

Goudhurst Neighbourhood Development Plan 2013-2033

**A report to Tunbridge Wells Borough Council on the
Goudhurst Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by Tunbridge Wells Borough Council in May 2021 to carry out the independent examination of the Goudhurst Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 26 May 2021.
- 3 The Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its distinctive rural character. It includes a series of environmental and community policies, and designates a series of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. The community has been engaged in its preparation in a proportionate way.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Goudhurst Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
2 September 2021

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Goudhurst Neighbourhood Development Plan 2013-2033 ('the Plan').
- 1.2 The Plan has been submitted to Tunbridge Wells Borough Council (TWBC) by Goudhurst Parish Council (GPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012. The NPPF continues to be the principal element of national planning policy. It was updated in 2018, 2019 and 2021.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It addresses a range of environmental and community issues and proposes a series of local green spaces.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by TWBC, with the consent of GPC, to conduct the examination of the Plan and to prepare this report. I am independent of both TWBC and GPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Consultation Statement addendum
- the HRA screening report.
- the Sustainability Analysis.
- the Local Character Assessment.
- the Views Assessment.
- the Local Green Spaces.
- the representations made to the Plan.
- the Parish Council's responses to the clarification note
- the saved elements of the Tunbridge Wells Borough Local Plan 2006
- the Tunbridge Wells Core Strategy Development Plan Document
- the Tunbridge Wells Site Allocations Local Plan.
- The Queen (on behalf of Lochailort Investments Ltd) and Mendip District Council [2020] EWCA Civ 1259.
- the National Planning Policy Framework.
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 26 May 2021. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood development plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised TWBC of this decision once I had received the responses to the questions in the clarification note.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. The Statement reflects the Plan area and its policies. It also provides specific details on the consultation process that took place on the pre-submission version of the Plan from November 2018 to January 2109. It is a particularly good example of a Consultation Statement. It is attractively arranged and follows the graphic style of the Plan itself and the Basic Conditions Statement.
- 4.3 The Statement sets out details of the consultation events that were carried out in relation to the initial stages of the Plan. Section 2 provides details about the engagement with the statutory bodies and the public consultation events in the area. Specific engagement processes highlighted include:
- the various community events;
 - the questionnaires to households and businesses;
 - the four workshops to develop objectives for the Plan; and
 - the photographic competition
- 4.4 The Statement sets out the extensive range of local and statutory organisations that were advised about the preparation of the Plan in general, and its pre-submission consultation phase in particular.
- 4.5 Sections 4/5/6 of the Statement set out details of the responses received to the consultation process on the pre-submission version of the Plan. They also set out how the Plan responded to the representations. The summary of the policy changes is a very effective way of addressing and presenting this matter. The wider exercise has been undertaken in a very thorough fashion. It helps to describe how the Plan has evolved over time.
- 4.6 From all the evidence available to me as part of the examination, I conclude that the Plan has sought to develop an inclusive approach to seeking the opinions of all concerned throughout the process. TWBC has carried out its own assessment of this matter as part of the submission process and has concluded the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.7 Consultation on the submitted plan was undertaken by the Borough Council for a six-week period that ended on 22 February 2021. This exercise generated comments from the following statutory and local organisations:

- Southern Water
- Horsmonden Parish Council
- Environment Agency
- Bethany School
- Natural England
- High Weald AONB Unit
- Ministry of Justice
- SGN
- National Trust
- Mr J Henley (via the Rural Planning Practice)
- Tunbridge Wells Borough Council
- Kent County Council
- Historic England
- Highways England

4.8 A representation was also received from a local resident.

4.9 I have taken account of all the representations received as part of the examination of the Plan. Where it is appropriate and relevant to do so, I refer specifically to certain representations on a policy-by-policy basis in this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area covers the parish of Goudhurst. In 2011 it had a population of 3327 persons living in 1255 households. It was designated as a neighbourhood area on 7 November 2016.
- 5.2 The neighbourhood area sits in attractive open countryside between Royal Tunbridge Wells to the west and Sissinghurst to the east. It is irregular in shape. The principal settlements are Goudhurst village, Kilndown and Curtisden Green. They are sited on sandstone ridges. The neighbourhood area displays a mixture of fields, small woodlands and farmsteads connected by historic routeways, tracks and paths. Medieval patterns of small pasture fields enclosed by thick hedgerows and shaws (narrow woodlands) remain prominent in the character of the landscape. The majority of the parish lies within the High Weald AONB.
- 5.3 Goudhurst is the principal settlement in the neighbourhood area. It is strategically-placed at the junction of the A262 and the B2079. It is dominated by St Mary the Virgin Church in its hill top location. The Church is located in a broader area of green and open spaces that separate the two distinct parts of the village. The village has an extensive conservation area and several important listed buildings constructed from vernacular materials.

Development Plan Context

- 5.4 The Tunbridge Wells Borough Core Strategy 2011-2036 was adopted in June 2010. It covers the period up to 2026. The Core Strategy sets out policies for the use and development of land across the Borough. Core Policy 1 and Boxes 3 (Spatial Strategy) and 4 (Settlement Hierarchy) set out an approach which has an urban focus for development in order to optimise the vitality of the Borough's town centres and to protect the distinctive character of the rural environment. In this context the majority of new development is focussed at Royal Tunbridge Wells and Southborough. The Core Strategy also identifies development at Cranbrook, Hawkhurst and Paddock Wood to support and strengthen them as local service centres for the Borough's rural area. Elsewhere the approach is to protect the character of the Borough's villages by limiting new development to be within the existing limits to built development unless it is specifically required to meet local needs.
- 5.5 Within this approach Goudhurst is classified as one of a series of villages. Core Policy 4 of the Core Strategy sets out a comprehensive approach for development in rural areas which incorporates the following matters:
- the delivery of approximately 360 net additional dwellings in the villages and rural areas;
 - new development will generally be restricted to sites within the limits to built development (LBD) of the villages;
 - outside the LBD of the villages, affordable housing to meet an identified local need in perpetuity may be allowed;

- village centres will be enhanced to provide a focus for communities. The loss of local services will be resisted and the development of facilities, including community facilities, to meet local needs will be encouraged;
- designated buildings and areas of historic or environmental importance will be conserved and enhanced to ensure the special character of the villages is maintained;
- the countryside will be protected for its own sake;
- the interrelationship between the natural and built features of the landscape will be preserved, enhanced and, where necessary, restored; and
- non-motorised modes of transport between the rural settlements and within the rural areas will be encouraged by ensuring that the existing network of public footpaths and bridleways are protected, maintained and improved.

The Core Strategy has a range of other policies including:

Core Policy 4 Environment

Core Policy 5 Sustainable Design and Construction

Core Policy 8 Retail, Leisure and Community Facilities Provision

- 5.6 Key elements of the 2006 Local Plan remain as saved policies whilst the Core Strategy review is taking place. They include:

Policy EN5 Development within a conservation area

Policy EN20 Telecommunications

Policy CR13 Retention of community facilities in neighbourhood centres or villages

Policy H5 Residential development inside limits to built development

Policy R1 Retention of existing recreation open space

Policy TP5 Vehicle Parking Standards

Policy TP27 Retention of Public Car Parks in villages.

- 5.7 The submitted Plan has been prepared within the context provided by the various elements of the development plan. In doing so it has relied on up-to-date information and research. This is good practice and reflects key elements included in Planning Practice Guidance on this matter.

- 5.8 TWBC has made good progress in its review of the Core Strategy. It will guide new development in the Borough up to 2038. Consultation on the pre-submission Plan took place between March and June 2021. Policy PSTR/GO1 of that Plan sets out a spatial strategy for Goudhurst based on the following key principles:

- setting limits to built development for Goudhurst village, as defined on the Policies Map (Inset Map 25) as a framework for new development over the plan period;
- delivering approximately 26 new dwellings (40 percent as affordable housing) through the allocation of housing sites at land east of Balcombes Hill (Policy AL/G01) and Triggs Farm, Cranbrook Road (AL/G02);
- retaining the Balcombes Hill public car park; and

- seeking developer contributions, either in kind and/ or financial, from residential developments to an identified range of facilities.

Whilst the basic conditions assessment of the neighbourhood plan is against the adopted development plan, I have sought to ensure that the submitted Plan has an appropriate relationship with the emerging Core Strategy Review. This reflects national policy as set out in paragraph ID: 41-009-20190509 of Planning Practice Guidance. It also reflects the approach taken by GPC in assessing the policies in the submitted Plan both against the policies in the adopted development plan and those in the emerging Core Strategy Review.

Unaccompanied Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 26 May 2021. I was fortunate in selecting a dry and pleasantly warm day after a wet start to the month. I observed the social distancing measures that were in place at that time. I travelled to the parish along the A21 from the north. This highlighted the way in which the parish was positioned in the wider countryside in general, and within the High Weald AONB in particular.
- 5.10 I looked initially at Kilndown. I saw its isolated position in the AONB and the way in which it featured several green spaces in the heart of the village. I saw the Millennium Green by the Village Hall and the fascinating Quarry Pond. I looked at the Christ Church Churchyard. I saw the very ornate Beresford tomb and gravestone and the more modest Commonwealth Graves for members of the Home Guard.
- 5.11 I then drove to Goudhurst. I looked initially at the series of proposed Local Green Spaces (LGSS) off Lurkins Rise. I saw the significance of LGS AS19 and the extensive views over the wider countryside to the south of the village. I then walked into the village centre. In doing so I appreciated the nature of the village's location on a hill top and the implications of parked cars on the free flow of the A262. I sat for a while by the pond in the village centre and enjoyed its setting and sense of calm.
- 5.12 I then looked at the range of retail, commercial and community buildings in the village centre. I saw the way in which the various uses were accommodated in a range of interesting vernacular buildings of different ages and sizes. I also saw the significance of the Church in the wider village. I took some time to appreciate its setting and to take in the views of buildings to the north of Church Road and across the countryside to the south. I looked inside the Church and saw its lovely ceiling. I saw the list of historic benefactors in the entrance porch and the Millennium mosaic. The Church was operating an exemplary procedure for hand-sanitising.
- 5.13 I then walked to the eastern part of the village based on Beresford Road. I saw the scale and significance of the School. I took the opportunity to look at several of the proposed LGSSs in the village. I walked into the Lower Glebe Field and saw its network of footpaths and the garden area in its north-western corner. I appreciated the extensive views to the south of the village. I then walked along Church Road to the concentration of LGSSs between the two limits to built development. I walked along the

footpath to the north of Five Fields into the Old Cricket Pitch. I saw the way in which it was naturally revegetating.

- 5.14 I then walked back into the main village and into North Road. I followed the footpath down into the fields to the west of the village. I saw their interesting structure, trees and field pattern.
- 5.15 I then drove to Curtisden Green. I saw the open character of the village and its relationship with the Bethany School. I looked at the three proposed LGSs. I saw how Firs Pitch created interesting levels within the wider village environment. I then drove to the former Blantyre Prison
- 5.16 I left the neighbourhood area along the B2079 towards Marden.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 6.3 I assess the Plan against the basic conditions under the following headings:
- National Planning Policies and Guidance*
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021. The approach in the submitted Basic Conditions Statement is based on the 2019 version of the NPPF which was in force when the Plan was submitted. Where necessary I make specific comments in Section 7 of the report where there are differences between the two versions of the NPPF.
- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Goudhurst Neighbourhood Plan:
- a plan led system – in this case the relationship between the neighbourhood plan, the saved policies in the Local Plan, the policies in the Core Strategy and the policies in the Site Allocations Local Plan;
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.

- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. In particular it includes policies to stimulate rural employment and diversification and to safeguard the natural environment of the parish. It also proposes the designation of local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies to stimulate rural employment and diversification (Policies B1-B3). In the social role, it includes policies on community facilities (Policies C1-C4), local green spaces (Policy L9) and on housing types and sizes (Policies H1 and H4). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (Policy D1) and on a series of landscape and environmental matters (Policies L1-L10). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in Tunbridge Wells Borough in paragraphs 5.4 to 5.8 of this report. I am satisfied that subject to the

incorporation of the modifications recommended in this report that the submitted Plan is in general conformity with the strategic policies in the development plan.

- 6.13 I also consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modifications in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations – SEA

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement GPC published a sustainability analysis. The report comments that the Plan has been developed in parallel with the new Tunbridge Wells Local Plan. In this context TWBC issued two Calls for Sites (in 2016 and 2017) that identified 26 sites in the parish. The Parish Council considered a process of site selection and decided to defer allocations to the Borough Council. The analysis comments that as sites are not allocated within the submitted Plan the overall sustainability analysis process is simplified.
- 6.16 The sustainability analysis is thorough and well-constructed. It assesses the policies against the Plan's objectives and the environmental implications of the policies themselves. Section 7 sets out a Policy Assessment where the Plan's policies are assessed using the scoring matrix identified in the Sustainability Analysis Scoping Document. The process recognises that there are inherent conflicts between objectives for example business growth is incompatible with climate change and energy and to simplify the overall process, where these conflicts exist, an assessment measure has not been taken. The associated table provides a detailed assessment of each relevant policy by objective. Scores are shown as positive or negative in a range of +3 to -3.

European Legislation – Habitats Regulations Assessment

- 6.17 In order to comply with legislative requirements TWBC published a separate Habitats Regulations Assessment (HRA) of the Plan. It takes account of the likely effects of development in the neighbourhood area on the Ashdown Forest SPA and SAC site. It concludes that the Plan is not considered to have the potential to cause a likely significant adverse effect on this or another other European protected site. It also concludes that there will be no likely significant in-combination effects. Its level of detail provides assurance that this important matter has been comprehensively addressed.
- 6.18 The screening report includes the response received from Natural England as part of the required consultation. In doing so they provide assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.

- 6.19 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

Human Rights Act

- 6.20 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.21 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It includes a series of non-land use Parish Actions which are separately listed in Section 13.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. The community aspirations are addressed after the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

General Comments

- 7.8 The Plan has been prepared in a very effective fashion. It is helpfully supported by figures and maps. The distinction between the supporting text and policies is very clear. In addition, the vision and the objectives of the Plan provide a very helpful context for the subsequent policies.
- 7.9 The presentation of the Plan is very impressive. It makes good use of colour, design and layout. It would comfortably sit as part of the wider development plan in the event that it was 'made'.

The initial sections of the Plan (Sections 1-5)

- 7.10 These elements of the Plan set the scene for the policies. They are commendable in the way that they are proportionate to the neighbourhood area and the Plan's policies.
- 7.11 The 'Reading this Document' section is particularly helpful and informative. It identifies that each policy is described with the background and reasons for including it, the policy itself and a summary of its intent. The table on page 4 summarises these arrangements in a very clear fashion.

- 7.12 Section 1 (Purpose) identifies how the Plan has responded to the neighbourhood plan agenda both nationally and in the Borough. It identifies the neighbourhood area and the Plan period.
- 7.13 Section 2 describes the way in which the Plan was prepared and refined after the pre-submission consultation. It overlaps with the submitted Consultation Statement.
- 7.14 Section 3 comments about the history of the parish. It is interesting both in its own right and in how it underpins the approach in some of the policies. Indeed, as paragraph 37 of the Plan comments ‘the Parish still has many of the characteristics of its earlier times. Medieval properties, particularly in Goudhurst High Street, have changed little and the countryside is renowned for its medieval field patterns. The Church of St Mary the Virgin remains standing firm at the highest point of the Parish and from the top of its tower the Parish unfolds’
- 7.15 Section 4 sets out the Vision, Goals and objectives for the Plan. The table in paragraph 44 helpfully sets out the way in which the objectives deliver the various goals
- 7.16 Section 5 summarises the policies and the associated policy intent.
- 7.17 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 above.

Policy L1 Development within the AONB

- 7.18 This policy comments about proposed development within the High Weald Area of Outstanding Natural Beauty (AONB). It requires that development proposes meet the objectives of the AONB Management Plan.
- 7.19 The incorporation of significant elements of the parish within the AONB reflects its natural setting in the High Weald. It is an important component of the local environment
- 7.20 The approach in the policy is generally appropriate. However, its focus is on compliance with the High Weald AOMB Management Plan. The Management Plan is an excellent document. However, it is not part of the development plan. On this basis I recommend that the policy takes on a more general nature and that the reference to the AONB Management Plan is repositioned into the supporting text. Otherwise, the policy meets the basic conditions. It will play a major part in delivering the environmental dimension of sustainable development.

Replace the policy with:

‘Development proposals in the High Weald AONB should, where appropriate, make a positive contribution towards the conservation and enhancement the natural beauty of the designated landscape’

At the end of paragraph 58 add: ‘Policy L1 comments generally about development proposals in the AONB. Where appropriate development proposals should demonstrate the way in which they would deliver key elements of the High Weald AONB Management Plan’

Policy L2 Development Outside the AONB

- 7.21 This policy continues the theme of Policy L1. In this case it requires that development outside the AONB does not detract from the character or setting of the AONB.
- 7.22 The policy has an unusual structure which takes a negative approach to this issue. I recommend that the policy is recast so that it sets out the positive expectations of the Plan and sets out the implications of not doing so.

Replace the policy with:

‘Development proposals outside the AONB should be designed to safeguard the environment, character and landscape setting of the AONB.

Development proposals which would harm or detract from the environment, character and landscape setting of the AONB will not be supported’

Policy L3 Retain the Profile of our Hilltop Villages

- 7.23 This policy sets out to safeguard the profile and setting of the three hilltop villages in the parish. It overlaps with the more general approach of Policy L1.
- 7.24 The policy meets the basic conditions

Policy L4 Conserve Landscape and Heritage Assets

- 7.25 This policy comments that development proposals must conserve the historic landscape of the Parish and the settings of its heritage assets
- 7.26 Paragraphs 73 and 74 of the Plan identify the range of heritage assets in the parish.
- 7.27 The policy takes an appropriate approach towards this important matter. Whilst it adds little to national and local policies, heritage assets are an important part of the character of the parish. In this context the Plan wishes to reflect this part of the character of the parish. I recommend a modification to the policy to ensure that it has regard to the contents of Section 16 of the NPPF. Otherwise, it meets the basic conditions and will do much to deliver the environmental dimension of sustainable development.

Replace the policy with: ‘Development proposals should preserve and enhance the historic landscape of the Parish, and its heritage assets and their settings in a manner appropriate to their significance’

Policy L5 Gap between Goudhurst Limits to Built Development

- 7.28 This policy comments that development proposals must maintain the separate identity and character of the two Goudhurst settlements and avoid their coalescence or the erosion of the undeveloped gap.
- 7.29 I looked at the proposed Gap carefully during the visit. I saw that it clearly defines the character and appearance of the built-up part of the village. As the Plan describes the characters of Goudhurst village and the Chequers area are distinct. Goudhurst village is defined by its medieval High Street whereas the Chequers area consists of primarily Victorian and later houses. The gap separating them is made up of a large triangle of land to the south and an open field, crossed by two footpaths to the north, which afford

views to the Greensand Ridge some 25 miles to the north. The gap, with its winding road, provides road users with a strong sense of transition as they pass through the area.

- 7.30 I am satisfied that the policy serves a clear purpose in the wider context of the parish. It reflects the layout and form of the two separate settlements. In terms of its details the effect of the policy is generally clear. However, it requires that developments avoid the coalescence of the two Goudhurst settlements or the erosion of the undeveloped gap. In this context the first element is unnecessary given that such an outcome would be well beyond that required in the second element that any development should not erode the undeveloped Gap. I recommend a modification to the policy to this effect. Nonetheless I recommend that the issue of the coalescence of the two settlements is incorporated in the supporting text. Given the importance of this matter I also recommend that the map of the Gap to the left of the text to paragraph 85 is replaced by one of a scale similar to Maps 7.13-7.15 which show the proposed Local Green Spaces
- 7.31 The proposed designation of the Gap overlaps with the proposed designation of Local Green Spaces in Policy L9 of the Plan. I address this matter later in this report.

Replace the policy with: ‘Development proposals should maintain the separate identity and character of the two Goudhurst settlements and avoid the erosion of the undeveloped gap’

At the end of paragraph 86 add: ‘This approach would particularly apply to proposals which would lead to the coalescence of the two settlements. This outcome would significantly and unacceptably affect the character and appearance of the two settlements’

Replace the map of the Gap to the left of the text to paragraph 85 by one of a scale similar to Maps 7.13-7.15 which show the proposed Local Green Spaces

Policy L6 Biodiversity

- 7.32 This policy sets out an ambitious approach towards securing a biodiversity net gain from new developments. The supporting text sets out details about existing biodiversity in the parish.
- 7.33 In general terms the policy meets the basic conditions. I recommend detailed modifications to ensure that it meets the basic conditions and brings the clarity required by the NPPF.

In the first sentence replace ‘must’ with ‘should’

In the second sentence replace ‘considered’ with ‘supported’

Policy L7 Trees

- 7.34 This policy seeks to celebrate the importance of trees in the parish. Its approach is that development that undermines the future health of, or results in the loss of, ancient woodland, protected trees and veteran trees will not be permitted.
- 7.35 The approach taken in the policy has regard to national policy and reflects the sylvan character of the parish. I recommend that the first sentence of the policy is recast so that it explains the approach in a more positive fashion. Its effect however remains unchanged. I also recommend that the second sentence is repositioned into the supporting text as it addresses process requirements (a tree survey) rather than setting out a policy requirement.

Replace the policy with: ‘Development proposals should safeguard the future health and retention of ancient woodland, protected trees and veteran trees. Development proposals which would unacceptably impact on the future health and retention of ancient woodland, protected trees and veteran trees will not be supported’

After the second sentence of paragraph 101 add: ‘Development proposals should be accompanied by a tree survey that establishes the health and expected longevity of any affected trees’

Policy L8 Protect dark Skies ‘Nightscape’ and minimise Light Pollution

- 7.36 This policy seeks to safeguard the dark skies environment of the parish. It includes detailed elements on external lighting, light spill and the justification for the lighting sought.
- 7.37 The neighbourhood area benefits from dark skies and GPC has consistently supported a dark skies policy to protect the natural beauty of the night sky. GPC also aims promote the appreciation of the quality of the rural ‘nightscape’ and encourage the removal of unnecessary and/or inappropriate lighting or, where warranted, a suitable replacement. The intent of the policy is to ensure that the night-time character of the Parish is not diminished.
- 7.38 The policy sets out a positive approach to this matter. Nevertheless, its first part is supporting text (about the assessment process) rather than policy. I recommend its deletion and repositioning in the supporting text. I recommend detailed modifications to the remainder of the policy to bring the clarity required by the NPPF. This includes a reordering of the elements of the policy so that they have a natural flow. Otherwise, it meets the basic conditions.

Delete the first paragraph of the policy.

Reverse the order of the three remaining paragraphs so that the fourth (as submitted) becomes the first.

Replace the first sentence of the second part of the policy (as submitted) with: ‘Where it can be demonstrated as meeting an essential purpose, external lighting (including temporary lighting and lighting of sports facilities) should be of a sensitive and proportionate nature’

Policy L9 Local Green Spaces

- 7.39 This policy proposes the designation of a series of local green spaces (LGSs). The proposed LGSs have been measured against the criteria set out in the NPPF and Planning Practice Guidance (PPG) on this matter.
- 7.40 Further detailed information about the proposed LGSs is contained Local Green Spaces Assessment and Allocation document. It includes details of the overall assessment process, the criteria for acceptance or rejection at both stages of the analysis and the rationale for the inclusion of each LGS.
- 7.41 The policy approach sets out to safeguard the identified LGSs and largely follows the equivalent approach in the NPPF. I looked at the proposed LGS very carefully during my visit. I paid particular attention to the proposed LGSs which attracted representations.
- 7.42 The representations raise three related matters. The first is the relationship between the proposed LGSs in the submitted neighbourhood plan and the proposed LGSs identified in the emerging Tunbridge Wells Local Plan 2038. The second and third are detailed objections to the designation of LGS 102 (by Mr Henley) and to LGS AS1 and AS2 (by Bethany School). I address these matters in turn below

Relationship between LGSs in the submitted neighbourhood plan and in the emerging Local Plan

- 7.43 The neighbourhood plan and the emerging Local Plan have been prepared at largely the same time. There has been commendable collaboration between TWBC and GPC on this matter. Indeed, as GPC comments in its response to the clarification note ‘our identification of green spaces in the community and the creation of our list was a joint enterprise with TWBC. Each site was visited and discussed together. Our methodology is broadly similar although there has been some divergence in a small number of identified sites since our last meeting with TWBC was in September 2020. At that meeting TWBC noted they were reviewing the designation of churchyards as they considered they already have protection under the NPPF’
- 7.44 TWBC published its emerging Local Plan in March 2021. It was underpinned by the LGS Assessment (February 2021). It includes a very similar package of proposed LGSs in Goudhurst parish to those in the submitted neighbourhood plan. Nevertheless, it does not include the following four LGSs as included in the neighbourhood plan (and for the following reasons)

LGS100 Goudhurst Cemetery – considered to be sufficiently protected under other local and/or national designations and Policies

AS20 Green Space adjacent to Lurkins Rise, Goudhurst – considered that there is insufficient evidence that this site meets the designation criterion of ‘demonstrably special’

LGS105 Kilndown Churchyard – considered that there sufficiently protected under other local and/or national designations and Policies

AS2 Field to the south of Firs Pitch, Curtisden Green -considered that there is insufficient evidence that this site meets the designation criterion of 'demonstrably special'

- 7.45 In terms of the proposed LGS100 and LGS105 I am satisfied that the two sites meet the criteria for LGS designation and for the reasons set out in the LGS Assessment produced by GPC. In relation to LGS 100 the proposed green space contains historical graves as well as the land allocated for new graves. The site is local in character and is well-maintained by GPC. Local residents visit their family graves regularly. This site is demonstrably special to the local community for its historic significance and as a beautiful and tranquil environment. In relation to LGS105 the green space is significant in that it protects the setting of the listed building and allows views of the church from all sides and views from it through the Conservation Area. The site also includes the old village burial ground. This site is demonstrably special to the local community for its historic significance and as a tranquil environment.
- 7.46 The proposed designation of LGS AS20 raises a different set of issues. It is a small area of incidental open space within the Lurkins Rise development in Goudhurst and is dominated by a mature oak tree. Whilst it is a pleasant open space it is little different in character and appearance from other incidental open spaces in residential areas in the parish. In these circumstances I am not satisfied that it is 'demonstrably special' and as such meets the high tests for LGS designation in the NPPF. I recommend its deletion from the Plan.
- 7.47 I address proposed LGS AS2 later in this report given that it has attracted a specific representation from the owner concerned.

LGS102

- 7.48 This parcel of land is located to the immediate east of Goudhurst. I looked at it carefully during my visit. In addition, I have carefully considered the representation made by Mr Henley on this matter. The representation comments that the parcel of land does not satisfy criteria outlined in national policy and therefore should not be designated as a LGS. Furthermore, it contends that the site is already protected from inappropriate development by national and local policies regarding development in open countryside and that the potential for development is further restricted by the site's location within the High Weald AONB and the Goudhurst Conservation Area.
- 7.49 The site is a parcel of grassland located between the two parts of Goudhurst and to the immediate north of Church Road. It is 1.05 hectares in size. The northern boundary of the proposed LGS is formed by the footpath running in a west to east direction. The proposed LGS is one of a series of fields.
- 7.50 The LGS Assessment comments that the land has been proposed for LGS designation for three principal reasons. The first is that it is considered to be a visually important undeveloped space in the Goudhurst Conservation Area. For those heading west, this is the first indication of Goudhurst's prominent ridge top position. The second is that it is an open space which it is used daily by residents who use the footpath which crosses

the site and provides a northern boundary and provides a tranquil contrast to the A262. The site permits medium and long-distance views to the north downs. The third is that it is important to residents who identified the field as an important area which contributes to their sense of place.

- 7.51 I have considered all the information very carefully. I am satisfied that the area of land is in reasonably close proximity to the community it serves and is local in character.
- 7.52 On the 'demonstrably special' criterion in the NPPF the parcel of land is attractive in its own rights and sits within its wider landscape between the two separate parts of Goudhurst. It plays an important element in maintaining the separation of the two settlements (and as addressed in Policy L5 of this Plan). It is also within the Goudhurst Conservation Area. In this context the site concerned already has a degree of protection afforded by the existing conservation area designation and Policy L5 provides a further degree of protection in relation to the separation of two settlements. Different types of designations are intended to achieve different purposes. PPG paragraph 37-011-20140306 comments that if land is already protected by designation (such as a conservation area), then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space. There is no evidence that such an assessment has been undertaken in relation to the Goudhurst Conservation Area.
- 7.53 In addition there is little to distinguish the parcel of land from adjacent parcels of agricultural land to its north. In particular it is part of a wider area of green space rather than a self-contained parcel of land. In this context its importance is as part of the gap between the two Goudhurst settlements rather than as a free-standing LGS.
- 7.54 Taking account of all the information available I have concluded that it is not demonstrably special to the local community and holds a particular significance. In the round it fails to meet the high standards expected of proposed LGSs in national legislation. In these circumstances I recommend that it is removed from the schedule of LGSs in the Plan

LGS AS1 and AS2

- 7.55 These two proposed LGSs are located in Curtisden Green. I looked at them carefully during my visit. In addition, I have carefully considered the representation made by Bethany School.
- 7.56 The proposed LGSAS1 is the Firs Playing Field. It is owned and used by the adjacent Bethany School. It is 2.1 hectares in size. As the LGS assessment comments it was significantly overhauled in the 1970s and cleared/levelled to create the current playing field. Based on all the information available to me I am satisfied that the playing field meets the criteria in paragraph 100 of the NPPF. It is in reasonably close proximity to the community it serves and in which it is centrally-located. It is demonstrably special and holds a particular significance. The area is an important central open space that makes a positive and significant contribution both to the local landscape character and

to the setting and the layout of the settlement. It is also local in character and not an extensive tract of land.

- 7.57 The proposed LGSAS2 is located to the south of LGSAS1 to the immediate south of Jarvis Lane. It is 1.5 hectares in size and is an agricultural parcel of land. I am satisfied that it is in reasonably close proximity to the community it serves and is local in character.
- 7.58 The Plan contends that the 'area is of local significance because it affords long reaching views over the AONB to the south. This area is also used by the adjacent Bethany School for occasional hockey games as well as regularly by the community as a recreational walking area and for flying kites, playing with children and exercising dogs, etc. It also has public access via two access points through the hedge boundaries'
- 7.59 I looked at the proposed LGS very carefully during the visit. The parcel of land is attractive in its own rights, sits within its wider landscape and affords long-ranging views to the south and east. Nevertheless, there is little to distinguish it from adjacent parcels of agricultural land. As such I have concluded that it is not demonstrably special to the local community and holds a particular significance. In the round it fails to meet the high standards expected of proposed LGSs in national legislation. In these circumstances I recommend that it is removed from the schedule of LGSs.

Relationship between proposed LGSs and Policy L5

- 7.60 Policy L5 sets a policy context for the retention of a Gap between the two separate elements of Goudhurst village. At the same time four LGSs are proposed within the Gap (LGS99/100/102/AS22). In general terms I am satisfied that open areas within the Gap can also be identified as LGSs where the proposed LGS meets the criteria for such a designation.

LGS summary

- 7.61 On the basis of all the information available to me, including my own observations, I am satisfied that with the exception of proposed LGSs 102, AS2 and AS20 the proposed LGSs comfortably complies with the three tests in the NPPF and therefore meets the basic conditions. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy. Lower Glebe Field Goudhurst (LGAS22) and Millennium Green, Kilndown (LGS106) are particularly good examples of informal and formal LGSs respectively.
- 7.62 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that they are consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. There are no proposed residential developments which would conflict with the proposed LGSs in the emerging Tunbridge Well Borough Local Plan (2038). Secondly, I am satisfied that the LGSs are

capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.

- 7.63 The policy itself sets out the implications for LGS designation. It seeks to follow the approach as set out in paragraph 101 of the NPPF. However, it uses a different language to that in the NPPF and does not explain what it means by the ‘degradation’ of a LGS. At the same time, it does not directly link its approach to the LGSs as detailed in the supporting text and on the three settlement area maps.
- 7.64 In order to remedy these issues I recommend modifications so that the policy directly relates to the identified LGSs and takes the matter-of-fact approach in the NPPF. The recommended modification also takes account of the recent case in the Court of Appeal on the designation of local green spaces and the policy relationship with areas designated as Green Belts (2020 EWCA Civ 1259).
- 7.65 In the event that development proposals affecting designated LGSs come forward within the Plan period, they can be assessed on a case-by-case basis by TWBC. In particular the Borough Council will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy. I recommend that the supporting text clarifies this matter.
- 7.66 TWBC helpfully points out that three proposed LGSs (97 St Mary’s Churchyard, AS17 Land between Bankfield Way and High Ridge and AS23 Playground) are identified as meeting the criteria for LGS designation in the Assessment but are not included in the Plan in general, and the relevant policy maps in particular. In this context I have examined the Plan as submitted. Whilst the Assessment has helpfully underpinned the Plan it is an evidence document and not part of the Plan itself.

Replace the policy with:

‘The Plan designates local green spaces as shown on Maps 7.13, 7.14 and 7.15.

‘Development proposals within the designated local green spaces will only be supported in very special circumstances’

Delete LGS 102, AS2 and AS20 from the relevant Maps.

At the end of paragraph 9.3 add: ‘Policy L9 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the Borough Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy’

Policy L10 Views

- 7.67 This policy comments that development should conserve important views into, out of, and between the settlements from any area to which the public has access. It identifies 18 key views which are categorised into exceptional/important/character views. I looked at a selection of the key views during the visit.
- 7.68 The policy is underpinned and supported by the Views Assessment document. It is a hugely-impressive piece of work which follows the same format of the Plan itself.
- 7.69 Notwithstanding the excellent underpinning work the policy adopts a very general approach rather than one which highlights the specific importance of the key views. I recommend modifications to remedy this issue.

Replace the policy with: ‘Development proposals should be designed and arranged to conserve important views into, out of, and between the settlements from any area to which the public has access. In particular development proposals should respect, safeguard and be designed to take account of the Key Views as described in table [insert number] and the Views Classification in paragraph 7.18 of the Plan’

Include a table number for the Views information as shown on pages 38-41 of the Plan (to provide a context for the modified policy)

Policy C1 Community Facilities

- 7.70 This policy offers support for the development of new or improved community facilities. It takes an appropriate and non-prescriptive approach.
- 7.71 The wording of the policy includes the words ‘in general’. However, the circumstances where a different approach would be taken are not specified. On this basis I recommend the removal of this part of the policy.

Remove ‘in general’ from the policy

Policy C2 Accessibility

- 7.72 This policy offers support to developments proposals which would create or improve accessibility to facilities within the Parish. The second part of the policy comments that proposals which detract from access to community facilities will be rejected. Whilst the intention of the second part of the policy is entirely appropriate, I recommend that the wording used is modified so that it has the clarity required by the NPPF and relates to the development management process. Otherwise, it meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

Replace the second sentence with a separate part of the policy to read: ‘Development proposals which would unacceptably detract from accessibility to community facilities, will not be supported’

Policy C3 Developer Contribution

- 7.73 The policy comments that the Parish Council will maintain a list of costed and documented projects that may be fully or partly funded by developer contributions (Section 106 agreements).
- 7.74 The intention of the policy is clear. However, it is not directly a policy and is effectively the description of a process. In any event the broader issue of the potential use of developer contributions is already captured in P5 of the Parish Action Plan (in Section 13 of the Plan). In these circumstances I recommend the deletion of the policy.
- 7.75 Given that the supporting text in general, and as paragraph 166 in particular draws attention to the Parish Action Plan, I am satisfied that it should remain in the Plan following the deletion of the policy.

Delete the policy

Policy C4 Assets of Value within the Community

- 7.76 This policy celebrates the importance of community facilities to the well-being of the parish. It comments that development proposals that will result in the total or partial loss of an actively-used asset or amenity that is of value to our community will not be supported. The policy identified ten such assets in the parish.
- 7.77 I am satisfied that both the approach taken and the community assets identified are appropriate. Nevertheless, I recommend that the description of the assets included in the policy is modified to avoid any confusion within the Plan period. This is particularly important as paragraph 170 identifies that GPC has no intentions of designating any Assets of Community Value (in a specific legal fashion). However, the title of the policy which includes 'Assets of Value' is not sufficiently distinct from 'Assets of Community Value'. GPC commented helpfully on this matter in its response to the clarification note. It suggested the alternative title of 'Important Community Resources'. I recommend accordingly.

Replace 'asset or amenity.....our community' with 'an important community resource'

Before the list of ten facilities replace 'The following are considered important assets of the community' with 'The Plan identifies the following facilities as Important Community Resources'

Replace the policy title with: 'Important Community Resources'

Policy C5 Broadband and Mobile Infrastructure

- 7.78 This policy acknowledges the importance of good broadband and mobile infrastructure to the well-being and economy of the parish. It comments that development proposals that seek to expand electronic communication networks and high-speed broadband that benefit the parish will be supported.
- 7.79 The policy takes an appropriate and positive approach to this matter. Many such installations benefit from permitted development rights or are processed via prior

approval methods. As such I recommend that the policy is modified so that it applies only to proposals which require planning permission. Otherwise, it meets the basic conditions.

At the beginning of the policy add: ‘Insofar as planning permission is required’

Policy C6 Protecting & improving Public Rights of Way

- 7.80 This policy recognises the importance of the public right of way (PROW) network in the parish. It comments that new development should protect and, where possible, enhance the existing PROW network and its setting.
- 7.81 The policy has been carefully considered. It meets the basic conditions.

Policy H1 Housing Mix

- 7.82 This policy sets out to deliver a range of house sizes to support sustainable communities and to reflect current and future local housing needs. Its approach is underpinned by published local information.
- 7.83 The policy comments that all housing developments of more than one unit should provide a mix of dwellings that falls within the following range – a minimum of 40% to be a mix of 1 and 2 bed dwellings and a maximum of 15% to be 4+ bed dwellings. The policy recognises that viability issues may not always make this approach practicable.
- 7.84 I sought the GPC’s comments on the appropriateness of the threshold of two homes in the clarification note. In its response it advised that:
- ‘The challenge in Goudhurst is our location. Sites, when they come forward, are generally always small and do not meet the national or local thresholds seen in larger locations. Goudhurst has a need for smaller properties demonstrated by our and TWBC’s housing needs surveys. The intent of the policy is to ensure development proposals focus on the needs of our community. We do not believe that the policy is rigid as the viability element allows for a level of compromise. Our objective is to ensure that any planning approvals can be conditioned based on this policy such that any future applications for changes to approvals do not weaken the objectives of our NDP’.*

- 7.85 I am satisfied that there is compelling evidence for the delivery of smaller homes in the parish. I also acknowledge that many developments which come forward in the parish will be limited in scale and that the adoption of a higher figure would filter out many schemes from the implications of the policy. In this context the challenge is crafting a policy which marries up the two issues given that, as submitted, the policy is mathematically-based and would apply more effectively to larger schemes.
- 7.86 I recommend modifications to remedy this issue. Their effects are three-fold. The first brings the clarity to the policy wording provided by the NPPF. The second expands the supporting text to explain the operation of the policy. The third includes an element in the supporting text on the extent to which the mathematical approach in the policy would be applied to smaller developments (of two to five dwellings).

Replace the policy with:

‘Subject to viability issues, housing developments of two or more dwellings should provide a mix of dwellings which incorporates a minimum of 40% of 1 and 2 bed dwellings and a maximum of 15% of 4+ bed dwellings.

An alternative mix of housing sizes will be supported where a robust justification is provided that the scheme would reflect the most up-to-date housing needs evidence available’

At the end of paragraph 186 add: ‘Policy H1 addresses this important matter. It acknowledges that the majority of development sites which come forward in the neighbourhood area will be small in nature. As such the threshold for the application of the policy is two homes. The second part of the policy recognises that housing needs may change in the plan period and that alternative mixes of housing sizes have the ability to be supported where they are evidence-based. Plainly the mathematical nature of the first part of the policy will be easier to apply to larger schemes. As such proposals for two to five homes should demonstrate the way in which they have sought to comply with the details of the policy and the way in which the proposed house sizes directly meet the most up-to-date housing needs in the part of the parish concerned.’

Policy H2 Affordable Housing

- 7.87 The policy seeks to ensure that appropriate levels of affordable housing are delivered through the development of private housing. A housing needs survey was completed for GPC by Action for Communities in Rural Kent in 2017 and underpins the policy approach.
- 7.88 The policy comments that proposals for development should reflect local housing need and that 25% of all dwellings must be provided as affordable homes in all developments delivering 4 to 8 dwellings.
- 7.89 I sought advice from GPC about the significance of the 4-8 homes thresholds in the policy. I was advised that:
- ‘(for similar reasons for Policy 1) developments in Goudhurst do not meet the 9-dwelling (TWBC) threshold. Without some level of affordable housing provision in the Parish the proportion of affordable homes in the Parish will continue to fall. Developments over nine dwellings will be captured under the TWBC policy. We recognise this will differ from the Local plan but, as above, our objective is not to put rigid controls in place but to frame a discussion and to condition approvals’*
- 7.90 I have considered this matter very carefully given the importance of the matter to the local community. I have also taken account of the representation from TWBC that Local Plan Policy H3 Affordable Housing applies to developments with a net increase of more than nine dwellings. The representation also advises that sites in the AONB delivering six to nine are expected to provide a financial contribution to affordable housing. In these circumstances I am not satisfied that the proposed policy adds any distinctive value to the existing policy context in general terms. In particular the difference between its threshold of four dwellings and the existing threshold of six dwellings for

sites in the AONB is marginal in nature. As such I recommend the deletion of both the policy and the supporting text.

Delete the policy

Delete paragraphs 192-197

Policy H3 Allocating Affordable Housing

7.91 This policy comments about the allocation of affordable housing. Its approach is that the allocation of affordable housing should be subject to a strong local connection requirement and an agreement which will ensure that it remains as affordable housing for people with a strong local connection in perpetuity. Paragraph 200 identifies a series of requirements and requires that applicant should meet at least two of the criteria.

7.92 I sought GPC's views on the extent to which the policy is a land use policy or an expression of how TWBC will apply its powers under the Housing Acts to allocate any affordable housing which may come forward in the parish. I was advised that:

'Our intention has been to create a community land trust (CLT) which would be the vehicle, in conjunction with a housing supplier, to manage affordable housing allocations. This is a significant effort for a small community with limited growth and we are working to engage with other local parishes to share the burden of development and management of a CLT'.

7.93 Plainly the development of a CLT would be a very positive step for GPC. However, such an approach would not be a land use matter. In a similar way whilst the delivery of affordable housing is a land use matter its eventual allocation is not a land use matter. In these circumstances I recommend that the policy and the supporting text are deleted.

Delete the policy

Delete paragraphs 198-201

Policy H4 Rural Exception Sites

7.94 This policy comments that proposals for the development of affordable housing schemes on appropriately-located rural exception sites will be supported.

7.95 In its response to the clarification note GPC acknowledged that the policy adds little to national and local planning policies. Nevertheless, it expressed its view that the inclusion of the policy reinforces the importance of this matter and offered a degree of local support for and ownership of the matter.

7.96 On balance, I am satisfied that the policy serves a particular purpose in the Plan given its nature and identified housing needs in the parish. However, I recommend that the policy wording is modified to bring the clarity required by the NPPF. I also recommend

modifications to the wording of the supporting text to take account of the recommended modifications to Policy H3.

Delete ‘in general’

In paragraph 203 replace the final sentence with: ‘Homes delivered on rural exception sites will be retained in perpetuity as affordable housing and will be allocated according to the Borough Council’s most up-to-date approach’

Policy H5 Replacing or combining Existing Dwellings

7.97 This policy acknowledges that proposals can come forward for replacement dwellings outside the defined limits of built development. It comments that in such locations the replacement of an existing dwelling by another dwelling within the same residential curtilage will be permitted where the scale, form, height, massing, including relationship with the site boundaries, of the replacement dwelling is compatible with its rural location and the surrounding form of development.

7.98 I am satisfied that the policy takes an appropriate and balanced approach to this matter. Subject to a detailed modification it meets the basic conditions.

Replace ‘permitted’ with ‘supported’

Policy H6 Conversion of Existing Buildings

7.99 This policy recognises that the use of buildings can change on a regular basis and are required to ensure the longer-term use and viability of the building concerned. Its approach is that development proposals for the conversion of existing buildings to alternative uses will generally be supported where the proposed conversion will not materially or adversely affect the character and amenities of the surrounding area or the building itself and it does not result in the loss of a village amenity.

7.100 The policy takes a positive approach to this matter which has regard to national policy in general, and to paragraphs 79c and 119 of the NPPF in particular.

7.101 The policy has attracted a detailed representation from the Ministry of Justice about Blantyre House (the former Blantyre Prison). It suggests changes both to the description of the site (as set out in paragraph 214 of the Plan) and a broadening of the policy approach to address appropriate and sensitive development/redevelopment within the existing developed footprint of existing brownfield sites that may come forward during the Plan period.

7.102 I sought GPC’s opinion on this representation. It commented as follows:

‘The intention of including Blantyre was not to pre-judge the outcome. We do not believe that (the policy) requires any modification as it specifically deals with the conversion of buildings. Expanding it to cover broader development on larger sites would be complex and potentially conflict with TWBC policies in this area’

7.103 I have considered this matter carefully. As highlighted in paragraph 1.4 of this report my role is limited to examining the submitted Plan. As such it would be inappropriate for any recommended modifications to introduce significant new elements or potential

development opportunities into the Plan. Whilst GPC has identified Blantyre House as one of two brownfield sites with the potential for redevelopment within the Plan period it has not provided any details on the sites concerned. Plainly it will be for the Ministry of Justice to pursue any potential development opportunities with TWBC as it sees fit within the context of the current and the emerging development plan. Nevertheless, I recommend that paragraph 214 is modified to take account of the updates provided by the Ministry of Justice. The recommended modification takes a neutral approach towards future development opportunities on this site

- 7.104 I recommend detailed modifications to the wording of the policy to bring the clarity required by the NPPF. The modifications include the repositioning of an element of the submitted policy to the supporting text. Otherwise, it meets the basic conditions. It will assist significantly in delivering the economic dimension of sustainable development.

Replace the policy with:

‘Development proposals for the conversion of existing buildings to alternative uses will be supported where:

- **the proposed conversion will not materially or adversely affect the character and amenities of the surrounding area or the building itself; and**
- **the proposal would not result in the loss of a village amenity’**

At the end of paragraph 211 add: ‘Policy H6 has general effect. In all cases proposals for the conversion of buildings to other use will need to be compatible with other relevant development plan policies and the above criteria’

Replace paragraph 214 with: ‘The second brownfield site is Blantyre Prison. In recent years it has been used as a training centre by the Ministry of Justice and as a Category C/D Semi-Open Resettlement Prison. The prison closed in 2019. The site is the original Fegan Society home, which was built in the nineteenth century. Some of the original buildings remain and exist alongside a range of other buildings and infrastructure that have been developed over time through the site’s use as a detention centre for young offenders and as a prison. There is also row of houses in private ownership on the site along with some housing, originally for prison staff, and offender accommodation. The site is surrounded by a high metal fence and the buildings are surrounded by grassland. This site is remote from all other development, with very limited road and other infrastructure’

Policy B1 New Business Space

- 7.105 This policy recognises that there are a range of issues which drive the demand for new business space. It also acknowledges that tourism is invaluable to the parish and allows retail businesses to thrive. The policy acknowledges that the parish has a high, and increasing, number of people working from home and new services will be needed to support this growth.

- 7.106 The policy comments that planning permission for new business space and tourism facilities will be supported where it relates to one of three types of development. The first is changes of use of rural buildings to business or tourist use. The second is proposals for new building for business or tourist uses. The third is for proportionate extensions to existing buildings for business or tourist use that are on a scale appropriate to the settlement concerned or the open countryside.
- 7.107 The policy has regard to national policy and sets out a positive approach to the types of development which relate to the character of the parish. I recommend that the opening element of the policy is modified so that it provides a clearer context to the policy. I also recommend that the third element of business types to be supported is modified to take on the suggested changes from TWBC. Otherwise, it meets the basic conditions and will assist significantly in delivering the economic dimension of sustainable development.

Replace the opening element of the policy with: ‘Development proposals which would deliver the following elements of business development will be supported:’

Replace the third category of business development with: ‘A proportionate extension to an existing building for business or tourist use that is on a scale appropriate to the needs and functioning of the business and which should not be visually harmful to the appearance and setting of the existing building, the settlement or the open countryside’

Policy B2 Retention of Business Premises

- 7.108 As paragraph 230 of the Plan comments, the objective of the policy is to retain retail premises within the different communities and to retain other business premises which provide local employment and/or local services. The policy has three related elements. The first seeks to retain shops. The second offers support to new or extended business premises. The third seeks to resist proposals which would involve the loss of retail, commercial and hotel/B&B accommodation.
- 7.109 The thrust of the policy is entirely appropriate. Nevertheless, the references to use classes as included in the policy have now been overtaken by the updates to the Use Classes Order in 2020. In particular that Order introduced a new Class E (Commercial Business and Service) which encompasses the following former use classes:
- A1 Shops;
 - A2 Financial and Professional Services;
 - A3 Food and Drink;
 - B1 Business;
 - D1 Non-residential institutions; and
 - D2 Assembly and leisure.
- 7.110 In these circumstances I recommend that the policy is recast to take account of this new national legislation. It incorporates a reference to the new Class E use class. It also includes a reference to the new use class F2 which embraces community halls,

outdoor sport or recreation not involving motorised vehicles or firearms, indoor or outdoor swimming pools or skating rinks, shop of less than 280sqm selling essential goods and at least 1km from a similar shop. This approach may assist in safeguarding any small shops which may become established within the Plan period.

- 7.111 The recommended modifications to the policy make no reference to Use Classes A4 (Pub and drinking establishment) and A5 (hot food take away) uses. In the 2020 Use Classes Order these uses become sui generis uses and the transitional arrangements for permitted changes of use expired on 31 July 2021.
- 7.112 Given that retail units (formerly Class A1) are now incorporated within the new Class E I recommend the deletion of the first part of the policy as its intended application is no longer practicable.
- 7.113 The supporting text in the submitted Plan is of a general nature. As such no consequential changes are required.

Replace the policy with:

‘Development proposals for the change of use of buildings to employment, commercial or business uses, and/ or the extension of, buildings in employment, commercial or business uses will be supported.

Development proposals which would result in the loss of Commercial Business and Services (Class E), Local Community Uses (Class F2), or hotel/bed and breakfast (Class C1) uses will not be supported unless it can be demonstrated that the premises concerned cannot be sold or let on any basis for either reoccupation or redevelopment for employment-generating uses’

Policy B3 Adaptation for Live/Work

- 7.114 This policy takes a positive approach towards flexible accommodation for living and working. It also comments about proposals for office or light industrial units. This element of the policy is also affected by the 2020 Use Classes Order as identified in paragraph 7.109 of this report.
- 7.115 The policy takes an approach which supports new employment development and which overlaps with national and local policies. Nevertheless, to bring the clarity required by the NPPF I recommend the following package of related modifications:
- to separate the live/work part of the policy from that on office/light industrial units;
 - to reconfigure the second part of the policy so that the detailed factors become criteria associated with that part of the policy on office and light industrial units; and
 - to take account of the updates to the Use Classes Order in 2020.

Replace the policy with:

‘Development proposals for the conversion of properties for live/work will be supported.

Proposals for Commercial Business and Services (Class E) that involve the use of part of a building, small-scale free-standing buildings within the curtilage of a building, extensions to a building, or the conversion of outbuildings will be supported subject to the following criteria:

- **all activities are undertaken predominantly the occupants of the dwelling;**
- **additional buildings, extensions or conversions should not detract from the quality and character of the building to which they are subservient by reason of height, scale, massing, location or the facing materials used in their construction;**
- **the employment element does not adversely impact upon road safety or substantially increase traffic volume; and**
- **appropriate car parking is provided within the site’**

Policy D1 Design Considerations

- 7.116 This policy sets out a very positive response to the nationally-important design agenda. It comments that proposals for development must achieve a high quality of design and demonstrate how they complement local vernacular, distinctiveness and the aesthetic qualities of traditional rural settlements and buildings found in the High Weald AONB. The policy includes a series of locally-distinctive design criteria. Paragraph 247 draws attention to the High Weald AONB colour palette and which is recommended for use in the parish.
- 7.117 The principal changes between the 2019 and 2021 versions of the NPPF relate to design matters. Given that the detailed contents of this policy and the way in which it includes locally-distinctive design criteria and provides clear guidance for developers I am satisfied that the submitted Plan continues to have regard to national policy. Nevertheless, I recommend that the supporting text is expanded to address the 2021 version of the NPPF. I also recommend that footnote 47 (as highlighted in paragraph 239 of the Plan) is updated to take account of the 2021 version of the NPPF.
- 7.118 The policy has been very well-developed. For the purposes of clarity, I recommend that the design criteria are applied in a proportionate way based on the scale and nature of the development proposal concerned. Plainly several of the design principles may not be directly applicable to smaller and/or domestic proposals.

In the opening part of the policy insert a full stop after ‘AONB’. Thereafter replace ‘in particular by’ with ‘As appropriate to their scale and location development proposals should respond positively to the following design principles:’

At the end of paragraph 253 add: ‘This approach is consistent with the design-led approach as captured in national planning policy. The Plan sets out the Council’s approach towards a clear design vision and expectations for development sites. This

will ensure that applicants have as much certainty as possible about what is likely to be acceptable'

Update footnote 47 to take account of the 2021 version of the NPPF.

Policy D2 Boundary Treatments

- 7.119 This policy highlights the importance of boundaries in the parish. In Goudhurst native hedges and, low-key wooden fences and gates are typical features of the local environment.
- 7.120 The policy comments that new development should include the use of appropriate boundary treatments of hedges of native species. Paragraph 260 comments that 'hedgerows have been an important feature in defining our landscape and are important to maintaining our landscape for future generations. Hedges will be preferred over fencing or other boundary treatments. Outside the settlements hedges make the most appropriate boundary'
- 7.121 I recommend that the policy is modified so that it adopts a more rounded approach. As submitted, it defaults to the provision of hedges. Whilst this may be appropriate in some rural locations it will not necessarily be the case in the villages.

Replace the policy with: 'Development proposals should incorporate boundary treatments of an appropriate design, height and material to their location. Proposals which include native hedgerows, native tree planting, post-and-rail fencing, low wooden fencing and green hedging will be particularly supported'

Policy D3 Climate Change

- 7.122 This policy seeks to respond to climate change issues and the need for new developments to be more sustainable. It comments that all new development should seek to achieve high standards of sustainability and, in particular, demonstrate in proposals how design, construction and operation will meet a range of environmental performance issues. It sets out five specific sustainability principles with which proposals should comply.
- 7.123 The policy is both realistic and ambitious at the same time. I recommend a modification to the first principle to reflect the representation made by TWBC. Otherwise, the policy meets the basic conditions.

Replace the first design principle with: 'Reduce the use of fossil fuels in line with expectation for net zero emissions by 2030'

Policy D4 Inside the Conservation Areas

- 7.124 This policy addresses development proposals in the designated conservation areas in Goudhurst and Kilndown.
- 7.125 It comments that proposals for development should conserve or enhance the special character of the area and be designed to respond to existing scale, height, form and massing, respecting the traditional pattern of frontages, vertical or horizontal emphasis

of the immediate area. The policy also has separate elements on redevelopment proposals and process requirements for a heritage assessment.

- 7.126 The policy takes an appropriate approach to this important matter and which has regard to national policy. I recommend three modifications to bring the clarity required by the NPPF. The first simplifies the wording of the first part of the policy. The second relates the second part of the policy to buildings which contribute positively to the character or appearance of the conservation area concerned. The third repositions the third part of the policy into the supporting text as it is a process requirement rather than an expression of policy. In doing so I recommend modifications to its wording so that it would apply on a proportionate basis to development proposals. I also recommend a detailed modification to the wording of the supporting text to avoid any potential conflict between the policy and the language used in the text. I also recommend that the policy is underpinned with maps of the two conservation areas at an appropriate scale to bring the clarity required by the NPPF.

In the first part of the policy replace ‘In addition.....a conservation area’ with ‘Development proposals in conservation areas’

In the second part of the policy replace ‘Redevelopment which involves the demolition of an existing building (or part thereof) within a conservation area will be permitted only where the alternative development preserves or enhances’ with ‘Development proposals for the full or partial demolition of a building within a conservation area which contribute positively to its character or appearance will only be supported where the proposed development conserves or enhances’

Delete the third part of the policy.

In paragraph 266 replace ‘to sustain and protect our conservation areas’ with ‘to oversee development within the conservation areas’. At the end of the paragraph add: ‘The two conservation areas are shown on Maps [insert numbers]’

At the end of paragraph 267 add: ‘As appropriate to their scale and nature development proposals within conservation areas should be accompanied by a Heritage Assessment, and a Design and Access statement (where required) showing how the proposal complies with the requirements of Policy D4’

Include a map of each conservation area at an appropriate scale for development management purposes

Policy D5 Outside the Conservation Areas

- 7.127 Paragraph 268 of the Plan sets the scene for this policy. It comments that ‘(b)eyond the conservation areas, where more specific protections may not be available, it remains a key priority for residents of the Parish that development should be sympathetic with the historical and traditional landscape, should not change the profile of the hilltop settlements and should maintain views from those settlements (see Policy

L10 and Views Assessment document). The policy below further enhances the general requirements set out in policies D1 to D3'

- 7.128 GPC's approach to these matters is commendable. Nevertheless, the policy raises two fundamental issues. The first is that it covers the vast majority of the parish and does not provide the granular level of detail required for such a wide area. The second is that the issues which it seeks to address are already adequately captured in other development plan policies, including some policies in the submitted plan itself. In these circumstances I recommend the deletion of both the policy and the supporting text.

Delete the policy

Delete paragraph 268

Policy D6 Extensions

- 7.129 This policy comments that extensions must complement the character of the main dwelling and of the surrounding area. It sets out four criteria with which proposals should comply.
- 7.130 The policy takes an appropriate approach to this matter. However, it makes a statement rather than establishes a policy. I recommend a modification to remedy this issue. I also recommend that the commentary about the cumulative element of the policy is repositioned into the supporting text.

Replace the opening part of the policy with: 'Development proposals for extensions to buildings will be supported where they meet the following criteria:'

At the beginning of each of the four criteria add 'they'

At the end of paragraph 269 add: 'Policy D6 applies both to individual planning applications and to any potential cumulative effects'

Policy T1 Parking in New Development

- 7.131 Paragraph 284 of the Plan provides a very succinct context for this policy. It comments that Goudhurst is a successful village and that the number of cars parking in the village has increased not least because of the success of venues such as the Parish Hall where there is limited parking available. Goudhurst has a car park on Balcombes Hill for sixteen vehicles. This car park is regularly full during daytime and cars are, therefore, parked on-road in Balcombes Hill, West Road, Back Lane, North Road and the High Street which contributes to traffic congestion and safety issues.
- 7.132 This policy seeks to ensure that new housing development does not add to parking issues in the village centre and provides appropriate parking standards. It comments that development proposals for new homes in or adjoining the village and the Goudhurst conservation area and for 200m along B2079 from the village centre, must provide for one off-street parking space within the development site for each bedroom.
- 7.133 I sought GPC's views on the potential risk that a rigid application of the policy could result in development which does not respect its setting in general, and the character of the conservation area in particular. It commented that:

'There are a very limited number of potential development sites in this very small area of the Parish. In this area, the biggest challenge for the community would be the subdivision of a large commercial building into smaller units. The need and type of parking required may change over time. This policy was intended to address the impact of parking in the village centre over the life of this plan. Approval of development without addressing the need for parking in this area of the could itself impact the setting and character of our village centre'

- 7.134 I have considered this matter very carefully. On balance, I am satisfied that the policy addresses an important local issue and, subject to a very detailed modification, meets the basic conditions. I saw the parking issues in Goudhurst village centre and its effects on the free and safe flow of traffic. Nevertheless, I recommend that the supporting text acknowledges that TWBC has a statutory duty to address listed building and conservation area issues in the village centre.

Replace 'must' with 'should'

At the end of paragraph 287 add: 'Policy T1 addresses important car parking capacity issues in Goudhurst village centre. The village centre is a designated conservation area and contains a number of listed buildings. In applying this policy, the Borough Council will also have to give appropriate weight to heritage-related policies both in this Plan and in the wider development plan. In some cases, the issues may pull in different directions and a balanced decision may be required'

Policy T2 Safe Access and Sustainable Transport

- 7.135 This policy seeks to ensure that local residents have safe access in the parish and that transport can be delivered in a sustainable way. Its approach is underpinned by the supporting text commentary that Goudhurst Parish is a dispersed rural community with a higher-than-average ownership of two or more cars per household and that access to bus stops often requires the use of a private car.
- 7.136 The policy sets out a series of requirements for housing proposals. It also sets out to safeguard existing footpaths and footways.
- 7.137 The approach taken is both appropriate and distinctive to the parish. However as submitted the first part of the policy takes a universal approach. In some cases, the criteria will directly relate to new developments. In other cases, this will not be the case. I recommend a modification to ensure that the first part of the policy can be applied in a proportionate way. The second part of the policy meets the basic conditions.

Replace the opening element of the first part of the policy with: 'As appropriate to their scale, nature and location proposals for housing development should:'

Policy T3 Traffic Mitigation

- 7.138 This policy addresses the existing volumes of traffic on the A262. It forms the principal east-west axis in the neighbourhood area. The policy approach is underpinned by

comprehensive supporting text (in paragraphs 299-311). The policy requires that any developments which would impact adversely on road safety will only be supported where mitigation measures can be put in place. I saw some of the issues highlighted in the Plan first-hand during the visit.

7.139 Given the very specific issues experienced in the neighbourhood area, and in Goudhurst in particular, I am satisfied that the policy plays a particular role and adds value to national and local planning policies. However, I recommend that the policy is recast so that it more explicitly relates to the capacity of the local road network. The recommended modification follows the approach in Section 9 (and paragraph 108 in particular) of the NPPF.

7.140 I also recommend that the second and third parts of the policy are repositioned into the supporting text. They describe how the policy should be applied rather than setting out policy in their own right.

Replace the first part of the policy with:

‘Development proposals should be able to be accommodated within the capacity of the local highways network. In particular as appropriate to their scale, nature and location they should ensure that:

- **appropriate opportunities to promote sustainable transport modes can be, or have been taken up, given the type of development and its location;**
- **safe and suitable access to the site can be achieved for all users; and**
- **any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree’**

Delete the second and third parts of the policy.

At the beginning of paragraph 311 add: ‘Policy T3 sets out to address these important issues in the neighbourhood area. Mitigation can be secured by design, developer contributions or other measures agreed with the Parish Council, the Borough Council and the Highways Authority. Traffic impact includes adverse road safety conditions, congestion and pollution on both the main roads and rural lanes’

Parish Actions

7.141 Section 13 includes a series of non-land use Parish Actions. They have naturally arisen during the production of the Plan. Their incorporation in a separate part of the Plan is best practice and is as advised by national policy. In general terms the projects are both appropriate and distinctive to the parish. In some cases, they would complement the associated land use policies.

7.142 The Parish Actions are as follows:

- Access to Affordable Housing (P1)
- Traffic, Parking and Road Safety (P2)

- Improving Parish Facilities (P3)
- Improving Parish Communication (P4)
- Making Use of Developer Contributions (P5)
- Documenting our Community (P6)

Other Matters - General

7.143 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for TWBC and GPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Other Matters – Specific

7.144 TWBC has made several general comments on the Plan. I have found them very helpful as part of the examination process. Similarly, GPC's responses to the comments have also been helpful.

7.145 In several cases the comments have been incorporated into the relevant policies addressed elsewhere in this report. In addition, I recommend modifications to the following relevant sections of the Plan where they are necessary to ensure that it meets the basic conditions:

Paragraph 5

Replace the first sentence with: 'The development plan consists of the saved elements of the Tunbridge Wells Local Plan 2006, the Core Strategy that runs to 2026 and the Site Allocations Local Plan'

Paragraph 9

Replace the sixth bullet point with 'A Habitat Regulations Assessment screening report'

Paragraph 11

Replace '2033' with '2038'

Paragraph 27

Replace '26' with '27' and replace the date in the footnote with 'January 2020'

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2033. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Goudhurst Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended some modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report I recommend to Tunbridge Wells Borough Council that subject to the incorporation of the modifications set out in this report that the Goudhurst Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the Borough Council on 7 November 2016.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
2 September 2021