



Intelligent Plans
and examinations

Report on Boughton Aluph & Eastwell Parishes Neighbourhood Plan 2013-2030

An Examination undertaken for Ashford Borough Council with the support of Boughton Aluph and Eastwell Parish Council on the Regulation 15 submission version of the Neighbourhood Plan.

Independent Examiner: Derek Stebbing BA (Hons) DipEP MRTPI

Date of Report: 1 April 2021

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL
Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

Contents

	Page
Main Findings - Executive Summary	3
1. Introduction and Background	3
• Boughton Aluph & Eastwell Parishes Neighbourhood Plan 2013-2030	3
• The Independent Examiner	4
• The Scope of the Examination	4
• The Basic Conditions	5
2. Approach to the Examination	6
• Planning Policy Context	6
• Submitted Documents	7
• Supporting Documents	7
• Preliminary Questions	7
• Site Visit	9
• Written Representations with or without Public Hearing	9
• Modifications	9
3. Procedural Compliance and Human Rights	9
• Qualifying Body and Neighbourhood Plan Area	9
• Plan Period	10
• Neighbourhood Plan Preparation and Consultation	10
• Development and Use of Land	11
• Excluded Development	11
• Human Rights	11
4. Compliance with the Basic Conditions	11
• EU Obligations	11
• Main Assessment	12
• Overview	13
• Specific Issues of Compliance	14
- Environment	15
- Housing and Business	19
- Leisure, Wellbeing and Infrastructure	22
• Other Matters	23
• Concluding Remarks	24
5. Conclusions	24
• Summary	24
• The Referendum and its Area	24
• Overview	24
Appendix: Modifications	26

Main Findings - Executive Summary

From my examination of the Boughton Aluph & Eastwell Parishes Neighbourhood 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 – the Boughton Aluph and Eastwell Parish Council (the Parish Council);
- the Plan has been prepared for an area properly designated – the Boughton Aluph and Eastwell Parishes Neighbourhood Area, as identified on the map at page 5 of the Plan;
- the Plan specifies the period to which it is to take effect – from 2013 to 2030; 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 Aluph & Eastwell Parishes Neighbourhood Plan 2013-2030

- 1.1 The Parishes of Boughton Aluph and Eastwell are situated to the north of the Ashford urban area. The settlements have their origins in a Roman road junction, where the route from the Weald to Canterbury crossed the road from Dover to Faversham and Reculver.
- 1.2 Settlement in both Boughton Aluph and Eastwell dates from Saxon times, with both villages being listed in the Domesday Book. The gradual growth and significance of Eastwell Park Estate led to additional housing for estate workers and trades in Boughton Lees, especially during the nineteenth century.
- 1.3 More recently, the urban area of Ashford has extended into the southern parts of the Parishes, with the population increasing from 695 to 2490 persons over the period 1991-2011. Much of this growth has been focused at the Eureka Park/Goat Lees area, which has become a well-established residential and employment suburb of Ashford. The eastern part of the Eureka Park Business Park and parts of the residential areas at the Eureka Park site are within the Parish, and in fact extend to the south

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL

Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

eastern boundary of the Neighbourhood Area where it adjoins Wye with Hinxhill Parish. The adopted Ashford Local Plan (ALP) allocates land for further development at Eureka Park, comprising commercial development (around 20 hectares) and residential development (ca. 375 dwellings).

- 1.4 More than half of the Plan area is situated within the Kent Downs Area of Outstanding Natural Beauty (AONB) which extends to the west and north of Boughton Lees village and includes the hamlets of Boughton Aluph and Eastwell. The greater part of the historic Eastwell Park Estate is within the Plan area and is also within the AONB. It is designated as a Historic Park and Garden in Kent. The centre of Boughton Lees village is a designated Conservation Area and there are 39 listed heritage assets within the Parishes.
- 1.5 The Plan area contains areas of distinctive landscape character, both within and beyond the AONB. These include the Hollingbourne Vale to the west of Boughton Lees, the Wye Stour Valley to the north-east of Boughton Lees, the Challock Mid Kent Downs at the north of the Plan area and the Stour Gap at the south-east of the Plan area. Within each of these areas there are different landscape features and land use patterns, including significant areas of ancient woodland, areas of mixed farmland including fruit cultivation and some areas of larger fields supporting arable farming.
- 1.6 With some 90% of the population within the Plan area now living within the recently developed Goat Lees area, the majority of the community facilities to serve residents are also within that area, predominantly at the Eureka Place Local Centre. There are some facilities at Boughton Lees including a community hall and a public house.

The Independent Examiner

- 1.7 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by Ashford Borough Council (the Borough Council), with the agreement of the Parish Council.
- 1.8 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.
- 1.9 I am independent of the qualifying body and the local authority and do not have an interest in any of the land that may be affected by the Plan.

The Scope of the Examination

- 1.10 As the independent examiner, I am required to produce this report and recommend either:

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL
Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

- (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.

1.11 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').

1.12 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

1.13 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)¹; and
- meet prescribed conditions and comply with prescribed matters.

1.14 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').²

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, which was adopted on 21 February 2019.
- 2.2 The Basic Conditions Statement (at Sections 4 and 6) provides an assessment of how each of the policies proposed in the Plan have regard to national policy (Section 4) and are in general conformity with the relevant strategic policies in the adopted Local Plan (Section 6). Having been adopted in February 2019, the Local Plan provides a relatively up-to-date strategic planning context for the Neighbourhood Plan, and this has enabled the Neighbourhood Plan and its policies to be prepared. A review of the Local Plan has not yet been progressed.
- 2.3 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 on 19 February 2019 (and updated on 19 June 2019). All references in this report are to the 2019 NPPF and its accompanying PPG.

¹ The existing body of environmental regulation is retained in UK law.

² 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.

Submitted Documents

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Boughton Aluph & Eastwell Parishes Neighbourhood Plan 2013-2030 (Regulation 15 submission version, undated);
 - the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report and Determination (December 2020);
 - the Basic Conditions Statement (January 2020);
 - the Consultation Statement and Appendices 1-5 (January 2020); and
 - all the representations that have been made in accordance with the Regulation 16 consultation.³

Supporting Documents

- 2.5 I have also considered the following supporting documents⁴ which were produced during the course of the Plan's preparation in order to inform the Plan's policies and content:
- Local Green Space Assessment (2020);
 - Important Public Views (2020);
 - Character Areas Assessment (2020);
 - Boughton Lees Built Up Confines Assessment (2020) and
 - Eureka Place – Survey of Business Needs (2019).

Preliminary Questions

- 2.6 Following my appointment as the independent examiner and my initial review of the draft Plan, its supporting documents and representations made at the Regulation 16 stage, I wrote to the Borough Council and the Parish Council on 18 January 2021⁵ seeking further clarification and information on three matters contained in the submission Plan, as follows:
- Firstly, with regard to BAE NP2 (Protection of Local Green Space), I noted that two of the proposed Local Green Spaces relate to churchyards in the Parishes. These are All Saints Churchyard, Boughton Aluph and St Mary the Virgin Churchyard, Eastwell as shown on Maps 7 and 8. I noted that, elsewhere in the country, Diocesan bodies have objected to the inclusion of church buildings and outbuildings within Local Green Spaces, as it potentially limits and constrains the ability of the Dioceses to plan for any extensions to church buildings for future religious/community use. Should I be minded to agree that the churchyards do meet the necessary criteria for their designation as Local Green Spaces, I am unlikely to

³ View at: https://haveyoursay.ashford.gov.uk/BAE_NDP

⁴ <https://www.parishplan.uk/evidence>

⁵ <https://www.ashford.gov.uk/media/0fwhgnbr/examiner-procedural-matters-and-questions-boughton-aluph-and-eastwell-np-180121.pdf>

confirm the inclusion of church buildings and their immediate curtilages within such designation. I therefore invited the Qualifying Body to provide me with two plans, to replace Maps 7 and 8 on page 25 of the draft Plan, which show the extent of the churchyards noted above and which exclude the church buildings and their immediate curtilage;

- Secondly, with regard to Policy BAE NP4 (Residential Development on the periphery of Boughton Lees Built-Up Confines), I noted that, as presently drafted, the Policy is defective, and will require a minor modification. I further noted that there is a wider issue concerning the Policy. It specifically only refers to residential development and does not identify the exceptions that may be permitted (as listed on page 41 of the Plan). Furthermore, it does not include other categories of development, e.g. commercial development, which the Qualifying Body may wish to include. I therefore invited the Qualifying Body to consider redrafting the Policy, such that it identifies the exceptions that may be supported and permitted beyond the built-up confines and any further categories of development that would not be supported; and,
- Thirdly, with regard to Policy BAE NP7 (Land at Eureka Place Local Centre) and Map 21, I stated that I had noted the concerns of Ashford Borough Council regarding this Policy and Map 21, as expressed in their Regulation 16 response (letter dated 27 November 2020) and I noted that similar concerns were raised at the Regulation 14 consultation stage. I further noted that, as far as I can establish, the principal supporting evidence for the Policy and proposed land allocation (as identified on Map 21) is the "Eureka Place: Survey of Business Needs" document prepared in 2019. On my initial assessment, the proposed land allocation is not in general conformity with Policy S20 in the adopted Ashford Local Plan 2030. It also potentially has implications for land beyond the designated Neighbourhood Area, for example in Wye with Hinxhill Parish. This could lead, in due course, to a recommendation that a future referendum concerning the Plan be extended to adjoining areas, should the Plan reach that stage. I therefore invited the Qualifying Body to provide me with a note which addresses the concerns that have been expressed by the Borough Council, at the Regulation 14 and Regulation 16 consultation stages and in various e-mails (which were attached at Appendix 2 to the Borough Council's letter of 27 November 2020). In particular, I requested that the note should address the Borough Council's statement (in an e-mail of 19 December 2019) that "*There is no evidence that this use is required or that it would not restrict delivery of strategic employment and housing requirements in Policy S20*".

2.7 In response to my letter of 18 January 2021, the Parish Council provided me with responses to the preliminary questions on 5 February

2021.⁶ I have taken account of the additional information contained in these responses as part of my full assessment of the draft Plan, alongside the documents listed at paragraphs 2.4 and 2.5 above.

Site Visit

- 2.8 I made an unaccompanied site visit to the Neighbourhood Plan Area on 23 February 2021 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

- 2.9 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

- 2.10 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 the Boughton Aluph and Eastwell Parish Council. An application to the Borough Council for the Parish Council area to be designated a neighbourhood planning area was made on 10 March 2014 and was approved by the Borough Council on 12 June 2014 following public consultation between 24 March and 2 May 2014.
- 3.2 The designated Neighbourhood Area comprises the whole of the two Parishes of Boughton Aluph and Eastwell. The designated area is shown on the maps at page 4 in the Basic Conditions Statement and on the map at page 5 in the submission Plan. The Boughton Aluph and Eastwell

⁶ <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/boughton-aluph-and-eastwell-neighbourhood-plan/>

Parishes Neighbourhood Plan is the only Neighbourhood Plan in the designated area.

- 3.3 Boughton Aluph and Eastwell Parish Council is the Qualifying Body for the preparation of the Plan. The preparation of the Plan has been led by a Steering Group, which was established in April 2015, initially comprising two Parish Councillors and a number of residents.

Plan Period

- 3.4 The draft Plan specifies (on the front cover and on page 4) the period to which it is to take effect, which is for the period 2013 to 2030. This encompasses the remaining part of the plan period for the adopted ALP (up to 2030).

Neighbourhood Plan Preparation and Consultation

- 3.5 The Consultation Statement and its Appendices sets out a full record of the Plan's preparation and its associated engagement and consultation activity. The decision to undertake the preparation of the Neighbourhood Plan was taken in early 2014, following three exploratory public meetings held between November 2013 and February 2014. Following the designation of the Neighbourhood Area in June 2014, community engagement and consultation commenced in September 2015, with four consultation events being held across the Plan area. Attendance at the events totalled 236 persons. This initial phase of community engagement, described as the 'discovery phase', was supported by letters being sent to every household and other publicity.
- 3.6 A Neighbourhood Plan Survey was held in March/April 2016, with survey forms being delivered to every household and business in the Parishes. This attracted 482 completed survey forms, equating to 46% of households. The responses were analysed by an independent planning consultancy, People and Places Partnership, and provided clear consensus on the potential content of the Neighbourhood Plan.
- 3.7 Work then commenced on the preparation of the Regulation 14 draft Plan which was published for public consultation for six weeks, which concluded on 19 May 2019. This was accompanied by extensive publicity using social media, posters, public notices, three community exhibitions and details on the Neighbourhood Plan website. A total of 78 statutory and non-statutory consultees were contacted separately, including the Borough Council, utility companies and adjoining Parish Councils.
- 3.8 The Consultation Statement, and particularly Appendix 5, 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.

3.9 The Parish Council duly resolved to formally submit the Plan to the Borough Council for examination under Regulation 15, and the Plan was formally submitted in August 2020. Regulation 16 consultation was then held for a period of six weeks from 28 September to 6 November 2020. I have taken account of the 28 responses 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 the documents before me, the draft Plan does not include policies or proposals that relate to any of the categories of excluded development.⁷

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 Borough Council issued a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations').⁸ This Screening concludes (at

⁷ The meaning of 'excluded development' is set out in s.61K of the 1990 Act.

⁸ The December 2018 Screening Report was subject to a factual update in January 2020. A further update was undertaken in October 2020, as a result of the revised guidance issued by Natural England (in July 2020) relating to the Stodmarsh Special Area of Conservation, Special Protection Area, Ramsar Site and Site of Special Scientific Interest (identified in green text in the December 2020 version). Relevant consultation with the

paragraph 3.7) that the policies in the draft Plan will not have significant negative effects on the environment, and therefore an SEA is not considered to be required. The Screening Report was the subject of consultation with the Environment Agency, Natural England and Historic England between 1 November and 14 December 2018 (as set out at Appendix 2 in the Screening Report), and none of these bodies raised any concerns such that a SEA would be required for the Plan.

- 4.2 I have considered the SEA methodology set out in the Environmental Statement and process by which the Plan was duly screened to determine whether the Plan is likely to have significant environmental effects, bearing in mind also that the policies in the adopted ALP were subject to sustainability appraisal at the relevant stages, most recently in 2016/17. Overall, I am satisfied that a proportionate approach has been taken and that the Plan was screened to take full account of any potential effects upon interests of environmental, landscape, historic and heritage importance.
- 4.3 The Plan was also screened by the Borough Council in order to establish whether the Plan required Habitats Regulations Assessment (HRA) under the Habitats Regulations. There are eight sites of European importance within 20 kilometres of the Plan area boundary, comprising the Blean Complex, the Wye & Crundale Downs, the Folkestone to Etchinghill Escarpment and the Parkgate Down Special Areas of Conservation (SACs); The Swale and the Medway Estuary and Marshes Special Protection Areas (SPAs); and the Dungeness, Romney Marsh and Rye Bay and The Swale Ramsar sites. The HRA Screening Assessment, which is also contained within the Screening Report, concluded (at paragraph 4.11) 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 Plan is not required. 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 SEA/HRA Screening Report and the Plan itself, I am satisfied that the Plan is compatible with EU obligations under retained EU law.

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*

statutory bodies in relation to the Stodmarsh issue was undertaken, with no adverse comments necessitating an alternative approach.

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL

Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

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.

- 4.6 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 1.13 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.
- 4.7 I test the Plan against the Basic Conditions by considering specific issues of compliance of the Plan's 11 policies, which address the following themes: Environment; Housing and Business; and Leisure, Wellbeing and Infrastructure. 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.⁹ I recommend some modifications as a result.

Overview

- 4.8 The Plan is addressing a period up to 2030 and seeks to provide a clear planning framework to guide residents, businesses, the Borough Council and developers as to how the community wish to shape future development in the Plan area during that period. Section 5 of the Plan contain specific policies in respect of each of the themes listed above.
- 4.9 Section 1 of the Plan provides an introduction to the Plan following the designation of the Parish as a Neighbourhood Area in June 2014 and includes a map of the designated area (on page 5). It provides a synopsis of the Neighbourhood Plan process, and the key issues facing Boughton Aluph and Eastwell. It states that the Plan period of 2013-2030 coincides with the period for the adopted ALP to 2030.
- 4.10 Section 2 of the Plan provides a general description of the Parishes at the present time, including details of its key social, economic and community facilities, its natural environment and its main heritage assets. It notes that *"Without careful planning, the distinctive character and sensitive landscape and ecology are under threat from significant and inappropriately located or designed development"*.

⁹ PPG Reference ID: 41- 041-20140306.

- 4.11 The Vision for Boughton Aluph and Eastwell Parishes to 2030 is set out in Section 3 of the Plan and states, *“Our vision is for Boughton Aluph and Eastwell Parishes to retain its distinctive rural character at the urban edge of Ashford, surrounding the village of Boughton Lees and within the hamlets of Boughton Aluph, Eastwell and Kempe’s Corner by carefully integrating the Eureka Park expansion of Ashford into the local landscape (including the setting of the Kent Downs Area of Outstanding Natural Beauty) and successfully interweaving high quality new development into the Goat Lees area of Ashford and the historic fabric of Boughton Lees. The Parishes will continue to be served by enhanced key local services and public open space”*. This leads to the Plan’s specific objectives which are set out in Section 5, preceding each of the policy themes.
- 4.12 Section 4 of the Plan describes the strategy for the Neighbourhood Plan. It states that the Parishes need to continue to evolve and the Plan looks to set out a planning strategy appropriate for the expansion of Ashford at Eureka Park and small scale development within Boughton Lees whilst protecting valued landscapes, green spaces and important local views. It also describes how the Plan’s strategy is aligned with the presumption in favour of sustainable development contained in the NPPF and reflects the strategic policies in the adopted ALP.
- 4.13 The Basic Conditions Statement (at Section 4) describes how the Plan, and its objectives and policies, has regard to national policies contained in the NPPF and contributes to the achievement of sustainable development. Section 5 sets out how the Plan, its strategy and its policies, contributes to the achievement of sustainable development. Section 6 and its accompanying table sets out how each of the Plan’s 11 policies are in general conformity with the strategic policies in the adopted ALP 2030.
- 4.14 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

- 4.15 I turn now to consider each of the proposed policies in the draft Plan, which are contained in Section 5 of the Plan, and I take into account, where appropriate, the representations that have been made concerning the policies.

Environment

- 4.16 The first part of Section 5 addresses the theme of the Environment in the Plan area and contains four policies (BAE NP1-BAE NP4). It sets out five objectives for this theme, as follows:
- to protect the character of the landscape and conserve and enhance the natural beauty of the AONB which provides the setting for setting for houses at Goat Lees, the village of Boughton Lees and hamlets of Boughton Aluph, Eastwell and Kempe's Corner;
 - to conserve and enhance the heritage of our Parishes, including the Boughton Lees Conservation Area;
 - to protect Local Green Spaces within the built-up areas of the Parishes;
 - to protect distinctive, locally valued views; and
 - to ensure high quality design in all forms of development which responds to the distinctive landscape, heritage and character of the Parishes.
- 4.17 Policy BAE NP1 (Design of New Development and Conservation) sets out the design and environmental criteria which proposed new developments in the Plan area should address. These criteria relate, firstly, to the overall design of developments, including external areas such as public realm and landscaping, which should respond to the heritage and distinctive characteristics of the specific part of the Plan area in which the development is situated. It references Appendix 1 in the Plan which contains detailed assessments of the different Character Areas within the Parishes. Secondly, it seeks to protect and enhance heritage assets and their setting, and specifically eight Buildings of Note, which are also described in Appendix 1. Thirdly, it seeks to protect and sensitively incorporate landscape features such as trees, hedges and ponds that may exist on a development site. Fourthly, it seeks to ensure that new development is well integrated into the landscape.
- 4.18 In my assessment, the Policy reflects the Plan's objectives concerning the design of new development and the conservation of heritage assets and landscape features. However, the Policy does not distinguish between designated and non-designated heritage assets and I consider that additional text is required within the Policy to provide further clarification regarding its implications for the non-designated assets, which do include some of the Buildings of Note identified within criterion b). Accordingly, I recommend modification **PM1** to encompass the necessary additional text and one minor amendment to the existing text.
- 4.19 Policy BAE NP2 (Protection of Local Green Space) seeks to designate eight areas of green space in the Parishes as Local Green Spaces. The proposed designation of the Local Green Spaces is supported by a Local Green Space Assessment document, assessing the sites against the NPPF criteria (contained in NPPF paragraph 100) which states that the Local Green Space designation should only be used where the green space is:
"a) *in reasonably close proximity to the community it serves;*

- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land”.*

- 4.20 The sites were also assessed in terms of the following specific local criteria:
- importance to the character of the Conservation Area;
 - importance to the setting of a listed building;
 - importance to the character of the area outside a Conservation Area;
 - importance as a local visual amenity;
 - importance as a local recreational amenity;
 - importance for wildlife value; and
 - importance to local residents (from survey and consultation evidence during the Plan’s preparation).
- 4.21 The Plan proposes the designation of eight Local Green Spaces (Refs. LGS1-LGS8), which I describe in paragraphs 4.22-4.29 below.
- 4.22 Site Ref. LGS 1 is the Village Green at Boughton Lees. This is a central green space within the Boughton Lees Conservation Area and contributes significantly to the setting of the village as a whole. I observed that it is well used and maintained, and that it is clearly a focal point for informal and formal recreation by residents, and also for more formal aspects of community life in Boughton Lees. Its designation as a Local Green Space is fully justified, and it is important that it be protected for the Plan period and for future generations in Boughton Lees.
- 4.23 Site Ref. LGS 2 is All Saints Churchyard at Boughton Aluph. As part of my initial assessment of the Plan, I noted that Maps 7 and 8 in the Plan (showing All Saints Churchyard and St. Mary the Virgin Churchyard respectively) extended the Local Green Space notation over the church buildings in each case. I consider that, whilst the inclusion of both churchyards as proposed Local Green Spaces is justified in view of their important historic significance, such designations should exclude the church buildings. I therefore invited the Qualifying Body, as part of my preliminary questions (see paragraph 2.6 above) to provide me with two plans, to replace Maps 7 and 8, to show the extent of the churchyards proposed for designation as Local Green Spaces, but to exclude the church buildings and their immediate curtilage. The Parish Council provided me with amended Maps 7 and 8 on 5 February 2021, and I recommend their inclusion in the Plan as part of modification **PM2**, to replace the existing maps.
- 4.24 Site Ref. LGS3 is St. Mary the Virgin Churchyard at Eastwell and, as noted above, I requested an amended map to show the extent of the churchyard and to exclude the church building. I consider that the designation of the

churchyard as a Local Green Space is fully justified, in view of its historic significance.

- 4.25 Site Ref. LGS4 is the green space in front of the formal entrance to Eastwell Towers. From my site visit, I observed that this space is of special significance to both the setting of the entrance to Eastwell Towers and also the wider setting of this part of Eastwell. I consider that its designation as a Local Green Space is fully justified. In response to a representation, the boundary of LGS4 has been checked and found to be accurate.
- 4.26 Site Ref. LGS5 is an important children's play area and amenity space at Trinity Road, Goat Lees to the north of the Primary School. From my observation, it is clearly a focal point for informal recreation and play for local residents in Goat Lees, and I consider that its designation as a Local Green Space is justified.
- 4.27 Site Ref. LGS6 is a large green space and area of informal recreation at Guernsey Way at Goat Lees. Again, from my observation, it is clear that this is an important area of open space for the Goat Lees community, particularly for its amenity value. I consider that its designation as a Local Green Space is justified.
- 4.28 Site Ref. LGS7 is a smaller area of green space at the junction of Trinity Road and Jersey Close within Goat Lees. Although it is of limited recreational value, from my observation it is an important area of amenity space which contributes to the setting of development in the vicinity of the site and is of local significance for that reason. I consider that its designation as a Local Green Space is justified.
- 4.29 Site Ref. LGS8 is the Sandyacres Sports and Social Recreation Ground at Sandyhurst Lane. The Borough Council has raised significant representations concerning the proposed designation of this site as a Local Green Space, stating that it is contrary to ALP Policy COM2 which identifies the site as one of the 'hubs' for growth in the provision for children's play, strategic parks and sports facilities, which could lead to some development of built facilities, such as a sports hall. This potential development of further facilities at the site is also acknowledged, in more detail, elsewhere in the Plan (at page 54). I visited the site and have given careful consideration to the Borough Council's representations. On balance, I consider that the designation of the site as a Local Green Space at the present time would represent a significant constraint and impediment to the Borough Council's plans to improve and enhance the site's role as a 'hub' for recreational and sports facilities. I am in no doubt that the site does perform a valuable role at the present time, but clearly it is likely to be more intensively used in the future. I therefore conclude that the site should not be designated as a Local Green Space, but in due course, as part of a future review of the Plan, it will be possible to reconsider its designation should the planned growth of recreational and sports facilities at the site be completed.

- 4.30 Turning to the phrasing of the Policy text with regard to managing development within a Local Green Space, this should be consistent with those for Green Belts (NPPF paragraph 101). National guidance is that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special, circumstances. Further guidance is outlined in the NPPF. Therefore, I shall recommend a modification of the Policy to make it consistent with the management of development in the Green Belt. It is my conclusion that, having regard to NPPF paragraphs 99-100 and the guidance in the PPG, the seven sites Refs. LGS1-LGS7 as identified within the Policy and within the table on page 23 of the Plan should be designated as a Local Green Spaces and that the Policy (as proposed to be modified) meets the Basic Conditions. I further conclude that the site Ref. LGS8 (Sandyacres Sports and Social Recreation Open Space) not be designated as a Local Green Space for the reasons set out in paragraph 4.29 above. Modification **PM2** addresses the necessary amendments to the Policy and other parts of the Plan to give effect to my recommendations.
- 4.31 Policy BAE NP3 (Development in the Countryside) relates to prospective development within the wider countryside in the Plan area, beyond the Eureka Park strategic allocation and the defined built-up confines of Boughton Lees. The Policy sets out five criteria for the consideration and assessment of development proposals. These concern the need to conserve and enhance the landscape and scenic beauty of the Kent Downs AONB as well as the tranquillity of the countryside, with due regard to the Kent Downs AONB Management Plan; the retention of the landscape character of the area of the Eastwell farmsteads valued landscape (as defined on Map 15 in the Plan); the retention and enhancement of the landscape character of Eastwell Park Historic Park and Garden (as defined on Map 5 in the Plan); the maintenance of the distinctive views of the countryside (and particularly those defined on Maps 17 and 18 in the Plan and described in the table on page 38); and the protection and, where possible, the enhancement of ancient woodland (as defined on Map 16 in the Plan).
- 4.32 I have given careful consideration to each of the above criteria, including an assessment, during the course of my site visit, of the important public views identified on Maps 17 and 18. In each case, I consider that the criteria specified within the Policy are appropriate to the consideration of development proposals in the countryside, although of course certain criteria will only apply in some circumstances.
- 4.33 However, I consider that the Policy requires two amendments, firstly concerning a matter of accuracy and secondly to reflect representations submitted by Southern Water. With those amendments, the Policy is consistent with national policy and has regard to the strategic policies in the adopted ALP, notably Policy HOU5. Recommended modification **PM3** addresses the necessary amendments to the Policy text.

- 4.34 Policy BAE NP4 (Residential development on the periphery of Boughton Lees Built-Up Confines) states that “residential development will not generally be permitted on the periphery of Boughton Lees outside of the built-up confines, as defined on Map 2”. Upon my initial assessment of the Plan and in particular this Policy, I noted that, in addition to a minor drafting defect, there was a wider issue concerning the Policy in that it only refers to residential development and does not identify the exceptions that may be supported and permitted beyond the built-up confines and the other categories of development that may be permissible (as listed on page 41 in the Plan). I therefore requested, as part of my preliminary questions to the Qualifying Body (see paragraph 2.6 above), that their consideration be given to redrafting the Policy such that it does address those matters. The Parish Council responded to me on 5 February 2021 and suggested some replacement wording for the Policy text and its title.
- 4.35 I have given careful consideration to the Parish Council’s suggested replacement text. Subject to some further amendments, I consider that this does address my initial concerns regarding the Policy, and I therefore recommend modification **PM4** to amend the text and the title of the Policy in order to provide improved and extended guidance on the scope of this Policy, and to provide greater clarity for users of the Plan.
- 4.36 With recommended modifications PM1-PM4, I consider that the draft Plan’s section on the Environment and its accompanying policies (BAE NP1-BAE NP4) 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 and Business

- 4.37 The second part of Section 5 addresses the theme of Housing and Business in the Plan area and contains four policies (BAE NP5-BAE NP8). It sets out four Objectives for this theme, as follows:
- to assimilate development of a scale which protects the character of the landscape; conserves and enhances the natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting and preserves and enhances the character and appearance of the Boughton Lees Conservation Area and its setting;
 - to ensure that future development at Eureka Park maintains the parkland setting and successfully integrates business and residential development within the landscape;
 - to maintain and enhance Eureka Place Local Centre and resist the loss of the public houses at Eureka Place and Boughton Lees; and
 - to ensure sufficient infrastructure and local services are provided to serve the needs of Parish residents, including new provision in association with new development.
- 4.38 Policy BAE NP5 (Eureka Park Development Principles) sets out ten development principles which should be incorporated into the Eureka Park

development, as it affects the Plan area, and which are shown in illustrative form on Map 20. Although the Borough Council has not raised any specific representations concerning the Policy at the Regulation 16 consultation stage, I do note that various issues were raised at the Regulation 14 stage to the draft Policy, in particular concerning that some of the criteria were repetitive of the requirements of ALP Policy S20.

- 4.39 A significant part of the proposed Eureka Park development site, which comprises commercial development of around 20 hectares and residential development with an indicative capacity of 375 dwellings, as defined in the adopted ALP, falls within the Plan area. Policy S20 in the ALP states that *“Development proposals for this site shall be designed and implemented in accordance with an agreed masterplan for the general layout and delivery of development and related infrastructure on the site”*. It then sets out an extensive list of development requirements which are expected to be achieved by the overall development.
- 4.40 I have given careful consideration to both Policy S20 in the ALP and its requirements and to Policy BAE NP5 in the Plan in order to determine whether the Neighbourhood Plan policy and its stated development principles are in general conformity with the strategic policy. In my assessment, there is no significant conflict between the two policies in that the strategic policy is, in the main, addressing the site-wide parameters for a masterplan, whereas Policy BAE NP5 is setting out more specific principles applying to development within the Plan area. Nevertheless, there is some potential overlap between the requirements of the two policies which could lead to some uncertainty for future users of both Plans. Specifically, Policy BAE NP5 does not set out with sufficient clarity the need for an agreed masterplanned approach to the overall development. Furthermore, the use of the term “development principles” could lead to the impression that the Plan is setting strategic requirements, when in fact the matters to be addressed are much more localised.
- 4.41 I therefore recommend a series of amendments to the Policy to ensure that it properly reflects and addresses the matters that are appropriate as additional local policy guidance for the Eureka Park development, firstly in relation to the requisite masterplan and secondly in relation to prospective planning applications for the development. These amendments are set out in recommended modification **PM5** in order to ensure that the Policy is in general conformity with the strategic policy in the ALP.
- 4.42 Policy BAE NP6 (Small scale residential development within the built-up confines of Boughton Lees) specifically addresses proposals for small-scale residential development within the built-up confines of Boughton Lees village. The supporting text for the Policy notes that the greater part of the defined built-up area lies within the Boughton Lees Conservation Area, within which any development proposals should be designed to a high quality and respond to the area’s heritage characteristics.

- 4.43 Again, although the Policy is succinctly drafted, it is, in my assessment, over-simplified and requires some amendments in order to provide more detailed policy guidance and to improve its clarity for users of the Plan. I therefore recommend modification **PM6** in order to address this matter.
- 4.44 Policy BAE NP7 (Land at Eureka Place Local Centre) relates specifically to the Eureka Place Local Centre as defined on Map 21 in the Plan. The Policy states that extensions to existing shops and service units within Use Classes A and D will be permitted, and that a range of shops and services within Use Classes A1-A5 and D1, together with convenient car and cycle parking, should be maintained. The Policy goes on to state, inter alia, that land adjoining the Local Centre, which is to the south-west of the existing Centre *"will be reserved for local shopping and service provision (Use Classes A and D), subject to the scale being suited to the Local Centre, unless it can be demonstrated that demand within the locality for such facilities no longer exists and that there is no reasonable prospect of the development of such facilities during the Plan period"*. Within the Plan, the Local Centre is one part of the much wider development principles encompassed by the scope of Policy BAE NP5. As noted at paragraphs 4.38-4.41 above, I do recommend significant amendments to that Policy in order that it provides sufficient general conformity with the relevant strategic policies of the adopted ALP. The Eureka Place Local Centre will continue to fall within the scope of that amended Policy.
- 4.45 The Eureka Place Local Centre is well described in the Plan, including a listing of the current range of shops, services and facilities, and it is clear that the Local Centre fulfils an important function for residents living at Goat Lees/Eureka Park and from further afield, as it provides for many day-to-day needs. I was able to confirm this during the course of my site visit.
- 4.46 However, upon my initial assessment of the Plan, its contents and the representations that were made to the Plan at the Regulation 16 consultation stage, I identified this Policy as a part of the Plan where I required additional information, as noted at paragraph 2.6 above. I was specifically concerned that the Borough Council had raised a representation to the effect that the Policy is not in general conformity with Policy S20 of the adopted ALP and undermines it. The Borough Council's primary concern related to the area of land notated on Map 21 as "Local Centre Expansion Site". This directly adjoins, and potentially could also include, land within Wye with Hinxhill Parish. I therefore requested that the Parish Council provide me with a note which addresses the concerns that had been expressed by the Borough Council. As a further point, it is the case that the Policy refers to Use Classes which were replaced by the revised Use Classes Order, which took effect from September 2020.
- 4.47 The Parish Council provided me with a comprehensive response to my request for additional information, together with some suggested revised wording for the text of the Policy. In particular, and directly addressing

the principal concern raised by the Borough Council, the Parish Council stated that it “*would accept the deletion of the Proposed Expansion Site from Map 21*” and put forward a replacement map (numbered Map 21a in the response) to give effect to that statement.

- 4.48 I have given very careful consideration to this Policy and to the representations that have been made concerning its content. I am clear that, as drafted, the Policy is not in general conformity with Policy S20 in the adopted ALP, which is the strategic policy for the wider Eureka Park development allocation. Indeed, by its proposed allocation of land (in the text of the Policy and on Map 21) as an extension to the Local Centre, it conflicts with that strategic policy. However, I do consider that it is appropriate for the Plan to address the future of the Local Centre, as it has become the main local shopping and service centre for the majority of residents within the Plan area, and its success depends upon those residents. Taking account of the Parish Council’s suggested revised wording for the Policy, my own assessment and the Borough Council’s comments, I recommend modification **PM7** in order to amend the text of the Policy, its supporting justification and the accompanying map in order to ensure that the Policy is in general conformity with the strategic policies of the adopted ALP.
- 4.49 Policy BAE NP8 (Public Houses) seeks to resist the loss of a public house where possible. It states that exceptions will be made where evidence is provided to the Borough Council to show that the operation of the facility is no longer financially viable and where there are no other realistic proposals for a public house use at the site. As there are only two existing public houses within the Plan area, I consider that the Policy is justified and in accordance with the objectives of the Plan. I recommend one minor amendment to the text of the Policy as modification **PM8**, for the purpose of securing clarity.
- 4.50 With recommended modifications PM5-PM8, I consider that the draft Plan’s section on Housing and Business and its accompanying policies (BAE NP5-BAE NP8) 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.

Leisure, Wellbeing and Infrastructure

- 4.51 The third part of Section 5 addresses the theme of Leisure, Wellbeing and Infrastructure in the Plan area and contains three policies (BAE NP9-BAE NP11). It sets out four objectives for this theme, as follows:
- to promote well-being and healthy living;
 - to protect and enhance recreation open space and community halls;
 - to protect and, where possible, to grow the network of footpaths and cycle paths serving the Parishes; and

- to ensure sufficient infrastructure and local services are provided to serve the needs of Parish residents, including new provision in association with new development.
- 4.52 Policy BAE NP9 (Public Rights of Way) is a succinct policy and states that the provision, character and biodiversity of existing public rights of way will be protected and enhanced. My only concern with the Policy is that it should make reference to Map 22 in the Plan which shows the full network of Public Rights of way in the Plan area, and I recommend modification **PM9** accordingly.
- 4.53 Policy BAE NP10 (Retention of Community Buildings) is also a succinct policy and states that the loss of the existing community buildings in the Plan area, as defined on Maps 23-25, will be resisted unless it can be demonstrated that demand for the facility no longer exists and that suitable alternative provision is made elsewhere. I consider that the Policy is appropriately drafted and reflects the objectives of the Plan, and that Maps 23-25 provide clarity on the buildings concerned. Although the Borough Council consider that it duplicates Policy COM1 in the adopted ALP, I consider that it is appropriate for the Neighbourhood Plan to contain a similar policy in order to provide additional policy guidance for the protection of community buildings, and to reflect the Plan's objectives which are the result of more recent community engagement.
- 4.54 Policy BAE NP11 (Securing Infrastructure) states that any new development permitted will be expected to ensure provision of the social, physical and green infrastructure necessary to support it. It also sets out three specific areas where infrastructure improvements should be sought. I note that the Borough Council has not raised any concerns regarding this Policy, and I further note that the Monitoring Indicators for the Policy refer to both Section 106 contributions and Community Infrastructure Levy payments as the mechanisms to secure such improvements. I therefore consider that the Policy is appropriately drafted and in accordance with the Plan's objectives.
- 4.55 With recommended modification PM9, I consider that the draft Plan's policies for Leisure, Wellbeing and Infrastructure are in general conformity with the strategic policies of the ALP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Other Matters

- 4.56 There is the likelihood that there will be a need to formally review the Plan during the Plan period, particularly following the first review of the adopted ALP. Section 6 of the Plan addresses Monitoring and Review, and states that it is intended that any revised Local Plan will be adopted by the end of 2025 at the latest. It further states that this may have consequences for the Plan which, if necessary, will be formally reviewed.

I am satisfied that this adequately addresses the matter of a future review of the Plan.

Concluding Remarks

- 4.57 I consider that, with the recommended modifications to the Plan as summarised above and set out in full in the accompanying Appendix, the Boughton Aluph and Eastwell Parishes Neighbourhood Plan 2013-2030 meets the Basic Conditions for neighbourhood plans. As an 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.

5. Conclusions

Summary

- 5.1 The Boughton Aluph and Eastwell Parishes Neighbourhood Plan 2013-2030 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 together with the Parish Council's responses to my preliminary questions.
- 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. I conclude that the Boughton Aluph and Eastwell Parishes Neighbourhood Plan 2013-2030, as modified, has no policy or proposal which I consider to be significant enough to have an impact beyond the designated Neighbourhood Plan 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 Boughton Aluph and Eastwell Parishes Neighbourhood Plan is the product of much hard work undertaken since 2014 by the Parish Council, its Neighbourhood Plan Steering Group and 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 Aluph and Eastwell communities for the future planning of their Parish up to 2030. 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 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 “supported”.</p> <p>Add additional paragraph of Policy text, to follow criterion d), to read as follows:</p> <p>“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.”</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>“Sites are designated as Local Green Spaces as defined on Maps 6-12.</p> <p>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.”</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 contained in</p>

		the Parish Council's response dated 5 February 2021). ¹⁰
PM3	Page 41	<p><u>Policy BAE NP3 – Development in the Countryside</u></p> <p>1st line of Policy text – delete the word “permitted” and replace with “supported”.</p> <p>Add additional criterion, as follows:</p> <p>“f) it is necessary for the purpose of providing essential utilities infrastructure.”</p>
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>“Development beyond the built-up area of Boughton Lees village”</p> <p>Delete Policy text in full, and replace with:</p> <p>“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:</p> <ul style="list-style-type: none"> • Local Needs housing • accommodation for Rural Workers • re-use of a redundant or disused building for residential use • a dwelling that is of exceptional quality or innovative design • a replacement dwelling • the appropriate use of a heritage asset • the conversion of a suitable rural building to business use <p>Development proposals should comply with all other relevant Policies in the Plan.”</p>

¹⁰ <https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/boughton-aluph-and-eastwell-neighbourhood-plan/>

PM5	Pages 46 and 47	<p>Policy BAE NP5 – Eureka Park Development Principles</p> <p>Amend title of the Policy to read:</p> <p>“Eureka Park – Site Requirements”</p> <p>Delete Policy text in full, and replace with:</p> <p>“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:</p> <ol style="list-style-type: none"> 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; 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; 3. a substantial landscape buffer should be established from Alders Wood towards Tile Lodge Wood to the rear of properties fronting Sandyhurst Lane; 4. existing woodland, tree lines and hedgerows within the site should be retained and enhanced wherever possible within development proposals; 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; 6. the siting, design and layout of buildings should take account of
-----	-----------------	--

		<p>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> <ol style="list-style-type: none"> 7. New and extended access roads are tree-lined; 8. Low rise development should be situated around the lake with extensive landscape buffers between built development and the lake; 9. Car parking should be sited such that it is not prominently located and is screened from the green corridors and from the important views to be protected; 10. Traffic management measures are incorporated on local roads, where necessary. <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>“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 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</p>

		positive contribution to the area’s character and distinctiveness.”
PM7	Pages 49-52	<p><u>Policy BAE NP7 – Land at Eureka Place Local Centre</u></p> <p>Amend title of Policy to read “Eureka Place Local Centre”</p> <p>Delete existing Policy text in full and replace with:</p> <p>“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.</p> <p>Adequate and convenient car and cycle parking, in accordance with adopted parking standards, should be provided to serve the development.</p> <p>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.”</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 February 2021, and numbered Map 21a in that document).¹¹</p> <p>Amend 2nd sentence of the final paragraph of text on Page 51 to read:</p> <p>“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.”</p>

¹¹ See footnote 10.

		Amend "Monitoring Indicators" and "Targets" on Page 52 to only refer to premises within Use Class E.
PM8	Page 53	<u>Policy BAE NP8 – Public Houses</u> Insert the word " Borough " before "Council" in the 2 nd line of the Policy text.
PM9	Page 57	<u>Policy BAE NP9 – Public Rights of Way</u> Amend Policy text to read as follows: "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".