

Wye with Hinxhill Neighbourhood Development Plan

Regulation 18 Decision Statement

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012.

Following the Examination of the Wye with Hinxhill Neighbourhood Plan, the independent Examiner has made a number of recommended changes to the Neighbourhood Plan. The recommended changes and the Council's proposed response to these changes are set out in Table 1 below.

Table 1- EXAMINER RECOMMENDED MODIFICATIONS

Mod. Number / Examiner Report Para.	NP Plan page / para.	Modification	Reason	Council's Response
M1 53	P27, Para. 3.1	Reword the first bullet point of the vision set out in paragraph 3.1 to read "Wye village should remain a distinct settlement with a clear division between the village and the surrounding countryside".	For clarity	Accept modification
M2 55	P27 Para. 3.2.1	Reword the second bullet point of paragraph 3.2.1 to read "Development should be generally concentric around the historic centre so that residents can easily walk to facilities in the centre of the village."	To make appropriate	Accept modification
M3 55	P27 Para. 3.2.1	Delete the sixth bullet point in paragraph 3.2.1.	Not required	Accept modification
M4 67	P31 Section 4, Policy WNP1a	Reword the first sentence of policy WNP1a to read "Development outside the village envelope, as defined in Figure 4.1 will only be permitted in accordance with development plan and national policies for development in the countryside and the AONB. Between Olantigh Road and Scotton Street the village envelope will be defined by the masterplan referred to in policy WNP6."	For clarity	Accept modification
M5 67	P30 Figure 4.1	Amend Figure 4.1 to replace the red line defining the village envelop between Olantigh road and the eastern end of the development on the north side of Scotton Street with a straight dotted red line and annotate this to say "this section of the village envelope to be defined through the masterplan referred to in Policy WNP6."	For clarity	Accept modification

Mod. Number / Examiner Report Para.	NP Plan page / para.	Modification	Reason	Council's Response
M6 90	P31 Section4, Policy WNP1a	<p>Renumber Policy WNP1a from the second sentence onwards as policy WNP1b <i>Local Green Spaces</i>, and replace the existing wording with: "The following areas shown on the map in Appendix F are allocated as Local Green Spaces:</p> <ul style="list-style-type: none"> • Havillands Meadow • Meadow between Churchfield Lane and River Stour • Churchfield Green • Playing Fields: Village Playing Field, School Playing Field, Horton Meadow Cricket Ground • Churchyard and Burial Ground • Central Green Spaces: Gregory Court Green, The Green, Imperial College Gardens, Ambrose Green • Longs Acre Green, Little Chequers Green <p>Within these areas new development will only be permitted in very special circumstances or where it is compatible with their character and function as Local Green Spaces. The Bridge Street, Churchfield and Beanfield allotments will be retained as allotments."</p>	For clarity	Accept modification
M7 90	Appendix F	Amend the drawing at Appendix F to exclude the areas which are not accepted as Local Green Spaces and annotate the three allotment areas separately as allotments.	Correction	Accept modification
M8 90	P31 Section4, Policy WNP1a	The last two lines of the policy as submitted refer to Planning Practice Guidance and are effectively explanation rather than policy and should be moved to the italic text which follows the original policy.	For clarity	Accept modification
M9 92	P31	Renumber policy WNP 1b to policy WNP1c.	For clarity	Accept modification
M10 92	P31 New Policy WNP1c	Reword the first sentence to read "Developments that significantly detract from the following views into, out of and within the village (shown on Fig 2.3), by failing to respect their distinctive characteristics will not be supported."	For clarity	Accept modification
M11 93	P32 Policy WNP2	In policy the first bullet point of policy WNP2 delete "renewable energy technologies".	Correction	Accept modification
M12 93	P32 Policy WNP2	In the final bullet point after "...include a" insert "proportionate".	For clarity	Accept modification
M13 95	P33 Policy WNP3	In the second bullet point of Policy WNP3 delete "creation of highway safety issues" and insert "serious harm to highway safety".	For clarity	Accept modification
M14 96	P34 Policy WNP4	In Policy WNP4 amend the last line to read "...will be supported providing that they conform to other policies in this plan."	For clarity	Accept modification

Mod. Number / Examiner Report Para.	NP Plan page / para.	Modification	Reason	Council's Response
M15 98	P34 Policy WNP5	Amend the last two lines of the supporting text of WNP5 to read: " The analysis of available sites(2.4) suggests that it will not be easy to identify suitable exception sites for local needs housing. While this possibility cannot be excluded, the integration of affordable and local needs housing in developments within the village is the approach supported by the Parish Council.	For clarity	Accept modification
M16 98	P34 Policy WNP5	In Policy WNP5 insert "mainly" between "should" and "be".	Clarity / correction	Accept modification
M17 101	P35 Policy WNP6	Reword the last three lines of Policy WNP6 to read "...a phased manner in accordance with a masterplan that has been adopted as a Supplementary Planning Document ¹¹ by Ashford Borough Council. Prior to any planning application pursuant to the agreed masterplan an application for a screening determination regarding the need for an Environmental Impact Assessment shall be made to Ashford Borough Council. Subject to that opinion any application should be accompanied with an appropriate Environmental Impact Assessment."	For clarity	Accept modification
M18 102	P36 Policy WNP7	In Policy WNP7 delete "and where appropriate Section 106" and insert in its place "and Section 106 agreements where the legal requirements in paragraphs 203 and 204 of the National Planning Policy Framework are met having regard to the development proposed.	For clarity	Accept modification
M19 104	P37 Policy WNP8	In Policy WNP8 insert a new point a) to read • "All new development will respect the qualities of the Kent Downs AONB and development that is harmful to these qualities will only be permitted in exceptional circumstances" renumber the existing point a) as b) insert after "...and SSSI" "and on the Kent Downs AONB having regard to the Kent Downs Management Plan".	For clarity	Accept modification
M20 104	P37 Policy WNP8	In Figure 2.1 amend the overlay defining the built up area to make it clearer that the AONB includes the built up area.	For clarity	Accept modification
M21 105	P37 Policy WNP8	Delete Policy WNP8b)	For clarity	Accept modification
M22 106	P37 Policy WNP8	Amend WNP 8c) to read "Details of landscaping for developments of more than five houses should include a landscape strategy which will incorporate the following details:..."	For clarity	Accept modification
M23 113	P38 New policy	Insert a new policy WNP9 <i>The scale of housing development "The Neighbourhood Plan proposes the</i>	For clarity	Accept modification

¹ As defined in Annex 2 Glossary to Planning Practice Guidance

Mod. Number / Examiner Report Para.	NP Plan page / para.	Modification	Reason	Council's Response
	WNP9	<i>development of approximately 150 dwellings over the period up to 2030 as set out in Table 5.1."</i>		
M24 113	P38 New policy WNP9	In Table 5.1 insert a footnote against WYE3 "subject to masterplan" and after the numbers proposed for WYE3, Change of use and Windfall insert "approximately" in each case. Against total replace "152" with "150 approximately".	For clarity	Accept modification
M25 113	P38 New policy WNP9	Change the first line of the paragraph after Table 5.1 to read "The construction of approximately 150 new dwellings in total..."	For clarity	Accept modification
M26 114	P39 Policy WNP9	Delete Policy WNP9. Either delete the supporting text or modify it to refer to the table as an indication of anticipated phasing, rather than a policy.	Not appropriate	Accept modification
M27 115	P40	Amend the last sentence of section 5.3.2 to read: "Wherever possible it is desirable that new development should be accessible to the super-fast broadband network."	For clarity	Accept modification
M28 116	P40 Policy WNP10	Reword the last sentence of the first bullet point to read "Densities of below 20 dwellings per hectare will be acceptable in developments on the edge of the village."	For clarity	Accept modification
M29 117	BD13	Either delete Background Document BD13 or modify it to make it clear that it provides background information only. This would require the following changes to be applied throughout the document: <ul style="list-style-type: none"> • Change the title to read "Sites WYE1, WYE2 and Naccolt Brickworks" • In the sub-headings in red delete the Policy number leaving only the descriptive heading • Delete the policies themselves • Delete the section headed outline plan for the WYE1 site. 	For clarity	Accept modification
M30 125	P41 Section 6	In the third paragraph of the introduction to section 6 Site Policies insert after "...the major landholdings of Imperial College London at Wye" "have been acquired by Telereal Trillium" for accuracy.	Correction	Accept modification
M31 125	P41 Section 6	Amend the heading of section 6.1 to read "The former Imperial College London campus at Wye, the WYE 3 site" for accuracy.	Correction	Accept modification
M32 125	P43/44 Section 6	In paragraph 6.1.3 delete "laboratory" and insert "office" for accuracy. In the bullet point following paragraph 6.1.3, delete the last sentence as it is effectively a policy, but not presented as such.	Correction	Accept modification

Mod. Number / Examiner Report Para.	NP Plan page / para.	Modification	Reason	Council's Response
M33 125	P45 Section 6	In the second paragraph of section 6.3.1 delete all the text after "...for 3 years" and replace with "The EFA, United Learning and Telereal Trillium have agreed that, subject to planning permission, the Wye School will be permanently located in the former Kempe Centre building with additional buildings to be constructed, together with new playing fields, to support its expansion" to accurately reflect the up to date position.	Correction	Accept modification
M34 125	P46 Section 6	Delete the first paragraph of section 6.3.2. to reflect the up to date position.	Correction	Accept modification
M35 125	P47 Section 6	Delete the last sentence of the first paragraph of section 6.3.3 to reflect the up to date position.	Correction	Accept modification
M36 125	P49 Policy WNP11	Reword the heading to the policy to "The former Imperial College London campus at Wye".	Correction	Accept modification
M37 125	P46 / P49 Section 6	Delete Figures 6.3 and 6.4 as they relate to options for the site no longer being considered and would therefore be misleading.	For clarity	Accept modification
M38 125	P49 Policy WNP11	At first end of the first paragraph of Policy WNP11 insert after "...shall:" "...,subject to viability."	Correction	Accept modification
M39 125	P49 / 50 Policy WNP11	In Policy WNP11 b) delete the bullet point which follows the first line; Reword the first part of e) to read "Achieve the positive re-use of the Grade 1 listed and other unused Edwardian buildings of the former Wye College by a mix of community, residential and business uses. In the first bullet point of e) delete the reference to Fig 6.3 and in the second bullet point replace "live work" with "live/work";	For clarity	Accept modification
M40 125	P50 Policy WNP11	in g) insert "approximately" before "50". Delete the rest of g) after the first line.	For clarity	Accept modification
M41 125	P50 WNP11	After g) insert a new section h) to read "achieve appropriate reuse of the site of the former ADAS buildings having regard to the concept of the walkable village" and renumber sections h), i) and j) as i), j) and k). Reword the beginning of the existing section h) to read "Pay particular attention to the potential for innovation in materials and form in the design of new buildings and should where possible...".	Correction / clarity	Accept modification
M42 125	P50 Policy WNP11	Reword the existing section i) to read "Ensure that all additional landscaping provided across the site is of high quality given its setting within the AONB, is comprised of species native to this area of the Kent Downs and is of a design, scale and format appropriate to its setting close to the SAC. Applications should demonstrate how proposed landscaping has been designed to enhance views from the AONB".	For clarity	Accept modification

Mod. Number / Examiner Report Para.	NP Plan page / para.	Modification	Reason	Council's Response
M43 125	P51 Policy WNP11	Reword the beginning of the existing section j) to read "Where appropriate having regard to the statutory requirements, be subject to Section 106 agreements to support traffic calming on Olantigh Road...."	For clarity	Accept modification