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Report on Pluckley Neighbourhood Development Plan Review (Modifications Proposal) 2016-2031

An Examination undertaken for Ashford Borough Council with the support of Pluckley Parish Council on the March 2023 Submission version of the Plan.

Independent Examiner: Derek Stebbing BA (Hons) DipEP MRTPI

Date of Report: 7 March 2024

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Main Findings - Executive Summary

From my examination of the Pluckley Neighbourhood Development Plan Review (Modifications Proposal) ('the Review Plan') and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in this report, the Review Plan meets the Basic Conditions.

I have also concluded that:

- the Review Plan has been prepared and submitted for examination by a qualifying body – Pluckley Parish Council (the Parish Council);
- the Review Plan has been prepared for an area properly designated – the Neighbourhood Plan Area, the boundary of which is coterminous with the Parish Council boundary, as identified on Map 1 at Page 7 of the Review Plan;
- the Review Plan specifies the period to which it is to take effect – from 2016 to 2031; and,
- the policies relate to the development and use of land for a designated Neighbourhood Plan Area.

I recommend that the Review 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 Review Plan relates and have concluded that it should not.

1. Introduction and Background

Pluckley Neighbourhood Development Plan Review 2016-2031

- 1.1 The parish of Pluckley lies about eight kilometres to the west of the town of Ashford. It has a somewhat dispersed settlement pattern with three main centres of population, the main village of Pluckley towards the north of the parish, Pluckley Thorne to the south of Pluckley village and around Pluckley Station in the south of the parish. The parish had a population of 1,069 in 2011 and extends over an area of 12.63 square kilometres.
- 1.2 References to Pluckley can be found in the Domesday Book of 1086 (as Pluchelei), at which time it was a more significant settlement than the now large town of Ashford. The parish church of St. Nicholas is Grade I listed and has its origins in Anglo-Saxon times. In the 15th century, the parish became the property of the Dering family, and it was a member of that family, during Victorian times, who introduced the distinctive rounded windows that are a distinctive feature of many buildings in the parish.
- 1.3 The railway line in the parish was opened by the South Eastern Railway in December 1842, and Pluckley Station became an important centre for the

dispatch of agricultural produce to London and for the transport of horse manure from London to use on Kent farms. Pluckley Station has regular train services to London and Ashford, and to the coast at Dover and Ramsgate.

- 1.4 Agriculture is the dominant land use within the parish, being at the edge of a well-drained plain with the lower slopes of the Kent Downs National Landscape lying to the north-west of the parish. The Borough Council's Landscape Character Assessment (2011) identifies the parish as being within three of the defined Character Areas, the Dering Wooded Farmlands, the Mundy Bois Mixed Farmlands and the Egerton-Pluckley Greensand Fruit Belt.

The Independent Examiner

- 1.5 As the Review Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by Ashford Borough Council (the Council), with the agreement of the Parish Council.
- 1.6 I am a chartered town planner, with over 45 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.
- 1.7 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.

Procedural Considerations

- 1.8 The Review Plan was submitted for examination to the Council in March 2023¹ on the basis that the Parish Council in its accompanying Modification Statement considered that the proposed modifications are either "Minor" or "Material but not changing the nature of the Plan".²
- 1.9 I noted that the Modification Statement prepared by the Council stated, amongst other things, that the Council considered that the proposed changes in relation to the Review Plan's treatment of windfall sites are considered as having the potential to change the nature of the Plan, requiring both an examination and a referendum. Specifically, the Council considered that the proposed modifications relating to Policies R6, H1A and H2c are "Material, and considered to change the nature of the Neighbourhood Plan".

¹ Reference: Note of Parish Council meeting held on 7 March 2023.

² View at: [Pluckley Neighbourhood Plan Review \(Regulation 16\) - Ashford Borough Council](#)

- 1.10 On my appointment as the examiner of the Plan, I therefore considered whether the modifications contained in the draft Review Plan are so significant or substantial as to change the nature of the Neighbourhood Development Plan which the draft Plan would replace, in accordance with paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). The main implication at that time being, should I have taken a view that the modifications were not significant or substantial, then the Plan examination would have proceeded under Schedule A2 to the 2004 Act, rather than Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). As a practical and key consequence, the Review Plan would not have required a referendum prior to being made.
- 1.11 Following my initial assessment of the Review Plan, its supporting documents and representations made at the Regulation 16 stage, I wrote to the Council and the Parish Council on 15 November 2023³ with my determination, made under Paragraph 10(1) of Schedule A2, to advise that in my assessment the proposed modifications contained in the Review Plan are so significant or substantial as to change the nature of the made Plan which the Review Plan would replace. The principal factor in reaching that conclusion was revised Policy H1A and the associated new Maps 6-9.
- 1.12 Accordingly, I therefore invited the Parish Council as the Qualifying Body (in accordance with paragraph 10(5) of Schedule A2) to decide whether to proceed with the examination of the Review Plan under the provisions of Schedule 4B to the 1990 Act 1990, which in turn would require a referendum prior to the Review Plan being made.
- 1.13 The Parish Council confirmed on 7 December 2023 that it had determined to proceed with the examination of the Review Plan under Schedule 4B.⁴ Therefore, it is on that basis that I have undertaken my examination of the Review Plan. For clarification, my examination has also considered the entirety of the Review Plan and has not been confined to those parts of the Review Plan which contain modifications to the made Pluckley Neighbourhood Development Plan (April 2017).

The Scope of the Examination

- 1.14 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

³ View at: <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/pluckley-neighbourhood-plan/>

⁴ View at: <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/pluckley-neighbourhood-plan/>

(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.

1.15 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'; and
 - 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.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.16 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

1.17 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 (under retained EU law)⁵; and
- meet prescribed conditions and comply with prescribed matters.

1.18 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 ('the Habitats Regulations').⁶

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of Ashford Borough Council, not including documents relating to excluded minerals and waste development, is the Ashford Local Plan 2030 (ALP), which was adopted on 21 February 2019. The Council's latest Local Development Scheme (LDS) (March 2023) indicates that work on the preparation of a new Local Plan to cover the period up to 2041 commenced during 2023, with a Regulation 18 consultation expected in the second quarter of 2024; followed by Regulation 19 pre-submission consultation in the first quarter of 2025; submission to the Secretary of State for examination in the second quarter of 2025; and the formal adoption of the new Local Plan in the third quarter of 2026.
- 2.2 The adopted Local Plan contains a suite of seven strategic policies (Policies SP1-SP7) and a series of site-specific policies and topic-related policies. The Basic Conditions Statement (at Section 7) sets how each of the Review Plan's policies are in general conformity with the relevant strategic policies and other policies in the adopted Local Plan. Having been adopted in 2019, the ALP provides a relatively up-to-date strategic planning context for the Neighbourhood Plan, and this has enabled the Review Plan and its policies to be prepared.
- 2.3 The Council has raised a number of concerns with regard to the general conformity of the Review Plan's policies with the strategic policies in the

⁵ The existing body of environmental regulation is retained in UK law.

⁶ 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.

adopted Local Plan and I address those concerns in detail within Section 4 of this report.

- 2.4 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. A revised NPPF was published during the examination on 19 December 2023 (and updated on 20 December 2023). All references in this report are to the latest December 2023 NPPF and its accompanying PPG.

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 Pluckley Neighbourhood Development Plan Review 2016-2031 Submission Version (March 2023);
 - the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Determination Report (January 2023);
 - the Basic Conditions Statement (March 2023);
 - the Consultation Statement (2023);
 - the Modifications Statement issued by the Parish Council at the Regulation 15 submission stage (March 2023);
 - the Modifications Statement (October 2023) issued by Ashford Borough Council;
 - the Pluckley Neighbourhood Plan Review Site Appraisal Document (2023).
 - the current made Pluckley Neighbourhood Development Plan 2016-2031 (April 2017); and,
 - all the representations that have been made in accordance with the Regulation 16 consultation.⁷

Supporting Documents

- 2.6 I have also considered certain supporting documents to the current made Plan, including the following:
- Site Appraisal Document (August 2016) (Pluckley Neighbourhood Plan Steering Group);
 - Pluckley Parish Design Statement (Pluckley Parish Design Group) (2003); and,
 - Pluckley Parish Plan Update (Pluckley Parish Council) (2013).

Preliminary Questions

- 2.7 Following my appointment as the independent examiner and my initial review of the draft Review Plan, its supporting documents and

⁷ View at: <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/pluckley-neighbourhood-plan/>

representations made at the Regulation 16 stage, I wrote to the Council and the Parish Council on 15 November 2023⁸ seeking further clarification and information on four matters contained in the submission Review Plan, as follows:

1. With regard to Policy H1A and Map 7, I noted the Council's representations concerning the proposed modifications to this Policy and the inclusion of new Map 7, and that the Council considers that the Policy is not in general conformity with the adopted Ashford Local Plan 2030. From my initial assessment of the draft Review Plan, my principal concern was with the material proposed for inclusion after paragraph 7.18 and its spatial definition on Map 7. Clearly, this places restrictions on the potential ability to identify opportunities for 'windfall' development within the areas demarcated by the blue lines. I was not satisfied that there is sufficient justification, either in the draft Review Plan or in supporting documents, to justify the proposed definition of the land and sites within the blue lines. The Policy, as drafted for modification, may therefore be defective. I further considered that the proposed modifications to this Policy and the inclusion of new Map 7 are material and do change the nature of the Plan, contrary to the Modification Statement issued by the Parish Council. I therefore requested that the Qualifying Body provide me with a note setting out in fuller detail the justification for the proposed modifications to Policy H1A, taking into account the Council's representations and specifically the points that are made regarding the potential duplication or non-conformity with Local Plan policies SP7, HOU3a, HOU5, ENV3a and ENV14. I also confirmed that I would visit the areas specifically referenced in Policy H1A during the course of my site visit.
2. With regard to Policy H1A and Map 9 (Pluckley Station), I had noted the Council's representations concerning the proposed modifications to this Policy and the inclusion of new Map 9, and that the Council considers that the Policy is not in general conformity with the adopted Ashford Local Plan 2030. Specifically, I noted that the Council considers that the 'Estuary Cars' site and adjacent residential properties should be included in the proposed Pluckley Station village confines. I therefore requested that the Qualifying Body provide me with a note setting out why it is considered that these properties should not be within the designated village confines, taking into account the Council's detailed comments on this matter within its representations. I also confirmed that I would visit the Pluckley Station area during the course of my site visit.
3. With regard to Policy H2C (Lighting), I had noted the Council's detailed representations concerning this Policy, and I therefore invited the Qualifying Body to provide me with a note that addresses the points raised by the Council including, if appropriate, any suggested revisions

⁸ View at: <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/pluckley-neighbourhood-plan/>

to the Policy text and/or to paragraph 7.18. (For clarification, I noted that this refers to the paragraph that is numbered 7.18 on page 37, and not to the paragraph also numbered 7.18 that is on page 31. I further noted that there are no paragraphs numbered 7.8-7.17 in the copy of the draft Plan that I have assessed, and I queried whether there is material missing from the copy that I had received).

4. With regard to the Thorne Estate Garages Site shown on Map 6 in the draft Review Plan, I requested that the Council provide me with a note setting out the latest position regarding its proposals for residential development at the site, as shown on Map 6 and referenced in the preceding text, and specifically whether any amendments to that text are necessary.
- 2.8 In response to my letter of 15 November 2023, the Council and the Parish Council provided me with responses to the questions listed above on 5 December 2023⁹ and 7 December 2023¹⁰ respectively. I have taken full account of the additional information contained in these responses as part of my assessment of the draft Plan, alongside the documents listed at paragraphs 2.5 and 2.6 above.
- 2.9 To avoid unnecessary repetition in subsequent sections of this report, I refer to the questions and to the responses from the Council and Parish Council by their relevant number, e.g. Question No. 1. Readers should refer to paragraph 2.7 above, and to the response documents from each Council for the full text of the questions and responses.

Site Visit

- 2.10 I made an unaccompanied site visit to the Neighbourhood Plan Area on 10 December 2023 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

- 2.11 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.

⁹ View at: <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/pluckley-neighbourhood-plan/>

¹⁰ View at: <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/pluckley-neighbourhood-plan/>

Modifications

- 2.12 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 to this report.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Review Plan has been prepared and submitted for examination by Pluckley Parish Council. An application to the Council for the parish of Pluckley to be designated a neighbourhood planning area was made by the Parish Council on 5 January 2015 and was approved by the Council on 10 March 2015 following consultation. Following a review of the Council's ward boundaries in 2016/17, the Ashford (Electoral Changes) Order 2017 and the Ashford Borough (Reorganisation of Community Governance) Order No. 1 2016 took effect in April 2019. These Orders included a minor change to the Pluckley Parish boundary and, under Section 61G of the Town and Country Planning Act 1990, the designated neighbourhood area of Pluckley was re-designated by the Council at that time, upon the request of the Parish Council. The Review Plan has been prepared for the re-designated Neighbourhood Area.¹¹
- 3.2 The designated Neighbourhood Area comprises the whole of the parished area of Pluckley. The designated area is shown on the map (Map 1) at page 7 in the submission Review Plan. The extant Pluckley Neighbourhood Plan (made on 21 April 2017) is the only Neighbourhood Plan in the designated area, and the Review Plan is intended to supersede that Plan.
- 3.3 Pluckley Parish Council is the Qualifying Body for the preparation of the Review Plan. The preparation of the Plan has been led by a Neighbourhood Plan Steering Group comprising Parish Councillors who had volunteered to join the Group. The Terms of Reference for the Steering Group are set out at Appendix 3 to the Consultation Statement.

Plan Period

- 3.4 The draft Plan specifies (on the front cover) the period to which it is to take effect, which is stated as the period from 2016 to 2031. The Plan period encompasses the remaining part of the plan period for the adopted ALP (up to 2030) and the first year of the plan period for the emerging review of the ALP (up to 2041). Whilst that review is presently at an early stage of progression, I make a recommendation and associated proposed

¹¹ View at: <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/pluckley-neighbourhood-plan/>

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modification **PM11** (see paragraph 4.49 below) with regard to the future review of the Plan to take account of the emerging review of the ALP.

Neighbourhood Plan Preparation and Consultation

- 3.5 The Consultation Statement and its six Appendices sets out a comprehensive record of the Plan's preparation and its associated engagement and consultation activity during 2019-2023. Initial work began in July 2019 with the distribution of a community questionnaire to establish residents' views on the number of new homes required in the parish and on design issues. The Steering Group met to consider the scope of the Plan Review in July and August 2019, and the extent of the Review was agreed by the Parish Council in September 2019. During 2020 and 2021 work progressed on undertaking further community consultation through workshops and a questionnaire survey, the identification and assessment of potential sites for new housing and liaison with the Borough Council. The Regulation 14 pre-submission consultation was undertaken between 14 September and 31 October 2021 and details of the responses received to that consultation are set out at Section 7 of the Consultation Statement. The Steering Group's responses to the matters raised in this consultation are set out on Pages 11 and 12 of the Consultation Statement.
- 3.6 The preparation of the Review Plan and the associated community engagement and consultation has involved three main stages, as follows:
- Stage 1: Initial work, community engagement and identification of matters to be covered by the Plan Review (July-September 2019).
 - Stage 2: Work on the preparation of the draft Review Plan, further community engagement and pre-submission consultation on the draft Review Plan (Regulation 14) (Autumn 2019 to December 2021).
 - Stage 3: Revisions to the Review Plan post Regulation 14, Submission to the Council, Regulation 16 consultation and examination (early 2022 through to early 2024).
- 3.7 Stage 1 was focused on the public meetings described above, the major community survey of residents, businesses and stakeholders, the identification of the themes that would be covered by the Plan and the collection of data and relevant evidence.
- 3.8 During Stage 2, work was focused on updating the Plan's evidence base, the identification and assessment of potential housing sites, further community engagement (as recorded at Appendix 2 to the Consultation Statement) and the preparation of the draft Plan and the accompanying consultation material for the pre-submission Regulation 14 consultation process, which was undertaken for over 6 weeks between 14 September and 31 October 2021. The consultation was accompanied by local publicity across the Plan area, a public meeting and a newsletter to every household in the parish.

- 3.9 Stage 3 comprised the finalisation of the draft submission Review Plan and its supporting documents, following the Regulation 14 consultation, and the formal submission of the draft Plan to the Council for examination in March 2023.
- 3.10 The Consultation Statement provides a full record of the consultation and engagement work that was undertaken during the preparation of the Plan, particularly regarding the Regulation 14 pre-submission consultation held in September-October 2021.
- 3.11 The Parish Council noted at its meeting held on 7 March 2023 that the Review Plan had been submitted to the Council for examination under Regulation 15. Regulation 16 consultation was then held for a period of six weeks from 14 July to 8 September 2023. I have taken full account of the eight responses received from six respondents during that consultation. 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 engagement and is procedurally compliant in accordance with the legal requirements.

Development and Use of Land

- 3.12 I am satisfied that 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

- 3.13 From my review of the documents before me, the draft Review Plan does not include policies or proposals that relate to any of the categories of excluded development.¹² Kent County Council is the Minerals and Waste Planning Authority for the Plan area, and the relevant Development Plan document for these matters is the adopted Kent Minerals and Waste Local Plan (2013-2030).

Human Rights

- 3.14 Neither the 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.

¹² The meaning of 'excluded development' is set out in s.61K of the 1990 Act.
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4. Compliance with the Basic Conditions

EU Obligations

- 4.1 In October 2021, the draft Review Plan was submitted to the Council for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening. At that stage in the Review Plan's preparation, the draft Plan proposed a site allocation for residential development (at Pluckley Thorne) and, following consultation with the Environment Agency, Historic England and Natural England, it was concluded that SEA and HRA would be required. Subsequent to that SEA/HRA Screening and conclusion, the proposed site allocation for residential development was removed from the draft Review Plan by the Parish Council.
- 4.2 In November 2022, the revised draft Review Plan was re-submitted to the Council for SEA and HRA Screening. The Council issued a SEA and HRA Screening and Determination Report in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations') and the Habitats Regulations in January 2023, and this was prepared on the basis of the pre-submission policies contained in the revised draft Review Plan. This Screening Determination Report has been submitted alongside the draft Review Plan and concludes (at Section 4) that, on the basis of the SEA Screening Assessment, the draft Review Plan will not have significant negative effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA. The main reason for this conclusion is that the Review Plan does not propose to allocate any new sites for development and contains policies which would require any development coming forward to protect and enhance the environment.
- 4.3 The Screening Report was the subject of consultation with the Environment Agency, Natural England and Historic England between 25 November 2022 and 6 January 2023. The consultees all responded within the consultation period and confirmed that the preparation of a full SEA is not required. Appendix 2 to the Screening Determination Report contains the consultees' responses.
- 4.4 I have considered the SEA methodology set out in the Screening and Determination Report (at Section 4) and process by which the Review Plan was duly screened to determine whether the Plan is likely to have significant environmental effects. Overall, I am satisfied that a proportionate approach has been taken and that the Review Plan was screened to take full account of any potential effects upon interests of environmental, landscape, historic and heritage importance.
- 4.5 The draft Review Plan was also screened by the Council in order to establish whether the Plan required HRA under the Habitats Regulations. The HRA Screening Assessment, which is contained within the Screening Report (at Section 5), concludes that the draft Plan does not include any

proposals that would be likely to adversely affect the integrity of the European sites or in combination with other projects and plans and that a full HRA Appropriate Assessment of the Review Plan is not required. I have noted that Natural England have confirmed that a HRA is not required. I further note that although the Plan area is within the catchment of the Stodmarsh Lakes Special Protection Area (SPA), Ramsar site and Special Area of Conservation (SAC), which lie east of Canterbury, the Review Plan will not have any impact upon the water and environmental quality at that designated site, as the Review Plan does not allocate housing sites.

- 4.6 Therefore, I consider that on the basis of the information provided and my independent consideration of the SEA and HRA Screening and Determination Report and the Plan itself, I am satisfied that the Review Plan is compatible with EU obligations under retained EU law.

Main Assessment

- 4.7 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*". 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.
- 4.8 Having considered above whether the Review 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 1.15 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.
- 4.9 I test the Review Plan against the Basic Conditions by considering specific issues of compliance of the Plan's 15 policies. As part of that assessment, I consider whether the policies in the Review 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.¹³ I recommend some modifications as a result.

¹³ PPG Reference ID: 41-041-20140306.

Neighbourhood Plan Overview

- 4.10 The Review Plan is addressing the period from 2016 to 2031 and seeks to provide a clear planning framework to enable Pluckley to continue to thrive and meet the evolving needs of its community, while preserving the rural character, natural beauty and views in the area.
- 4.11 Section 1 of the Review Plan provides a list of the Plan's 15 Policies, under the themes of Managing our Rural Environment¹⁴ (Policies R1-R6), Housing and Development (Policies H1A-H2C), Economy, Communications and Transport (Policies E1-E3) and Community and Leisure (Policies C1 and C2). My assessment of each of the Plan's policies is set out below under these themes.
- 4.12 Section 2 of the Review Plan is the Introduction, describing how the Plan provides a Vision for the future of the Pluckley community and sets out clear planning policies to realise this Vision. It goes on to describe how the Plan is organised, being divided into 11 sections with 15 maps, and that it is informed by supporting evidence base documents.
- 4.13 Section 3 of the Review Plan is entitled 'Scope, Methodology and Implementation', and notes that the largest residential concentration is at the village core, where most of the services are located, but there are other settlement areas within the parish at Thorne/Fir Toll and at the Pluckley Station area. It includes a map (Map 1) of the designated Neighbourhood Area.
- 4.14 Section 4 of the Review Plan is entitled 'About Pluckley' and provides a concise history of the parish, its key demographic and socio-economic data, details of the range of services that are available within the village including a primary school and the developments that have taken place since the current Neighbourhood Plan was Made in 2017.
- 4.15 Section 5 is entitled 'Our Vision for Pluckley'. The Vision is set out below:
- "Our vision is for Pluckley to continue to thrive, meeting the evolving needs of its community while preserving the rural character, natural beauty and views that are what attract its residents and visitors alike."*
- It notes that this Vision was formulated from comments at the residents' workshops held during the preparation of the Plan and then subject to public consultation.
- 4.16 The Basic Conditions Statement (at Sections 6-8) describes how the Review Plan, and its objectives and policies, has regard to national policies

¹⁴ The Contents page refers to '6. Managing the Rural Environment' whilst the reference in the relevant heading within the Plan is to 'Managing our Rural Environment'. A similar issue arises with the entry '7. Housing' on the Contents page and the 'Housing and Development' header under the List of Policies. These (and any similar) minor inconsistencies may be addressed under the terms of paragraph 4.50 below.

contained in the NPPF and contributes to the achievement of sustainable development. Appendix 1 of the Basic Conditions Statement comprises a map of the designated Neighbourhood Area and Appendix 2 is a list of the Review Plan's policies.

- 4.17 In my assessment, I consider that the Review Plan, through its Vision, Policies and its supporting text, contains a planning strategy that addresses the national requirement to contribute to the achievement of sustainable development, as it applies to the Plan area.
- 4.18 I consider that overall, subject to modifications that I recommend to specific policies below, that individually and collectively the Review Plan's policies will contribute to the achievement of sustainable patterns of development in Pluckley and within the wider area. There are 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 Council. Accordingly, I recommend modifications in this report in order to address these matters.

Specific Issues of Compliance

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

Managing our Rural Environment

- 4.20 Section 6 of the Review Plan addresses the theme of Managing our Rural Environment in the Plan area and contains six policies (Policies R1-R6). These policies address landscape character and design, the protection of views and the rural setting, the designation of Local Green Spaces, recreation and community use, renewable energy and addressing nutrient neutrality.
- 4.21 Policy R1 (Landscape Character and Design) states that development will be supported where it is designed in a way that protects, and where possible, enhances the landscape character and complements existing development and meets other Policies in the Plan. It goes on to list five detailed requirements that should be addressed in the submission of landscape strategies for proposed new developments. This Policy has not been revised from that contained in the current made Plan. I am satisfied that the Policy is justified and is in general conformity with the strategic policies of the adopted ALP.
- 4.22 Policy R2 (Protection of Views and Rural Setting) states that development will be supported where it respects the views highlighted in Map 3 and accords with other Development Plan policies. The views are in three groups, V1 – views of the valley west of Pluckley village; V2 – the “Green Heart” of the parish, as described in the Pluckley Parish Design Statement; and V3 – the Malmaims valley in the east of the parish. Map 3

clearly identifies the views and the relevant viewpoints and pages 15-20 in the draft Plan contain representative photographs of the views. I am also satisfied that this Policy is justified and is supported by appropriate evidence and that it is in general conformity with the strategic policies of the adopted ALP.

- 4.23 Policy R3 (Designation of Local Green Spaces) designates two sites in the Plan area as Local Green Spaces, being the triangle of land at the junction of Fir Toll and Station Road and the area of land between the Station car park and The Grove. The sites are appropriately defined on Map 4. I visited both sites during the course of my site visit. Whilst I am satisfied that the sites have both been appropriately designated as Local Green Spaces in accordance with the criteria set out in the NPPF, I observe that in the light of the 2020 Court of Appeal judgment in *R on the Application of Lochailort Investments Limited v Mendip District Council*¹⁵, the wording of the Policy should be revised to ensure that it has sufficient regard to the NPPF. A focused amendment is also required to paragraph 6.12. These necessary amendments are addressed by recommended modification **PM1**.
- 4.24 Policy R4 (Recreation and Community Use) states that the open space, sports and recreational buildings and land, including playing fields, at five sites listed in the Policy shall be preserved for leisure use by the community. The fifth of these sites, the Nature Field at Chambers Green Road, is a proposed additional site to be included within the scope of this Policy. The Policy refers to these sites as being defined on Map 2, which is an incorrect reference and which should be to Map 5. Furthermore, the second paragraph of Policy text constitutes one lengthy sentence (of 82 words) which is both excessively long and also difficult to interpret with sufficient clarity by users of the Plan.
- 4.25 I visited the sites covered by this Policy, including the proposed additional site at Chambers Green Road, during the course of my site visit and I am satisfied that they are each justified as being defined within the scope of the Policy. However, some amendments are necessary to the Policy text in order that it provides the necessary clarity for users of the Plan, and this matter is addressed by recommended modification **PM2**.
- 4.26 Policy R5 (Renewable Energy) states that renewable energy technology is welcomed in the parish. It goes on to state that proposals for new renewable energy structures requiring planning permission will be required to demonstrate that they do not have a seriously harmful impact on sensitive landscapes and do not use the best and most versatile agricultural land. This Policy has not been revised from that contained in the current made Plan. I am satisfied that the Policy is justified and is in general conformity with the strategic policies of the adopted ALP.

¹⁵ Case Number: C1/2020/0812.

- 4.27 Policy R6 (Addressing Nutrient Neutrality) is a new Policy which is necessary in order to ensure that any proposals for new residential development and other development including overnight accommodation within the Stour catchment, or which is served by a wastewater system that discharges effluent into the Stour catchment, can demonstrate nutrient neutrality at the Stodmarsh SAC/SPA/Ramsar designated site system (see also paragraph 4.5).
- 4.28 I note that Natural England has not raised any concerns regarding this Policy. However, the Borough Council suggests a clarificatory amendment to the Policy text, with which I concur, and this is addressed by recommended modification **PM3**.
- 4.29 With recommended modifications PM1-PM3, I consider that the draft Plan's section on Managing our Rural Environment and its accompanying policies (Policies R1-R6) is in general conformity with the strategic policies of the ALP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Housing

- 4.30 Section 7 of the Review Plan addresses the important theme of Housing within the Plan area and contains four policies (Policies H1A, H2A, H2B and H2C). Previous Policy H1 in this part of the current made Plan concerning new residential development is deleted from the draft Review Plan.
- 4.31 Policy H1A (Windfall Sites within or close to Built-up Confines) is not well presented in the draft Review Plan and, firstly, sets out (on page 30) a series of eleven "Windfall Criteria". This is then followed by a paragraph of supporting text (incorrectly numbered as 7.18, but which should be paragraph 7.8) and then by the second part of Policy text addressing residential "Windfall Sites in Specific Areas", which is linked to Map 7 (Pluckley Village). There are no references to the following maps (Maps 8-11). The potential difficulties for future users of the Plan in being able to understand and interpret this Policy are also not assisted by a significant part of paragraph 7.7 being in bold font (i.e. Policy font). Furthermore, that paragraph makes no reference to the accompanying Map 6 (Thorne Garages site).
- 4.32 Upon my initial assessment of the draft Plan, I noted the above-mentioned issues, and I further noted that the Council had raised significant concerns regarding this draft Policy. Accordingly, I raised three questions (Questions 1, 2 and 4) with the Qualifying Body and the Council regarding this Policy and its related mapping.
- 4.33 Taking full account of the Council's representations regarding this Policy and the responses from the Parish Council and the Council to my questions, and my own observations during the course of my site visit, I

consider that some substantive amendments are required to this section of the Plan in order that it can provide much clearer guidance regarding potential 'windfall' residential developments within the Plan area. These necessary amendments are addressed by recommended consolidated modification **PM4**.

- 4.34 Policy H2A (Design Standards) states that proposals for all forms of new development must plan positively for the achievement of high quality and inclusive design, at the same time demonstrating that they have sought to conserve local distinctiveness and the aesthetic qualities of traditional rural settlements and buildings found in Pluckley and take account of the Pluckley Design Statement. It goes on to set out five design criteria regarding building form, roof lines, materials, openings and boundary treatments, and existing trees and hedgerows that should be taken into account. The Council raise one detailed matter regarding this Policy, and I also consider that some drafting amendments should be made to achieve clarity in the Policy's requirements for users of the Plan. These amendments are addressed by recommended modification **PM5**.
- 4.35 Policy H2B (Encouraging Sustainable Development) states that development is to be co-ordinated with the provision of infrastructure and will not be permitted to proceed unless it connects to the sewerage system at the nearest points of adequate capacity as advised by the service provider, unless demonstrated to be inappropriate and other adequate means can be found. It goes on to state that developments of residential dwellings, non-residential or mixed-use development will be expected to put in place sustainable drainage systems for the management of run-off unless demonstrated to be inappropriate. Although the Council supports the proposed revisions to this Policy, Kent County Council (as Lead Local Flood Authority) consider that the Policy should be strengthened by the addition of further text. I concur with the County Council's comments, and recommended modification **PM6** addresses the necessary amendments to this Policy.
- 4.36 Policy H2C (Lighting) states that lighting associated with any activity including leisure, recreation and business must be demonstrated to be essential and, where demonstrated, it must be managed to reduce light pollution, reduce energy usage and impact on biodiversity, any potential harm to local residents and to minimise the visual impact on the local character of the area. It goes on to set out a series of detailed criteria for the installation of external lighting.
- 4.37 Upon my initial assessment of the draft Plan and the submitted representations, I noted that the Council had raised some concerns regarding this draft Policy. I was also concerned at the level of detailed policy requirements set out within the Policy. Accordingly, I raised a question (Question 3) inviting the Qualifying Body to provide me with a note that addresses the points raised by the Council including, if appropriate, any suggested revisions to the Policy text. The Parish Council's response of 7 December 2023 proposes the replacement of the

draft Policy text with revised text. I have given careful consideration to the Parish Council's proposed replacement text, and I conclude that it satisfactorily addresses the concerns that were raised by the Council together with my own concerns. Accordingly, I recommend modification **PM7** to incorporate the replacement Policy text.

- 4.38 With recommended modifications PM4-PM7, I consider that the draft Plan's section on Housing and its accompanying policies (Policies H1A, H2A, H2B and H2C, to be re-numbered as Policies H1-H4) is in general conformity with the strategic policies of the ALP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Economy and Communications

- 4.39 Section 8 of the Review Plan addresses the theme of Economy and Communications and contains three policies (Policies E1-E3).
- 4.40 Policy E1 (Support for Agriculture and Tourism Development) states that development related to agriculture, tourism and other business activity will be supported where they comply with other policies in the Plan and the benefits to the local economy and any other benefits to the local environment or the wellbeing of the parish outweigh any environmental harm.
- 4.41 Policy E2 (Seek Better Communications) states that applications for new residential development will only be approved if they are accompanied by a communications statement that demonstrates that the development will be able to connect to the best available broadband network and to take advantage of future improvements to it. A focused amendment to the Policy text is necessary as the Parish Council does not have the function of being able to determine planning applications, and therefore the Policy cannot state that any specific applications will be approved. The necessary amendment is addressed by recommended modification **PM8**.
- 4.42 Policy E3 (Transport Management through the parish) is unchanged from that contained in the current made Plan, but the accompanying map (Map 13) is referenced as Map 7 in the Policy text. Accordingly, I recommend modification **PM9** to correct this error.¹⁶ I also note that Map 12 is not referenced in the supporting text on pages 39 and 40, and I consider that this reference should be included to provide clarity for users of the Plan. I therefore recommend a further amendment as part of modification **PM9**.
- 4.43 With recommended modifications PM8 and PM9, I consider that the draft Plan's section on Economy and Communications and its accompanying policies (Policies E1-E3) is in general conformity with the strategic policies of the ALP, has regard to national guidance, would contribute to the

¹⁶ Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.

achievement of sustainable development and so would meet the Basic Conditions.

Community and Leisure

- 4.44 Section 9 of the Review Plan addresses the theme of Community and Leisure for residents and contains two Policies (Policies C1 and C2)
- 4.45 Policy C1 (Social interaction and Community life) states that development related to community use, including changes of use and temporary or permanent structures or alterations to permitted opening hours, where express planning permission is required, will be supported subject to other policies in the Plan.
- 4.46 Policy C2 (Protection of Community Facilities) is a lengthy Policy, which states that development of existing community facilities will be supported where they will enhance their community function. Proposals which would allow the Parish Church, the Primary School, the Village Hall and the Public Houses to modernise and adapt for future needs are encouraged, subject to other policies in the Plan. The Policy states that it is linked to Map 12, but this should in fact be to Map 14 and this correction is addressed by recommended modification **PM10**.
- 4.47 With recommended modification PM10, I consider that the draft Plan's section on Community and Leisure and its accompanying Policies (Policies C1 and C2) is in general conformity with the strategic policies of the ALP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Community Projects Management Plan

- 4.48 Section 10 of the Review Plan sets out a series of Community Projects, a number of which were expressed as aspirations during the consultative stages of the Plan's preparation, and which the Parish Council intend to take forward in the coming years. I am satisfied that these have been discretely identified within Section 10. These projects will not form part of the statutory Development Plan, since they do not constitute land-use planning policies and are therefore not part of this examination.¹⁷

Monitoring and Review

- 4.49 Section 11 of the Review Plan sets out details for the proposed monitoring and review of the Plan, with the Parish Council working in liaison with the Council. It sets out a commitment for the Parish Council to undertake a formal review every five years to ensure that the Plan continues to meet the needs of the parish as it evolves current and relevant to the community. I am satisfied that this section addresses the issues of monitoring and review adequately, but I recommend that it should also

¹⁷ See PPG Reference ID: 41-004-20190509.

make a specific reference to the emerging review of the ALP, and this is addressed by recommended modification **PM11**.

Other Matters

4.50 As an advisory comment, when the Review 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. Minor amendments to the text and numbering (sections, paragraphs, contents page, etc) can be made consequential to the recommended modifications, alongside any other minor non-material changes or updates in agreement between the Parish Council and the Council.¹⁸

Concluding Remarks

4.51 I conclude that, with the recommended modifications to the Review Plan as summarised above and set out in full in the accompanying Appendix, the Pluckley Neighbourhood Development Plan Review 2016-2031 meets the Basic Conditions for neighbourhood plans.

5. Conclusions

Summary

5.1 The Pluckley Neighbourhood Development Plan Review 2016-2031 (Modifications Proposal) has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Review 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 Review Plan, and the supporting documents submitted with the Review Plan together with the Parish Council and Council's responses to my questions.

5.2 I have made recommendations to modify certain policies and other matters to ensure that the Review Plan meets the Basic Conditions and other legal requirements. I recommend that the Review 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 Review Plan relates. I conclude that the Pluckley Neighbourhood Development Plan Review 2016-2031, as modified, has no policy or proposal which I consider to be significant enough to have an impact beyond the designated Neighbourhood Plan

¹⁸ PPG Reference ID: 41-106-20190509.

boundary, requiring the referendum to extend to areas beyond that boundary. I therefore 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 Pluckley Neighbourhood Development Plan Review 2016-2031 is the product of much hard work undertaken since 2019 by the Parish Council, its Neighbourhood Plan Steering Group and the 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 Pluckley 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 Ashford Borough Council.

Derek Stebbing

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 20	<p><u>Policy R3 – Designation of Local Green Spaces</u></p> <p>Delete 2nd paragraph of Policy text in full and replace with the following text:</p> <p>“Development proposals in the designated Local Green Spaces defined on Map 4 will be managed in accordance with national policy for Green Belts.”</p> <p>Paragraph 6.12 – delete the words <i>“paragraph 77 in the NPPF Guidelines”</i> and replace with:</p> <p>“paragraph 106 of the NPPF (December 2023)”</p>
PM2	Page 23	<p><u>Policy R4 – Recreation and Community Use</u></p> <p>Amend Policy title to read: “Sites for Community Uses, Recreation and Nature Conservation”.</p> <p>Delete existing Policy text in full and replace with:</p> <p>“The following sites, which are defined on Map 5, shall be protected from any inappropriate developments in order that they can be retained for their continued community use for sports and leisure, recreation and nature conservation purposes:</p> <ol style="list-style-type: none"> 1. QEII Recreation Ground 2. Thorne Field adjacent to the Thorne Estate 3. The Street Parking Area 4. The Village Hall and Garden 5. Nature Field, Chambers Green Road <p>Proposals for development at these sites will only be supported if they are related to the existing use of the sites. Any proposals which would result in the loss or partial loss of the facilities and amenities at these sites must ensure that such loss is replaced by equivalent or improved provision within the Plan area.”</p>

PM3	Page 27	<p><u>Policy R6 – Addressing Nutrient Neutrality</u> Delete the words “<i>residential development and other development including</i>” from the first sentence of Policy text.</p>
PM4	Pages 29 - 35	<p><u>Policy H1A – Windfall Sites Within or Close to Built-up Confines</u></p> <p>Paragraph 7.7 – delete all text presently in bold font, and replace with the following text (to be in normal font):</p> <p>“The consultation and identified need showed a requirement for three further homes, affordable to young families. The best scoring site in the Site Appraisal, land at Thorne Garages as defined on Map 6, meets this need. Ashford Borough Council submitted a planning application in March 2023 (Ref. PA/2023/0424) to deliver these homes, which has a ‘resolution to grant’ by the Borough Council’s Planning Committee subject to the appropriate nutrient neutrality mitigation being identified. Given the progress of the planning application, this Review Plan does not seek to allocate this site, and instead the site will be considered as ‘windfall’ housing and assessed under the relevant planning policies. No further housing sites are allocated in this Review Plan.”</p> <p>Re-number and re-title Policy H1A as “Policy H1-Windfall Housing Development”</p> <p>Page 30 - delete the words “<i>The General Windfall Criteria</i>”.</p> <p>Page 31 – delete the words “<i>Windfall Sites in Specific Areas</i>”.</p> <p>Paragraph 7.18 – delete this paragraph.</p> <p>Delete existing Policy text in full, and replace with</p> <p>“Proposals for new residential development on ‘windfall’ sites within, adjoining or close to the built-up confines of Pluckley, as defined on Map 7, or within the built-up confines of Pluckley Thorne and Pluckley Station, as defined on Maps 8 and 9 respectively, will be supported, where the proposals satisfy the following criteria:</p>

		<ul style="list-style-type: none"> a. is of a scale, layout, design and appearance that is compatible with the character and density of the surrounding area; b. will not have any adverse impacts upon residential amenity in the vicinity of the site; c. would not result in harm to or the loss of public or private open spaces that contribute positively to the character of the local area (including residential gardens); d. would not result in any significant harm to the surrounding landscape, to nearby heritage assets, nature conservation sites and biodiversity networks and maintains the openness of the wider countryside; e. where required, demonstrates nutrient neutrality regarding the Stodmarsh SAC/SPA/Ramsar designated site for the lifetime of the development; f. the proposals incorporate safe and suitable access for pedestrians and vehicles in accordance with the relevant policies and standards of Kent County Council as Highways Authority; g. safeguards and, where appropriate, enhances existing Public Rights of Way in the vicinity of the site, including Public Footpaths, Bridleways, Byways and Cycle Routes in order to provide sustainable transport choices for new developments; h. is located to provide residents with opportunities to use local public transport services; i. does not lead to a requirement for substantial new infrastructure or other facilities to support the development; j. would not displace an existing active use at the site, such as employment, community or leisure facilities; k. has no adverse impacts upon the designated Conservation Areas in the Plan area (as defined on Maps 10 and 11); l. takes account of all relevant policies in the adopted Ashford Local Plan 2030 (including Policy SP7) and the guidance contained in Supplementary Planning Documents.
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		<p>Proposals which include self-build housing or housing suitable for residents seeking smaller homes will be encouraged.</p> <p>Within those parts of the Plan area that are situated beyond the built-up confines of the settlements of Pluckley, Pluckley Thorne and Pluckley Station, as defined on Maps 7-9 respectively, proposals for new development on 'windfall' or other non-allocated sites will only be supported where their impact, individually or cumulatively, would not lead to the physical or visual coalescence of the settlements and their separate identities and character, or to the significant erosion of a gap between the settlements."</p> <p>Delete the areas defined by blue lines on Map 7.</p> <p>Delete the text (with no paragraph number) on Page 31 that is beneath the Policy text in bold font under the heading of "Windfall Sites in Specific Areas".</p> <p>Enhance the <u>red line</u> boundaries shown on Maps 7-9 to ensure their clarity for users of the Review Plan.</p> <p>Amend Map 9 to include the Station Road Garage/Estuary Cars site <u>within</u> the built-up confines boundary of the Pluckley Station settlement.</p>
PM5	Pages 35 and 36	<p><u>Policy H2A – Design Standards</u></p> <p>Page 35 – delete the words "<i>Policy H2 Proposals for development must observe the following</i>".</p> <p>Re-number and re-title Policy as "Policy H2 – Design Standards for New Development".</p> <p>Delete the words "<i>and inclusive</i>" in the second line of Policy text.</p> <p>Delete the words "<i>typical building form</i>" in the first line of criterion a.</p> <p>Delete the words "<i>roof lines</i>" in the first line of criterion b.</p> <p>Delete the word "<i>materials</i>" in the first line of criterion c.</p>

		<p>Amend the word “ensuring” in the first line of criterion d. to read “Ensuring”.</p> <p>Delete the words “Justification of Policy H2A additions. The NPPF July 2021 guidelines encourage” from the paragraph of supporting text on page 36 beneath the Policy text and replace with “The NPPF (December 2023) encourages”.</p>
PM6	Page 36	<p><u>Policy H2B – Encouraging Sustainable Development</u></p> <p>Re-number Policy as “Policy H3”.</p> <p>Delete second paragraph of Policy text in full and replace with the following text:</p> <p>“All major developments within the Plan area must strive to achieve greenfield surface water run-off rates where possible. Where this is not possible, it must be demonstrated to the satisfaction of the Lead Local Flood Authority that there would not be an increase in flood risk to the neighbouring area.</p> <p>New developments should put in place Sustainable Drainage Systems (SuDS) for the management of surface water run-off. Proposals should ensure that the drainage system constructed is able to operate for the lifetime of the scheme and include appropriate allowances for the future impacts arising from climate change. This must consider the increased frequency, duration and intensity of storms, in line with published guidance.”</p>
PM7	Page 37	<p><u>Policy H2C – Lighting</u></p> <p>Re-number Policy as “Policy H4”.</p> <p>Delete existing Policy text in full and replace with then following text:</p> <p>“Proposals for new development in the Plan area should be accompanied by a proposed lighting scheme which meets the requirements set out in Policy ENV4 of the adopted Ashford Local Plan 2030, and the guidance contained in the Borough Council’s ‘Dark Skies’ Supplementary Planning Document.</p> <p>Development proposals within the main settlement areas in the Plan area should seek to avoid the use of external lighting unless it is</p>

		<p>required for security and health and safety reasons, in order to avoid increased light pollution and a further reduction in the dark skies in those areas. Where external lighting is necessary for the reasons stated, lamps should be of 500 lumens or less for domestic purposes and installed at the lowest possible height to achieve the necessary level of lighting.</p> <p>In all other parts of the Plan area, external lighting schemes should only include lamps of 500 lumens or less for domestic purposes and only use lamps above that level where required for agricultural use or security and where they are installed in suitable fixtures which prevent the upward spillage of light. All external lighting should be installed at the lowest possible height to achieve the necessary level of light."</p> <p>Paragraph 7.8 – delete the words "<i>Justification for Policy H2</i>".</p>
PM8	Page 38	<p><u>Policy E2 – Seek Better Communications</u></p> <p>Delete the word "<i>approved</i>" in the first line of Policy text and replace with "supported".</p>
PM9	Pages 39 and 40	<p><u>Policy E3 – Transport Management through the Parish</u></p> <p>Amend the reference to Map 7 in the Policy text to read "Map 13".</p> <p>Page 40 – first paragraph of text – add new third sentence of text to read as follows:</p> <p>"Map 12 identifies the options for improving car parking provision at Pluckley Station."</p>
PM10	Page 43	<p><u>Policy C2 – Protection of Community Facilities</u></p> <p>Amend the reference to Map 12 in the Policy text to read "Map 14".</p>
PM11	Page 50	<p><u>Section 11 – Monitoring and Review</u></p> <p>Paragraph 11.1 - add new second sentence of text to read as follows:</p> <p>"Future reviews of the PNP will take account of the emerging review of the Ashford Local Plan which will cover the period from 2030 up to 2041."</p>