

# **Boughton Aluph and Eastwell Parishes Neighbourhood Plan**

## **Decision Statement**

**Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)**

### **1. Purpose**

The purpose of this Decision Statement is to set out Ashford Borough Council's (the Council's) decision in relation to the Boughton Aluph and Eastwell Parishes Neighbourhood Plan (the Plan) 2013 – 2030. The Decision Statement outlines the Council's decision in respect of:

- The actions to be taken in response to recommendations made by the Examiner in the Examiner's Report
- What modifications are to be made to the Plan
- Whether the Plan meets the basic conditions, and would not breach or be incompatible with any EU obligation or Convention rights
- The area in which the referendum will take place

### **2. Examination and Examiners Report**

The Boughton Aluph and Eastwell Parishes Neighbourhood Plan was submitted for Examination in December 2020. The Council appointed Derek Stebbing BA(Hons), DIP EP, MRTPI to independently examine the Plan. The Examiner examined the Neighbourhood Plan by written representations, and undertook an unaccompanied site visit of the Neighbourhood Plan Area.

The Council received the Examiner's report on 1st April 2021. The Examiner's report recommended that the Boughton Aluph and Eastwell Parishes Neighbourhood Plan 2013-2030 has been duly prepared in compliance with the procedural requirements and that the Plan, subject to a number of modifications (set out in Appendix 1), meets the Basic Conditions and should proceed to referendum.

### **3. Decision and Reasons**

The Council must consider each of the recommendations made in the Examiner's report and decide what action to take in response. The Council has considered each of the recommendations made by the Examiner and what modifications need to be made to the Plan. The recommendations for proposed modifications, the Council's response and reasons are set out in Appendix 1.

The Council is satisfied that subject to the modifications being made, that the Boughton Aluph and Eastwell Parishes Neighbourhood Plan meets the basic conditions and other legal requirements and can proceed to referendum.

#### **4. Referendum Area**

In recommending that the modified Plan go forward to referendum, the Examiner considered whether or not the referendum area should extend beyond the designated Neighbourhood Area. The Examiner recommended that there is no need to extend the referendum area.

The Council agrees with this recommendation and concludes that the referendum area will not be extended and will be applied only to the designated Neighbourhood Area.

#### **5. Conclusion**

The Boughton Aluph and Eastwell Parishes Neighbourhood Plan can proceed to a Neighbourhood Planning Referendum (Date to be confirmed). The Boughton Aluph and Eastwell Parishes Neighbourhood Area shall define the extent of the referendum area.

6<sup>th</sup> May 2021

*This Decision Statement and the Examiners Report will be made available on the [Council's website here](#), and the [Neighbourhood Plan website here](#).*

*Due to current restrictions around Covid-19, hard copies of these documents will not be available in public libraries. However, if a copy is required please contact [planning.policy@ashford.gov.uk](mailto:planning.policy@ashford.gov.uk).*

Appendix 1 – Examiner’s recommendations for proposed modifications, Council’s response and reasons.

Proposed modification number PM	Page no./ other reference	Examiners Recommended Modification	Council’s Response	Council’s Reasons
PM1	Page 21	<p><u>Policy BAE NP1 – Design of New Development and Conservation</u></p> <p>1st line of Policy text – delete the word “permitted” and replace with <b>“supported”</b>.</p> <p>Add additional paragraph of Policy text, to follow criterion d), to read as follows:</p> <p><b>“Development proposals affecting non-designated heritage assets, either directly or indirectly, should respect the significance of the local context of the asset as well as the positive contribution that the heritage asset makes to local character and distinctiveness.”</b></p>	<p>Agree to modify the text as indicated to comply with the examiner’s recommendation.</p>	<p>To meet the basic conditions</p>
PM2	Pages 23-28	<p><u>Policy BAE NP2 – Protection of Local Green Space</u></p> <p>Amend Policy text to read as follows:</p> <p><b>“Sites are designated as Local Green Spaces as defined on Maps 6-12. Proposals for development at the sites identified on Maps 6-12 as designated Local Green Spaces will be considered in line with national planning policy on Green Belts.”</b></p> <p>Delete the remainder of the policy text referring to the Sandyacres Sports and Social Recreation Open Space.</p> <p>Delete Map 13 on Page 28 (and re-number subsequent maps in the Plan and their references accordingly).</p> <p>Delete site Ref. LGS8 from the table on Page 23.</p> <p>Delete Maps 7 and 8 on Page 25 and replace with amended Maps 7 and 8 (as</p>	<p>Agree to modify the text as indicated to comply with the examiner’s recommendation.</p>	<p>To meet the basic conditions and be in general conformity with Local Plan 2030 policy COM2</p>

Proposed modification number PM	Page no./ other reference	Examiners Recommended Modification	Council's Response	Council's Reasons
		contained in the Parish Council's response dated 5 February 2021). <sup>1</sup>		
PM3	Page 41	<p><u>Policy BAE NP3 – Development in the Countryside</u></p> <p>1<sup>st</sup> line of Policy text – delete the word “permitted” and replace with “<b>supported</b>”.</p> <p>Add additional criterion, as follows:</p> <p><b>“f) it is necessary for the purpose of providing essential utilities infrastructure.”</b></p>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions
PM4	Page 42	<p><u>Policy BAE NP4 – Residential development on the periphery of Boughton Lees Built-Up Confines</u></p> <p>Amend the title of the Policy to read:</p> <p><b>“Development beyond the built-up area of Boughton Lees village”</b></p> <p>Delete Policy text in full, and replace with:</p> <p><b>“Development proposals in the Plan area beyond the built-up confines of Boughton Lees, as defined on Map 2, will not be supported unless they comprise proposals which fall within the following categories of development:</b></p> <ul style="list-style-type: none"> <li>• <b>Local Needs housing</b></li> <li>• <b>accommodation for Rural Workers</b></li> <li>• <b>re-use of a redundant or disused building for residential use</b></li> <li>• <b>a dwelling that is of exceptional quality or innovative design</b></li> <li>• <b>a replacement dwelling</b></li> <li>• <b>the appropriate use of a heritage asset</b></li> <li>• <b>the conversion of a suitable rural building to business use</b></li> </ul> <p><b>Development proposals should comply with all other relevant Policies in the Plan.”</b></p>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions

<sup>1</sup> <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/boughton-aluph-and-eastwell-neighbourhood-plan/>

Proposed modification number PM	Page no./ other reference	Examiners Recommended Modification	Council's Response	Council's Reasons
PM5	Pages 46 and 47	<p><u>Policy BAE NP5 – Eureka Park Development Principles</u></p> <p>Amend title of the Policy to read:</p> <p><b>“Eureka Park – Site Requirements”</b></p> <p>Delete Policy text in full, and replace with:</p> <p><b>“Within those parts of the Eureka Park Development area that lie within the Boughton Aluph and Eastwell Neighbourhood Area, the proposed masterplan for the overall development and any subsequent planning applications should take account of the following site requirements to ensure that development proposals can be successfully integrated within the landscape:</b></p> <ol style="list-style-type: none"> <li><b>1. the landscaping and open space strategy should seek to establish two interconnected green corridors through the site along a north-south alignment focused on the existing lake, ponds and woodland and on an east-west alignment focused on Footpath No. AE210 and its associated tree line;</b></li> <li><b>2. a green corridor should link Eureka Park to the Sandyhurst Lane/ Sandyacres Sports and Recreation Open Space including a new link to the existing footway south of Sandyhurst Lane;</b></li> <li><b>3. a substantial landscape buffer should be established from Alders Wood towards Tile Lodge Wood to the rear of properties fronting Sandyhurst Lane;</b></li> <li><b>4. existing woodland, tree lines and hedgerows within the site should be retained and enhanced wherever possible within development proposals;</b></li> </ol>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and be in general conformity with Local Plan 2030 Policy S20.

Proposed modification number PM	Page no./ other reference	Examiners Recommended Modification	Council's Response	Council's Reasons
		<p>5. the siting, design and layout of buildings should take account of the existing important views of the North Downs skyline from Footpath No. AE210;</p> <p>6. the siting, design and layout of buildings should take account of the existing important views of the lake from Nicholas Road and from Footpath No. AE210.</p> <p>The above requirements are illustrated on Map 20.</p> <p>Additionally, development proposals in the Plan area should ensure that:</p> <p>7. New and extended access roads are tree-lined;</p> <p>8. Low rise development should be situated around the lake with extensive landscape buffers between built development and the lake;</p> <p>9. Car parking should be sited such that it is not prominently located and is screened from <i>the green corridors and from the important views to be protected</i>;</p> <p>10. Traffic management measures are incorporated on local roads, where necessary.</p> <p>The Parish Council will participate in the masterplanning work for the Eureka Park development proposals, as set out in Policy S20 of the adopted Ashford Local Plan 2030."</p>		
PM6	Page 48	<p><u>Policy BAE NP6 – Small scale residential development within the built-up confines of Boughton Lees</u></p> <p>Delete Policy text in full, and replace with:</p> <p><b>"Proposals for small-scale residential development, such as infill developments, redevelopment proposals and the conversion or extension of existing properties, within the built-up confines of</b></p>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and be in general conformity with Local Plan 2030 policy HOU3a.

Proposed modification number PM	Page no./ other reference	Examiners Recommended Modification	Council's Response	Council's Reasons
		<p><b>Boughton Lees, as defined on Map 2, will be supported where they comply with other relevant policies in the Plan and with Policy HOU3a of the adopted Ashford Local Plan 2030. Development proposals within the designated Boughton Lees Conservation Area must ensure that they contribute to the conservation and enhancement of the Conservation Area by making a positive contribution to the area's character and distinctiveness."</b></p>		
PM7	Pages 49-52	<p><u>Policy BAE NP7 – Land at Eureka Place Local Centre</u></p> <p>Amend title of Policy to read <b>"Eureka Place Local Centre"</b></p> <p>Delete existing Policy text in full and replace with:</p> <p><b>"Within those parts of the Eureka Park Development area that lie within the Boughton Aluph and Eastwell Neighbourhood Area, development proposals relating to the Eureka Place Local Centre, as defined on Map 21, which will contribute to maintaining and improving the vitality and viability of the local centre and its shops, services and other facilities will be supported.</b></p> <p><b>Adequate and convenient car and cycle parking, in accordance with adopted parking standards, should be provided to serve the development.</b></p> <p><b>The Parish Council will participate in the masterplanning work for the wider Eureka Park development proposals, as set out in Policy BAE NP5, to ensure that the Local Centre continues to fulfil its role in providing local residents with important local services and facilities."</b></p> <p>Delete existing Map 21 on Page 50 and replaced with revised Map 21 (as contained in the Parish Council's response dated 5</p>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and be in general conformity with Local Plan 2030 Policy S20.

Proposed modification number PM	Page no./ other reference	Examiners Recommended Modification	Council's Response	Council's Reasons
		<p>February 2021, and numbered Map 21a in that document).<sup>2</sup></p> <p>Amend 2<sup>nd</sup> sentence of the final paragraph of text on Page 51 to read:</p> <p><b>“Land to the south of Eureka Place Local Centre offers opportunities to develop new facilities which will contribute to maintaining the vitality and viability of the Local Centre.”</b></p> <p>Amend “Monitoring Indicators” and “Targets” on Page 52 to only refer to premises within Use Class E.</p>		
PM8	Page 53	<p><u>Policy BAE NP8 – Public Houses</u></p> <p>Insert the word “<b>Borough</b>” before “Council” in the 2<sup>nd</sup> line of the Policy text.</p>	<p>Agree to modify the text as indicated to comply with the examiner’s recommendation.</p>	<p>Factual Update For Clarity</p>
PM9	Page 57	<p><u>Policy BAE NP9 – Public Rights of Way</u></p> <p>Amend Policy text to read as follows:</p> <p><b>“The provision, character and biodiversity of the existing Public Rights of Way in the Plan area, as shown on Map 22, will be protected and enhanced”.</b></p>	<p>Agree to modify the text as indicated to comply with the examiner’s recommendation.</p>	<p>Factual Update For Clarity</p>

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<sup>2</sup> See footnote 1.



20<sup>th</sup> April 2021