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Report on Boughton Monchelsea Neighbourhood Development Plan For the period up to 2031

An Examination undertaken for Maidstone Borough Council with the support of the Boughton Monchelsea Parish Council on the March 2020 Submission version of the Plan.

Independent Examiner: Derek Stebbing BA(Hons) DipEP MRTPI

Date of Report: 17 December 2020

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Main Findings - Executive Summary

From my examination of the Boughton Monchelsea Neighbourhood Development Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications 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 – Boughton Monchelsea Parish Council (the Parish Council);
- the Plan has been prepared for an area properly designated – the Neighbourhood Plan Area, as identified on the Map at Page 7 of the Plan;
- the Plan specifies the period to which it is to take effect – up to 2031; and,
- the policies relate to the development and use of land for a designated Neighbourhood Plan 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

Boughton Monchelsea Neighbourhood Development Plan

- 1.1 Boughton Monchelsea Parish is located south of the urban area of Maidstone, within the Maidstone Borough Council district. The Parish is bounded to the north by Maidstone’s southern fringe and the recent development at Langley Park Farm, parts of which fall within the Parish, to the west by Loose, to the east by Chart Sutton and to the south by Staplehurst and Marden.
- 1.2 The Parish contains a number of scattered settlements, the largest of which is Boughton Monchelsea itself including Boughton Green (known locally as Boughton village). The smaller settlements and hamlets include The Quarries, Wierton, Cock Street, Marl pits and Rabbit’s Cross. Boughton Monchelsea Parish lies some 3 miles to the south of Maidstone town centre.
- 1.3 The northern part of the Parish lies on a ragstone ridge, commonly called Quarry Hills situated between the North Downs and the Weald of Kent. The quarrying of ragstone was a major industry up to the 19th and 20th

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centuries, with the last quarry closing in 1960. Stone from these quarries was used to build Westminster Abbey and the present-day Houses of Parliament. The southern part of the Parish is characterised by farmland, largely for arable crops, together with areas of Ancient Woodland. There is an extensive network of public footpaths and bridleways across the Parish.

- 1.4 The 16th century former manor house, Boughton Monchelsea Place, is situated in a private deer park and is a Grade I Listed Building. The Parish has a rich heritage with over 70 Listed Buildings, a Registered Park and Garden at Boughton Monchelsea Place and a Scheduled Ancient Monument. There are three designated Conservation Areas at The Green, The Quarries and Cock Street.
- 1.5 The Parish has just one major road, the B2163, linking the A229 (to the west) with the A274 (to the east). The majority of the Parish road network consists of narrow rural lanes. There is no railway service within the Parish, and there is one local bus service (between Grafty Green and Maidstone via Boughton Monchelsea village).
- 1.6 The village of Boughton Monchelsea contains the majority of the community services and facilities that serve the Parish, including a primary school, village hall and retail facilities. In the north of the Parish, at the development taking place at Langley Park Farm, there are a range of new community facilities including a primary school and community hall being provided to serve that large development which extends into the Maidstone Urban Area.
- 1.7 The population of the Parish at the 2011 Census was 3,313 persons in 1,317 households. There is a lower proportion of older persons in the community compared to local, regional and national figures, with a higher proportion in the 25-44 years age group.

The Independent Examiner

- 1.8 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by Maidstone Borough Council (the Borough Council), with the agreement of the Parish Council.
- 1.9 I am a chartered town planner, with over 40 years of experience in planning. I have worked in both the public and private sectors and have experience of examining both local plans and neighbourhood plans. I have also served on a Government working group considering measures to improve the local plan system and undertaken peer reviews on behalf of the Planning Advisory Service. I therefore have the appropriate qualifications and experience to carry out this independent examination.
- 1.10 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.

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 1990 Act'). 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)('the 2004 Act'). 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 (as amended) ('the 2012 Regulations').

1.13 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the 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 1990 Act. 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 (EU) 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 making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.¹

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of Maidstone Borough Council, not including documents relating to excluded minerals and waste development, is the Maidstone Borough Local Plan 2011-2031 (MBLP), which was adopted on 25 October 2017.
- 2.2 The Basic Conditions Statement (at pages 6-13) provides an assessment of how each of the policies proposed in the Plan have regard to national policy and are in general conformity with the relevant strategic policies in the adopted Local Plan. Having been adopted in October 2017, the Local Plan provides an up to date strategic planning context for the Neighbourhood Plan, and this has enabled the Neighbourhood Plan and its policies to be prepared.
- 2.3 The Borough Council is currently preparing a Local Plan Review for the district to cover the period up to 2037, which in due course will supersede the current Local Plan. The Planning Practice Guidance (PPG) advises that

¹ This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

although a draft neighbourhood plan is not tested against the policies in an emerging local plan, the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the Basic Conditions against which a neighbourhood plan is tested.² However, to date, that emerging Local Plan Review has only reached its Regulation 18 public consultation stage, initially in mid-2019, and with a second Regulation 18b 'Preferred Approaches' consultation due to commence on 1 December 2020.

- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The PPG offers guidance on how this policy should be implemented. A revised NPPF was published on 19 February 2019 (and updated on 19 June 2019). All references in this report are to the 2019 NPPF and its accompanying PPG.³

Submitted Documents

- 2.5 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Boughton Monchelsea Neighbourhood Development Plan For the period up to 2031 (Submission Version) (March 2020);
 - the Consultation Statement and Appendices A-K (March 2020);
 - the Basic Conditions Statement (March 2020);
 - the Environmental Statement, including the Strategic Environmental Assessment (SEA)/Habitats Regulation Assessment (HRA) Screening Report prepared by Maidstone Borough Council (March 2020) and Addendum (December 2020);
 - the letter dated 9 March 2020 from the Parish Council summarising the key issues raised in the pre-submission consultation; and
 - all the representations that have been made in accordance with the Regulation 16 consultation.⁴
- 2.6 I have also considered the following supporting documents which were submitted to the Borough Council alongside the above-listed documents:
- Boughton Monchelsea Neighbourhood Plan – Housing Needs Survey (January 2018)
 - Boughton Monchelsea Neighbourhood Plan – Miscellaneous Support Information (March 2020);
 - Boughton Monchelsea Parish Council – Landscape Masterplan and Management Plan (September 2019) (prepared by Colvin and Moggridge Landscape Architects); and

² PPG Reference ID: 41-009-20190509.

³ See Paragraph 214 of the NPPF. The Plan was submitted under Regulation 15 to the local planning authority after 24 January 2019.

⁴ A post consultation submission was also accepted (late representation).

- Boughton Monchelsea Parish Council – Priority Local Landscape (2019) (prepared by Colvin and Moggridge Landscape Architects).⁵

Site Visit

- 2.7 I made an unaccompanied site visit to the Neighbourhood Plan Area on 23 October 2020 to familiarise myself with it and visit relevant sites and areas referenced in the Plan, evidential documents and representations.

Written Representations with or without Public Hearing

- 2.8 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections and comments regarding the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. I am satisfied that the material supplied is sufficiently comprehensive for me to be able to deal with the matters raised under the written representations procedure, and that there was not a requirement to convene a public hearing as part of this examination. In all cases the information provided has enabled me to reach a conclusion on the matters concerned.

Modifications

- 2.9 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications in full in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Plan has been prepared and submitted for examination by Boughton Monchelsea Parish Council, which is the qualifying body. An application to the Borough Council for the Parish Council area to be designated a neighbourhood planning area was made on 19 June 2012 and was approved by the Borough Council on 29 October 2012, following public consultation. The designated Neighbourhood Planning Area comprises the whole of the Parish and is shown on Map 1 at Page 7 in the submission Plan. For mapping accuracy, the Parish boundary as shown on Map 1 should be re-checked, particularly at the north-east of the Parish.

⁵ View the documents in paragraphs 2.5 and 2.6 here:

<https://localplan.maidstone.gov.uk/home/neighbourhood-planning/boughton-monchelsea-neighbourhood-plan-regulation-16-consultation-august-2020>

Plan Period

- 3.2 The draft Plan specifies (on the front cover and on page 6) the period to which it is to take effect, which is for the period up to 2031. This aligns with the end date of the adopted MBLP.

Neighbourhood Plan Preparation and Consultation

- 3.3 Following designation of the Neighbourhood Plan Area, work first commenced on the preparation of the Plan in October 2013 with an open day and exhibition in the Parish Hall, attended by approximately 150 people. A Neighbourhood Plan Steering Group was then formed, supported by five Working Groups addressing the principal topics and issues raised during the initial public engagement event. Further consultation and engagement work took place during 2014 and 2015, with exhibitions, meetings and questionnaires. This included a meeting with the local Gypsy and Traveller community in October 2014.
- 3.4 An initial draft Neighbourhood Plan was prepared during 2015 for informal consultation purposes. Feedback was sought on its content, and the document was generally supported. Following the adoption of the MBLP in October 2017, work resumed on the preparation of the Neighbourhood Plan taking account of changes in both the national and local planning context.
- 3.5 A draft Neighbourhood Plan for Regulation 14 consultation was prepared alongside a number of the supporting studies, as listed above. Formal Regulation 14 consultation took place on the draft Plan between 26 April and 11 June 2019 including flyers and publicity to all households and businesses in the Parish, letters to local stakeholders and organisations, with the documents being made available for public inspection at eight locations across the Parish.
- 3.6 The Consultation Statement (March 2020), notably at Appendix J, sets out a comprehensive record of the responses received to the Regulation 14 consultation and the subsequent actions that were taken to amend or modify the draft Plan following those responses.
- 3.7 The SEA and HRA Screening Report was prepared by the Borough Council in June 2019, and other supporting documents including the Basic Conditions Statement and the Consultation Statement were concluded during 2019 and early-2020.
- 3.8 The Regulation 15 Submission Plan was considered and approved by the Parish Council on 3 March 2020, and the Plan was formally submitted to the Borough Council on 9 March 2020 together with its supporting documents, as listed at paragraphs 2.5 and 2.6 above.
- 3.9 The Plan was then subject to further consultation from 14 August 2020 to 28 September 2020 under Regulation 16 and I take account of the 13

responses (and the further late submission) then received, as well as the Consultation Statement. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the Plan, that has had regard to advice in the PPG on plan preparation and is procedurally compliant in accordance with the legal requirements.

Development and Use of Land

3.10 The draft Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

3.11 From my review of all the documents before me, the draft Plan does not include policies or proposals that relate to any of the categories of excluded development.⁶ In that context, Kent County Council has raised a number of representations concerning the absence in the Plan of matters relating to waste management, waste recycling and minerals assessments. I consider that these topics fall within the definition of excluded development and that it is correct that the Plan does not address them.

Human Rights

3.12 Neither the Borough Council nor any other party has raised any issues concerning a breach of, or incompatibility with Convention rights (within the meaning of the Human Rights Act 1998). From my assessment of the Plan, its accompanying supporting documents and the consultation responses made to the Plan at the Regulations 14 and 16 stages, I am satisfied that the Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I consider that none of the objectives and policies in the Plan will have a negative impact on groups with protected characteristics. Many will have a positive impact.

4. Compliance with the Basic Conditions

EU Obligations

4.1 The Parish Council requested an SEA Screening Opinion of the Regulation 14 Consultation Draft Plan by the Borough Council on 15 April 2019 in accordance with EU Directive 2001/42/EC, known as the SEA Directive, and the Environmental Assessment of Plans and Programmes Regulations 2004, the SEA Regulations. This was undertaken in June 2019 and confirmed that SEA was not required to be undertaken for the Plan. The SEA Screening Assessment concluded that the scale of development proposed in the Plan is not likely to have a significant effect on the

⁶ The meaning of 'excluded development' is set out in s.61K of the 1990 Act.
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environment. A Screening Report was prepared in June 2019, which was the subject of consultation with Natural England, the Environment Agency and Historic England. Natural England advised that they did not consider there to be significant environmental effects from the proposed Plan. The Environment Agency confirmed that they had no comments to make. Historic England also confirmed that they did not consider that SEA was required for the Plan.

- 4.2 I have considered the SEA methodology and process by which the Plan was screened to determine whether the Plan is likely to have significant environmental effects, bearing in mind also that the policies in the MBLP were subject to sustainability appraisal (including six site allocations in the Parish identified in the MBLP for new housing development) Overall, I am satisfied that a proportionate approach has been taken and that the Plan was screened to take full account of any potential environmental effects upon interests of historic and heritage importance.
- 4.3 The Plan was also screened by the Borough Council in June 2019 in order to establish whether the Plan required HRA under Article 6 or 7 of the Habitats Directive (Article 3.2(b)). Maidstone Borough contains two sites of European importance, North Downs Woodlands Special Area of Conservation (SAC) to the north west of the Borough and Queendown Warren SAC which lies on the northern boundary of the Borough. Beyond the Borough to the north is the Medway Estuary and Marshes Special Protection Area and Ramsar site. The HRA Screening Assessment concluded that the draft Plan did not require a HRA because of the distance of the Plan area from the sites of European importance to the north of Maidstone, and the limited additional population supported by the Plan which would not be likely to place recreational pressure on those sites. I have noted that Natural England has not raised any concerns regarding the necessity for an HRA.
- 4.4 Therefore, I consider that on the basis of the information provided and my independent consideration of the Environmental Statement, the Screening Report prepared by the Borough Council and the Plan itself, I am satisfied that the Plan is compatible with EU obligations in respect of both the SEA Regulations and the Habitats Directive.

Main Assessment

- 4.5 The NPPF states (at paragraph 29) that "*Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan*" and also that "*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*".
- 4.6 The NPPF (at paragraph 11) also sets out the presumption in favour of sustainable development. It goes on to state (at paragraph 13) that

neighbourhood plans should support the delivery of strategic policies contained in local plans; and should shape and direct development that is outside of these strategic policies.

- 4.7 Having considered above whether the Plan complies with various legal and procedural requirements, it is now necessary to deal with the question of whether it complies with the remaining Basic Conditions (see paragraph 1.14 of this report), particularly the regard it pays to national policy and guidance, the contribution it makes to sustainable development and whether it is in general conformity with strategic development plan policies.
- 4.8 I test the Plan against the Basic Conditions by considering specific issues of compliance of the Plan's 29 policies, which address the following themes: Parish-wide Policies, Health and Wellbeing Policies, Rural Housing Policies and Local Rural Economy Policies. As part of that assessment, I consider whether the policies in the Plan are sufficiently clear and unambiguous, having regard to advice in the PPG. A policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.⁷ I recommend some modifications as a result.

Overview

- 4.9 The Plan is addressing a period up to 2031 and seeks to provide a clear planning framework to guide residents, local authorities and developers as to how the community wish to shape future development in Boughton Monchelsea during that period. Section 5 of the Plan contains specific policies in respect of each of the themes listed above.
- 4.10 The wider planning policy context for the Plan is set out within Section 3. It notes (at section 3.2) that the biggest challenge facing the future of Boughton Monchelsea is to protect the character of the area as a rural parish, with its main village, satellite hamlets, farmsteads and local businesses, whilst allowing it to evolve in a sensitive manner. Section 3.4 notes that the adopted MBLP categorises Boughton Monchelsea as a Larger Village, providing some day-to-day services for the community, as opposed to the more significant Rural Service Centres which contain more facilities. As a Larger Village, Boughton Monchelsea is expected to make some provision for new development, and six sites in the Parish are identified in the MBLP for new housing development. The Parish was allocated 118 new dwellings for the period 2017-2031 in the adopted MBLP, and this quantum of housing is met by the developments that have already been granted planning permission and in some cases are now either under construction or already developed, together with the two housing allocation sites identified in the draft Plan. The allocation of 118 new dwellings to the Parish has in fact been exceeded by virtue of the fact

⁷ PPG Reference ID: 41-041-20140306.

that certain residential developments largely within the Maidstone Urban Area do extend to include land within the Parish.

- 4.11 I also note that the Basic Conditions Statement (at Section 2.2) describes how the Plan contributes to the achievement of sustainable development. Section 2.1 of the Basic Conditions Statement sets out how each of the Plan's 29 policies are in general conformity with the strategic policies in the Development Plan for the area, principally the adopted MBLP 2011-2031, and with national policies contained in the NPPF.
- 4.12 The Vision for Boughton Monchelsea towards 2031 is set out in Section 1 of the Plan and is to "*Meet the demands of the modern community whilst protecting and enhancing a sustainable rural environment*". This leads to the Plan's five Objectives, also contained in Section 1. Those Objectives concern managing landscape and development to be more sustainable, protecting the landscape setting of rural settlements in the Parish, maintaining green open spaces in the rural environment, maintaining and enhancing local businesses and securing appropriately designed and sustainable new housing developments.
- 4.13 The relationship between the Plan's Vision, Objectives and Policies is set out at Appendix 1 to the Plan. There is presently only a minor cross-reference (at the foot of page 5) to this Appendix within Section 1 of the Plan. However, in my assessment, the material in the Appendix provides an important reference guide for future users of the Plan, and particularly how specific policies in the Plan contribute to meeting the Plan's Objectives. I consider that the material at Appendix 1 does require greater prominence within the main body of the Plan, and that it should be placed within Section 1 (to follow Diagram 1 on page 5) in order to improve the clarity and interpretation of the Plan's Objectives and Policies for users of the Plan. Accordingly, I recommend modification **PM1** to address this matter.
- 4.14 Overall, I am satisfied that the key issues arising from the NPPF and the strategic policies in the adopted MBLP covering the period up to 2031, as they affect Boughton Monchelsea are appropriately identified within the Plan and more fully at Section 2.1 of the Basic Conditions Statement.
- 4.15 I consider that overall, subject to the detailed modifications I recommend to specific policies below, that individually and collectively the Plan's policies will contribute to the achievement of sustainable patterns of development. There are also a number of detailed matters which require amendment to ensure that the policies have the necessary regard to national policy and are in general conformity with the strategic policies of the Borough Council. Accordingly, I recommend modifications in this report in order to address these matters.

Specific Issues of Compliance

4.16 I turn now to consider each of the proposed policies in the draft Plan, and I take into account, where appropriate, the representations that have been made concerning the policies.

Parish-wide Policies

4.17 Section 5.1 of the draft Plan sets out the Parish-wide policies which seek to provide a positive and balanced approach to steering new development to appropriate areas of the Parish, in a way which maintains the essential character of the Parish and its individual settlements, its landscape and in particular the distinction between the north of the Parish and the much more rural southern part of the Parish. There are 15 Parish-wide policies (PWP 1-PWP 15).

4.18 Policy PWP 1 (Ensuring a sustainable and resilient community) seeks to ensure that new development makes provision for supporting community infrastructure, in accordance with the policies of the adopted MBLP. I consider that the policy is appropriately drafted for its purpose, but I note that it lacks specific supporting justification, as do several of the policies within the Plan. I consider that this is necessary for each of the policies contained in the Plan, in order to provide clarity through additional contextual information for the benefit of users of the Plan. Accordingly, I recommend modification **PM2** to address this point in respect of Policy PWP 1.

4.19 Policy PWP 2 (Priority Local Landscape) seeks to protect the distinctive character of the Priority Local Landscape, which is notated on Map 9 at Page 30 in the Plan. This proposed designation is considered in greater detail in the supporting study "Priority Local Landscape" prepared by Colvin & Moggridge. I have given careful consideration to this designation, which is contiguous in part to the Greensand Ridge Landscape of Local Value (LLV) identified within the adopted MBLP as part of Policy SP17. The proposed Priority Local Landscape is a local designation, but I consider from the supporting study and from my site visit that it is fully justified. However, I do not consider that its cartographical definition on Map 9 (which itself is entitled as Indicative) is sufficiently clear, nor at an appropriate scale, to assist users of the Plan. I therefore consider that Figure 1 within the Colvin & Moggridge study should be placed within the Plan alongside Policy PWP 2 to be numbered Map 11. I therefore recommend modification **PM3** to address this matter.

4.20 Policy PWP 3 (Protection of Non-Designated Heritage Assets) seeks to ensure that the non-designated heritage assets listed in Appendix 3 to the Plan are protected under local policy. I have given careful consideration to the assets listed at Appendix 3, and I have taken note of the comments made by Kent County Council that the assets only comprise architectural assets, and that archaeological sites and historic landscape features are not included. The County Council seek a clarification to that effect. I

support the intention of the policy to protect all oast houses on the same basis as the other listed non-designated heritage assets, as they are an important feature of the Kentish landscape. Recommended modification **PM4** encompasses the amendments that I consider necessary to Policy PWP 3 and Appendix 3.

- 4.21 Policy PWP 4 (Provision for new housing development) sets out the Plan's policy provisions for new housing development in the Plan area, and is linked to two site-specific proposals set out at Policy RH4, and which are numbered as Policies RH 5A and RH 5D.⁸ I consider these site-specific proposals in detail at paragraphs 4.43 and 4.44 below. I note that Policy PWP 4 and the text at Section 3.4 takes account of planning permissions and site completions since the adoption of the MBLP. However, in that context, I consider that part of the commentary at Section 3.4 (on page 18) requires amendment to avoid speculation. Policy PWP 4 lacks specific justification, although it is clear that the preceding text does constitute such justification, and I recommend a minor amendment to make that clarification. I have given careful consideration to the Borough Council's representation concerning clause B (ii) of the policy. In my assessment the reference to "specific identifiable housing needs" does not impinge upon the Borough Council's role in determining the allocation of affordable housing units as it could equally apply, for example, to other categories of housing such as older persons' housing, a need for which might emerge over the Plan period. Finally, although I note that the numbering of the sites and relevant policies for the two site-specific proposals set out at Policy RH 4 have not been changed for consistency purposes relating to other sites now not identified in the Plan, I do consider that such consistency is no longer necessary, and I recommend some minor amendments accordingly, which should also be reflected within Policy PWP 4. Recommended modification **PM5** encompasses the various amendments to Policy PWP 4, its justification and Section 3.4.
- 4.22 Policy PWP 5 (Improving landscape and amenity access between South Maidstone and Boughton Monchelsea) seeks to preserve the open character of the countryside between Boughton Monchelsea and the southern urban edge of Maidstone. Whilst generally restrictive, I am satisfied that the policy makes it clear that certain uses will be appropriate within this area of countryside, and that it does not impose unacceptable limitations. The principal deficiency with this policy, and with the following Policies PWP 6-PWP 12, is that it lacks supporting justification. This necessitates a modification to provide such justification, and **PM6** addresses that matter, together with a minor amendment concerning Map 11.
- 4.23 Policy PWP 6 (Sustainable connections) seeks to ensure that all new development provides safe and direct links for pedestrians and cyclists to

⁸ As these policies numbers have been written in a number of formats in the draft Plan, I shall use format RH 5A and RH 5D for consistency.

local facilities, particularly within Boughton Monchelsea and Maidstone. I am satisfied that the policy is fully justified but that it does require some amendments. Firstly, as raised by Kent County Council, the policy should specify that enhancements to the Public Rights of Way network will be sought where possible, and secondly the policy should also refer to horse riders. The policy also requires supporting justification together with a minor amendment concerning Map 11, and recommended modification **PM7** addresses these matters. As an informative, one representation to the Plan queries the accuracy and extent of the bridleways shown on Map 11. I consider that these should be re-checked before the Plan is finalised.

- 4.24 Policy PWP 7 (Sustainable drainage systems and water management) states that development will be supported where it includes effective sustainable drainage features in order to manage the risk of surface water flooding. It sets out appropriate features such as permeable driveways and parking areas, green roofs and soakaways. I consider that the policy is drafted satisfactorily, but it lacks the necessary supporting justification. Accordingly, I recommend modification **PM8** to address that matter.
- 4.25 Policy PWP 8 (Energy Efficiency and Renewable Energy) promotes the incorporation of energy efficiency measures in new development within the Plan area, together with electric vehicle charging points and, where appropriate, local renewable energy technology. Again, I consider that the policy is drafted satisfactorily but the policy lacks supporting justification. Recommended modification **PM9** addresses that matter.
- 4.26 Policy PWP 9 (Local fibre or internet connectivity) concerns the provision of broadband and internet connections to new business and residential developments, including conversions and changes of use. It suggests the provision of a 'Connectivity Statement' with relevant planning applications, setting out the anticipated connectivity requirements, local data networks and realistic assessments of connection potential. Whilst the primary objective of this policy has regard to national policy, there is presently no requirement for 'Connectivity Statements' to be submitted with planning applications. Whilst that is presented within the policy as a suggestion rather than as a requirement, it is important that the policy itself does not seek to extend the scope of planning application requirements unnecessarily. I therefore consider that this part of the policy will be better placed within the supporting justification to the policy, which is presently absent from the Plan. I therefore recommend modification **PM10** to address this amendment.
- 4.27 Policy PWP 10 (Lighting) states that proposals for new development in the Plan area which incorporate external lighting, or for new lighting where such proposals require planning permission, must be designed and managed to reduce energy usage, the impact on biodiversity, light pollution and any adverse visual impacts upon the character of the area. I consider that the policy as drafted requires a minor amendment to make the submission of a Lighting Assessment a preferred requirement for such

proposals. Furthermore, the policy requires the necessary supporting justification. Recommended modification **PM11** addresses these points.

- 4.28 Policy PWP 11 (Protecting woodland areas and planting native tree and hedge species) seeks to protect the loss or deterioration of existing woodland areas within the Plan area, whilst requiring new development proposals to incorporate native tree and hedgerow species within their accompanying landscaping schemes. Such landscaping schemes should seek to preserve vistas of the rural landscape in the Plan area. The policy as drafted requires some minor amendments, and it also requires a supporting justification. I therefore recommend modification **PM12** to address those matters.
- 4.29 Policy PWP 12 (Biodiversity in New Development) states that all new development should incorporate measures to maintain and improve biodiversity. These include the retention of existing habitats such as mature trees, hedges and ponds, landscaping schemes incorporating native species and the maintenance or creation of water bodies with wildlife-friendly features. I consider that the policy is appropriately drafted for its purpose. However, it lacks supporting justification, and recommended modification **PM13** addresses that matter.
- 4.30 Policy PWP 13 (Transport Assessments and increased parking provision) states that new development should ensure that highway infrastructure and parking are adequate to support the development, in relation to congestion and air quality. I consider that the policy is appropriately drafted and has the necessary supporting justification. I do not recommend any modifications.
- 4.31 Policy PWP 14 (Separation of settlements, gateways and long views) addresses three separate elements of the settlement pattern and landscape of the Plan area, the separation of individual settlements and hamlets, the provision of 'green gateways' at entry points to settlements and the protection of long views within the Parish. This policy is supported by evidence prepared by landscape consultants Colvin & Moggridge, which I have studied carefully. The key views within the Parish are indicated on Map 10. However, as this map only provides a simple diagrammatic notation with no further information on the length or breadth of the views, I have concluded that this map should not be referenced within the Policy itself, and I consider that the reference to it in the supporting justification is sufficient. The Borough Council consider that Map 10 should at least show the compass direction of the key views or, alternatively, photographs of all such views be included in the Plan. I have considered that point but have concluded that Map 10 does provide a simple indication of where the key views are, and that Appendix D of the Colvin & Moggridge study provides the comprehensive assessment of those views. Accordingly, I do not recommend any modifications to this policy.

- 4.32 Policy PWP 15 (Planning obligations and Community Infrastructure Levy) states that any planning obligation contributions and Community Infrastructure Levy monies raised by development in the Plan area and paid to the Parish Council will be used to deliver projects in the Boughton Monchelsea Amenity Trust Management Plan, improved facilities at the village hall and any other projects identified as a priority by the Parish Council. I am satisfied that the policy is appropriately drafted, subject to one minor amendment. However, it lacks a supporting justification. I recommend modification **PM14** in order to address those points.
- 4.33 With recommended modifications PM2-PM14, I consider that the draft Plan's Parish-wide policies (PWP 1-PWP 15) are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Health and Wellbeing Policies

- 4.34 Section 5.2 of the draft Plan is concerned with health and wellbeing in the Plan area and contains two policies (Policies HWB 1 and HWB 2). This section of the Plan addresses specific issues that have been raised by the local community in respect of social wellbeing, including the need for improved village hall facilities and the provision of allotments to meet the needs of a growing population.
- 4.35 Policy HWB 1 (Supporting local community facilities) supports the provision of new community facilities and improvements to existing facilities, where they meet six criteria concerning the design, potential usage and accessibility of facilities. Subject to one amendment, the policy is appropriately drafted for its purpose. However, the policy lacks specific supporting justification. Therefore, I recommend modification **PM15** in order to address these points.
- 4.36 Policy HWB 2 (Allotments) supports improvements and extension of existing allotments in the Plan area and/or the provision of new allotment sites where there is a proven demand. I consider that the policy is appropriately drafted but, as with some other policies, it lacks supporting justification. I therefore recommend modification **PM16** to address that matter.
- 4.37 With recommended modifications PM15 and PM16, I consider that the draft Plan's policies for health and wellbeing are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Rural Housing Policies

- 4.38 Section 5.3 of the draft Plan is concerned with new housing development in the Plan area in line with the spatial planning policies of the adopted

MBLP and the specific local policies contained in the Plan. This section contains ten policies (Policies RH 1-RH 4, RH 5A, RH 5D and RH 6-RH 9) which address the location of new housing, affordable housing, the design of new housing, residential annexes, two site-specific housing allocations and accommodation for Gypsies and Travellers.

- 4.39 The adopted MBLP identifies six sites for residential development in the Plan area. Since the adoption of the MBLP, planning permissions have been granted for residential development at four of those sites, with construction now taking place or having been completed at some sites. Accordingly, the Plan only addresses the site-specific requirements at the remaining two sites.
- 4.40 Policy RH 1 (Location of new residential development) addresses the broad policy issues concerning the location of new residential developments within the Plan area. It states that new residential development will be supported to the north of Heath Road (B2163) where it is within the Boughton Monchelsea village development boundary and also that preference will be given to development on brownfield land within settlement boundaries as set out in the adopted MBLP. In that context, I am concerned that the Plan does not contain a map at an appropriate scale clearly showing the village development boundary and the Maidstone Urban Boundary (part of which is within the Parish), which is necessary for users of the Plan to assist with their interpretation of Policy RH 1 and certain other policies. I consider that the policy is justified but that it does require some minor amendments, alongside the inclusion of a settlement boundary map. Furthermore, the policy lacks specific supporting justification. I therefore recommend modification **PM17** to address these matters.
- 4.41 Policy RH 2 (Affordable housing – local priority) seeks to prioritise the allocation of any new-build affordable housing within the Plan area but outside the Maidstone Urban Area for people with a proven local connection to the Parish. This reflects an important issue that was raised during community engagement on the Plan’s preparation. However, as drafted, the policy is not a land use planning policy and is closer to being a housing register policy. It does not generally conform with Strategic Policy SP20 of the adopted MBLP, which addresses the provision of affordable housing to meet a Borough-wide need. It is therefore necessary to amend the text of the policy to ensure that it does generally conform with that strategic planning policy. The policy also lacks supporting justification. I recommend modification **PM18** in order to address these matters.
- 4.42 Policy RH 3 (Redevelopment and/or remodelling of existing affordable housing provision) seeks to encourage the redevelopment and remodelling of existing affordable housing where it enables housing to be provided that more suits local need and, where housing is outside the Maidstone Urban Area, priority for occupation is given to people with a local connection. Whilst the principle of the policy to support the redevelopment and/or remodelling of existing affordable housing to provide modern accommodation is justifiable, its requirement for priority to be given to

people with a local connection again does not generally conform with Strategic Policy SP20 of the adopted MBLP. As with Policy RH 2, the policy lacks supporting justification. Therefore, I recommend modification **PM19** to address the necessary amendments to this policy.

- 4.43 Policy RH 4 (Housing allocations and phasing) sets out details of the two sites (presently numbered Policies RH 5A and RH 5D) at Boughton Mount and at the Kent Police Training School, which are allocated in the Plan for residential development up to 2031. Both of these sites have been allocated for residential development in the adopted MBLP, and outline planning permission has previously been granted (in 2017) for up to 90 dwellings at the Kent Police Training School site, but to date this planning permission has not been implemented. As noted at paragraph 4.21 above with reference to Policy PWP 4, although the numbering of the two site-specific proposals set out at Policy RH 4 (and at Policies RH 5A and RH 5D) has not been changed for consistency purposes (relating to four other sites which are now not identified in the Plan), I do consider that such consistency is no longer necessary, as the Plan has progressed to its near final stage, and I recommend some minor amendments to these policies accordingly. Furthermore, whilst Policies RH 5A and RH 5D do have supporting justification, this is not the case with Policy RH 4. I therefore recommend modification **PM20** to address these points.
- 4.44 Policies RH 5A (Boughton Mount) and RH 5D (Kent Police Training School) set out the detailed policy requirements for each of the two housing allocation sites, which reflect the site allocations made in the adopted MBLP. The Boughton Mount site is of historic and ecological interest, but I am satisfied that the policy reflects the need for a sensitive approach to its development, a position which is endorsed by Historic England in their representation. In their representations to the Plan, Southern Water have noted that the development of the Kent Police Training School site is contingent upon the provision of increased sewerage capacity, and that this should be reflected in the policy. I also note that the low pressure gas network of Southern Gas Networks may require some enhancement in relation to new residential developments in the Plan area, but it is not possible to define that precisely at this time. With the additional requirement raised by Southern Water I am satisfied that the detailed requirements for each site are appropriate and justified, and the only further amendment necessary concerns the re-numbering of Policy RH 5D. These points are addressed by recommended modification **PM21**.
- 4.45 Policy RH 6 (Design of new housing development) is concerned with securing good design for all residential developments in the Plan area. It is a lengthy policy setting out nine design criteria which must all be met by proposed developments. I have given careful consideration to each of those criteria. I consider that the policy and its requirements are justified and appropriate, but that a reference should be made in the policy to Appendix 4 (to be re-numbered Appendix 3, c.f. **PM1**) which provides additional information on Local Design Characteristics, for the benefit of users of the Plan. I therefore recommend modification **PM22** to address

this point.

- 4.46 Policy RH 7 (Residential annexes) is concerned specifically with development of new residential annexes or conversion of outbuildings for use as a residential annex. The policy expresses support for such proposals where they are well designed, fit well within their context, do not harm neighbours' amenities and are associated with existing properties. I consider that the policy is well drafted and appropriate to its purpose. However, it lacks supporting justification, and I recommend modification **PM23** to address that matter.
- 4.47 Policy RH 8 (New dwellings in open countryside) sets out the policy requirements for proposals for new high-quality single dwellings in the open countryside beyond the defined development boundaries. In general, the policy follows the national policy guidance on this type of development seeking truly outstanding or innovative design, to reflect high standards of architecture. The policy notes that the requirements of Policies RH 1 and RH 6 will also apply to such proposals. I have given careful consideration regarding the necessity for this policy, which to a large extent does duplicate national policy. However, I consider that it is justified because of the very rural nature of much of the Plan area and the likelihood that development proposals of this type will emerge during the Plan period. I do not recommend any modifications to this policy.
- 4.48 Policy RH 9 (Provision for gypsies and travellers) is concerned with the provision of accommodation within the Plan area for Gypsies and Travellers. Whilst the principle of the policy is justified, I am not satisfied that its drafting is appropriate. Firstly, in line with national convention, Gypsies and Travellers should be identified with initial capitals as a separate ethnic group. Secondly, the first clause of the policy refers to a potential measure, or comparison, for development proposals as being "... subordinate to the scale of any nearby existing development for the settled community". I do not consider that this represents a robust or appropriate test for the assessment of development proposals for accommodation for Gypsies and Travellers. The policy also lacks any specific supporting justification. I therefore recommend modification **PM24** to address these defects.
- 4.49 With the recommended modifications PM17-PM24, I consider that the draft Plan's policies for rural housing are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Local Rural Economy Policies

- 4.50 Section 5.4 of the draft Plan is concerned with the local and rural economy in the Plan area and contains two policies (Policies LRE 1 and LRE 2). This section of the Plan addresses the objective to seek to maintain and improve the local economy. In particular, the Plan supports the

promotion of new businesses in the land-based sectors and for higher technology companies wishing to locate in a rural environment.

- 4.51 Policy LRE 1 (Rural economy) provides support and encouragement for development enabling traditional rural industries and for new businesses, including leisure and tourism, to locate within the Plan area, subject to meeting specified criteria concerning environmental impacts. The policy indicates that proposals which introduce discordant visual or noise elements into the landscape, such as motor, shooting and other noisy sports; solar farms; and wind farms, will not be supported. Subject to one minor amendment to the text of the policy, I am satisfied that it is appropriately drafted and meets the Plan's objectives. However, as with several other policies, it lacks the necessary supporting justification. I therefore recommend modification **PM25** to address these matters.
- 4.52 Policy LRE 2 (Development relating to existing businesses) provides policy support for development proposals which relate to the continued operation of existing established agricultural, horticultural and equestrian-related uses in the Plan area, or which re-introduce rural activities to the area. The policy sets out a series of criteria which should all be met by development proposals, concerning visual and noise impacts, the location of new development in relation to existing built or landscape features, vehicle parking and, where appropriate, landscaping and screening. I am satisfied that the policy is appropriately drafted, with one minor exception, and meets the Plan's objectives. However, it does lack supporting justification, and I recommend modification **PM26** to address both of those points.
- 4.53 With the recommended modifications PM25 and PM26, I consider that the draft Plan's policies for the local rural economy in the Plan area are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Other Matters

- 4.54 There is the likelihood that there will be a need to formally review the Plan during the Plan period, particularly following the potential adoption of the emerging Maidstone Borough Local Plan 2019-2037, which is presently timetabled to occur in October 2022. Although it is acknowledged (at Section 3.5) that there may be a need to review the Plan, I do not consider that this provides sufficient certainty regarding a future review. I therefore recommend modification **PM27** to amend the wording of Section 3.5 to address this point.

Concluding Remarks

- 4.55 I consider that, with the recommended modifications to the Plan as summarised above and set out in full in the accompanying Appendix, the Boughton Monchelsea Neighbourhood Development Plan meets the Basic

Conditions for neighbourhood plans. As a further advisory comment, when the Plan is being redrafted to take account of the recommended modifications in this report, it should be re-checked for any typographical errors and any other consequential changes, etc. One such minor example is the inconsistent formatting of policy lettering and numbering with/without spacing.

5. Conclusions

Summary

- 5.1 The Boughton Monchelsea Neighbourhood Development 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. I have had regard to all the responses made following consultation on the Plan, and the supporting documents submitted with the Plan.
- 5.2 I have made recommendations to modify certain policies and other matters to ensure that the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to 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 Boughton Monchelsea Neighbourhood Development Plan, as modified, has no policies or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.4 It is clear that the Boughton Monchelsea Neighbourhood Development Plan is the product of much hard work undertaken since 2012 by the Parish Council, the Neighbourhood Planning Steering Group and by the many individuals and stakeholders who have contributed to the preparation and development of the Plan. In my assessment, the Plan reflects the land use aspirations and objectives of the Boughton Monchelsea community for the future planning of their Parish up to 2031. The output is a Plan which should help guide the area's development over that period, making a positive contribution to informing decision-making on planning applications by Maidstone Borough Council.

Derek Stebbing

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 64	<p><u>Appendix 1 – Relationship between Vision, Objectives and Policies</u></p> <p>Place the full content of this Appendix (without amendment) in Section 1 of the Plan, to follow Diagram 1 on Page 5.</p> <p>Re-number Appendices 2-6 to become Appendices 1-5 respectively with consequential amendments to the Contents Page and relevant cross-references within the Plan.</p>
PM2	Page 38	<p><u>Policy PWP 1 – Ensuring a sustainable and resilient community</u></p> <p>Add “Justification for Policy PWP 1” to precede Policy PWP 1, with the following text:</p> <p>“In accordance with the policies in the adopted Maidstone Borough Local Plan, all new development that takes place in the Parish during the Plan period will be required to contribute to the provision of the necessary community infrastructure in order to support a sustainable community and its environment. Such infrastructure will be secured through planning obligations linked to planning permissions and through Community Infrastructure Levy payments, and Policy PWP 15 sets out additional detail on local infrastructure requirements.”</p>
PM3	Page 38	<p><u>Policy PWP 2 – Priority Local Landscape</u></p> <p>1st line of policy text – amend “Map 9” to read “Map 11”.</p> <p>2nd paragraph of policy text – delete the word “permitted” and replace with “supported”.</p> <p>Insert Figure 1 (at Page 4) from the Colvin & Moggridge study entitled “Priority Local</p>

		<p>Landscape” within the Plan at the closest available point to Policy PWP 2 (which should be on Page 38 or Page 39) and to be numbered Map 11.</p> <p>Re-number existing Map 11 on Page 40 to become Map 12.</p>
PM4	Pages 38 and 68	<p><u>Policy PWP 3 – Protection of Non-Designated Heritage Assets</u></p> <p><u>Appendix 3 – Non-Designated Heritage Assets in the Parish</u></p> <p>2nd line of policy text, 4th line of justification text and the reference at Section 4.4 (on Page 26) - amend “Appendix 3” to read “Appendix 2”.</p> <p>Re-number Appendix 3 to be “Appendix 2”.</p> <p>Amend introductory text to the Appendix to read:</p> <p>“The list only comprises architectural heritage assets, and does not include any archaeological sites, historic landscape features and other heritage assets details of which may be found on the Kent Historic Environment Record held by Kent County Council at www.kent.gov.uk/HER”.</p>
PM5	Pages 18, 38 and 39	<p><u>Policy PWP 4 – Provision for new housing development</u></p> <p>Add “Justification for Policy PWP 4” on Page 38, beneath the text box for Policy PWP 3.</p> <p>Amend Clause A of policy text by amending the two references to “RH5D” to read “RH 5B” and the reference to “site 4” to read “site 2”.</p> <p>Amend final sentence of 3rd paragraph of text on Page 18 (within Section 3.4) by deleting the words “and any alternative application which comes forward will be resisted.”</p>

PM6	Pages 39 and 40	<p><u>Policy PWP 5 – Improving landscape and amenity access between South Maidstone and Boughton Monchelsea</u></p> <p>Add “Justification for Policy PWP 5” to precede Policy PWP 5, with the following text:</p> <p>“In accordance with the Objectives of the Plan, Policy PWP 5 seeks to ensure that the open and undeveloped character of the countryside between South Maidstone and Boughton Monchelsea is maintained and that its continued use for agricultural and recreational purposes is supported. Map 12 identifies the network of footpaths, bridleways and cycleways in the area. The policy allows for the development of any essential infrastructure where no other suitable alternative site is available.”</p> <p>Clause A – 5th line: amend “Map 11” to read “Map 12”.</p> <p>Amend title of Map 11 on Page 40 to read “Map 12”.</p>
PM7	Page 41	<p><u>Policy PWP 6 – Sustainable connections</u></p> <p>1st paragraph of policy text – 2nd line: amend the words “pedestrians and cyclists” to read “pedestrians, cyclists and horse riders”.</p> <p>2nd paragraph of policy text – amend “Map 11” to read “Map 12”.</p> <p>Add new 3rd paragraph of policy text to read as follows:</p> <p>“New developments should protect and, where appropriate, secure enhancements to the Public Rights of Way network within the Plan area, and applicants should engage with Kent County Council, as the local highway authority, on this matter.”</p>

		<p>Add "Justification for Policy PWP 6" to precede Policy PWP 6, with the following text:</p> <p>"In accordance with the Objectives of the Plan, Policy PWP 6 supports and encourages the provision and enhancement of sustainable travel links to local facilities for pedestrians and cyclists and, where appropriate, for horse riders, particularly within Boughton Monchelsea village and the southern parts of Maidstone. Map 12 shows the existing network of footpaths, bridleways and cycleways in the area."</p>
PM8	Page 41	<p><u>Policy PWP 7 – Sustainable drainage systems and water management</u></p> <p>Add "Justification for Policy PWP 7" to precede Policy PWP 7, with the following text:</p> <p>"New development should make provision for effective surface water management in order to manage the risk of surface water flooding both on development sites and within the wider area. Policy PWP 7 sets out the types of drainage feature that will assist in meeting this objective."</p>
PM9	Page 41	<p><u>Policy PWP 8 – Energy Efficiency and Renewable Energy</u></p> <p>Add "Justification for Policy PWP 8" to precede Policy PWP 8, with the following text:</p> <p>"Policy PWP 8 promotes the incorporation of energy efficiency measures in new development in order to ensure that the environmental performance of new buildings is improved. Where appropriate, local renewable energy generation systems will be supported, subject to their compliance with the other policies in the</p>

		Plan and the adopted Maidstone Borough Local Plan.”
PM10	Page 42	<p><u>Policy PWP 9 – Local fibre or internet connectivity</u></p> <p>Delete 2nd paragraph of policy text in full.</p> <p>Add “Justification for Policy PWP 9” to precede Policy PWP 9, with the following text:</p> <p>“It is an important infrastructure requirement that new developments in the Plan area, including conversions and changes of use, are served by fibre broadband connections. Policy PWP 9 seeks to achieve this requirement for those developments requiring planning permission. Additionally, when preparing planning applications, applicants could prepare a Connectivity Statement to consider aspects such as the intended land use and the anticipated connectivity requirements of the proposed development, the known local data networks and their anticipated speed together with a realistic assessment of the connection potential or the contribution to any such local networks. The Connectivity Statement will need to be prepared in consultation with the relevant broadband providers.”</p>
PM11	Page 42	<p><u>Policy PWP10 – Lighting</u></p> <p>Amend 2nd sentence of the 2nd paragraph of policy text to read:</p> <p>“This should include the submission of a Lighting Assessment to ensure that it complies with national and local requirements.”</p> <p>Add “Justification for Policy PWP 10” to precede Policy PWP 10, with the following text:</p> <p>“It is recognised that external lighting, particularly in rural areas, can increase</p>

		<p>light pollution and have other adverse impacts upon the character of the area. Policy PWP 10 seeks to ensure that development proposals in the Plan area which incorporate external lighting, or proposals for new lighting, must be designed to reduce such impacts. The submission of a Lighting Assessment to accompany planning applications will be required in order that the impacts of external lighting can be fully assessed."</p>
PM12	Page 43	<p><u>Policy PWP 11 – Protecting woodland areas and planting native tree and hedge species</u></p> <p>Amend title of policy to read:</p> <p>"Protecting woodland areas and planting native tree and hedgerow species".</p> <p>2nd line of the 1st paragraph of policy text – replace the word "hedge" with "hedgerow".</p> <p>1st line of the 3rd paragraph of policy text – delete the word "loss" (which is presently drafted twice).</p> <p>Add "Justification for Policy PWP 11" to precede Policy PWP 11, with the following text:</p> <p>"The Plan seeks to protect the many areas of woodland within the Parish, which make an important contribution to the landscape character of the area. Where new development is proposed, landscaping schemes should reflect the local character by including native tree and hedgerow species. Policy PWP 11 seeks to secure that objective."</p>
PM13	Page 43	<p><u>Policy PWP12 – Biodiversity in new development</u></p> <p>Add "Justification for Policy PWP 12" to precede Policy PWP 12, with the following text:</p> <p>"The maintenance and enhancement of biodiversity throughout the Plan area is an important objective. Proposals for new development can make significant contributions to that objective by</p>

		<p>safeguarding existing habitats, incorporating landscaping schemes with predominantly native species and other features such as new wetland areas. Policy PWP 12 reflects the requirement to secure such biodiversity enhancements."</p>
PM14	Page 45	<p><u>Policy PWP 15 – Planning obligations and Community Infrastructure Levy</u></p> <p>1st line of clause C of the policy text – delete the word "parish" and replace with "Parish".</p> <p>Add "Justification for Policy PWP 15" to precede Policy PWP 15, with the following text:</p> <p>"Policy PWP 15 sets out how monies raised by planning obligation contributions and Community Infrastructure Levy payments in respect of new developments within the Parish and which are paid to the Parish Council will be used to support the implementation and delivery of projects prioritised by the Boughton Monchelsea Amenity Trust and the Parish Council. Such projects include the provision of improved facilities at the village hall."</p>
PM15	Page 47	<p><u>Policy HWB 1 – Supporting local community facilities</u></p> <p>Amend clause f) of the Policy text, by replacing the word "are" in the 1st line of text, with "is".</p> <p>Add "Justification for Policy HWB 1" to precede Policy HWB1, with the following text:</p> <p>"Policy HWB 1 supports the provision of new and improved community facilities within the Plan area. Proposals should be well-designed and be capable of accommodating a range of community activities in order to make optimum use of space. Where appropriate, the provision of new and improved facilities will be secured through planning obligations linked to planning permissions and through Community</p>

		Infrastructure Levy payments, and Policy PWP 15 sets out additional detail on local infrastructure requirements."
PM16	Page 47	<p><u>Policy HWB 2 – Allotments</u></p> <p>Add "Justification for Policy HWB 2" to precede Policy HWB 2, with the following text:</p> <p>"The provision of allotments is an important community facility, which is beneficial to the health and wellbeing of the community. To meet the needs of a growing population, proposals for new and extended allotments in the Parish will be supported and, where appropriate, will be secured through planning obligations and Community Infrastructure Levy payments in accordance with Policy PWP 15."</p>
PM17	Page 50	<p><u>Policy RH 1 – Location of new residential development</u></p> <p>1st paragraph – add the words "as shown on Map 13" after "development boundary," in the 2nd line.</p> <p>2nd paragraph – delete the words "it responds" in the 1st line and replace with "they respond".</p> <p>2nd paragraph – delete the word "sits" in the 3rd line and replace with "sit".</p> <p>3rd paragraph – delete existing text, and replace with:</p> <p>"Proposals for new residential development to the south of Heath Road (B2163) will not be supported unless they conform with national and local rural exception policies".</p> <p>Add "Justification for Policy RH 1" to precede Policy RH 1, with the following text:</p> <p>"In accordance with the policies in the adopted Maidstone Borough Local Plan, new residential development in the Plan area should be located within the Boughton village development boundary</p>

		<p>and within the Maidstone Urban Area boundary. Map 13 shows the defined development boundaries. Residential development beyond those development boundaries will only be supported where it can be demonstrated that the proposals conform with national and local policies for such development in the countryside.”</p> <p>Add new Map 13, to be entitled “Boughton Monchelsea Village Development Boundary and Maidstone Urban Area Boundary”, to be placed in the Plan at the closest available point to Policy RH 1, showing both of those boundaries at an appropriate scale for clear definition. (If appropriate, Map 13 can be in the form of two insets to show the two boundaries separately).</p>
PM18	Page 50	<p><u>Policy RH 2 – Affordable Housing – local priority</u></p> <p>Amend the title of the policy to read: “Affordable housing”</p> <p>Delete existing policy text and replace with: “The development of new affordable housing in the Plan area will be supported where such proposals are in accordance with other policies contained in this Plan and the adopted Maidstone Borough Local Plan. Proposals should take account of the Boughton Monchelsea Housing Needs Survey (January 2018), or any subsequent updated Housing Needs Survey.”</p> <p>Add “Justification for Policy RH 2” to precede Policy RH 2, with the following text: “A key objective of the Plan is to seek the provision of new housing developments which meet the needs of the local community. A Housing Needs Survey was undertaken in 2018 by Action with Communities in Rural Kent which confirmed a need for new affordable homes in the Parish and</p>

		Policy RH 2 provides support for new affordable housing.”
PM19	Page 51	<p><u>Policy RH 3 – Redevelopment and/or remodelling of existing affordable housing provision</u></p> <p>Clause b) of policy text – delete the word “and” and add full stop after “redevelopment”.</p> <p>Delete clause c) of policy text.</p> <p>Add “Justification for Policy RH 3” to precede Policy RH 3, with the following text:</p> <p>“The redevelopment and/or remodelling of existing affordable housing in the Plan area will be encouraged and supported in order to provide modern, well-designed and energy efficient accommodation that meets the needs of people seeking affordable housing. Policy RH 3 provides support for such schemes.”</p>
PM20	Page 51	<p><u>Policy RH 4 – Housing allocations and phasing</u></p> <p>Amend references to RH 5D in the text of the policy to read “RH 5B”.</p> <p>Amend reference to “site 4” to read “site 2”.</p> <p>Add “Justification for Policy RH 4” to precede Policy RH4, with the following text:</p> <p>“Six sites are allocated in the adopted Maidstone Borough Local Plan for new residential development in the Plan area up to 2031. Planning permissions have been granted for the development of four of those sites, and development has either been completed or is now progressing at those sites. The remaining two sites are allocated for new housing development in this Plan in accordance with the adopted Local Plan and Policy RH 4 sets out the details of these sites, which are the subject of Policies RH 5A and RH 5B.”</p>

PM21	Page 53	<p><u>Policy RH 5D</u></p> <p>Re-title policy as "Policy RH 5B: BMNDP Site 2: Kent Police Training School Maidstone Borough Council ref: H1 (28)".</p> <p>Add new clause 6 to the policy text to read: "6. Occupation of the development is phased to align with the delivery of the necessary sewerage infrastructure, in liaison with Southern Water."</p> <p>Amend inset map to be numbered "2".</p>
PM22	Page 54	<p><u>Policy RH 6 – Design of new housing development</u></p> <p>Add new final paragraph to the text of the policy to read as follows:</p> <p>"Appendix 3 (Local Design Characteristics) provides additional information on the key features of built development and streetscape in the Plan area, and proposals for new residential development should reflect those characteristics wherever possible."</p>
PM23	Page 55	<p><u>Policy RH 7 – Residential annexes</u></p> <p>Add "Justification for Policy RH 7" to precede Policy RH 7, with the following text:</p> <p>"Many proposals for residential annexes to existing dwellings require planning permission. In line with the Plan's requirements for good design, new residential annexes, or the conversion of outbuildings to form an annex, should be well designed, be clearly associated with the existing dwelling and not lead to any unacceptable harm to the amenities of neighbouring properties. If necessary, conditions will be sought to any planning permissions granted to ensure that new residential annexes are not occupied as separate dwellings."</p>
PM24	Page 55	<p><u>Policy RH 9 – Provision for gypsies and travellers</u></p>

		<p>Amend title of policy to read “Provision for Gypsies and Travellers”</p> <p>Delete 1st clause of policy text, and replace with the following text:</p> <ul style="list-style-type: none"> • “Development proposals for new or improved accommodation and facilities for Gypsies and Travellers will be considered in the context of other relevant policies in the Plan.” <p>Add “Justification for Policy RH 9” to precede Policy RH 9, with the following text:</p> <p>“The Plan recognises the need to provide suitable accommodation and facilities to meet the needs of Gypsies and Travellers who reside in the Plan area. All proposals for new and improved accommodation and facilities will be considered in the context of relevant planning policies in the Plan and the adopted Maidstone Borough Local Plan and will be supported where such proposals comply with those policies.”</p>
PM25	Page 58	<p><u>Policy LRE 1 – Rural economy</u></p> <p>Clause a) – delete the words “as a minimum,”.</p> <p>Add “Justification for Policy LRE 1” to precede Policy LRE 1, with the following text:</p> <p>“Policy LRE 1 supports proposals which will assist in maintaining the development and growth of traditional rural industries in the Plan area, together with the development of new enterprises particularly in the leisure and tourism sectors. It is essential that such proposals have no significant adverse impacts upon the landscape and tranquillity of the Plan area. Development proposals which involve discordant and adverse visual or noisy uses in the countryside will not be supported.”</p>

PM26	Page 59	<p><u>Policy LRE 2 – Development relating to existing businesses</u></p> <p>Clause c) i) of the policy text – delete the words “or landscape”.</p> <p>Add “Justification for Policy LRE 2” to precede Policy LRE 2, with the following text:</p> <p>“A key objective of the Plan is to maintain and enhance existing local businesses in the Plan area. Development proposals relating to the continued operation of existing agricultural, horticultural and equestrian-related uses will be supported, as will proposals which re-introduce traditional rural activities. Development proposals will need to meet the necessary environmental criteria set out in the policy, appropriate to the nature of their proposed uses.”</p>
PM27	Page 20	<p><u>Section 3.5</u></p> <p>Delete the text of the 1st sentence of the 1st paragraph after the words “keep it up to date”.</p> <p>Delete 2nd sentence of the 1st paragraph and replace with the following text:</p> <p>“The relationship with the Local Plan is important because evolving Government policy and the continuing pressure for housing in the wider area means that the Maidstone Borough Local Plan is currently being reviewed to cover the period 2019-2037. It is presently envisaged that the Local Plan Review will be adopted in late 2022, and the implications for the Neighbourhood Plan will then need to be considered. If necessary, the neighbourhood plan will be reviewed to ensure that it remains an important part of the statutory development plan for the Parish.”</p>