

Goudhurst Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification.

For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear vision for the neighbourhood area. It addresses a range of issues which relate closely to its character and appearance. The presentation and layout of the Plan is very good. The Plan is supported by excellent photographs and maps. The 'Reading the Plan' section is particularly helpful and informative.

Points for Clarification and observations

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications to the Plan to ensure that it meets the basic conditions. I set out specific clarification points and observations for the Parish Council below in the order in which the policies concerned appear in the submitted Plan.

Policy L5

I looked at the proposed Gap during the visit. I saw the way in which it helped to define the two separate limits to built development in Goudhurst.

How were its boundaries defined?

Please could I have a map showing the proposed Gap to an equivalent scale to that of Maps 7.13-7.15 in the Plan.

To what extent does a specific policy of this nature add value to the existing and emerging policy context for concentrating built development within the two defined boundaries in Goudhurst?

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 is the first element necessary given that such an outcome would be well beyond that required in the second element (that any development should not erode the undeveloped Gap)?

Has the Parish Council given any consideration to the overlap between the policy and Policy L9 (on Local Green Spaces)? In particular how would the different policies be applied to a development proposal which may come forward on parcels of land affected by both policies?

Policy L7

Would the first sentence of the policy read better if it supported developments which retain/safeguard the relevant features?

As I read the second sentence it is supporting text (explaining how the policy would be administered) rather than policy in its own right. Does the Parish Council have any comments on this observation?

Policy L9

The policy is commendably detailed and underpinned by the Green Spaces Assessment.

The Borough Council's equivalent assessment of Local Green Spaces (LGSs) in the wider Borough is now available as part of the consultation on the emerging Local Plan. As identified in its representation on the neighbourhood plan that assessment does not consider that four proposed LGSs which are included in the submitted neighbourhood plan (LGSs 100/105/AS2/AS20) meet the criteria for LGS designation. Does the Parish Council have any observations on the findings of the Borough Council's assessment?

The Borough Council's assessment includes specific details on the sizes of the proposed LGSs whereas the Parish Council's assessment simply makes a high-level judgement about whether the site concerned is local in scale (Y) or an extensive tract of land (N). Is the Parish Council happy for me to rely on the details of the sizes of the proposed LGSs as included in the Borough Council's assessment?

Does the Parish Council have any observations on the representations made by the Bethany School (about the proposed LGS AS2) and by Mr Henley (about the proposed LGS102)?

In relation to proposed LGS 102 is its northern boundary defined by the footpath running from east to west?

Policy L10

The wider approach taken in the policy is very robust and reflects the character of the parish.

The footnote link (25) to the Views Assessment does not work and I cannot find it otherwise on the Parish Council's website. Please can I be sent a copy

Policy C4

I saw the importance of the facilities to the well-being of the parish during the visit.

The text is clear that the facilities are not 'Assets of Community Value' (in a legal sense). In this context the policy title has the ability to be misleading or confusing. I am minded to recommend that it reads as 'Important Community Facilities'

Does the Parish Council have any observations on this proposition?

Policy H1

The intention of the policy is self-evident.

Nevertheless, is a threshold of two houses appropriate and/or realistic?

Policy H2

On what basis has the policy determined the 4 to 8 houses operational window?

Policy H3

Is this a land use policy or an expression of how the Borough Council will apply its powers under the Housing Acts to allocate any affordable housing which may come forward in the parish?

Policy H4

Does the policy add any value to national and local policies on this matter?

Policy H6

Is the use of 'generally' in the policy related to the way in which any development would comply with the two proposed criteria?

Does the Parish Council have any observations on the representation from the Ministry of Justice with regard to Blantyre House?

Policy B2

The policy has now been overtaken by the changes to the Use Classes Order last year. My report will recommend modifications to update its contents

Policy D1

The policy and the supporting text are a first-class response to the increasingly important design agenda.

The proposed colour palette is particularly interesting and innovative.

Policies D4/5

I am minded to recommend that the Plan includes maps of the conservation areas. Otherwise, the policies require a reference to a separate document. Does the Parish Council have any observations on this proposition?

In Policy D4 the third part reads as supporting text (explaining how the policy would be administered) rather than policy in its own right. Does the Parish Council have any comments on this observation?

Policy T1

I saw first-hand the impact of through traffic/HGVs in Goudhurst during the visit. In this context the intention of the policy is clear.

However, is there a 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?

Policy T2

I am minded to recommend a modification so that the policy would be applied proportionately based on the scale, nature and the location of the proposal concerned.

Does the Parish Council have any observations on this proposition?

Policy T3

Does the policy add any value to national and local policies on this matter?

Parish Action Plan

The six identified projects are commendably distinctive to the Parish and complement the relevant policies and the wider approach in the Plan.

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan in addition to the specific representations mentioned in this Note on a policy-by-policy basis?

The representation from Tunbridge Wells Borough Council raises several detailed refinements to the Plan and its policies. It would be helpful if the Parish Council would indicate the extent to which it would be content to incorporate the various comments into the Plan.

Protocol for responses

I would be grateful for responses to the matters raised in this Note by 17 June 2021. Please let me know if this timetable may be challenging to achieve. In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis.

Irrespective of how the information is assembled please could it all come to me directly from Borough Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Goudhurst Neighbourhood Development Plan.

27 May 2021