

## **Pluckley Neighbourhood Plan Review**

### **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 Pluckley Neighbourhood Plan Review (the Plan) 2016 – 2031. 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 Pluckley Neighbourhood Plan Review was submitted for Examination in October 2023. The Council appointed Derek Stebbing BA(Hons), DipEP, MRTPI to independently examine the Plan. The Examiner examined the Plan by written representations, and undertook an unaccompanied site visit of the Neighbourhood Plan Area.

The Council received the Examiner's report on 7 March 2024. The Examiner's report recommended that the Pluckley Neighbourhood Plan Review 2016-2031 has been duly prepared in compliance with the procedural requirements and that the Plan, subject to a number of modifications, 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 Examiner's proposed modifications, and the Council's response and reasons to each of these are set out in **Appendix 1**.

In addition to the Examiner's proposed modifications, the council also recommends minor modifications of its own to provide factual updates. These are set out in **Appendix 2**.

The Council is satisfied that subject to the modifications being made, that the Pluckley Neighbourhood Plan Review 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 Pluckley Neighbourhood Plan Review can proceed to a Neighbourhood Planning Referendum. The referendum is due to be held on **Thursday 2<sup>nd</sup> May 2024**. The Pluckley Parish Neighbourhood Area shall define the extent of the referendum area.

Date of Decision Statement: **19 March 2024**

*This Decision Statement and the Examiner's Report will be made available on the [Council's website](#), the [Pluckley Parish Council website](#), and at the Council Offices, Tannery Lane, Ashford, TN23 1PL.*

## 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 20	<p><u>Policy R3 – Designation of Local Green Spaces</u></p> <p>Delete 2<sup>nd</sup> paragraph of Policy text in full and replace with the following text:</p> <p><b>“Development proposals in the designated Local Green Spaces defined on Map 4 will be managed in accordance with national policy for Green Belts.”</b></p> <p>Paragraph 6.12 – delete the words “<i>paragraph 77 in the NPPF Guidelines</i>” and replace with:</p> <p><b>“paragraph 106 of the NPPF (December 2023)”</b></p>	Agree to modify the text as indicated to comply with the examiner’s recommendation.	To meet the basic conditions and to provide clarity.
PM2	Page 23	<p><u>Policy R4 – Recreation and Community Use</u></p> <p>Amend Policy title to read: <b>“Sites for Community Uses, Recreation and Nature Conservation”</b>.</p> <p>Delete existing Policy text in full and replace with:</p> <p><b>“The following sites, which are defined on Map 5, shall be protected from any inappropriate developments in order that they can be retained for their continued community use for sports and leisure, recreation and nature conservation purposes:</b></p> <ol style="list-style-type: none"> <li><b>1. QEII Recreation Ground</b></li> <li><b>2. Thorne Field adjacent to the Thorne Estate</b></li> </ol>	Agree to modify the text as indicated to comply with the examiner’s recommendation.	To meet the basic conditions and to provide clarity.

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		<p>3. The Street Parking Area 4. The Village Hall and Garden 5. Nature Field, Chambers Green Road</p> <p>Proposals for development at these sites will only be supported if they are related to the existing use of the sites. Any proposals which would result in the loss or partial loss of the facilities and amenities at these sites must ensure that such loss is replaced by equivalent or improved provision within the Plan area.”</p>		
PM3	Page 27	<p><u>Policy R6 – Addressing Nutrient Neutrality</u> Delete the words “<i>residential development and other development including</i>” from the first sentence of Policy text.</p>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.
PM4	Pages 29 - 35	<p><u>Policy H1A – Windfall Sites Within or Close to Built-up Confines</u></p> <p>Paragraph 7.7 – delete all text presently in <b>bold</b> font, and replace with the following text (to be in normal font):</p> <p><b>“The consultation and identified need showed a requirement for three further homes, affordable to young families. The best scoring site in the Site Appraisal, land at Thorne Garages as defined on Map 6, meets this need. Ashford Borough Council submitted a planning application in March 2023 (Ref. PA/2023/0424) to deliver these homes, which has a ‘resolution to grant’ by the Borough Council’s Planning Committee subject to the appropriate nutrient neutrality mitigation being identified.</b></p>	Agree to modify the text and maps as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.

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		<p><b>Given the progress of the planning application, this Review Plan does not seek to allocate this site, and instead the site will be considered as 'windfall' housing and assessed under the relevant planning policies. No further housing sites are allocated in this Review Plan."</b></p> <p>Re-number and re-title Policy H1A as <b>"Policy H1- Windfall Housing Development"</b></p> <p>Page 30 - delete the words <i>"The General Windfall Criteria"</i>.</p> <p>Page 31 – delete the words <i>"Windfall Sites in Specific Areas"</i>.</p> <p>Paragraph 7.18 – delete this paragraph.</p> <p>Delete existing Policy text in full, and replace with</p> <p><b>"Proposals for new residential development on 'windfall' sites within, adjoining or close to the built-up confines of Pluckley, as defined on Map 7, or within the built-up confines of Pluckley Thorne and Pluckley Station, as defined on Maps 8 and 9 respectively, will be supported, where the proposals satisfy the following criteria:</b></p> <ul style="list-style-type: none"> <li><b>a. is of a scale, layout, design and appearance that is compatible with the character and density of the surrounding area;</b></li> <li><b>b. will not have any adverse impacts upon residential amenity in the vicinity of the site;</b></li> <li><b>c. would not result in harm to or the loss of public or private open spaces that contribute positively to</b></li> </ul>		

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		<p>the character of the local area (including residential gardens);</p> <ul style="list-style-type: none"> <li>d. would not result in any significant harm to the surrounding landscape, to nearby heritage assets, nature conservation sites and biodiversity networks and maintains the openness of the wider countryside;</li> <li>e. where required, demonstrates nutrient neutrality regarding the Stodmarsh SAC/SPA/Ramsar designated site for the lifetime of the development;</li> <li>f. the proposals incorporate safe and suitable access for pedestrians and vehicles in accordance with the relevant policies and standards of Kent County Council as Highways Authority;</li> <li>g. safeguards and, where appropriate, enhances existing Public Rights of Way in the vicinity of the site, including Public Footpaths, Bridleways, Byways and Cycle Routes in order to provide sustainable transport choices for new developments;</li> <li>h. is located to provide residents with opportunities to use local public transport services;</li> <li>i. does not lead to a requirement for substantial new infrastructure or other facilities to support the development;</li> <li>j. would not displace an existing active use at the site, such as employment, community or leisure facilities;</li> </ul>		

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		<p>k. has no adverse impacts upon the designated Conservation Areas in the Plan area (as defined on Maps 10 and 11);</p> <p>l. takes account of all relevant policies in the adopted Ashford Local Plan 2030 (including Policy SP7) and the guidance contained in Supplementary Planning Documents.</p> <p>Proposals which include self-build housing or housing suitable for residents seeking smaller homes will be encouraged.</p> <p>Within those parts of the Plan area that are situated beyond the built-up confines of the settlements of Pluckley, Pluckley Thorne and Pluckley Station, as defined on Maps 7-9 respectively, proposals for new development on 'windfall' or other non-allocated sites will only be supported where their impact, individually or cumulatively, would not lead to the physical or visual coalescence of the settlements and their separate identities and character, or to the significant erosion of a gap between the settlements."</p> <p>Delete the areas defined by blue lines on Map 7.</p> <p>Delete the text (with no paragraph number) on Page 31 that is beneath the Policy text in <b>bold</b> font under the heading of "Windfall Sites in Specific Areas".</p>		

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		<p>Enhance the <u>red line</u> boundaries shown on Maps 7-9 to ensure their clarity for users of the Review Plan.</p> <p>Amend Map 9 to include the Station Road Garage/Estuary Cars site <u>within</u> the built-up confines boundary of the Pluckley Station settlement.</p>		
PM5	Pages 35 and 36	<p><u>Policy H2A – Design Standards</u></p> <p>Page 35 – delete the words “<i>Policy H2 Proposals for development must observe the following</i>”.</p> <p>Re-number and re-title Policy as “<b>Policy H2 – Design Standards for New Development</b>”.</p> <p>Delete the words “<i>and inclusive</i>” in the second line of Policy text.</p> <p>Delete the words “<i>typical building form</i>” in the first line of criterion a.</p> <p>Delete the words “<i>roof lines</i>” in the first line of criterion b.</p> <p>Delete the word “<i>materials</i>” in the first line of criterion c.</p> <p>Amend the word “<i>ensuring</i>” in the first line of criterion d. to read “<b>Ensuring</b>”.</p> <p>Delete the words “<i>Justification of Policy H2A additions. The NPPF July 2021 guidelines encourage</i>” from the paragraph of</p>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.



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		supporting text on page 36 beneath the Policy text and replace with " <b>The NPPF (December 2023) encourages</b> ".		
PM6	Page 36	<p><u>Policy H2B – Encouraging Sustainable Development</u></p> <p>Re-number Policy as "<b>Policy H3</b>".</p> <p>Delete second paragraph of Policy text in full and replace with the following text:</p> <p><b>"All major developments within the Plan area must strive to achieve greenfield surface water run-off rates where possible. Where this is not possible, it must be demonstrated to the satisfaction of the Lead Local Flood Authority that there would not be an increase in flood risk to the neighbouring area.</b></p> <p><b>New developments should put in place Sustainable Drainage Systems (SuDS) for the management of surface water run-off. Proposals should ensure that the drainage system constructed is able to operate for the lifetime of the scheme and include appropriate allowances for the future impacts arising from climate change. This must consider the increased frequency, duration and intensity of storms, in line with published guidance."</b></p>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.
PM7	Page 37	<p><u>Policy H2C – Lighting</u></p> <p>Re-number Policy as "<b>Policy H4</b>".</p>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.

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		<p>Delete existing Policy text in full and replace with then following text:</p> <p><b>“Proposals for new development in the Plan area should be accompanied by a proposed lighting scheme which meets the requirements set out in Policy ENV4 of the adopted Ashford Local Plan 2030, and the guidance contained in the Borough Council’s ‘Dark Skies’ Supplementary Planning Document.</b></p> <p><b>Development proposals within the main settlement areas in the Plan area should seek to avoid the use of external lighting unless it is required for security and health and safety reasons, in order to avoid increased light pollution and a further reduction in the dark skies in those areas. Where external lighting is necessary for the reasons stated, lamps should be of 500 lumens or less for domestic purposes and installed at the lowest possible height to achieve the necessary level of lighting.</b></p> <p><b>In all other parts of the Plan area, external lighting schemes should only include lamps of 500 lumens or less for domestic purposes and only use lamps above that level where required for agricultural use or security and where they are installed in suitable fixtures which prevent the upward spillage of light. All external lighting should be installed at the lowest possible height to achieve the necessary level of light.”</b></p>		

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		Paragraph 7.8 – delete the words “ <i>Justification for Policy H2</i> ”.		
PM8	Page 38	<u>Policy E2 – Seek Better Communications</u> Delete the word “ <i>approved</i> ” in the first line of Policy text and replace with “ <b>supported</b> ”.	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.
PM9	Pages 39 and 40	<u>Policy E3 – Transport Management through the Parish</u> Amend the reference to Map 7 in the Policy text to read “ <b>Map 13</b> ”. Page 40 – first paragraph of text – add new third sentence of text to read as follows: <b>“Map 12 identifies the options for improving car parking provision at Pluckley Station.”</b>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.
PM10	Page 43	<u>Policy C2 – Protection of Community Facilities</u> Amend the reference to Map 12 in the Policy text to read “ <b>Map 14</b> ”.	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.
PM11	Page 50	<u>Section 11 – Monitoring and Review</u> Paragraph 11.1 - add new second sentence of text to read as follows: <b>“Future reviews of the PNP will take account of the emerging review of the Ashford Local Plan which will cover the period from 2030 up to 2041.”</b>	Agree to modify the text as indicated to comply with the examiner's recommendation.	To meet the basic conditions and to provide clarity.

## Appendix 2 – Ashford Borough Council’s recommendations for proposed modifications and reasons.

Proposed modification number (MM)	Page no./ other reference	Council’s Recommended Modification	Council’s Reason
MM1	38	<p>Policy E2 Seek Better Communications</p> <p><u>Amend second paragraph of text to read as follows:</u></p> <p><u>“The Parish has applied to take advantage of the Government-backed voucher scheme for conversion to fibre broadband. This application has been successful and the network has been upgraded.”</u></p>	To provide factual update and clarity.
MM2	40	<p>Policy E3 Transport Management Through the Parish</p> <p>Add additional paragraph of text after paragraph 8.6 to read as follows:</p> <p>“It should be noted that the Parish Council, supported by a grant from Kent County Council, is developing a Comprehensive Transport Plan, which is expected to conclude in 2024.”</p>	To provide factual update and clarity.