)	<p>Amendment 2: Delete text for LR21(c)(i). "Development is located ... near existing established built or landscape features.</p> <p>Reason: For clarity. It is unclear why development would be located near landscape features because, for example, there are issues about potential adverse effects of development too close to existing trees or hedges.</p>

Yours faithfully,

Rob Jarman

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