

Capel Parish Neighbourhood Development Plan 2022-2038

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

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Executive Summary

- 1 I was appointed by Tunbridge Wells Borough Council in October 2023 to carry out the independent examination of the Capel Parish Neighbourhood Development Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 12 January 2024.
- 3 The Plan is a good example of a neighbourhood plan. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It has sought to be complementary to the policies in the emerging Tunbridge Wells Local Plan.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the 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
29 April 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Capel Parish Neighbourhood Development Plan 2022-2038 ('the Plan').
- 1.2 The Plan was submitted to Tunbridge Wells Borough Council (TWBC) by Capel Parish Council (CPC) 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, 2018, 2019, 2021 and 2023. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether 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 indirectly from 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 and 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 existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance. It has been produced whilst the emerging Tunbridge Wells Borough Local Plan was being examined. That examination continues. The wider process has raised a series of issues.
- 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 CPC, to conduct the examination of the Plan and to prepare this report. I am independent of both TWBC and CPC. 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 41 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. 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 System.

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 as submitted should proceed 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 Section 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 and am satisfied that they have been met.

3 Procedural Matters

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

- the submitted Plan (including the details in the appendices and the evidence base).
- the Basic Conditions Statement.
- the Consultation Statement.
- the SEA/HRA screening reports (February 2023)
- the Capel Design Guidelines (August 2023)
- the representations made to the Plan.
- CPC's responses to the clarification note.
- the adopted Tunbridge Wells Core Strategy.
- the adopted Tunbridge Wells Site Allocations Local Plan.
- the emerging Tunbridge Wells Borough Local Plan.
- TWBC's decision on the Inspector's preliminary findings on the emerging Local Plan.
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 12 January 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood 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 concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of many of the representations and the professional way in which the Plan has been developed. I held a clarification meeting with TWBC and CPC on 20 March 2024 to discuss the implications of the revisions to the emerging Local Plan.

3.4 The NPPF was updated in both September and December 2023 after the Plan had been submitted for examination. For clarity, I have assessed the Plan against the December 2023 version of the NPPF for the way in which it has regard to national policy.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control 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 (as amended), CPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is a good example of a Statement of this type. It sets out key findings in a concise report which is supported by more detailed appendices.
- 4.3 Section 2 of the Statement comprehensively records the various activities that were held to engage the local community. It does so around five key stages in the process. It provides specific details on the consultation processes that took place on the pre-submission version of the Plan (April to May 2023).
- 4.4 Appendix C of the Statement provides the details of the ways in which the Plan was refined because of this process. This helps to describe how the Plan evolved.
- 4.5 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. TWBC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by TWBC. It ended on 17 October 2023. It generated representations from the following organisations:
- Leander Homes
 - Dandara South East
 - Environment Agency
 - The Hadlow Estate
 - Historic England
 - Upper Medway Internal Drainage Board
 - National Highways
 - Natural England
 - Rydon Homes
 - Southern Water
 - Sport England

- Crest Nicholson
- Brenchley and Matfield Parish Council
- The British Horse Society
- Save Capel
- Kent County Council
- Tunbridge Wells Borough Council

4.7 Comments were also received from parishioners either personally or through an agent.

4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Capel. It is located between Tonbridge to the west and Paddock Wood to the east. Its population in 2011 was 2467 persons living in 954 households. It was designated as a neighbourhood area on 17 February 2020.
- 5.2 The parish is primarily rural in character. Five Oak Green is the main settlement in the parish. It is an identified Village in the Core Strategy. In addition, the parish consists of the hamlets at Whetsted, Crockhurst Street, Capel, Colts Hill, Tudeley, Castle Hill, the area around Badsell/Dampiers Corner, the area around Hartlake and the Postern.
- 5.3 As the Plan describes, most of the parish lies in the Low Weald to the south of the River Medway. The more densely wooded south of the parish is within the designated High Weald National Landscape. Most of the Parish is within the Metropolitan Green Belt. The exceptions are the south-eastern corner, the north-eastern corner, and within the western part of the parish immediately abutting Tonbridge. In the round, it is an interesting and varied parish within which to produce a neighbourhood plan

Development Plan Context

- 5.4 The development plan context in the Borough is both complex and evolving. This has presented a series of challenges both for the submitted Neighbourhood Plan and for its examination.
- 5.5 The Tunbridge Wells Borough Core Strategy 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 to optimise the vitality of the Borough's town centres and to protect the distinctive character of the rural environment. In this context most of the 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. Five Oak Green is one of a series of identified villages.
- 5.6 Core Policy 14 comments about development in the Villages and the Rural Areas. It is a comprehensive policy which includes the following elements:
- new development will generally be restricted to sites within the Limits to Built Development (LBD) of the villages in accordance with Core Policy 1: Delivery of Development. Development will be appropriate to the scale and character

of the settlement. Sites capable of accommodating 10 or more dwellings will be required to provide affordable housing in accordance with Core Policy 6 (4) and (5);

- 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. The rural economy will be strengthened and its long-term sustainability safeguarded by providing opportunities for commercial activities that utilise rural buildings and resources appropriately, including rural buildings that are no longer required or suitable for agricultural use. Employment uses related to the land will be encouraged, including appropriate forms of tourism, agriculture, forestry, and equestrian activity;
- the countryside will be protected for its own sake and a policy of restraint will operate to maintain the landscape character and quality of the countryside; and
- the interrelationship between the natural and built features of the landscape will be preserved, enhanced and, where necessary, restored, this being the principal determinant of the character of the rural areas. Development will maintain the local distinctiveness of localities.

5.7 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.

5.8 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.

Policy LBD1 Limits to Built Development

5.9 It is this broader context which I am required to consider as part of the assessment of the Plan against the basic conditions.

5.10 The Core Strategy is underpinned by the Sites Allocations Local Plan. It was adopted in 2016. That Plan identifies a series of housing allocations in the Borough. No such sites are allocated in Capel parish.

5.11 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. It provides

confidence to all concerned that the submitted Plan sits within its local planning policy context. The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

- 5.12 TWBC is well-advanced on the preparation of a new Local Plan. It is currently being examined. Once adopted it will replace the existing development plans. The Submission Version of the Plan includes a series of strategic development proposals. Two of those proposals affect the parish. The first is the proposed development of Tudeley Village (STR/SS3). This site is wholly in the parish. The second is the proposed development at Paddock Wood/Land at East Capel (Policy STR/SS1). Most of this site is within the eastern part of the parish.
- 5.13 The Local Plan was submitted for examination in November 2021. A series of hearing sessions on the Plan were held in March 2022 (Stage 1) and May to July 2022 (Stage 2). The Inspector's initial findings were published in November 2022.
- 5.14 TWBC considered the Inspector's initial findings and in December 2023 proposed the following changes to the Plan (insofar as they affect the parish):
- the removal of the strategic policy STR/SS 3: The Strategy for Tudeley Village;
 - revisions to the strategic policy STR/SS 1: The Strategy for Paddock Wood and land at east Capel, including a reduction in the amount of residential housing growth by approximately 1,000 dwellings, with all housing being on Flood Zone 1 and employment land on Flood Zone 2, along with a reduction of employment provision, and reconfigured sport and recreation provision and secondary school education provision; and
 - the progression of the Plan with a 10-year housing land supply position including the requirement for an immediate review of the plan.
- 5.15 Planning practice guidance advises that although a draft neighbourhood plan is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested (ID: 41-009-20190509). It also comments that where a neighbourhood plan comes forward before an up-to-date local plan is in place the local plan authority (here TWBC) and the qualifying body (here CPC) should discuss and aim to agree the relationship between the policies in the emerging neighbourhood plan, the emerging Local Plan and the adopted development plan having regard to national policy and guidance. I have considered this guidance very carefully both in general terms and as it applies to the submitted Plan. The matter is complicated for three related reasons. The first is the scale of strategic development proposed in the Local Plan (as submitted in 2021). The second is the significance of TWBC's modifications to the Plan following the Inspector's interim findings. The third is that the anticipated timing relationship between the two plans has now changed with the protracted nature of the Borough Local Plan examination process.

- 5.16 In this context, I have recommended modifications to Policy C1 of the submitted Plan to reflect these circumstances. The details are set out in Section 7 of this report. This approach reflects planning practice guidance about the importance of minimising any conflicts between policies in a neighbourhood plan and those in the emerging local plan, including housing supply policies. This importance is underpinned by section 38(5) of the Planning and Compulsory Purchase Act 2004 which requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.
- 5.17 TWBC's Local Development Scheme (December 2023) takes account of these evolving circumstances. It anticipates that the emerging Local Plan will be adopted at the end of 2024.

Visit to the neighbourhood area

- 5.18 I visited the neighbourhood area on 12 January 2024. I approached it from Tonbridge to the west. This helped me to understand its position in the wider landscape and its accessibility to the strategic road network.
- 5.19 I looked initially at Tudeley I saw that the B2017 formed the boundary between the Green Belt to the north and the National Landscape to the south and west of the settlement. I saw the way in which several of the buildings related to the agricultural heritage of the neighbourhood area.
- 5.20 I then looked at Five Oak Green. Its vibrant role within the wider community was self-evident. I saw the importance of the School (to the west of the village) and the Village Hall and the playing fields (to the east of the village).
- 5.21 I took the opportunity to look at Capel. I saw the various commercial uses along Alders Road. I also looked at the St Thomas a Becket Church.
- 5.22 Throughout the visit I took the opportunity to look at the various proposed local green spaces. I saw their different locations and sizes.
- 5.23 I left the neighbourhood area on the B2017 (to the east of the A228) and drove to Paddock Wood. This part of the visit helped me to understand the relationship between the neighbourhood area and that important nearby settlement.

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 in the preparation of this section of the report. It is an informative and well-presented document.
- 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;
 - not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

National Planning Policies and Guidance

- 6.3 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 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Capel Parish Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the development plan as described in Section 5 of this report;
 - 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.

- 6.5 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.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy, including Planning Practice Guidance and the recent ministerial statements.
- 6.7 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 subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies on development and environmental matters. It has a focus on designating local green spaces and identifying locally-significant views.
- 6.8 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. 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. It also advises that policies should be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted, the Plan does not fully accord with this range of practical issues. Most 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

- 6.10 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. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy for the location of new development (Policy C1). In the social dimension, it includes policies on housing needs (Policy C2), Local Green Spaces (Policy C10), and on pubs and community facilities (Policies C12 and C13). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on character and design (Policy C3), on flooding (Policy 5), on heritage assets (Policy C6) and on locally-significant views (Policy C11). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the Borough in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted 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.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan (General) (Amendment) 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.
- 6.14 In order to comply with this requirement, TWBC undertook a screening exercise in February 2023 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan is unlikely to have a significant effect on the environment and therefore does not require a Strategic Environment Assessment.

Habitats Regulations Assessment

- 6.15 TWBC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It assesses the potential impact of the Plan's policies on the Ashdown Forest SPA/SAC.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.17 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. None of the statutory consultees have raised any concerns regarding either neighbourhood plan or to European obligations. 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

- 6.18 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. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

6.19 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. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.

7.2 The recommendations focus on the policies in the Plan 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 Plan area. The wider community and CPC 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 (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land. It also includes a package of non-policy actions.

7.5 I have addressed the policies in the order that they appear in the submitted Plan. The non-policy actions are addressed after the policies.

7.6 For clarity, this section of the report comments on each of the policies in the Plan.

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.

The initial parts of the Plan (Sections 1 to 3)

7.8 The Plan is well-organised and presented. It has been prepared with much attention to detail and local pride. It makes an appropriate distinction between the policies and their supporting text.

7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.

7.10 The Introduction identifies the Plan period (paragraph 1.1) and defines the neighbourhood area (in Figure 1). It also comments about the wider planning system and the way in which the Plan was prepared. It highlights the strategic development proposed in the emerging Local Plan (at that time). It also comments about how the community has been engaged in the development of the Plan. This element overlaps with the submitted Consultation Statement.

7.11 Section 2 provides information about the neighbourhood area. It provides interesting and comprehensive details which help to set the scene for the eventual policies. It also comments about the challenges facing the parish.

- 7.12 Section 3 sets out the vision and objectives for the Plan. It makes a strong functional relationship between the various issues and, in several cases, they set a useful context for the resulting policies. The Vision neatly summarises the approach taken as follows:

‘Capel Parish in 2038 will be rural, calm, and quiet. A well connected, functional, friendly village community. Capel Parish will be a happy and healthy community with enjoyable family activities such as the village fete. It will be playful, inviting, bike friendly with fewer lorries and safe roads for all - the right vehicle on the right road. There will still be great views, protected heritage, green space, high biodiversity, a prominent public rights of way network and functioning working farms. The individual settlements within Capel Parish will remain separate from one another and from nearby towns and be a satisfying, rural and sustainable community of villages and hamlets including protected and diverse countryside with wildlife at its heart. The overall vision for development in Capel Parish is to maintain the rural nature of the community, enhance biodiversity and respect the nature of each community within the Parish and the Green Belt that surrounds it. All development within Capel Parish must be consistent with the Neighbourhood Plan Objectives.’

- 7.13 A key element of the Plan is the way in which its policies are directly underpinned by detailed appendices. This enhances the legibility of the Plan.
- 7.14 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 of this report.

General Format of the Policies and the Recommended Modifications

- 7.15 The policies are effectively presented in boxes. They are underpinned by extensive supporting text. The initial paragraph of the associated text explains the purpose of the policy. In some cases, they are underpinned by specific appendices or evidence documents. This is best practice. It provides assurance to all concerned that the Plan reflect appropriate evidence.
- 7.16 The recommended modifications are presented in one of two ways. The first describes the recommended modifications in relation to the submitted policy. The second recommends a replacement policy when this approach would be more practical. In both cases, the outcome is a modified policy which will meet the basic conditions. In most cases, the recommended modification refines the wording used so that the relevant policies can be implemented clearly and consistently by TWBC through the development management process.

Policy C1: A Green Capel – Promoting Sustainable Development in Capel Parish

- 7.17 This is a general policy. Its ambition is that development within Capel Parish should be comprehensively planned and informed by local character and distinctiveness and local community input.
- 7.18 The Plan advises that the policy would influence strategic development (supplementing strategic allocations in the emerging Local Plan once adopted) as

well as windfall development. In summary the policy requires that development proposals should:

- be underpinned by a framework masterplan;
- respect the character, heritage, environment, and landscape settings of the existing main settlements (Five Oak Green, Capel, Colts Hill, Crockhurst Street, Tudeley Hale, Tudeley, Whetsted) and the smaller hamlets;
- proposals are landscape-led and a sensitive approach has been adopted in the transition between built development and the countryside setting of new and existing settlements; and
- new villages/ village extensions/ urban extensions should retain existing landscaping to enable the visual and physical separation of settlements (including from Paddock Wood, Tonbridge, and Five Oak Green) within the natural greenspace of the Weald.

- 7.19 The neighbourhood plan has been produced within the context of the emerging Tunbridge Wells Borough Local Plan. The Local Plan was submitted for examination in November 2021. It included a series of strategic development proposals. Two of those proposals affect the parish. The first is the proposed development of Tudeley Village (STR/SS3). This site is wholly in the parish. The second is the proposed development of Paddock Wood/East Capel (STR/SS1). Most of this site is within the eastern part of the parish.
- 7.20 A series of hearing sessions on the Plan were held in March 2022 (Stage 1) and May to July 2022 (Stage 2). The Inspector's initial findings were published in November 2022.
- 7.21 TWBC considered the Inspector's initial findings and in December 2023 proposed the following changes to the Plan (insofar as they affect the parish):
- the removal of the strategic policy STR/SS 3: The Strategy for Tudeley Village;
 - revisions to the strategic policy STR/SS 1: The Strategy for Paddock Wood and land at east Capel, including a reduction in the amount of residential housing growth by approximately 1,000 dwellings, with all housing being on Flood Zone 1 and employment land on Flood Zone 2, along with a reduction of employment provision, and reconfigured sport and recreation provision and secondary school education provision; and
 - the progression of the Plan with a 10-year housing land supply position including the requirement for an immediate review of the Plan.
- 7.22 Consultation took place on the proposed changes to the Plan between January and April 2024. The comments received will be sent to the Planning Inspector in due course.
- 7.23 These changes to the Local Plan have significantly affected the relationship that was intended between the Neighbourhood Plan and the Local Plan at the time that the former was submitted for examination. Two key changes have taken place. In the

first instance, the Tudeley Village proposal is no longer proposed to be included in the emerging Local Plan. In the second instance, there is now every prospect (subject to the referendum process) that the neighbourhood plan will be made before the Local Plan is adopted. In these circumstances, I held a clarification meeting with CPC and TWBC to decide how best to proceed with the examination of the neighbourhood plan.

- 7.24 During the clarification meeting, the Parish Council reflected on these changed circumstances. It decided that it will monitor the way in which the Local Plan proceeds and not to include any policies at this point to supplement the strategic approach being taken by TWBC. It also concluded that it would consider the need or otherwise for the inclusion of specific policies on any Local Plan allocated sites in the parish (after the Local Plan has been adopted) in a review of the Plan. This situation is explained in greater detail in Section 10 of the Plan.
- 7.25 In this wider context, I recommend that the policy is deleted. I also recommend that the supporting text is revised so that it explains the way in which CPC will address the situation. This approach has considerable merit. It avoids the neighbourhood plan including any policies about the scale and location of new development in the parish which may be overtaken by the eventual strategic approach in the adopted Local Plan. It will also allow CPC to decide whether (or not) it wishes to review the neighbourhood plan to add further detail to policies in the adopted Local Plan which affect growth in the parish.

Delete the policy

Replace paragraphs 5.1 to 5.6 with:

'Much of the Parish lies within the Metropolitan Green Belt. The exceptions are Five Oak Green village and three relatively small parcels within the parish (outside Five Oak Green); in the south-eastern corner, the north-eastern corner, as well as centrally within the western part of the parish immediately abutting Tonbridge. The Green Belt designation has served to restrict the quantum of development possible in the parish.

The neighbourhood plan has been produced within the context of the emerging Tunbridge Wells Borough Local Plan which was submitted in November 2021. At that time, the Plan included a series of strategic development proposals. Two of those proposals affect the parish. The first is the proposed development of Tudeley Village (STR/SS3). This site is wholly in the parish. The second was the proposed strategic development at Paddock Wood and east Capel (Policy STR/SS1). Most of this site is within the eastern part of the parish

A series of hearing sessions on the Plan were held in March 2022 (Stage 1) and May to July 2022 (Stage 2). The Inspector's initial findings were published in November 2022.

TWBC considered the Inspector's initial findings and in December 2023 proposed the following changes to the Plan (insofar as they affect the parish):

- *the removal of the strategic policy STR/SS 3: The Strategy for Tudeley Village.*
- *Revisions to the strategic policy STR/SS 1: The Strategy for Paddock Wood and land at east Capel, including a reduction in the amount of residential housing growth by approximately 1,000 dwellings, with all housing being on Flood Zone 1 and employment land on Flood Zone 2, along with a reduction of employment provision, and reconfigured sport and recreation provision and secondary school education provision (as set out at Appendix D of the Development Strategy Topic Paper Addendum).*
- *The progression of the Plan with a 10-year housing land supply position including the requirement for an early review of the plan.*

The Parish Council has reflected on these changed circumstances. It has concluded that it will monitor the way in which the Local Plan is progressed and not to include any policies to supplement the approach being taken by the Borough Council at this stage. In this context it will consider the need or otherwise for specific policies to be included on any Local Plan allocated sites in the parish (after the Local Plan has been adopted) in a review of the Plan. This situation is explained in greater detail in Section 10 of the Plan.'

Policy C2: Meeting Local Housing Needs

- 7.26 This policy seeks to ensure that there is a range of general housing that is designed to be capable of meeting the specific housing needs of the parish. The supporting text advises about the importance of any new residential development within Capel Parish addressing local housing needs, whilst also contributing to the wider strategic needs of the Borough.
- 7.27 The policy is underpinned by a Local Housing Needs Assessment (LHNA) published in October 2021. It builds on the work of the Strategic Market Housing Assessment at the strategic level as well as national datasets and population forecasts. It explores issues of tenure, affordability, type, and size in Capel.
- 7.28 The policy comments that other than in development designed to meet an identified specialist housing need, the mix of housing sizes, types, tenures, and affordability in proposed development should, in so far as is reasonably practicable and subject to viability, assist in meeting needs identified in the most-recently available Capel LNHA. It includes specific commentary on the delivery of smaller homes, the mix of affordable housing, the delivery of First Homes, the integration of affordable homes into market housing, the local cascade process for the allocation of affordable housing, and meeting the needs of older persons.
- 7.29 In the round, the policy takes a positive approach to these matters. In addition, it is underpinned by appropriate and up-to-date information.
- 7.30 Plainly the scale and location of new residential development on the parish will be significantly influenced by the emerging Local Plan. In addition, the development of

any strategic development sites in the Local Plan within the parish will be affected by the details in the relevant policies in the Local Plan. In these circumstances, I recommend that the supporting text is modified so that it advises that the policy does not apply to strategic development. This will be consistent with the recommended approach to Policy C1. In a similar way, it will allow CPC to assess the extent to which the policy may need to be reviewed or updated once the Local Plan has been adopted.

- 7.31 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development

Replace paragraph 5.8 with: ‘The policy has been prepared to address local housing needs in the parish. Given the current timetable for the adoption of the emerging Local Plan, the policy does not apply to the development of the strategic site in the emerging Local Plan (STR/SS1 Paddock Wood and Land at East of Capel) in the parish. Section 10 of the Plan comments about the way in which the neighbourhood plan will be reviewed once the Local Plan has been adopted. The Parish Council acknowledges that the delivery of strategic sites throughout the Borough in the emerging Local Plan will address broader housing needs. Nevertheless, it will press the Borough Council to design and implement policies for any strategic sites in the Parish to assist in meeting its identified local housing needs (as set out in the Local Housing Needs Assessment) and in accordance with the usual connections in its housing allocations policy.’

Policy C3: Reflecting the character of Capel’s settlements through high quality design

- 7.32 This is an important policy in the overall context of the Plan. It comments about high-quality design. It is underpinned by the excellent Capel Design Guidelines.
- 7.33 The policy advises that development proposals should incorporate a high quality of design, which responds and integrates well with its surroundings, meets the changing needs of residents, and minimises the impact on the setting and natural environment of the High Weald National Landscape. It also comments that the scale, form, siting, appearance, and character of the proposal should respect the landscape and its features, valued views into and out of the settlement, the local villagescape and heritage assets. Finally, it includes a series of design principles.
- 7.34 In the round I am satisfied that it is a very positive local response to Section 12 of the NPPF.
- 7.35 Crest Nicholson comment that:

‘At the point when an application is submitted for North West Paddock Wood, the application will be accompanied by a Design and Access Statement which will reflect the principles and guidance set out within the National Design Guide. However, the Site is a strategic allocation which is an extension to Paddock Wood. The Site is physically separated from Capel Parish via the A228 and therefore, the proposals at the Site should reflect the character of Paddock Wood as set out within the Paddock

Wood Neighbourhood Plan and Design Guidance. This should be acknowledged within the policy.'

- 7.36 Rydon Homes also makes a series of technical comments about the way in which the policy overlaps with national policy.
- 7.37 I have considered these various matters very carefully. Based on the available evidence, I recommend the following package of modifications to bring the clarity required by the NPPF and to allow TWBC to apply the policy in a consistent way:
- revisions of the references to the AONB to a National Landscape;
 - the deletion of unnecessary supporting text in the policy; and
 - the deletion of the reference to community engagement. Whilst it is mentioned in the NPPF it is not directly a land use policy.
- 7.38 The representation from Crest Nicholson highlights a complication where a strategic allocation straddles a parish boundary. In this case, Paddock Wood already has a made neighbourhood plan which includes its own Design Guidelines. In these circumstances, I am satisfied that the Plan takes a neutral approach to this issue. The developer will make a judgement about how best to promote the development of the overall site and TWBC will come to its own decision about the way in which the proposed development complies with policies in the two neighbourhood plans. Plainly the remaining strategic site has its own policy in the emerging Local Plan.
- 7.39 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In A replace 'AONB' with 'National Landscape'

In A delete 'This will help to avoid building design that is inappropriate to the Plan area.'

In B i replace 'AONB' with 'National Landscape'

Delete B ii

In B iii replace the various references to 'AONB' with 'National Landscape'

In B iv delete 'must be conserved or enhanced;'

In B v delete 'intrinsically'

Policy C4: Meeting the highest environmental standards

- 7.40 This policy seeks to ensure that development meets the highest environmental standards in terms of its construction, materials, and energy use. The Plan comments that such an approach will help to mitigate against climate change.
- 7.41 The policy comments that development proposals which incorporate design and environmental performance measures and standards to reduce energy consumption to reduce carbon emissions and climate effects will be supported. It also advises that

proposals which incorporate a series of energy design principles as appropriate to their scale and nature will be particularly supported.

- 7.42 Crest Nicholson comments that the approach taken is highly aspirational and does not acknowledge the practical implications of its requirements. I have taken account of these comments. However, the policy generally offers support to such proposals rather than requiring the various measures to be incorporated.
- 7.43 In general terms, I am satisfied that the policy takes a positive approach to these matters and has regard to Section 14 of the NPPF. The various development principles in part A of the policy are both appropriate and locally-distinctive. Nevertheless, to bring the clarity required by the NPPF I recommend the following modifications:
- a detailed recasting of part B of the policy; and
 - the deletion of part C of the policy which is a statement rather than a land use policy.
- 7.44 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace B with: ‘Proposals for the retrofitting of historic buildings to reduce energy demand and to generate renewable energy will be supported where they safeguard the historic integrity and character of the building concerned.’

Delete C

Policy C5: Mitigating the impact of flooding

- 7.45 This policy seeks to ensure that development proposals do not create new or exacerbate existing flood issues and to mitigate the impact of flooding on or arising from new developments. It also will endeavour to reduce the further effects of climate change using innovative ideas such as nature-based solutions.
- 7.46 It is a wide-ranging policy which is underpinned by extensive supporting text.
- 7.47 The policy has attracted several overlapping representations from the Environment Agency, developers, and landowners. I have considered these representations very carefully alongside coming to my own judgement on the extent to which the policy meets the basic conditions.
- 7.48 On the one hand, the policy takes a very comprehensive approach to this important matter. The supporting text draws attention to local observations and published information. On the other hand, several elements of the policy focus on technical matters which do not directly relate to the development management process, including the way in which drainage measures will be managed during the lifetime of the development concerned. In addition, the policy addresses issues which are managed by statutory organisations rather than by TWBC through the development management process. As Rydon Homes comment, drainage scheme maintenance and management plans are secured either through the S106 Agreement or by

condition. In addition, statutory undertakers do not confirm whether they will adopt drainage systems until the grant of detailed planning permission.

- 7.49 Part G of the policy comments about major development proposals. However, it does not provide any assessment of the likelihood of such development coming forward in the Plan period or the way in which the emerging Local Plan will provide a broader context for the delivery of strategic sites. As this part of the policy provides no additional guidance beyond the way in which TWBC will assess major planning applications, I recommend that it is deleted.
- 7.50 Taking account of all the issues, I recommend that the policy is recast so that its focus is on the delivery of sustainable drainage systems (parts E and F of the policy). The recasting will allow TWBC to apply the policy in a proportionate way. I also recommend consequential modifications to the supporting text including drawing general attention to some of the deleted elements of the submitted policy.
- 7.51 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Wherever practicable, development proposals should incorporate on-site Sustainable Drainage Systems (SuDS). As appropriate to their scale, nature, and location, development proposals should use a wide range of creative SuDS solutions and demonstrate how their designs will enhance wildlife and biodiversity, and the historic environment.’

At the end of paragraph 6.33 add:

‘Policy C6 focuses on the delivery of sustainable drainage systems. This acknowledges that the developer’s responsibility is to ensure that new development can be satisfactorily incorporated into the local environment rather than to resolve any existing issues with drainage and flooding. Within this wider context, and where appropriate, development proposals should ensure that:

- *existing watercourses (including ditches and land drains) should remain open;*
- *the development of brownfield sites should remove existing surface water connections to the public foul sewer and incorporate sustainable sewerage disposal solutions to dispose of surface water run-off; and*
- *they protect and complement the existing drainage networks (watercourses and land drains and highway drainage and storm water drains/public sewers).’*

Policy C6: Conserving heritage assets

- 7.52 This policy recognises the important contribution that heritage assets make to the local character and distinctiveness of Capel Parish and its settlements, both individually and collectively. It advises that, where possible, they should be conserved, well-maintained, enhanced and celebrated.

- 7.53 The policy is extensive and includes several related elements. Part A identifies a series of non-designated assets and is underpinned by the details in Appendix B of the Plan.
- 7.54 Rydon Homes questions the evidence provided in the Plan for the identification of the Hoppers' Huts at Finches Farm as a non-designated heritage asset.
- 7.55 I sought CPC's comments on the way in which it had assessed the appropriateness of the Hoppers' Huts at Finches Farm as a non-designated heritage asset. In its response to the clarification note it advised that:

'The Hoppers's huts at Finches Farm are one of the better examples and one of the best preserved of their type. They are still in use for recreational purposes in the summer. The (Parish Council) considered that these are locally significant from a heritage point of view and should be recognised as non-designated heritage assets.'

- 7.56 On the balance of the evidence, I am satisfied that there is sufficient evidence to justify the Hoppers' Huts as a non-designated heritage asset. They are an important feature of the tradition of hop-picking in the parish. The proposed modification to Part B of the policy (as described later in this report) has regard to paragraph 209 of the NPPF and will allow a balanced judgement to be made on the appropriateness of retaining the Hoppers' Huts should development proposals come forward in this part of the neighbourhood area.
- 7.57 Mr and Mrs Whetstone question the widespread identification of the dispersed farmsteads as non-designated heritage assets and advised that Tudeley Brook Farm was within the strategic allocation (STR/SS1) for Tudeley Village (as set out in the submitted version of the Local Plan).
- 7.58 I sought CPC's comments on the way in which it had assessed the appropriateness of the dispersed farmsteads as non-designated heritage assets. In its response to the clarification note it advised that:

'Kent County Council, in their response at the Pre-Submission (Regulation 14) consultation (response attached to the email), support the recognition of the farmsteads as important local heritage assets. Whilst the (Parish Council) has not undertaken assessments of each individual asset, their individual and collective contribution to local character is recognised in the Kent Farmsteads Guidance, and within the Historic Environment Record. Our understanding is that TWBC are minded to consider farmsteads as having a heritage value, on the basis of these evidence documents, which are considered strong enough to warrant their inclusion as non-designated heritage assets.'

The (Parish Council) would not wish to lose the recognition of these assets from the policy, but appreciates that the assessments have not been completed to the same level as for the other proposed non-designated heritage assets. The SG would respectfully request the farmsteads to be explicitly retained in either this policy, or Policy C3 if considered more appropriate, with reference to applicants consulting the guidance for applications relating to them. An associated action to include in the CNP

would be for the individual assessment of each, to then be added either in the review of the CNP or directly into the TWBC Local List.'

- 7.59 I appreciate the importance which CPC has given to the County Council's Farmsteads Guidance. However, it acknowledges that it has not undertaken a detailed assessment of each of the farmsteads. As such I recommend that this element is deleted from part A of the policy and included as a separate general element of the policy (in this case a replacement for another element of the policy recommended for deletion).
- 7.60 Part B of the policy conflates national requirement for designated and non-designated heritage assets. As such I recommend that this part of the policy is recast so that it has regard to national policy. The new element about non-designated heritage asset provides a local iteration of paragraph 209 of the NPPF. It largely follows the revision proposed by CPC in its response to the clarification note.
- 7.61 I recommend the deletion of part D of the policy. Whilst its proactive approach is to be commended, it is a statement of intent rather than a land use policy.
- 7.62 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace A with:

'The buildings and structures as shown on Figure 12 (and as detailed in Appendix B) are identified as non-designated heritage assets for the purpose of implementing Policies EN4 and EN5 of the Local Plan.'

Replace B with:

'Development proposals affecting designated heritage assets either directly or indirectly, should conserve or where practicable enhance the significance, including the contribution of setting towards significance, of the asset. This could include, where appropriate, the delivery of development that will make a positive contribution to, or better reveal the significance of, the heritage asset, or reflect and enhance local character and distinctiveness with regard given to the prevailing styles of design and use of materials in a local area.

As appropriate to their scale, nature and location, proposals should be accompanied by a Heritage Statement.

Development proposals which would affect non-designated heritage assets will be assessed having regard to the scale of any harm or loss against the significance of the heritage asset.'

Replace D with: 'Development proposals should respond positively to the scale, integrity and character of the Dispersed farmsteads as identified in Appendix B.'

In E delete 'within the neighbourhood area' and replace 'how impacts' with 'how any impacts'

Policy C7: Green and blue infrastructure and delivering biodiversity net gain

- 7.63 This policy seeks to ensure that the multiple benefits of Capel Parish’s green (woodland, fields, and gardens) and blue (streams and ponds) spaces including their importance in combating pressure on wildlife, habitats, biodiversity, and geodiversity and in off-setting the effects of air pollution are recognised and enhanced. This approach is intended to apply particularly where individual spaces have a greater collective value as part of wider chains of green infrastructure.
- 7.64 Rydon Homes comments that elements of the policy are at odds with the delivery of the Environment Act on biodiversity net gain. The County Council makes a series of detailed points on the wording used in the policy.
- 7.65 In general terms, I am satisfied that the policy takes a positive approach towards green infrastructure and biodiversity net gain and has regard to Section 15 of the NPPF. However, as both Rydon Homes and Kent County Council comment, the elements of the policy on biodiversity net gain overlap with national policy on this matter. There is no need for a neighbourhood plan to restate national policy on this or any other matter. This is particularly important as the legislation is very recent and is underpinned with comprehensive planning practice guidance. In this context I recommend that the elements of the policy which restate national policy are deleted. I also recommend consequential modifications to the supporting text.
- 7.66 I also recommend that part D of the policy is recast so that it has the clarity required by the NPPF. Its effect remains unchanged.
- 7.67 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace A with: ‘As appropriate to their scale and nature, development proposals should be designed to create, conserve, enhance and manage green spaces and connect chains of green and blue infrastructure, as identified on Figure 14.’

Delete B and C.

Replace D with:

‘Development proposals that would improve the connectivity between local wildlife sites, other designated sites, wildlife areas and green spaces will be supported. Development proposals which would reduce connectivity between local wildlife sites, other designated sites, wildlife areas and green spaces will not be supported.’

Development proposals that consolidate the enhancement and management of the identified Biodiversity Opportunity areas will be supported.’

At the end of paragraph 7.6 add: ‘Key elements of the Environment Act 2021 are now operational. On this basis, Policy C7 does not seek to repeat national policy. Nevertheless, it identifies local matters which will run in parallel with the national approach to biodiversity net gain.’

Policy C8: Managing the environmental impact of development

7.68 This policy seeks to provide a local iteration of the NPPF which stresses that planning policies and decisions should contribute to and enhance the natural environment including requiring net gain in biodiversity. It identifies protected natural assets (also shown on Figure 14) in the neighbourhood area.

7.69 The policy is comprehensive and is underpinned by extensive supporting text. It provides detailed commentary on:

- the need for ecological impact statements;
- trees and woodlands;
- hedgerows;
- wildlife friendly features; and
- the composition of open spaces.

7.70 In general terms I am satisfied that the policy takes a positive approach towards green infrastructure and biodiversity net gain and has regard to Section 15 of the NPPF.

7.71 The County Council provided detailed commentary on the supporting text. CPC agreed with its suggestions. I recommend accordingly.

7.72 Rydon Homes makes a series of comments as follows:

‘Ecological Impact Assessments are a statutory requirement and included on the Tunbridge Wells Local Validation Checklist, it is not, therefore, necessary for requirement C8 i. to be included. Requirement ix. is unrealistic and unachievable and should be removed from the policy. Under the Environment Act, the BNG calculation includes the increase in the quality of hedgerows by 10%, and as a result, this requirement should be removed from the policy. The requirement for lighting (xiv.) conflicts with Policy C9: Dark Skies and should also be removed.’

7.73 I sought CPC’s comment on this representation. It advised as follows:

‘Criterion ix recognises the importance of hedgerows to the neighbourhood area and the (Parish Council) is minded to retain this clause. The clause does not preclude a development creating new hedgerows to compensate for the loss of existing, albeit existing hedgerows can have a greater wildlife impact as older hedgerows often contain a large amount of dead wood and plant litter within the structure of the hedge and therefore provide a valuable habitat for many invertebrates (which in turn will attract predators such as bats, shrews, and birds) and cover for small mammals. Hence the policy would encourage safeguarding of existing in advance of provision of new to compensate for loss of existing. In criteria xiv. The comment is understood and the (Parish Council) would agree to expanding the clause to say ‘in accordance with Policy C9.’

7.74 I have considered these various matters very carefully. On the balance of the evidence, I recommend the following modifications:

- a restructuring of the first section of the policy to avoid any repetition of national policy;
- a revision to the detailed wording of criterion ix (on hedgerows); and
- a revision to the detailed wording of criterion xiv (on lighting) Whilst I am not convinced that there is a conflict with Policy C9, the suggested revision proposed by CPC will clarify the matter.

7.75 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace criteria i, ii and iii with:

‘Development proposals should apply the mitigation hierarchy including demonstrably attempting to avoid impacts to habitats of ecological value.

Any submitted Ecological Assessment should give particular attention to the safeguarding of protected and priority species and the retention and enhancement of protected and priority habitats.

Where loss cannot be avoided, mitigation measures should be applied. Where mitigation cannot address the impacts, appropriate compensation will be required.’

Replace criterion ix with:

‘Development proposals that would result in the loss of, or the deterioration in the quality of, hedgerows will not be supported, other than where their removal is required to secure vehicular access for an otherwise acceptable proposal. In such cases, the access should include trees or other forms of compensatory planting at either end of the retained hedgerow.’

At the end of criterion xiv add ‘in accordance with Policy C9 of this Plan’

Replace paragraph 7.13 with:

‘The NPPF advises that planning policies and decisions should contribute to and enhance the natural environment including requiring net gain in biodiversity. Natural assets protected within policy and legislation (also area habitats as shown on Figure 13) in the neighbourhood area include:

- *the High Weald National Landscape;*
- *areas of ancient woodland and veteran trees;*
- *Local Wildlife Sites (Somerhill Park, RSPB reserve Tudeley Woods, East Tonbridge copses and dykes and River Medway);*
- *Local Green Spaces: as designated in this Plan and the TWBC Local Plan (once adopted);*
- *Native hedgerows (priority habitat);*

- *Wood pasture and parkland (priority habitat);*
- *Traditional orchards (priority habitat); and*
- *Lowland meadows (priority habitat)*

In paragraph 7.14 delete 'and veteran' and 'hedgerows'

Policy C9: Dark Skies

- 7.76 The context to the policy is that parts of Capel Parish provide ideal locations from which to enjoy dark skies and stargazing. These dark skies also support both nocturnal and diurnal wildlife. The policy seeks to ensure that development does not encroach on this valued aspect of parish.
- 7.77 The policy comments that proposals for otherwise acceptable development will be supported where it is demonstrated that, if external lighting is required, it protects the night sky from light pollution, in accordance with TWBC Local Plan policy EN8 or its successor policy subject to a series of criteria.
- 7.78 The policy responds positively to this important matter. The supporting text refers to CPRE Dark Skies information. Nevertheless, I recommend that the fourth criterion is recast so that it has the clarity required by the NPPF and can be applied consistently by TWBC through the development management process. I also recommend a specific modification to the wording in the third criterion so that it has the clarity required by the NPPF.
- 7.79 Rydon Homes comment about the extent to which the policy would apply throughout the parish. In its response to the clarification note, CPC advised that it had been designed to apply throughout the parish. I have considered this matter carefully, especially as there is an important difference between lighting levels in the countryside and those in Five Oaks Green. I recommend that the supporting text makes this important distinction and acknowledges that the development of any strategic housing sites in the parish will be accompanied by their own master plans (including external lighting details).
- 7.80 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In iii replace 'adverse' with 'unacceptable'

Replace iv. With: 'As appropriate to their scale, nature and location, development proposals should consider carefully, and provide details of, the light source and intensity being used, the luminaire design, height, and angle, as well as lux level contour plans where appropriate. Unless it would be impracticable to do so, external lighting should correspond to the Institution of Lighting Professionals (ILP) Guidance Note GN01: The Reduction of Obtrusive Light (and Guidance Note 8 Bats and Artificial Lighting (or to any subsequent revisions of these Notes). Development proposals should include baffles and cut-off shields where required, and details of control mechanisms to dim or switch off lighting schemes when not required. Where appropriate, external lighting should be controlled by passive infrared detectors.'

At the end of paragraph 7.28 add (as a new element): ‘The policy has been designed to apply in the countryside and in the smaller settlements. There is a greater degree of street and external lighting in Five Oaks Green. Whilst the principles of the policy will apply generally to the development of any strategic housing sites in the parish, such sites will be accompanied by their own master plans (including external lighting details) based on the policy context which is included in the emerging Local Plan.’

Policy C10: Local Green Spaces

- 7.81 This policy proposes the designation of twelve local green spaces (LGS). It is underpinned by the details in Appendix C of the Plan. The proposed LGSs are shown on Figures 15-18 of the Plan. I looked carefully at the proposed LGSs during the visit. I saw that they varied in their size and character.

Comments from The Hadlow Estate

- 7.82 The Hadlow Estate objects to the proposed designation of LGS 7 Orchard Tudeley, LGS 8 Tudeley Allotments and LGS11 Goldsmid Family Burial Ground, Tudeley. I have considered its representation (and the supporting information) very carefully.
- 7.83 In each case I am satisfied that the proposed LGSs are in reasonably close proximity to the community they serve and are local in character.
- 7.84 LGS7 is an orchard in the heart of Tudeley. I saw that it contributes to the character and appearance of the village. In addition, as Appendix C describes it is part of the setting of the historic church (Grade I) and churchyard, the adjacent listed historic buildings (Grade II) and links them to the adjacent Goldsmid family private cemetery (Grade II wall). On this basis I am satisfied that it is demonstrably special to the local community and holds a particular local significance.
- 7.85 LGS8 is an orchard in Tudeley. Appendix C comments that the proposed LGS is well-kept allotments for the local community. It also advises that it is adjacent to homes including a small cluster of three Grade II listed buildings (immediately to the west) with a public footpath running south to north along its western boundary. The Hadlow Estate comments that interest in working the allotments has declined in recent years, three individuals have two licences to work on the land, and most of the site is uncultivated.
- 7.86 Many neighbourhood plans have successfully included allotments as LGSs. In most cases they are well-used by the community. That level of use justifies their designation on the ‘demonstrably special to the local community’ element of paragraph 106 of the NPPF. However, this is not the case here. The allotments are not fully used and are not in an attractive condition. On this basis, I am not satisfied that they meet this criterion in the NPPF. As such, I recommend that the proposed LGS is deleted from the policy.
- 7.87 LGS11 is the Goldsmid Family Burial Ground. I saw that it contributed to the character and appearance of the village. I also saw that the proposed LGS contributes to the historic heart of Tudeley and complements the nearby ancient woodland and listed buildings, including the Jubilee Drinking Fountain and All Saints’

Church. On this basis I am satisfied that it is demonstrably special to the local community and holds a particular local significance.

Comments from TWBC

- 7.88 TWBC comments about the overlaps between the proposed LGSs in the emerging Local Plan and those in the submitted Plan. It also draws particular attention to the proposed LGSs in the submitted Plan which overlap with strategic allocations in the parish. They are LGS7 and LGS11 in the Tudeley Village site and LGS12 in the Paddock Wood/Land at East of Capel strategic site. As Section 5 of this report has commented, the emerging Borough Local Plan has been revised since the Neighbourhood Plan was submitted.
- 7.89 On the general point about the additional proposed LGSs in the parish in the Neighbourhood Plan beyond those identified in the emerging Local Plan, I am satisfied that CPC has made appropriate judgements. Appendix C sets out an appropriate level of information to justify the proposed LGSs. Inevitably the designation of LGSs requires a degree of judgement.
- 7.90 I have considered TWBC's comments about the proposed designation of LGSs within strategic allocations in the emerging Local Plan. Paragraph 105 advises that LGS designations should be consistent with the local planning of sustainable development and capable of enduring beyond the end of the Plan period. These are important considerations which would count against the designation of LGSs within such sites unless there was clear evidence that they would be safeguarded within an overall master planning process.
- 7.91 I have already commented about proposed LGS8 and 11 in the context of the representation from The Hadlow Estate. In these cases, the Tudeley Village strategic allocation no longer features in the emerging Local Plan and as such the local planning of sustainable development element of paragraph 105 has less of a specific impact.
- 7.92 Proposed LGS12 is within the Paddock Wood/Land at East of Capel strategic allocation in the emerging Local Plan. In these circumstances there is no information to suggest that it would be capable of enduring beyond the end of the Plan period. In addition, I am not satisfied that it is in reasonably close proximity to the community it serves. Whilst it can be accessed from the footpath starting from Allington Way in Paddock Wood, it is separated from Whetsted and Five Oaks Green by the A228. As such, I recommend that it is deleted from the policy. This is a matter which could be reassessed in any future review of the Plan when the development of the strategic site is clearer.

The other proposed LGSs

- 7.93 On the basis of the available evidence and my own observations I am satisfied that the other proposed LGSs meet the criteria in paragraph 106 of the NPPF. The Five Oak Green allotments (LGS1), the Five Oak Green Recreation Area (LGS6), the Capel Churchyard and Glebe (LGS5), and the Tudeley churchyard (LGS10) are

precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national guidance on this matter.

- 7.94 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 105 of the NPPF. Firstly, I am satisfied that their designation is 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. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. They are an established element of the local environment and 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 LGSs would not endure beyond the end of the Plan period.
- 7.95 The policy itself takes the matter-of-fact approach as set out in paragraph 107 of the NPPF.
- 7.96 Other than for the proposed designation of LGS8 and LGS12, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete LGS8 and LGS12 and renumber the other LGSs accordingly.

Delete LGS 8 from Figure 16 and LGS12 from Figure 18 and both from Appendix C.

Policy C11: Protection of locally significant views

- 7.97 This policy seeks to safeguard important views in and across the parish from inappropriate development. It is underpinned by Appendix D. It identifies eleven locally significant views.
- 7.98 The policy comments that as appropriate to their scale and nature, development proposals within the shaded arcs of the various views as shown on Figure 20 should be designed in a way that safeguards the locally significant view or views concerned. It also advises that proposals for major development should be supported by a landscape/visual impact assessment which clearly demonstrates the potential impacts that such a proposal would have on significant views where relevant and how these impacts will be mitigated.
- 7.99 The policy has attracted a degree of commentary from the development industry. Crest Nicholson comments specifically about the evidence for View 6 and its relationship with the proposed strategic housing site in Paddock Wood/Land at East of Capel in the emerging Borough Local Plan. Mr and Mrs Whetstone comment generally about the evidence which has underpinned the approach taken. I have considered these issues very carefully. On the balance of the evidence, I am satisfied that CPC has identified a series of views which capture the character and appearance of the parish. In addition, the policy is worded in a flexible way so that it is not directly a barrier to new development coming forward. This is acknowledged in paragraph 7.37 of the Plan.

- 7.100 Within this broader context, I am not satisfied that the identification of View 6 is consistent with the delivery of sustainable development in the parish. It could impact significantly on the delivery of the strategic allocation in Paddock Wood and in the eastern part of the parish as identified in the emerging Local Plan. There would be a direct conflict between the policies in the two plans. As such I recommend that View 6 is deleted from the policy.
- 7.101 I also recommend specific modifications to the second part of the policy to bring the clarity required by the NPPF and to allow TWBC to implement it through the development management process.
- 7.102 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete View 6 and renumber the other Views accordingly.

Replace the second sentence of the final part of the policy with:

‘Proposals for major development should be supported by a landscape/visual impact assessment which identifies the potential impacts that such a proposal would have on an identified locally significant view and how the impacts would be mitigated.’

Delete View 6 from 7.36, Figure 19, and Appendix D.

Policy C12: Community and recreational facilities to serve the parish

- 7.103 This policy has three main objectives. The first is to restrict the loss of existing community facilities. The second is to support the expansion of existing ones where a need has been identified. The third is to ensure that any new facilities brought forward from any new developments are accessible to and serve the needs of those living across the parish, not just within the new settlements/housing areas.
- 7.104 It is a comprehensive policy which has the following related elements:
- offering support to new community and recreational uses (Part A);
 - identifying specific facilities which will be supported (Part B);
 - commenting about the way in which the Plan would seek developer obligations to deliver specific services (Part C); and
 - providing policy guidance for proposals which would result in the loss of a community or recreational use (Part D).
- 7.105 In general terms the policy takes a positive approach to these matters and has regard to Section 8 of the NPPF. Nevertheless, to bring the clarity I recommend the following modifications to bring the clarity required by the NPPF:
- the deletion of the reference to the Green Belt in part A of the policy. The NPPF advises about exceptions to Green Belt policy which include a range of recreational uses;

- detailed modifications to the wording of the criteria in part A;
- the removal of the community engagement element of part B of the policy. Whilst the matter is referenced in the NPPF it is not directly a land use matter;
- the deletion of part C of the policy. As set out in the policy it is an indirect outcome of the determination of other development proposals rather than a free-standing land use policy; and
- a recasting of part D of the policy so that it will have the clarity required by the NPPF and can be applied in a consistent way by TWBC.

7.106 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In A:

- delete i.
- In ii. replace 'AONB' with 'Protected Landscape'
- In iii. replace significant harmful with 'unacceptable'
- In iv replace significant adverse with 'unacceptable'
- In v replace harmful with 'unacceptable'

Replace B with: 'Proposals which would deliver facilities including indoor meeting/recreational space in all communities, outdoor recreational space, improved facilities at Five Oak Green Recreation Ground, a pump track, sporting facilities and allotments/growing spaces will be particularly supported.'

Delete C

Replace D with: 'Development proposals that would result in the loss of community, leisure and recreational facilities will only be supported if the facility is surplus to requirements and there is no longer a proven need for the community uses it provided or the development incorporates an alternative and equivalent facility which is in an accessible location to the community.'

Policy C13: Protection of public houses

7.107 This policy seeks to safeguard public houses from change of use. It takes a comprehensive approach. It addresses both proposals for new uses which may help to support pubs and proposals which would result in the loss of existing facilities.

7.108 In general terms, I am satisfied that the policy takes a positive approach to this matter and has regard to Section 8 of the NPPF. The supporting text explains the way in which the marketing elements of the policy would be applied. Nevertheless, to bring the clarity required by the NPPF and to allow TWBC to apply the policy through the process, I recommend the following modifications:

- an acknowledgement in part A of the policy that some of the intended uses may be ancillary and may not need planning permission; and
- the deletion (and repositioning) of supporting text from part B of the policy; and
- a similar approach towards Part C.

7.109 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In part A replace ‘Proposals’ with ‘Insofar as planning permission is required, proposals for’

In part B delete the second sentence.

Replace part C with: ‘Development proposal which would result in the loss of a commercial use or facility will only be supported where the use is no longer viable and appropriate efforts have been made to secure an alternative commercial facility.’

In paragraph 8.24 after ‘sale or rent’ add: ‘(for a minimum period of 18 months)’

Policy C14: Sustainable travel

7.110 This policy seeks to promote a shift towards more sustainable modes of transport for journeys within Capel Parish and when accessing nearby settlements and facilities. It highlights that walking and cycling opportunities should be enhanced within the parish, in particular new development provides an opportunity to provide new and enhanced routes.

7.111 It is an extensive policy with extensive supporting text. In general terms it takes a positive approach to such matters and has regard to Section 9 of the NPPF. I recommend a specific modification to the wording of part A of the policy and that part B is recast so that it more simply explains its intention. The reference to development in locations where no connections with existing footways and cycle routes can be provided is to be avoided (part B) is very general and would be difficult to apply through the development management process.

7.112 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In part A replace ‘are’ with ‘will be’

Replace part B with: ‘Wherever practicable, development proposals should ensure safe access with existing footways and cycle routes.’

Policy C15: Mitigating vehicular impacts at highway hotspots

7.113 This policy seeks to ensure that development proposals fully assess both their potential impact and their cumulative impact on the key junctions/congested areas in the parish that already experience congestion problems and actively seek ways to mitigate such issues. The policy also seeks to ensure that new development in the

immediate vicinity of a school protects and, where possible, enhances the safety of pedestrians.

- 7.114 The policy comments that development proposals should ensure that they have no unacceptable direct or cumulative impact on a range of locations and any potential new hotspots resulting from major development, for example, any new primary and/or secondary school(s).
- 7.115 The policy has attracted representations from several developers with interests in the parish. In summary they comment about the extent to which such matters are already addressed in national and local planning policies, and the evidence to support the approach taken. In its response to the clarification note, CPC advised that:
- ‘(it) has carefully considered the policy in light of the proposed amendments to the Local Plan strategy. It is considered that the junctions highlight in Policy C15 are already overstretched. Even without the garden village site coming forward, SLP Policy STR/SS 1 (as amended) would continue to contribute to the impact on this part of the road network.’*
- 7.116 I have considered these different views very carefully. On the balance of the evidence, I recommend that the policy is deleted. The issue of traffic capacity is addressed in Section 9 of the NPPF, and the strategic policies in the emerging Local Plan provide an appropriate level of detail for developers to prepare specific proposals. In addition, the supporting text for the policy identifies the problematic junctions and locations without any detailed evidence either in general or in relation to their impact on new development.
- 7.117 The issue of traffic capacity may be one of the issues addressed in any review of a made Plan. This will allow the full implications of the adopted Local Plan to be assessed, including the need for any policies to supplement the approach taken in any Local Plan policies which have an impact on new development in the parish.

Delete the policy

Delete paragraphs 9.21 to 9.25 and Figure 21

Policy C16: Electric vehicle charging

- 7.118 This policy seeks to ensure that adequate provision is made for electric vehicle (EV) charging, which will assist in effecting a shift toward less polluting vehicles. It carefully avoids making commentary on EV facilities for housing and commercial development which is now addressed nationally through the Building Regulations.
- 7.119 The policy comments that proposals to provide publicly available vehicle charging points in the Parish will be strongly supported. It also advises that such charging facilities should provide parking spaces with future-proofed four hour or faster electric vehicle charging points (or wireless charging facilities) that are reliable and provide open access.
- 7.120 I am satisfied that that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Non-Policy Actions

7.121 Section 12 of the Plan includes a series of non-policy actions. As it comments, they are a series of projects and activities that have been raised through the engagement process that complement the delivery of the Plan but are not land use planning policies. Their incorporation in a separate part of the Plan is best practice. They are presented in the following themes:

- highways-related projects;
- flooding-related projects;
- community facilities; and
- heritage.

7.122 I am satisfied that the non-policy actions have been carefully-considered. They are both appropriate to the parish and locally-distinctive.

Monitoring and Review

7.123 Section 10 of the Plan addresses monitoring and review. This is best practice and responds positively to national advice on this matter.

7.124 Paragraph 10.4 comments that whilst it is not a legislative requirement to review a Neighbourhood Plan, it is good practice to do so periodically. It advises that CPC will carry out a light-touch review to keep the Plan up-to-date in general terms, and to ensure that it remains in general conformity with the wider development plan. It comments that any review should be undertaken in partnership with and ensuring the engagement of the wider community and that a review of the Plan will be undertaken within six months of the adoption of the Borough Local Plan.

7.125 I recommend modifications to Section 10 of the report to take account of the commentary about Policy C1 earlier in this report.

Retain paragraphs 10.1 to 10.3 under a heading of ‘Monitoring and implementation’

Replace paragraphs 10.4 and 10.5 with a heading of ‘Potential future reviews of the Plan’ as follows:

‘Whilst it is not a legislative requirement to review a Neighbourhood Plan, it is good practice to do so periodically. A potential review will enable the Parish Council to keep the Plan up to date in general terms, to respond to any changes in national policy and to ensure that it remains in general conformity with the wider development plan. Any review will be undertaken in partnership with and ensuring the engagement of the wider community. The adoption of the emerging Borough Local Plan will be a key factor in the need or otherwise for a review of the Plan. The Parish Council will consider the need or otherwise for a full or a partial review of the Plan within six months of the adoption of the emerging Borough Local Plan.

TWBC has indicated that the adopted Local Plan may also need to be reviewed immediately to extend its supply of housing land. The Parish Council will monitor this process and, where necessary, consider the need for a further review of the Neighbourhood Plan at that stage.'

Other Matters - General

- 7.126 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 because 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 because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. This includes changing the renumbering of Policy C16 to take account the recommended deletion of Policy C15 (and appropriate changes to the list of policies in the Contents section of the Plan. It will be appropriate for TWBC and CPC 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 and to accommodate any administrative and technical changes.

- 7.127 I also recommend that any references in the Plan to the NPPF should be updated to reflect the December 2023 version (including its paragraph numbers).

Update any references in the Plan to the NPPF to reflect the December 2023 version (including its paragraph numbers)

Other Matters – Specific

- 7.128 TWBC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.

- 7.129 TWBC also suggests a series of technical and typographic modifications to the Plan. I have found them very helpful as part of the overall examination process. I recommend the following modifications which are necessary to ensure that the Plan meets the basic conditions:

The incorporation of the typographic issues with the Plan as highlighted at the end of the TWBC representation.

The use of consistent text throughout the Plan.

Clarify that the 'Key to the Policies Maps' (on page 103) relates to Figure 22.

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 2038. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and its heritage assets.
- 8.2 Following the independent examination of the Plan, I have concluded that the Capel Parish Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 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, the Capel Parish Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood 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 17 February 2020.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The responses to the clarification note were detailed and informative and both principal parties responded positively to the implications of the proposed changes to the emerging Local Plan which occurred whilst the examination was taking place.

Andrew Ashcroft
Independent Examiner
29 April 2024