

# **Pluckley Neighbourhood Plan 2016-2031**

## **The Report by the Independent Examiner**

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21 December 2016



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## Summary

The preparation of a neighbourhood plan is a major undertaking for a small community like Pluckley which is reliant to a great extent on the efforts of volunteers. The preparation of the necessary documents, the engagement of the community, the gathering of evidence, the formulation of policies and the preparation of the necessary documents are time consuming and demanding tasks.

In some respects I have found the documentation submitted with the Plan somewhat deficient in terms of detail. This applies particularly to the Basic Conditions Statement, and the justification of some of the policies. However, I have found the approach to the policies of the Plan generally well presented and thought out. I have found it necessary to make some modifications in order to meet the basic conditions as some of the policies do not effectively add to local and national policies and in other cases there was no clear justification. However, it is evident from the absence of major objections to the Plan that it commands the support of the community.

I have concluded that, if the modifications that I have recommended are made:

The Pluckley Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;

Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;

The making of the Plan would contribute to the achievement of sustainable development;

The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

**I am therefore pleased to recommend that the Pluckley Neighbourhood Development Plan should proceed to a referendum subject to the modifications that I have recommended.**

I am also required to consider whether or not the referendum area should extend beyond the Neighbourhood Plan Area. I have seen nothing to suggest that the policies of the Plan will

have “a substantial, direct and demonstrable impact beyond the neighbourhood area”.<sup>1</sup> I  
**therefore conclude that there is no need to extend the referendum area.**

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<sup>1</sup> PPG Reference ID: 41-059-20140306

## **Introduction**

1. The Localism Act 2011 has provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans which contain policies relating to the development and use of land.
2. Pluckley Parish Council is the qualifying body for the Pluckley Neighbourhood Plan 2016-2031 (which I shall refer to as the (PNP or the Plan). The Plan area covers the whole of the parish of Pluckley. It has been prepared by a steering group of Parish Councillors, and residents of the parish with specific skills who have been co-opted at various stages of preparation.
3. The parish of Pluckley lies about five miles west of the expanding town of Ashford. It has a somewhat dispersed settlement pattern with three main centres of population: the village core towards the north of the parish Pluckley, Pluckley Thorne close to the middle and around Pluckley Station to the south. From the station there are regular rail services into London and to Ashford and the coast. The parish had a total population of 1069 in 2011.
4. If, following a recommendation from this examination, the Plan proceeds to a local referendum and receives the support of over 50% of those voting, it can be made and will then form part of the statutory development plan. As such it will be an important consideration in the determination of planning applications, as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.

## **Appointment of the Independent Examiner**

5. I have been appointed by Ashford Borough Council (ABC) with the agreement of Pluckley Parish Council (PPC) to carry out the independent examination of the PNP.
6. I confirm that I am independent of both Ashford Borough Council and Pluckley Parish Council and have no interest in any land which is affected by the PNP.
7. I am a Chartered Town Planner with over 30 years' experience in local government, working in a wide range of planning related roles, including 15 years as a chief officer. Since 2006 I have been an independent planning and regeneration consultant. I have completed 16 neighbourhood plan examinations and three health checks. I therefore have the appropriate qualifications and experience to carry out this examination.

## **The Scope of the Examination**

8. The nature of the independent examination is set out in Sections 8-10 of Schedule 4B of the Town and Country Planning Act 1990.
9. I must:
  - a) decide whether the Plan complies with the provisions of Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. These requirements relate primarily, but not exclusively, to the process of preparing the Plan and I shall deal with these first.
  - b) decide whether the Neighbourhood Development Plan meets the basic conditions contained in Schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. This element of the examination relates mainly to the contents of the Plan.
  - c) make a recommendation as to whether the Plan should be submitted to a referendum, with or without modifications, and whether the area for the referendum should extend beyond the Plan area.
10. The Plan meets the basic conditions if:
  - a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Plan;
  - b) the making of the Plan contributes to sustainable development;
  - c) the making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - d) the making of the Plan does not breach, and is otherwise compatible with, EU obligations.
11. Paragraph 9 of Schedule 4B indicates that as a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person a fair chance to put a case. In carrying out the examination I determined that it could be completed without a



hearing. I did, however, seek clarification by e mail from ABC on some matters and my e mails are attached at Appendix 1.

12. The documents which I have referred to in the examination are listed below.

- Pluckley Neighbourhood Plan 2016-2031 Submission Document 2016
- Pluckley Neighbourhood Plan Basic Conditions Statement including Appendices 1-4.
- Pluckley Neighbourhood Plan Consultation Statement
- Pluckley Neighbourhood Plan comments received in response to consultation in accordance with regulation 16 of the Neighbourhood Plan Regulations
- The Pluckley Strategic Environmental Assessment Screening Report and Habitats Regulation Screening Report prepared by Ashford Borough Council on behalf of Pluckley Parish Council
- Saved Policies of the Ashford Borough Local Plan 2000
- Ashford Core Strategy 2008
- Tenterden and Rural Sites Development Plan Document 2010
- Ashford Local Plan Regulation 19 version June 2016
- The Neighbourhood Planning (General) Regulations 2012 as amended in 2015 which are referred to as the NPR
- The Environmental Assessment of Plans and Programmes Regulations 2004 (EAPPR).
- The National Planning Policy Framework which is referred to as the NPPF
- National Planning Practice Guidance referred to as PPG

13. These documents include all of those that are required to be submitted with a neighbourhood plan under regulation 15 of the NPR.

14. I made an unaccompanied visit to Pluckley on 30 November 2016 to familiarise myself with the Parish and help me to understand the implications of the Plan policies. I spent most of a day walking around the parish to view all the key locations referred to in the Plan.

## **The Preparation of the Plan**

15. An application by PPC for the designation of the whole of the parish of Pluckley as a neighbourhood plan area was received by ABC on 5 January 2015. The Council undertook consultation as required by regulation 6 of the NPR for a period of 6 weeks, no objections were received and the Council approved the designation on 10 March 2015. The designation was subsequently published on the Council's website in accordance with regulation 7(1) of the NPR.
16. As required under Section 38B (1) (a) of the Planning and Compulsory Purchase Act 2004 the Plan clearly states the period to which it relates, which is 2016-2031.
17. The Plan must not include any provision about development that is excluded development as defined in Section 61K, which is inserted into the 1990 Town and Country Planning Act. Excluded development includes "county matters" such as mineral extraction and waste disposal and major infrastructure projects. I am satisfied that the submitted plan contains no such provision.
18. I am also satisfied that the PNP does not relate to more than one neighbourhood area.

## **Public Consultation**

19. The process of public consultation on the preparation of the PNP is set out in the Consultation Statement. It explains that there were three main phases of community engagement. The first phase was the creation of awareness in the parish that a neighbourhood plan was being prepared, through a newsletter and leaflet circulated to all households, and the annual parish meeting. The second stage was the plan preparation stage which involved: workshops to develop ideas, a parish questionnaire, engagement with the Borough Council, consultation with landowners and a public meeting to review the results of these activities prior to the drafting of the Plan. The third stage was the formal regulation 14 consultation on the draft PNP. This took place in two phases, with public consultation between 10 February 2016 and 26 March 2016, followed by consultation with statutory bodies between 13 April 2016 and 27 May 2016. The public consultation at this stage was publicised through the website [www.pluckley.net](http://www.pluckley.net), notices on Parish noticeboards, the Parish Council newsletter, a large banner in the village centre encouraging response to the draft plan, regular updates in the local newspaper, publicity in the Post Office, local shops and public houses, where hard copies of the draft Plan were made available, and word of mouth. I am satisfied that this met the requirement to "*bring the proposal to the attention of*

*people who live work or carry on business in the neighbourhood area.”* However, while Board 8 of the February 2016 event shows clearly that it was made clear where the draft neighbourhood Plan can be viewed it is not clear from this that the requirements to publicise *“how to make representations”* and *“the date by which those representations must be received being no less than 6 weeks from the date on which the draft plan proposal was first publicised”*<sup>2</sup> have been met. I requested clarification of this point by e mail and the response is shown in Appendix 2. It is clear that the posters that were displayed clearly indicated the timescale for responding, but they did not make it clear how responses could be made other than by referring people to the website. The notice on the website that I am assured appeared invited responses by e mail.

20. This publicity was less than ideal as it did not make it easy for anyone without access to a computer and e mail to comment on the Draft Plan. It would certainly have been helpful to make it clear how comments could be made on the posters and to invite written as well as electronic responses. However, in a small community like Pluckley I am satisfied that the steps taken were sufficient to bring the Plan to people’s attention and that anyone who wished to comment could have easily found out how to do so.
21. The Consultation Statement provides details of the organisations consulted and provides information on all the responses received. The number of comments received is small and the absence of comments may well suggest a lack of opposition to the proposals of the Plan. While the publicity arrangements fell short of best practice, I am satisfied that the requirements of the NPR regarding consultation have been met.

## **The Development Plan**

22. The statutory development plan is made up of:
  - The Saved Policies of the Ashford Borough Local Plan 2000 updated in 2014 (ABLP)
  - The Ashford Borough Core Strategy 2008-2021 (CS)
  - The Tenterden and Rural Sites Development Plan Document 2010-2021 (TRSDPD)
  - The Kent Minerals and Waste Local Plan 2013-2030

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<sup>2</sup> Neighbourhood Plan Regulations 2012 14 (a) (iii) and (iv)

## The Basic Conditions Test

23. The consideration of whether the Plan meets the basic conditions is at the heart of the independent examination process. It is therefore essential to be absolutely clear on the meaning of each of the basic conditions. Detailed consideration of the first three conditions is carried out in relation to the policies of the Plan but the fourth relating to EU requirements is considered in detail here.

**“having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan”.**

24. There are two important points to emphasise in relation to this. The first is that an examiner must consider this requirement in relation to the making of the plan; it thus applies to the plan as a whole rather than to individual policies. The second point is the use of the phrase “*having regard to*”. This means that the examiner must consider the national policy and advice but it does not mean that each policy should be in absolute conformity with it. It therefore provides for an element of flexibility. PPG explains that “*having regard to national policy*” means that “*a neighbourhood plan must not constrain the delivery of important national policy objectives*”.<sup>3</sup> The Plan as a whole is clearly the sum of its policies and it is therefore necessary to consider the extent to which each policy complies with national policy and guidance. However, in reaching my overall conclusion on this basic condition it is the relationship of the plan as a whole with national policies and guidance rather than individual policies which is the key consideration.
25. The Basic Conditions Statement sets out the relationship of the PNP and the NPPF in a table which simply links the policies of the PNP with relevant sections of the NPPF. It does not attempt to explain how the policies have regard to the NPPF, but it does assist me in the consideration of the individual policies. There are no specific requirements for the level of detail to be included in a Basic Conditions Statement, but regulation 15 (1) (d) of the NPR asks for a document “*explaining how the proposed neighbourhood development plan meets the requirements...*”. With regard to the relationship with the NPPF and the strategic policies of the development plan the explanation in the Basic Conditions Statement is minimal.
26. Also, relevant to the basic conditions test is “guidance issued by the Secretary of State” as set out in PPG. The Basic Conditions Statement does not consider the

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<sup>3</sup> PPG Reference ID: 41-069-20140306

relationship of the Plan to PPG but I have had frequent need to relate aspects of the Plan to it.

**“The making of the plan contributes to sustainable development”**

27. Sustainable development is the fundamental principle guiding the planning process<sup>4</sup> and the assessment of this basic condition is therefore of prime importance. The NPPF spells out the three dimensions of sustainable development: economic, social and environmental and the interdependent nature of these. Again, it is important to note that the assessment to be undertaken relates to the plan as a whole, but clearly the contribution of each policy needs to be considered to enable a conclusion to be reached and policies which fail to contribute to sustainable development are likely to require modification or deletion. As the NPPF points out<sup>5</sup> local circumstances vary greatly and that influences the way in which policies can contribute to sustainable development. There is no formal sustainability appraisal submitted with the PNP. While this is not a requirement it can be a useful way of testing the way in which a plan complies with sustainable development. In this case the Basic Conditions Statement draws attention to the way in which the Plan addresses some aspects of sustainable development.

**“The making of the plan is in general conformity with the strategic policies contained in the development plan for the area.”**

28. As with the previous two conditions the test applies to the plan as a whole but this requires consideration of individual policies against relevant strategic policies in order to reach an overall conclusion. The test of “*general conformity*” is fundamentally that the neighbourhood plan policies should not undermine the strategic policies of the Local Plan. The test is spelt out more fully in PPG<sup>6</sup>. It does not preclude some variation from a strategic policy to reflect local circumstances providing the proposal upholds the general principle that underlies the strategic policy.
29. The Basic Conditions Statement refers in some detail to the CS but, as with national policy, there is no explanation of the relationship between the PNP policies and those of the CS. Also, the Basic Conditions Statement does not refer to the other development plan documents. I sought clarification from ABC on the extent to which the saved policies of the Ashford Borough Local Plan 2000 and the TRSDPD 2010 are

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<sup>4</sup> NPPF para 6

<sup>5</sup> NPPF paragraph 10

<sup>6</sup> PPG Reference ID: 41-074-20140306

strategic for the purposes of the basic conditions. The response from ABC shown at Appendix 3 indicates that several of these policies are strategic and I have therefore had regard to them. None of the saved ABLP policies are considered strategic.

**“The making of the Plan does not breach, or is otherwise compatible with EU obligations”**

30. As this condition relates to the process of plan preparation I shall deal with it in detail at this stage.

a) Strategic Environmental Assessment

31. PPG indicates that *“where a neighbourhood plan is likely to have significant environmental effects it may require a strategic environmental assessment”*<sup>7</sup>, subsequently referred to as SEA. An SEA requires the preparation of an environmental report. In order to determine whether the plan would have a significant environmental effect, a screening assessment is necessary.
32. Regulation 15 of the NPR requires that the submission of a neighbourhood plan must include:  
*“either (i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans Regulations (EAPPR) or (ii) where it has been determined under regulation 9(i) of these Regulations that the proposal is unlikely to have significant environmental effects (and accordingly does not require an environmental assessment), a statement of reasons for the determination”.*
33. In the case of Pluckley, the Basic Conditions Statement states that a screening assessment was carried out by the local planning authority to determine whether a Strategic Environmental Assessment (SEA) would be required. A letter of 1 April 2016 is a determination that SEA is not required. The responses of the statutory consultation bodies confirm this conclusion and I have no reason to question it. However, the submission does not include the original screening assessment or a *“statement of reasons for the determination”*. I sought clarification of this and the original screening assessment has been supplied to me. This is in effect a Statement of Reasons and the conclusions are attached at Appendix 4.

b) Habitats Regulation Assessment

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<sup>7</sup> PPG Reference ID: 11-027-20150209

34. The screening process also concluded that there was no need for an Appropriate Assessment under the Habitats Regulations as no European Sites will be affected by the policies of the PNP. Again I have no reason to question this conclusion.

### **Recommendation**

**That the Strategic Environmental Assessment Screening Report and Habitat Regulations Screening Report are posted on the Ashford Borough Council website with the other documents submitted with the Pluckley Neighbourhood Plan**

### c) Human Rights

35. I am also satisfied that nothing in the PNP is in conflict with the requirements of the European Convention on Human Rights.
36. I therefore conclude that the making of the PNP would not breach and would be otherwise compatible with EU obligations.

### **Vision for Pluckley**

37. The vision is *“for Pluckley to continue to thrive, meeting the evolving needs of its community while preserving the rural character, natural beauty and views that are what attract its residents and visitors alike”* While the vision is not a policy that will form part of the development plan it clearly provides a framework for the policies. I am satisfied that it is consistent with sustainable development and does not conflict with the basic conditions.

### **The Policies of the Pluckley Neighbourhood Plan**

38. The policies are arranged under four thematic headings: Managing our Rural Environment, Housing and Development, Economy Communications and Transport and finally Community and Leisure. I have considered each of the policies having regard to the basic conditions. I have also had regard to the views expressed in response to public consultation both in the early stages of the preparation of the Plan and, in particular, in the responses to the regulation 16 consultation. Although I have not referred specifically to all the representations and suggestions that have been made I have taken them all into account.

39. I am only empowered to recommend modifications where they are necessary to enable the Plan to meet the basic conditions or to correct errors. PPG<sup>8</sup> requires that policies should be *“clear and unambiguous”* and *“drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications”* and some modifications have been recommended with this in mind.
40. An initial observation relating to the policies is that the numbering format is not consistent in terms of the use of dots and spaces between the letters and numbers, while changing this is not essential to meet the basic conditions it would be helpful in presentational terms and I have used a format with no spaces and no dots throughout.

### **Managing our Rural Environment**

#### **Policy R1 – Landscape Character and Design:**

41. The policy is designed to ensure that new development protects and, where possible enhances, landscape character and complements existing development. It requires new development proposals to be accompanied by a landscape strategy and specifies the content of such a strategy. The wording of the policy allows for the study to be proportionate to the scale of the development. However, in many cases, such as small extensions or outbuildings the scale and nature of development proposals may well be so small that many of the elements of required would be inapplicable. Paragraph 193 of the NPPF indicates that *“information requirements for applications...should be proportionate to the nature and scale of development proposals...”* The words “where appropriate” are applied to the last criterion but are equally applicable to all of them. It also needs to be made clear that it is the proposal for development that should be accompanied by the strategy and not the development itself. Minor amendments to reflect these points are necessary to meet the basic conditions

#### **Recommendation**

**Modify the second sentence of Policy R1 to read “Where appropriate proposals for new development must be accompanied by a landscape strategy that will incorporate the following details where they are applicable.”**

**In criterion (v) delete “where appropriate” as this is already covered in the first amendment.**

#### **Policy R2 – Protection of Views and Rural Setting**

42. Policies to protect important views are quite frequently included in neighbourhood plans. They are a useful way of defining local distinctiveness in a way that is not

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<sup>8</sup> PPG Reference ID: 41-041-20140306



always possible in a district wide plan. In this case the policy serves to provide local detail which will assist in the application of Saved Policy EN9 of the ABLP. However, the use of such policies needs to be clearly justified and limited to views of special importance that make a real contribution to local distinctiveness. If they are applied to broad swathes of countryside almost surrounding a settlement the significance of the policy is devalued and becomes simply another layer of countryside protection and therefore not consistent with the presumption in favour of sustainable development. I have therefore looked individually at each view. I found the labels on Map 3 too small to be able to identify the individual views and requested a larger version of the map. This has been supplied as is attached as Appendix 5

43. The views over the area marked as V1 are all exceptional, both for their quality and because they help to define the very distinctive setting of the main settlement of Pluckley in an elevated position with commanding views over a very broad sweep of countryside which these views relate to. It is worth noting that the views of the village are as important as the views from it; thus it should not be assumed that any development that impacts on these views would necessarily be harmful.
44. Similarly, the Green Heart of the village is essential to its character and I am entirely satisfied that views V2 a, b and c are sufficiently distinctive to warrant the special protection provided by this policy. This also applies to V3a looking towards the oast house to the east, where again it is the very distinctive relationship between development and the countryside which is important.
45. However, I am not convinced that the same distinctive qualities apply to V3b and the views over V4 and V5. These are simply areas of farmland bordering the village and are comparable with views into the countryside from many if not most villages. While in some instances they also offer more distant views they do not in my judgement have sufficient local distinctiveness to warrant the status afforded by this policy. There are clear policies for the control of development in the countryside and I am not convinced that there is a clear case for a further layer of protection for these views.
46. Turning to the wording of the policy I am satisfied that it is positively worded and does not preclude all development. However, there is a minor grammatical error and it would be appropriate for development to be required to comply with other development plan policies rather than just those of the neighbourhood plan, as the neighbourhood plan does not cover all potential types of development.

### **Recommendations**

**Modify the second line of Policy R2 to read "... Map 3, as detailed below and**

**accords with other development plan policies.”**

**Delete “-b” after “V3 a” and delete “V4 a-b Views from Smarden Road across open farmland” and “V5 a-b Views from Station Road across open farmland”**

**Delete the references in the supporting text and the photographs relating to V3b, V4a and b and V5 a and b.**

**Modify Map 3 to delete V3 b, V4 a and b and V5 a and b and improve the legibility of the labelling of the other sites.**

### **Policy R3 – Designation of Local Green Spaces**

47. This policy identifies two areas for designation as Local Green Spaces. The supporting text considers the spaces in the light of the requirements in paragraph 77 of the NPPF. From my visit, it is clear to me that both the space between The Grove and the station car park and the Fir Toll triangle are important local features which offer access to informal green space and contribute to local distinctiveness. I am satisfied that their designation as Local Green Spaces and the detailed wording of the policy meet the basic conditions.

### **Policy R4 – Recreation and Community Use**

48. Policy R4 identifies 5 areas to be protected for leisure use by the community. I visited these spaces and it is clear to me that all of them except No.3 are important existing local facilities. The woodland and lake adjoining the brickworks may well have potential for such use but do not appear to be generally accessible now. On my visit the gate to the driveway leading to the lake and woodland from Station Road was locked and had notices saying “keep out private property” and “Slurry Store Toxic Gas No entry”. It was evident that despite this there is some informal access from further along the road frontage and I gained access in this way. In response to a query on this I have been told that the use as a brickworks ceased over 25 years ago and that there has been regular informal use. (See Appendix 6 paragraph 1). However, it is certainly not encouraged and to a stranger it feels as if entry to the site is unauthorised and potentially dangerous. In its present condition the site certainly cannot be regarded as an established recreational area in the same way as the other sites referred to in this policy. Rather it is a site with the potential to fulfil this role.
49. I note that it is envisaged that the lake and woodland area will be retained for recreation and community use in association with the development of 25 houses on the former Brickworks Site for which outline planning permission has recently been

granted.<sup>9</sup> However, this depends on the implementation of this permission and it is therefore misleading to suggest that it is comparable with the other existing sites in this policy. The potential of this site should therefore be considered in relation to Policy H1.

50. As currently worded the policy for all the sites could preclude development that would be related to and may enhance the role of these spaces as recreational space. I therefore recommend a modification to allow for such development. The cross reference to Policy C2 is confusing and misleading as the latter relates to other community facilities and it describes the circumstances in which the loss of a facility could be acceptable.

#### **Recommendations**

**In Policy R4 delete “3. The woodland and lake adjoining the brickworks” and the supporting text relating to it.**

**In the third section of Policy R4 after “unless they are” insert “related to the existing recreational use,”.**

**Delete the last sentence of Policy R4**

**On Map 5 delete reference to 3. Brickworks woodland/lake.**

#### **Policy R5 – Renewable Energy**

51. The policy supports developments to provide renewable energy where they have a minimal visual impact and do not disturb agricultural land, particularly the best and most versatile. The supporting text refers to a ministerial paper of 25 March 2015 which referred particularly to the need to avoid use of the most versatile agricultural land. The NPPF (paragraph 97) indicates that local authorities should “*have a positive strategy to promote energy from renewable and low carbon sources;*” and in relation to the determination of planning applications for renewable energy “*approve the application if its impacts are (or can be made) acceptable*” (paragraph 98). The requirement of Policy R5 that renewable energy proposals be “*required to demonstrate a minimal impact on the visual scene*” is significantly more restrictive than the NPPF. PPG provides extensive guidance on the approach to assessing the visual impact of renewable energy installations having regard to the sensitivity of the landscape, the potential for screening and recognising that the impact of renewable energy is often temporary and reversible. In this context, the reference to minimal visual impact is therefore not consistent with the basic conditions. The reference to agricultural land in general is also more restrictive than national policy and guidance. I therefore

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<sup>9</sup> Decision notice for application 14/01116/AS in relation to development of 25 dwellings and new access.

recommend modifications to address these points.

### **Recommendation**

**Modify Policy R5 after “...will be required to demonstrate” to read “that they do not have a seriously harmful impact on sensitive landscapes and do not use the best and most versatile agricultural land.”**

### **Housing**

52. One of the prime requirements for neighbourhood plans is that they *“should not promote less development than set out in the Local Plan or undermine its policies”*.<sup>10</sup> The Ashford Core Strategy sets out a settlement hierarchy directing residential development primarily to Ashford, then to Tenterden and larger villages and finally to what are referred to as Tier 3 settlements. These are villages where provision is made for a relatively small scale of development but no specific number is allocated to individual villages. Pluckley is identified provisionally as a Tier 3 settlement, with the composition of this tier to be finalised in the Tenterden and Rural Sites Development Plan Document (TRSDPD). However, in the TRSDPD Pluckley is not included in the list of Tier 3 settlements. There is therefore no requirement for any specific scale of development in Pluckley. The emerging Ashford Local Plan also makes no specific provision for Pluckley but acknowledges the recent change to PPG which states that *“all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”*<sup>11</sup>
53. The PNP recognises a need for some housing growth to secure a sustainable future and went through a site selection process to identify suitable sites.

### **Policy H1- New Residential Development**

54. Policy H1 identifies three sites for the development of up to 33 dwellings and seeks to resist residential development elsewhere except in exceptional circumstances where development would be in the interests of the parish.
55. The selection of the three sites is supported by a Site Appraisal Document presented as Appendix 3 to the Basic Conditions Statement. Ten sites were evaluated; they were identified from the call for sites undertaken by Ashford Borough Council in preparing

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<sup>10</sup> NPPF paragraph 184

<sup>11</sup> PPG Reference ID: 044-044-20160519

the emerging Local Plan and supplemented by four additional sites brought forward by landowners when it was announced that a neighbourhood plan was being prepared. The criteria for the site selection process were based on those used by Ashford Borough Council in their Borough-wide selection process supplemented by six local criteria. The process of selection was made explicit during consultation in October 2015 when the criteria for site selection and both the selected and unselected sites were displayed. The regulation 14 consultation process also referred in less detail to it. (See Appendix 6 paragraph 2). I am satisfied that the site selection process provides a rational justification for the sites selected.

56. Only two comments from the regulation 16 publicity expressed any dissatisfaction with the sites selected. One was related to the Lambden Road site and was from residents adjoining the site. While I understand the concern of Mr and Mrs Dunn, I am satisfied that there is no reason in terms of sustainable development why this site should not be allocated. The impact on residential amenity would not be severe and it is entirely appropriate to attach weight to the setting of a listed building as distinct from other buildings. This is because the setting of a listed building contributes to its appearance, which is usually a reason for it being listed. There is no reason why a neighbourhood plan should not provide for more than the minimum needed and it is evident that Kent County Council were referring to access to and from the site in making their comments. I am satisfied that there is adequate visibility from the proposed access to the site.
57. The other representation sought to promote the inclusion of the Old Coal Yard site to the south of the railway line. While the site scored relatively highly in the site selection process, it was clear from my visit that there is an access problem and the site is more detached from the services in the village than any of the other sites selected. Moreover there is no clear requirement to allocate additional sites.
58. In referring to the amount of development the policy sets a maximum number for each of the sites and for the total to be provided by all of them. This is not consistent with the general presumption in favour of sustainable development which runs through the NPPF and, while it is appropriate to give guidance on the scale of development envisaged, there is no clear justification for setting an absolute limit. Modifications are necessary to reflect this.
59. The second part of the policy essentially precludes development outside the three areas identified for development. This fails to meet the basic conditions for two reasons. The first is that it does not take account of the potential for development in the countryside in accordance with the terms of paragraph 55 of the NPPF and Policy

TRS2 of the TRSDPD. While the NPPF discourages the development of isolated dwellings in the countryside it does provide for development “*which will enhance or maintain the vitality of rural communities*” and sets out circumstances in which dwellings in the countryside could be permitted. While the use of the word “normally” in the policy may be argued to make allowance for exceptions on these grounds, the policy is very negatively worded and the circumstances outlined in the NPPF are not abnormal. The second problem is that while this policy says that outside the new allocations new development will not be permitted Policy H1A – Windfall Sites sets out clear criteria in which new development may be permitted. There is thus a clear conflict between this part of Policy H1 and Policy H1A (which is considered at paragraph 64).

60. The third part of the policy does provide for additional dwellings to be considered “where development would be in the interests of the parish and comply with the policies set out in this Plan.” Again, it is not clear what the relationship between this policy and Policy H1A is. Both appear to relate to the potential for new development on sites which have not yet been identified. However, the reference here is vaguely to “the interests of the parish”, whereas Policy H1A sets out a clear list of criteria. Planning applications must be determined on the basis of material planning considerations and “the interests of the parish” are not explicit and may not always relate to planning.
61. The supporting text relating to the three allocated sites is separated from the policy and follows Map 6. This is confusing to the reader and illogical. It would therefore be appropriate to reposition it before Policy H1A. Some of the wording in the supporting text is phrased as policy and should therefore be deleted, modified or included in the wording of the policy as it does not carry the weight of policy within the supporting text.
62. In all three sites the supporting text specifies the size and in the case of Site A the tenure of the proposed dwellings. As far as I can see the justification for this is the views expressed by residents at the consultative workshops in May and June 2015. While this provides useful guidance, it lacks the objectivity of a technical assessment of need and in the absence of firm evidence it would be too prescriptive to include this in policy except in the case of site C where the specification of just four of the twenty five dwellings proposed leaves considerable flexibility for the overall mix. Modification to the wording of the supporting text relating to all three sites and to the policy for Site C is therefore necessary.

63. In paragraph 49 of this report, in relation to Policy R4 I suggested that the provision and maintenance of public access to the lake and woodland adjoining Site C should be considered in association with the proposed residential development. The supporting text on page 36 explains the relationship between the residential and recreational space, but it would be appropriate to include reference to it in the policy itself. Outline planning permission has been granted subject to a condition that requires the definition of the area to be publicly accessible and a management of the woodland and lake. However, there is no guarantee that this permission will be implemented and the inclusion of this in the policy will make it a consideration for any subsequent applications.

### **Recommendations**

**In the first part of Policy H1 delete “up to” and insert “approximately” in relation to the total number of dwellings and each of sites A-C.**

**After “The following sites” insert “(, shown on Map 6)”**

**After “Site C approximately 25 dwellings insert “, including at least four two/three bedroom dwellings. The development of Site C shall be subject to an approved management plan for the lake and provision of public access to the woodland to the north of it.”**

**Amend the Map 6 and the map on p35 relating to Site H1C to show the lake and woodland to the north of Site C as an area to be made available for recreation and community use.**

**Delete the last two sections of Policy H1, i.e. from “Development elsewhere in the Parish onwards”.**

**Delete the supporting text and maps on pages 34-35 in relation to each of the allocated sites and insert it immediately before Policy H1A.**

**Modify the first sentence of the supporting text relating to site A to read. “This site could accommodate 4 affordable, two/three bedroom homes with the potential to be suitable for young people.**

**In the first line of the supporting text in relation to Site B delete “will” and insert “could”.**

**Reword the sentence which starts after the map of Site C on page 35 to read:**

**“ The inclusion of at least four 2/3 bedroom houses would reflect the needs identified by the parish and one of the reasons for supporting the release of the site is the potential for permission to be subject to a management plan for the adjoining lake and woodland. The owner has also indicated that the adjoining field site off Chambers Green Lane will remain as grazing land.”**

**Before the last paragraph of the supporting text relating to Site C insert a paragraph on the following lines “Outline planning permission has been granted for the construction of up to 25 dwellings on site C subject to conditions including a requirement for details of the management and maintenance of all parts of the site except the houses and their gardens. These details are also required to identify those parts of the site which shall be available for the public to access.”**

#### **Policy H1A – Windfall sites**

64. This policy sets out criteria for the development of “windfall sites” as defined in the NPPF. This policy overlaps to an extent with Policy TRS1 of the TRSDPD but there are differences in the detailed wording and some additional criteria are added.
65. The first paragraph of the policy precludes any development of garden areas. In this it differs from Policy TRS1 of the TRSDPD and no clear justification is given for this. While the NPPF (paragraph 55) supports the preparation of “policies to resist inappropriate development of residential gardens”, it does not suggest a ban on such development. Criterion c of the policies is more nuanced in resisting “*harm or loss to public or private open spaces that contribute positively to the local character of the area (including residential gardens)*”. While this is also somewhat more restrictive than Policy TRS1 which only refers to the “*loss of public or private spaces that are important characteristics of the settlement*”, I am satisfied that it meets the test of general conformity.
66. In criterion j, it is unrealistic that in all cases there would be the opportunity to walk to work, but it would be reasonable to require the ability to walk to a public transport service.
67. In order to meet the basic conditions and achieve internal consistency the reference to garden areas in the first section of the policy should be deleted.

#### **Recommendation**

**In Policy H1A delete “excluding any curtilage beyond the built footprint of the buildings on site (e.g. garden areas)”.**

**In criterion j after “work” insert “or a public transport service”.**

68. Policies H2A to H2C set out detailed requirements to be met by new housing development.



## **Policy H2A – Design Standards**

69. This policy sets out requirements which collectively aim to ensure that new development will maintain or contribute to local distinctiveness. The references to the Parish Design Statement, building form, roof lines and materials are all compatible with the basic conditions. In the fourth bullet point the English in the first sentence is grammatically unclear and I have suggested a modification to address this.

### **Recommendation**

**Reword the first sentence of the 4<sup>th</sup> bullet point of Policy H2A to read “ensuring that openings and boundary treatments reflect their context when viewed from the street, open spaces or the countryside.”**

## **Policy H2B Encouraging Sustainable Development**

70. Policy H2-B presents a series of requirements intended to secure sustainable development. The first of these encourages new development incorporating micro-energy generation technologies and relates this to standards being applied in the Local Plan. Policy CS10 of the CS sets out these standards in relation the Code for Sustainable Homes but indicates that standards for 2015 onwards will be set out in a review of the Core Strategy or a Development Plan Document. The ministerial statement of March 2015 presented the results of the housing standards review, and stated that construction standards for new housing including energy use should be incorporated into the building regulations and that no additional requirements should be included in Local Plan or Neighbourhood Plan policies.<sup>12</sup> This is recognised in the emerging Local Plan.<sup>13</sup>
71. The second paragraph relates to heritage assets and buildings of local merit and is very general in nature, adding nothing to guidance in the NPPF and the Local Plan. In this respect it fails to comply with the PPG requirement that neighbourhood plan policies “*should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.*”<sup>14</sup>
72. The last two criteria relate respectively to the provision of foul and surface water drainage. The requirements to connect to the main sewerage system at the nearest point of adequate capacity unless it can be demonstrated to be impractical and for

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<sup>12</sup> Planning Update March 2015, Written Statement to Parliament by Secretary of State

<sup>13</sup> Ashford Local Plan Regulation 19 version June 2016 para 5.385

<sup>14</sup> PPG Reference ID: 41-041-20140306

major housing developments to provide sustainable drainage where possible reflect PPG<sup>15</sup> and in the case of foul water the comments of Southern Water. They are consistent with the basic conditions.

### **Recommendations**

**Delete the first two paragraphs of Policy H2B.**

### **Policy H2C - Lighting**

73. Policy H2C aims to minimise external lighting associated with new development in order to reduce light pollution and other harm. In so doing it refers to the principles in Ashford Borough Council's Dark Sky SPD. It was not clear to me what the supporting text meant by saying that "Ashford Borough Council's Dark Sky SPD does not cover the parish of Pluckley" as from my reference, it covers the whole borough. This was confirmed in response to my request for clarification and ABC has pointed out that Pluckley is not within a designated Dark Sky Zone (See Appendix 6 paragraph 3). A modification is necessary for accuracy

### **Recommendation**

**In the supporting text to Policy H2C delete "not" in the last line.**

## **Economy and Communications**

### **Policy E.1. Support for Agriculture and Tourism Development**

74. This policy is phrased positively in welcoming new developments, particularly related to agriculture and tourism, that local provide benefits. The policy recognises that the benefits that may result from economic development may take many forms including jobs, the sustainability of businesses and the retention of historic buildings but it seeks to resist developments that will not bring benefits to the parish. In some respects the policy is very open ended as, while it focuses on development related to agriculture and tourism, it does not preclude any type of employment development. Also it simply refers to the benefits of a development and does not refer to any potentially harmful effects. Most planning decisions involve a balancing of issues for and against the development and the policy would be more helpful to the decision maker by defining the balance that would need to be struck.

### **Recommendation**

**Reword Policy E1 to read "Development related to agriculture, tourism and other business activity will be supported where they comply with other policies in this**

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<sup>15</sup> PPG Reference ID: 7-079-20150415 and 34-020-20140306

**plan and the benefits to the local economy and any other benefits to the local environment or the well-being of the parish outweigh any environmental harm.”**

#### **Policy E2 Seek better Communications**

75. The policy requires proposals for new residential development to include a “Connectivity statement” demonstrating how the proposal takes electronic communications into account. The intention of the policy is entirely consistent with the basic conditions but as worded the policy provides little guidance to a decision maker as it does not explain what influence the statement will have on a decision. A modification to provide clearer guidance is recommended.

#### **Recommendation**

**Reword Policy E2 to read “Applications for new residential development will only be approved if they are accompanied by a communications statement that demonstrates that the development will be able to connect to the best available broadband network and to take advantage of future improvements to it.”**

#### **Policy E3 Traffic Management through the parish**

76. The policy seeks to prevent development that will generate new HGV traffic through the Parish or lead to congestion or parking problems. The focus on the free flow of traffic places an emphasis on motor vehicle traffic which could lead to an increase in speeds to the detriment of road safety for pedestrians or cyclists. For instance traffic calming measures may restrict the free flow of traffic somewhat but be beneficial on balance. Almost any development that generates traffic could be argued to have some impact on traffic flow and parking and the NPPF makes it clear the “*Development should only be prevented or refused on traffic grounds where the residual cumulative effects are severe.*”<sup>16</sup> Minor modifications are proposed to reflect these points and meet the basic conditions.

#### **Recommendation**

**In the 4<sup>th</sup> line of Policy E3 after “...that they do not” delete “further inhibit the free flow of traffic or” and replace with “have a significantly harmful effect on congestion or road safety and do not seriously...”**

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<sup>16</sup> NPPF paragraph effects. “Residual effects refers to the effect after any improvements to the road network funded by the development.

## **Community and Leisure**

### **Policy C1 Social Interaction and Community Life**

77. This is a very positively worded policy to support development related to community use where it is consistent with other policies in the Plan. I am satisfied that it meets the basic conditions.

### **Policy C2 Protection of Community Facilities**

78. The policy aims to encourage the modernisation and adaptation of the major community facilities in the village and to protect them unless specific criteria relating to alternative provision or evidence of non-viability are met. The policy is carefully worded and clearly reflects an important priority for the residents of the parish. I am satisfied that it meets the basic conditions.

### **Policy C3 Community Assets**

79. Policy C3 simply opposes development proposals that would result in the loss of or harm to the two listed Assets of Community Value: The Black Horse Inn and the village shop/post office. There is an overlap between this policy and Policy C2 as both these facilities are also included in that policy. The policy is justified on the basis of the powers available to the parish in relation to Assets of Community Value. However, this confuses planning considerations with the right to bid to buy the asset when it comes onto the open market. Policy C2 b) refers to all reasonable efforts being made to preserve the facility and the option for the community to try to buy the building would be included under this heading. However, it may be, for whatever reason, that it is not economically viable or practicable to retain the use and in such circumstances there could be no planning reason to justify resisting proposals that would result in its loss. Policy C3 is therefore not consistent with the presumption in favour of sustainable development.

### **Recommendation**

**Delete Policy C3 and the supporting text and map associated with it.**

## **Community Projects Management Plan**

80. This section lists several projects and aspirations that the community would like to progress. These matters do not form part of the neighbourhood plan proposal and thus I do not need to address them in my examination, other than to comment that it is entirely appropriate to use the neighbourhood plan process as a way of documenting

these intentions

### **Monitoring and Review**

81. The final section notes the intention to review the Plan every 5 years to ensure it continues to meet the needs of the Parish.

### **Summary and Referendum**

82. The preparation of a neighbourhood plan is a major undertaking for a small community like Pluckley which is reliant to a great extent on the efforts of volunteers. The engagement of the community, the gathering of evidence, the formulation of policies and the preparation of the necessary documents are time consuming and demanding tasks.
83. In some respects I have found the documentation submitted with the Plan somewhat deficient in terms of detail. This applies notably to the Basic Conditions Statement, the Consultation Statement and the justification of some of the policies. However, I have found the approach to the policies of the Plan generally well presented and thought out. I have found it necessary to make some modifications in order to meet the basic conditions as some of the policies do not effectively add to local and national policies and in other cases there was no clear justification. However, it is evident from the absence of major objections to the Plan that it commands the support of the community.
84. I have concluded that, if the modifications that I have recommended are made:  
  
The Pluckley Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;  
  
Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;  
  
The making of the Plan would contribute to the achievement of sustainable development;  
  
The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

85. **I am therefore pleased to recommend that the Pluckley Neighbourhood Development Plan should proceed to a referendum subject to the modifications that I have recommended.**
86. I am also required to consider whether or not the referendum area should extend beyond the Neighbourhood Plan Area. I have seen nothing to suggest that the policies of the Plan will have “a substantial, direct and demonstrable impact beyond the neighbourhood area”.<sup>17</sup> **I therefore conclude that there is no need to extend the referendum area.**

Richard High

21 December 2016

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<sup>17</sup> PPG Reference ID: 41-059-20140306

## **Appendix 1 E mails to Ashford Borough Council**

E mail to Danielle Dunn dated 7 December 2016

Cc Ashley Taylor; Martin Newman

Hi Danielle

I have a few queries at this stage.

I am finding some difficulty with the scale of some of the maps in the Plan. In particular I cannot decipher the key on Map 2 or the individual view numbers on Map 3. Are there larger scale or zoomable versions of these available?

On P30 of the Consultation Statement Board 8 of the February 2016 event show where the draft Neighbourhood Plan could be viewed. Regulation 14 (iii) and (iv) of the Neighbourhood Plan Regulations indicates that as well as this the qualifying body must publicise “details of how to make representations” and “the date by which those representations must be received”. These details are not apparent from Board 8 and it would be helpful if I could be sent copies of the posters and website notifications so that I can see if this requirement was met.

Regulation 15 (1)(2)(ii) of the Neighbourhood Plan Regulations requires the submission of “where it has been determined under regulation 9(1) of those regulations (the Environmental Assessment of Plans Regulations) that the plan proposal is unlikely to have significant environmental effects (and accordingly does not require an environmental assessment) a statement of reasons for the determination.” The Basic Conditions Statement refers on p9 to a screening process and Appendix 3 of it includes the determination by Ashford Borough Council that an environmental assessment is not necessary. In order to satisfy the requirement for a statement of reasons it would be helpful to see a copy of the Screening Assessment.

The Basic Conditions Statement refers to the Saved Policies of the Ashford Local Plan 200 updated in 2014 and the Tenterden and Rural Sites Development Plan 2010-2021 as part of the Development Plan. However the policies of the Pluckley Neighbourhood Plan are not tested against these. Does the Borough Council regard any of the policies in these plans as strategic for the purposes of the basic conditions?

I may have further questions relating to the policies of the Plan, but it would be helpful if you could arrange for the information above to be provided as soon as possible.

Kind Regards

Richard

E mail to Ashley Taylor

cc. Martin Newman

Dear Ashley

I have a few queries regarding the policies in the Pluckley Neighbourhood Plan.

1. The former brickworks site and adjoining lake and woodland. Policy R4 and the supporting text imply that the woodland and lake are an important recreational site. On my visit I noted that the lane leading to the site is secured by a locked gate with notices on it saying "Keep out Private property" and "Slurry store, toxic gas no entry". I could see that further down the road towards the station there is some informal access to the site, and I made use of this to gain access, but does the policy refer to the potential of the site for recreational use rather than an existing use or is there another means of access?
2. Policy H1 The Site Appraisal Document is dated August 2016. This means that it was completed well after the regulation 14 consultation. However, it states that "The sites chosen met the needs expressed by residents during the consultation and scored higher in the scoring matrix used. They were confirmed through public engagement and consultation." Were all the alternative sites placed before the public at the regulation 14 stage?
3. Policy H2C – Lighting The policy seeks to link to the existing Dark Sky SPD adopted by Ashford BC. The supporting text says that the SPD does not apply to Pluckley, but from my online investigation the SPD relates to the whole borough. Could you please clarify?
4. Policy C3 Could you please clarify the status of the facilities referred to in this policy? The policy says that the Black Horse Inn and the Post Office are Assets of Community Value whereas the supporting text says they are nominated as such.

Kind Regards

Richard



Wording of posters displayed at regulation 14 stage

# PLUCKLEY NEIGHBOURHOOD PLAN

Residents formal consultation until 26 March 2016

## NOW is the time to Comment

Details on [www.pluckley.net](http://www.pluckley.net)

E mail regarding wording of website notice – no longer displayed

**From:** MARTIN NEWMAN [<mailto:mjnewman227@btinternet.com>]

**Sent:** 12 February 2016 22:51

**To:** Carol Washer

**Subject:** NEIGHBOURHOOD PLAN

Carol,

Could you please now post the attached draft NP on the website?

On the front page, the message should be:

Pluckley's Neighbourhood Plan is now at draft stage. You can see the draft by clicking [here](#). Alternatively, you can read a hard copy in each of Pluckley's three shops and three public houses, or in St.Nicholas church or at Charing Public Library. Your comments, critical or supportive, are welcome and can be made by e-mail to [neighbourhoodplan@pluckley.net](mailto:neighbourhoodplan@pluckley.net). At the end of a six week consultation period (26 March 2016) all comments received will be considered before the Plan goes to the next stage, which is a formal submission to Ashford Borough Council.

Thanks,  
Martin

### **Appendix 3: Strategic Policies of the Tenterden and Rural Sites Development Plan Document**

#### **Extract from e mail from Ashley Taylor of Ashford Borough Council 13 December 2016**

It is considered that the following policies from the Tenterden and Rural Sites DPD are strategic for the purposes of the basic conditions:

TRS1, TRS2, TRS3, TRS4, TRS5, TRS6, TRS7, TRS8, TRS9, TRS10, TRS11, TRS12, TRS13, TRS14, TRS16, TRS17 and TRS18.

## **Appendix 4 Conclusions of SEA Screening Report and Habitats Regulation Assessment Screening Report**

### **5 Conclusions and Recommendations:**

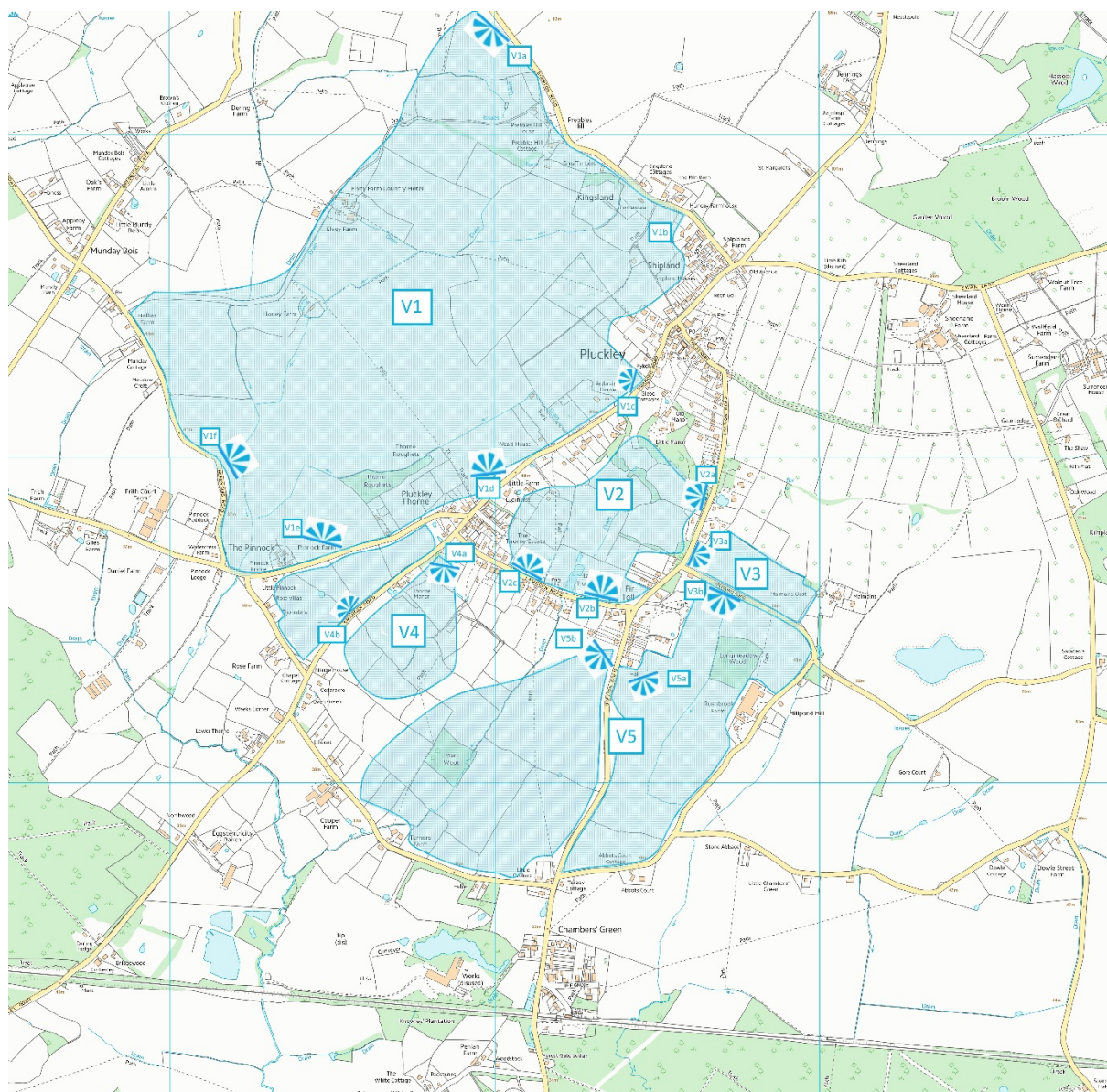
5.1 A screening assessment to determine the need for a SEA in line with regulations and guidance was undertaken and can be found in chapter 3 of this report. The assessment finds no significant and

/ or negative effects will occur as a result of the Pluckley Neighbourhood Plan. The assessment also finds many of the policies are in conformity with the local plan policies which have a full SA/SEA which identified no significant effects will occur as a result of the implementation of policies.

5.2 From the findings of the screening assessment it is recommended that a full SEA does not need to be undertaken for the NP.

5.3 A screening assessment to determine the need for a HRA in line with regulations and guidance was undertaken and can be found in chapter 4 of this report. The assessment finds no likely significant effects will occur as a result of the Pluckley Neighbourhood Plan and any affects that may occur have already been assessed as part of the Ashford Borough Core Strategy and Tenterden and Rural Sites Appropriate Assessment.

## Appendix 5 Enlarged Version of Views Map



## **Appendix 6: e mail from Ashford Borough Council in response to policy queries**

15 December 2015

Dear Richard,

1. There is some informal existing use of the site, but this is expected to increase in the future when the site is developed. Outline planning permission has been granted for development of this site. I have attached the site location plan, illustrative layout plan and decision notice for your information. As part of the proposals, it includes the long term protection of the woodlands, lake and habitats, and the land is to be made available for public use, with a formal footpath provided into the site. The Planning Statement submitted with the application states that the site is not currently accessible to the public, however the Steering Group has advised that the site has been abandoned for over 25 years and has been in regular informal use by families and children over that time with no objection from the landowners, accessed by the informal access you used when visiting the site.
2. Pluckley Steering Group has advised that all the sites were presented during the Regulation 14 consultation, both available on the website and at the public event held February 2016. At the February 2016 it was explained how the sites were selected, as set out on Board 3 (page 25 of the consultation statement). In addition to this, consultation regarding sites was carried out prior to the Reg 14 consultation. This included them being presented on the website in September 2014 and notices alerting residents to this were posted in the parish (see poster attached). A Public Meeting was held on 21 October 2015 where maps of sites that were proposed to be supported (Board 2) and not supported (Board 3) were presented and people were asked for comments.
3. I can confirm that the Dark Sky SPD does cover the whole of the Borough, and is therefore relevant to Pluckley. Pluckley is however, not within a Designated Dark Sky Zone. The Council are in the process of identifying this area and applying to have it formally designated. Pluckley is unlikely to be within this area if it gets designated. This is what the Plan is making reference to, although as this area has not been designated yet, I would not recommend including reference to it.
4. The Black Horse Inn and Post Office are both listed as Assets of Community Value. They were added to the list on 8<sup>th</sup> November 2016. Please see following link for more information.  
<http://www.ashford.gov.uk/community-right-to-bid>

Hopefully this answers all of your questions. If you need any further information please let me know.

Kind Regards

Ashley