

From:
Sent: 19 December 2019 16:01
To: Simon Cole
Cc: Bethersden Parish Council
Subject: Bethersden Neighbourhood Plan examination

Dear Simon

It is clear from the information provided to me, and the responses I have received to my queries, that the information published for consultation on the proposed modifications to the Bethersden Neighbourhood Plan in accordance with regulation 16 of the Neighbourhood Planning Regulations between 30 May and 12 July 2019 was deficient in three respects.

1. The references to page and paragraph numbers in the published schedule of modifications did not correspond to the published submission version of the Plan, which does not have paragraph numbering. While I was able to decipher the intentions of the schedule, this was a significant obstacle to anyone wishing to understand the changes proposed and possibly comment on them. The regulation 16 consultation process is intended to engage the whole community and not just professionals working for statutory bodies and the use of a schedule of modifications, rather than a marked up version of the published document is not a user friendly approach in any event and the inaccurate referencing makes it very difficult to follow.
2. The modifications published only partially addressed the issue of "local needs" housing which was referred to in the Summary of Issues attached to my email of 12 April 2018. The modifications to policies H5 and H6 make it clear that it cannot be guaranteed that any affordable housing provided on housing allocations will meet local needs. However, it does not address the way in which the assessment of the need for "local needs" housing is used in the overall approach to the number of houses to be provided. Appendix M of the Consultation Statement which is carried through to the table on Page 42 of the Plan justifying Policy H1 refers extensively to the significance of "local needs" housing in determining the amount of housing to be planned for. As this rationale is now accepted to be faulty, the Parish Council may wish to consider whether this necessitates any further modifications to the Plan or appendix M.
3. The modifications to the Plan and the Consultation Statement refer to a separately published Site Assessment document. However, this document was not published with the other consultation documents. This document is an important part of the evidence base of the Plan and relates closely to the issues I raised in April 2018 which led to the further work on the Plan and the proposed modifications. It should therefore have been available as part of the consultation material.

I have therefore concluded that it is necessary to repeat the consultation process for a minimum of 6 weeks, ensuring that it is brought to the attention of those who live, work and do business in Bethersden and to statutory consultees. The published documents should include those previously published and

a) a full version of the Neighbourhood Plan showing clearly the additions and deletions,

including any further modifications proposed in response to point 2 above alongside the schedule of modifications ensuring that the page and any paragraph references to the Plan in the schedule are accurate.

b) If appropriate an amended version of Appendix M of the consultation statement

c) the document headed Bethersden Site Assessments 11-02-2019.

It has also been drawn to my attention that the Parish Boundary of Bethersden has changed since this examination started. A small part of the originally designated Neighbourhood Area is now in the parish of Pluckley. It does not fall within my remit to give advice on how this should be managed and it will be necessary for Ashford Borough Council to take legal advice on the appropriate steps to be taken to ensure that the Neighbourhood Area is properly designated and accords to the Plan area. This is a separate issue from the additional regulation 16 consultation I have referred to and should not be confused with it, but it would be helpful to clarify the action necessary before determining the timescale of the consultation.

Kind Regards

Richard High