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Report on Lenham Neighbourhood Plan 2017 - 2031

An Examination undertaken for Maidstone Borough Council with the support of the Lenham Parish Council on the November 2019 Submission version of the Plan.

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Main Findings - Executive Summary

From my examination of the Lenham Neighbourhood Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – Lenham Parish Council (the Parish Council);
- the Plan has been prepared for an area properly designated – the Neighbourhood Plan Area, as identified on the Map at Page 46 of the Plan;
- the Plan specifies the period to which it is to take effect – from 2017 to 2031; and
- the policies relate to the development and use of land for a designated neighbourhood plan area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Lenham Neighbourhood Plan 2017-2031

- 1.1 Lenham Parish is located at the centre of the County of Kent being broadly equidistant between the towns of Ashford, Faversham, Headcorn and Maidstone which are each situated some 9-10 miles away. The Parish has a distinct rural character and is partly within the Kent Downs Area of Outstanding Natural Beauty (AONB). The village of Lenham is the principal settlement, and there are two larger hamlets, Lenham Heath and Platts Heath, located in the south of the Parish with three smaller hamlets, Warren Street, Sandway and Woodside Green, located in the north of the Parish. The population of the Parish is 3,370 (2011 Census).
- 1.2 The Parish has historically been situated on the important east-west routes between London and the continent, and that remains the case today with the A20, M20, mainline railway (London-Folkestone) and HS1 Channel Tunnel Rail Link all passing through the Parish.
- 1.3 The centre of Lenham village is an important Conservation Area, with two Grade I listed buildings, three Grade II* buildings and 67 Grade II buildings.

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- 1.4 Lenham is at the main source of the River Stour (also known as the Great Stour), which flows eastwards to Ashford and on to Canterbury and to the English Channel near Sandwich. It is also the source of the River Len, which flows in a westerly direction to join the River Medway at Maidstone.
- 1.5 The Pilgrims' Way/North Downs Way passes along the ridge to the north of Lenham. Between this ridge and the village lies a 61 metre chalk cross carved into the scarp slope. First constructed in 1922, to remember those who fell in the First World War, the cross was fully restored in 1994 and now commemorates the dead of both World Wars.

The Independent Examiner

- 1.6 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by Maidstone Borough Council (the Borough Council), with the agreement of the Parish Council.
- 1.7 I am a chartered town planner, with over 40 years of experience in planning. I have worked in both the public and private sectors and have experience of examining both local plans and neighbourhood plans. I have also served on a Government working group considering measures to improve the local plan system and undertaken peer reviews on behalf of the Planning Advisory Service. I therefore have the appropriate qualifications and experience to carry out this independent examination.
- 1.8 I am independent of the qualifying body and the local authority and do not have an interest in any of the land that may be affected by the Plan.

The Scope of the Examination

- 1.9 As the independent examiner, I am required to produce this report and recommend either:
 - (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.10 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
 - Whether the plan meets the Basic Conditions;
 - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:

- it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development';
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
 - whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.11 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.12 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood 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 for the area;
- be compatible with and not breach European Union (EU) obligations; and
- meet prescribed conditions and comply with prescribed matters.

1.13 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the

Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.¹

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of Maidstone Borough Council, not including documents relating to excluded minerals and waste development, is the Maidstone Borough Local Plan 2011-2031 (MBLP), which was adopted on 25 October 2017.
- 2.2 The Basic Conditions Statement (at pages 16-18) provides an assessment of how each of the policies proposed in the Plan are in general conformity with the relevant strategic policies in the adopted Local Plan. Having been adopted in October 2017, the Local Plan provides a relatively up to date strategic planning context for the Neighbourhood Plan, and this has enabled the Neighbourhood Plan and its policies to be prepared.
- 2.3 The Borough Council is currently preparing a Local Plan Review for the district to cover the period up to 2037 or later, which in due course will supersede the current Local Plan. However, that emerging Local Plan Review has only reached its Regulation 18 public consultation stage in mid-2019.
- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 February 2019 (and updated on 19 June 2019). All references in this report are to the 2019 NPPF and its accompanying PPG.²

Submitted Documents

- 2.5 I have considered all policy, guidance and other reference documents relevant to the examination, including those submitted which comprise:
- the draft Lenham Neighbourhood Plan 2017-2031 (Submission Version) (November 2019);
 - the Consultation Statement (November 2019);
 - the Basic Conditions Statement (November 2019);
 - the Strategic Environmental Assessment Report, including a Non-Technical Summary (November 2019), prepared by AECOM;
 - all the representations that have been made in accordance with the Regulation 16 consultation; and

¹ This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

² See Paragraph 214 of the NPPF. The Plan was submitted under Regulation 15 to the local planning authority after 24 January 2019.

- the representations and submissions that were made following the formal closure of the Regulation 16 consultation on 27 March 2020, including the letter dated 27 March 2020 and five Issues Papers submitted on behalf of the Parish Council in response to the representations made by the Borough Council on 11 March 2020.

2.6 I have also considered the extensive supporting documents which were submitted to the Borough Council alongside the above-listed documents. All these can be viewed on the Borough Council's website.³

Site Visit

2.7 I made an unaccompanied site visit to the Neighbourhood Plan Area on 5 June 2020 to familiarise myself with it and visit relevant sites and areas referenced in the Plan, evidential documents and representations.

Written Representations with or without Public Hearing

2.8 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections and comments regarding the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. I am satisfied that the material supplied is sufficiently comprehensive for me to be able to deal with the matters raised under the written representations procedure, and that there was not a requirement to convene a public hearing as part of this examination. In all cases the information provided has enabled me to reach a conclusion on the matters concerned.

Modifications

2.9 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications in full in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

3.1 The Plan has been prepared and submitted for examination by Lenham Parish Council, which is the qualifying body. An application to the Borough Council for the Parish Council area to be designated a neighbourhood planning area was made on 15 June 2012 and was approved by the Borough Council on 27 November 2012, following public consultation. The

³ View at: <https://localplan.maidstone.gov.uk/home/neighbourhood-planning/lenham-neighbourhood-plan-regulation-16-consultation-february-2020>

designated Neighbourhood Planning Area comprises the whole of the Parish and is shown on the map at page 46 in the submission Plan.

Plan Period

- 3.2 The draft Plan specifies (on the front cover and on page 2) the period to which it is to take effect, which is between 2017 and 2031. This aligns with the end date of the adopted MBLP.

Neighbourhood Plan Preparation and Consultation

- 3.3 Work first commenced on the preparation of the Plan in 2012 with a series of public meetings and exhibitions. Further consultation meetings took place during early-2013, but initial work was suspended in May 2013 following discussions with the Borough Council regarding the then imminent publication of the new draft Local Plan. Work on the Neighbourhood Plan resumed in Autumn 2014 with further consultation events in the Parish, and these continued during early-2015 following the formation of a Steering Group to guide the preparation of the Plan. A public consultation event was then held in May 2015, attended by over 500 residents. Further consultation events took place in Autumn 2015, whilst a number of sector work groups prepared evidence to support the preparation of the draft Plan. The Parish Council also undertook a Housing Needs Survey in late-2014.
- 3.4 Discussions with the Borough Council in early-2016 indicated that the draft Regulation 14 consultation Plan would not conform with certain policies in the then emerging Maidstone Borough Local Plan (MBLP). As a result, the Parish Council published a revised Pre-Regulation 14 Consultation Draft Plan in August 2017, together with accompanying supporting evidence documents. There was extensive consultation on this draft Plan, following which consideration was given to the responses made by the local community and stakeholders.
- 3.5 The Parish Council then published the Pre-Submission Draft Plan and supporting documents for Regulation 14 consultation between 24 September and 12 November 2018, accompanied by extensive publicity throughout the Neighbourhood Plan Area by a variety of media and news outlets. A public consultation event was held at the Tithe Barn in Lenham on 6 October 2018. The Consultation Statement and its 8 Appendices contain a comprehensive record of the various consultation activities that took place in 2017 and at the Regulation 14 stage in 2018, together with a record of the comments received and the Parish Council's responses.
- 3.6 The comments and responses received from residents and stakeholders during the Regulation 14 consultation were analysed during early-2019, and any necessary amendments were made to the draft Plan. Further discussions took place with the Borough Council together with further consultations with statutory undertakers such as Southern Gas Networks and BT Openreach.

- 3.7 The Regulation 15 Submission Plan was considered and approved by the Parish Council on 4 December 2019, and the Plan was submitted to the Borough Council on 17 December 2019 together with the supporting documents.
- 3.8 The Plan was subject to further consultation from 17 February 2020 to 17 April 2020 (which was extended beyond 27 March 2020 due to the prevailing COVID-19 situation) under Regulation 16 and I take account of the 124 responses then received in writing this report, as well as the Consultation Statement.
- 3.9 Following the submission of the Regulation 16 representations to the Submission Plan, the Parish Council prepared five papers on the key issues raised in representations, namely the Delivery Strategy, Publicly Accessible Open Space, Justification for the Release of William Pitt Field for Housing Redevelopment, Explanation of Local Green Space – Policy LGS1 (6) (Land at Royton Avenue) and Countryside Protection Policy CP1. Wherever relevant, I consider these papers alongside the submitted representations in relation to the various matters raised.

Development and Use of Land

- 3.10 The draft Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.11 From my review of all the documents before me, the draft Plan does not include policies or proposals that relate to any of the categories of excluded development.⁴

Human Rights

- 3.12 Neither the Borough Council nor any other party has raised any issues concerning a breach of, or incompatibility with Convention rights (within the meaning of the Human Rights Act 1998). From my assessment of the Plan, its accompanying supporting documents and the consultation responses made to the Plan at the Regulations 14 and 16 stages, I am satisfied that the Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I consider that none of the objectives and policies in the Plan will have a negative impact on groups with protected characteristics. Many will have a positive impact.

⁴ The meaning of 'excluded development' is set out in s.61K of the 1990 Act.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 Screening of the Regulation 14 Consultation Draft Plan was undertaken jointly with the Borough Council and confirmed that a Strategic Environmental Assessment (SEA) was required to be undertaken for the Plan, because of the scale of development proposed and the resultant effects on the environment. A Scoping Report was prepared in June 2017, which was the subject of consultation with Natural England, the Environment Agency and Historic England. The consultation responses from those bodies are set out at pages 4-6 of the final SEA report, together with the actions taken at later stages of the SEA process and in the preparation of the draft Plan. This was then followed by the publication of a SEA report alongside the draft Plan at the Regulation 14 consultation stage (September 2018) and subsequently by the final SEA document at the Regulation 15 Submission stage (November 2019). The document includes a full assessment of the Plan and its policies and site proposals.
- 4.2 I have assessed the SEA methodology and process by which the Plan and its various policy alternatives and potential site allocations were tested against a series of 6 sustainability objectives for Lenham (as set out at Table 3.2 in the SEA report). I am satisfied that the Plan has been prepared to take account of the outcomes of the SEA process. In particular, I am satisfied that the various options relating to potential areas of growth (PAGs) in the vicinity of Lenham village, including those options not included in the submission Plan, were fully tested through the process on a consistent basis. The SEA that has been submitted alongside the Plan identifies some significant cumulative positive impacts from the Plan's policies and proposals. Importantly, it states that the "current version of the Neighbourhood Plan is likely to lead to significant positive effects in relation to the 'Population and Community' and 'Health and Wellbeing' SEA themes" and that "... through a close focus on supporting the accessibility of residents, reducing the need to travel and promoting sustainable transport use, the Neighbourhood Plan will bring significant positive effects in relation to the 'Transportation' theme. However, the SEA report also notes that "significant permanent and long-term negative effects" have been identified in relation to the 'Land, Soil and Water Resources' theme. This relates to the loss of the best and most versatile agricultural land as a result of Neighbourhood Plan allocations. The report notes that this should be considered against the inevitable loss of land required to deliver the Local Plan allocation for the Parish, and the limited opportunities for associated development to take place on previously developed land. From my independent consideration, I accept those conclusions and am satisfied that the Plan has been subject to a rigorous and comprehensive SEA process during its preparation.
- 4.3 Following consultation with the Borough Council, it was concluded that the draft Plan did not require a Habitats Regulations Assessment (HRA)

because of the distance of the Plan area from any designated European site.

- 4.4 I have noted that Natural England, Historic England and the Environment Agency have not raised any concerns regarding the SEA or the necessity for an HRA. Therefore, on the basis of the information provided and my independent consideration of the SEA and the Plan, I am satisfied that the Plan is compatible with EU obligations in respect of the SEA Regulations and the Habitats Directive.

Main Assessment

- 4.5 The NPPF states (at paragraph 29) that "*Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan*" and also that "*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*".
- 4.6 The NPPF (at paragraph 11) also sets out the presumption in favour of sustainable development. It goes on to state (at paragraph 13) that neighbourhood plans should support the delivery of strategic policies contained in local plans; and should shape and direct development that is outside of these strategic policies.
- 4.7 Having considered above whether the Plan complies with various legal and procedural requirements, it is now necessary to deal with the question of whether it complies with the remaining Basic Conditions (see paragraph 1.12 of this report), particularly the regard it pays to national policy and guidance, the contribution it makes to sustainable development and whether it is in general conformity with strategic development plan policies.
- 4.8 I test the Plan against the Basic Conditions by considering specific issues of compliance of the Plan's 30 policies including three Strategic Housing Delivery Site allocations (seven housing site allocations), which address the following policy themes: Design Quality; Promoting Active, Smarter and Sustainable Travel; Enhancing and Protecting Green Space; Employment; Community Facilities; Tourism; Air Quality and Renewables; Strategic Housing Delivery Sites; and Implementing the Plan: Community Infrastructure Levy, Developer Contributions and Planning Conditions. As part of that assessment, I consider whether the policies in the Plan are sufficiently clear and unambiguous, having regard to advice in the PPG. A policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.⁵ I recommend some modifications as a result.

⁵ PPG Reference ID: 41-041-20140306.

- 4.9 The Plan is addressing a Plan period from 2017 to 2031 and seeks to provide a clear framework to guide residents, local authorities and developers as to how the community wish to shape future development during that period. Sections 4-12 of the Plan contain specific policies in respect of each of the themes listed above.
- 4.10 The legal and planning policy context for the Plan is set out within Section 1. Section 2 of the Plan addresses the relevant strategic planning policies in the adopted MBLP, with particular reference to Policies H2 (3) and SP8 (6). Policy SP8 (6) states:

*"Lenham is also identified as a broad location for growth for the delivery of approximately 1,000 dwellings post-April 2021, in accordance with policy H2 (3). Master planning of the area will be essential to achieve a high-quality design and layout, landscape and ecological mitigation, and appropriate provision of supporting physical, social and green infrastructure. Housing site allocations and associated infrastructure requirements will be made through the Lenham Neighbourhood Plan or through the local plan review to be adopted by April 2021. Housing sites should avoid significant adverse impact on the setting of the AONB and coalescence with neighbouring Harrietsham."*⁶

I also note that the Basic Conditions Statement (at Section 3) describes how the Plan contributes to the achievement of sustainable development and (at Section 4) how it is in general conformity with the strategic policies in the development plan for the area. Section 2 of the Basic Conditions Statement addresses how the Plan has regard to national planning policies contained in the NPPF.

- 4.11 The Vision for Lenham up to 2031 is set out in Section 3 of the Plan. The over-arching vision of the Plan is to "protect the heritage features of Lenham village and the hamlets of the Parish, and their setting in relation to the AONB, and the rural parts of the Parish, while allowing appropriate growth". This leads to the Plan's sub-title of "Quality Growth Quality Life". A number of minor errors in Sections 1-3 of the Plan require correction and amendment, and I therefore recommend modification **PM1** to encompass those amendments.⁷
- 4.12 I am satisfied that the key issues arising from the NPPF and the strategic policies in the adopted MBLP covering the period up to 2031, as they affect Lenham, are appropriately identified within the Plan and more fully at Sections 2-4 of the Basic Conditions Statement.
- 4.13 I consider that overall, subject to the detailed modifications I recommend to specific policies below, that individually and collectively the Plan's policies will contribute to the achievement of sustainable patterns of

⁶ Note: the current Local Development Scheme now refers to adoption of the Local Plan Review by April 2022.

⁷ Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.

development. However, there are a number of detailed matters which require amendment to ensure that the policies have the necessary regard to national policy and are in general conformity with the strategic policies of the Borough Council. Accordingly, I recommend modifications in this report in order to address these matters.

Specific Issues of Compliance

- 4.14 I turn now to consider each of the proposed policies in the draft Plan, and I take into account, where appropriate, the representations that have been made concerning the policies.

Design Quality

- 4.15 Section 4 of the draft Plan addresses design quality in the Plan area and contains five policies (Policies D1-D5) on this theme. The Plan notes that the development of Lenham and its surroundings has largely taken place on a piecemeal basis leading to a variety of architectural designs and materials. The Plan is seeking to support development proposals which demonstrate evidence of variety in all schemes, such as the use of distinctive local characteristics and materials.
- 4.16 Policy D1 (Quality Design) is a lengthy policy, with twelve clauses covering the design of all proposed developments in the Plan area, including buildings, external spaces and the public realm. The objective of the policy is to achieve high quality places through a design-led approach.
- 4.17 The supporting justification for the policy at paragraphs 4.1.1-4.1.13 includes a "rule of thumb" formula at paragraph 4.1.5 to determine the number of housing types and range of materials that should be considered within developments of varying sizes. Although this formula is not part of Policy D1, I consider that it is not supported by any appropriate robust evidence, is largely subjective and is not consistent with national policy. I therefore recommend modification **PM2** to delete paragraph 4.1.5 from the Plan.
- 4.18 There have been a number of representations concerning Policy D1 and, following my consideration of those representations, I consider that a number of amendments are necessary in order to improve its clarity for users of the Plan, especially in the context of its length. Recommended modification **PM3** encompasses those amendments.
- 4.19 Policy D2 (Small Scale Residential Development and Householder Extensions) addresses the design of smaller-scale developments, including householder extensions, within the Plan area, with 'small scale' being defined within the policy as developments less than 'major development' as defined in the NPPF. There have been a number of representations concerning this policy, and again I consider that a number of amendments are necessary in order to improve its clarity for users of the Plan. Recommended modification **PM4** encompasses those amendments.

- 4.20 Policy D3 (Innovation and Variety) seeks to encourage innovative building design in Lenham that raises the general level of design quality. I have given careful consideration to the content of this policy, which generally exceeds the requirements of both national and local planning policies for building design. I do consider that some amendments are necessary to ensure that the policy is in general conformity with the strategic policies of the MBLP and has regard to national guidance, but I recognise that the policy is seeking to reinforce and strengthen local distinctiveness in building design. My recommended amendments are set out as modification **PM5**.
- 4.21 Policy D4 (Self and Custom-build Homes) seeks to encourage self and custom-build housing in appropriate locations within the Plan area. The Borough Council has made a representation regarding this policy, specifically suggesting that the policy should refer to design codes rather than 'plot passports', together with other suggested amendments. I broadly agree with the Borough Council's suggested revisions, in order to improve the clarity and understanding of the policy's requirements for the benefit of future users of the Plan, and recommended modification **PM6** encompasses the necessary amendments.
- 4.22 Policy D5 (Residential Car Parking Design) seeks to encourage improved car parking design within new residential developments, as part of the objective of establishing good placemaking principles. In my assessment, the policy is overly restrictive in seeking to discourage separate parking courts, which may be an appropriate solution in some higher density developments, and I recommend modification **PM7** to amend the policy wording on this point.
- 4.23 With recommended modifications PM2-PM7, I consider that the draft Plan's policies on Design Quality are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Promoting Active, Smarter and Sustainable Travel

- 4.24 Section 5 of the draft Plan seeks to ensure that sustainable travel is supported and encouraged in the Plan area, including walking, cycling and travel by public transport. There are four policies (Policies AT1-AT4) on this theme.
- 4.25 Policy AT1 (Active Travel) seeks to secure high quality pedestrian and cycling routes as part of new areas of development. The Borough Council seeks one amendment to the text of the policy and I agree that this would be appropriate. I also consider that the supporting justification requires two minor amendments for clarity and accuracy. These recommended amendments are set out as **PM8**.

- 4.26 Policy AT2 (Public Transport) indicates that support will be given for proposals which help deliver new and improved public transport services and infrastructure in the Plan area. I am satisfied that the policy is justified and seeks to secure improved public transport provision in the Plan area, and I do not recommend any modifications to the policy.
- 4.27 Policy AT3 (Design to Encourage Sustainable Transport) seeks to ensure that the design and development of the Strategic Housing Development Sites (see paragraphs 4.58-4.82 below) incorporates the design requirements to allow for the provision of bus services. Again, I am satisfied that this policy is justified and will assist in securing sustainable patterns of transport, particularly in respect of major new development proposals. I do not recommend any modifications to this policy.
- 4.28 Policy AT4 (Active and Sustainable Travel Projects) indicates that the Parish Council will seek to develop the existing network of public footpaths within the Parish, in conjunction with the Borough Council and Kent County Council. Whilst there is some duplication with Policy AT1, I am satisfied that the policy is justified in that it relates primarily to the identification and funding of sustainable travel projects within the Plan area as a whole. However, I do consider that the title of this sub-section of the Plan should be amended, as it is presently overly restrictive regarding the potential funding sources for such projects, and this amendment is addressed by recommended modification **PM9**. I do not recommend any modifications to the text of the policy.
- 4.29 With the recommended modifications PM8 and PM9, I consider that the draft Plan's policies for active, smarter and sustainable travel are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Enhancing and Protecting Green Space

- 4.30 Section 6 of the draft Plan seeks to protect and enhance the network of publicly accessible green spaces in the Plan area. The section contains three policies, Policy GS1, Policy LGS1 and Policy CP1, in order to meet this objective.
- 4.31 Policy GS1 (Natural and Amenity Green Space) indicates that support will be given for proposals which provide good quality outdoor spaces, create and enhance wildlife habitats, improve links between Lenham and the surrounding countryside and make provision for publicly accessible open spaces and recreation within the Strategic Housing Development Sites. I consider that the policy is justified, but that a number of minor amendments should be made to the text of the policy and to its supporting justification in order to provide clarity for users of the Plan. These amendments are encompassed within recommended modification **PM10**.

4.32 Policy LGS1 (Local Green Space) proposes the designation of 6 areas as Local Green Spaces, which are identified on the Policies Map. There is clear guidance within the NPPF (at paragraph 100) regarding the designation of Local Green Spaces. It states that:

“The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.”*

4.33 The principal evidence document supporting this policy is a report entitled ‘Supporting Background Report – Local Green Space’ (August 2017), which identifies and assesses the open spaces which the Steering Group consider should be protected from inappropriate development. This report contains assessments of two further potential Local Green Space sites which have not been taken forward in the Submission Plan. However, I note that the site described as ‘Land at Royton Avenue’ is not included in that evidence document, as indeed is the case with ‘Court Lodge Meadow’, and that neither of those two sites were included in the Regulation 14 Consultation Plan. I have undertaken visits to each of the six sites proposed for designation in the specific policies and have taken account of the evidence document referred to above.

4.34 I have assessed each of the proposed Local Green Spaces in light of the criteria set out in the NPPF and the further advice in the PPG.⁸ I have also taken account of the various representations that have been made regarding the policy. I am satisfied that an assessment has been undertaken of each proposed Local Green Space in the context of the NPPF criteria. However, in my own assessment of the proposed sites and the accompanying evidence, I do not consider that the site described as ‘Land at Royton Avenue’ meets the NPPF criteria, notably criterion b) as set out above, and I do not consider that its proposed designation as a Local Green Space is justified. I have considered the specific representations supporting the designation of this site, but they do not provide a compelling case to justify its designation. Accordingly, I recommend its deletion from Policy LGS1, the supporting text and the Policies Map. This is addressed by recommended modification **PM11**.

4.35 Additionally, the text of the Plan at paragraphs 6.4.1, 6.5.2, 6.5.4, 6.5.5 and 6.7.4 is incorrect, and I set out the recommended amendments as part of modification **PM11**.

4.36 Policy CP1 (Countryside Protection) states that proposals for new development in the countryside beyond the settlement boundary for

⁸ See PPG Reference ID: 37-005-20140306 to ID: 37-022-20140306.

Lenham village, which is extended to include the Strategic Housing Delivery Sites, will be assessed in accordance with the countryside restraint policies in the adopted MBLP and their impacts upon the visual setting and landscape features of the site and its surroundings and the biodiversity of the area.

- 4.37 This policy has attracted a significant number of representations from members of the Lenham community. In summary, the representations seek the replacement of the policy with alternative new policy text and the inclusion of appropriate supporting text.
- 4.38 I have given careful consideration to these representations, and the proposed replacement policy text. I concur with the main points that have been made, and I agree that the policy should be revised to take account of those points, not least that it should make appropriate references to the Kent Downs AONB and to the smaller hamlets and settlements that exist within the Plan area. I therefore recommend the replacement of the policy text with revised wording, together with a new paragraph of supporting text. I consider that these amendments are necessary in order to provide greater clarity regarding the scope and purpose of this policy, and to reflect national policy and guidance on countryside protection. These recommended amendments are addressed by modification **PM12**.
- 4.39 With the recommended modifications PM10-PM12, I consider that the draft Plan's policies for enhancing and protecting open spaces in the Plan area are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Employment

- 4.40 Section 7 of the draft Plan is concerned with employment in the Plan area and contains three policies (Policies EMP1-EMP3) on this topic. There are three major employment areas in the Plan area, Lenham Storage, Aliaxis (formerly the Marley Works) and the Ashmills Business Park. Each of these sites is designated as an Economic Development Area (EDA) by Policy SP22 in the adopted MBLP. Section 7 does not address these strategic employment sites, but considers employment issues at Lenham Square, Lenham Station and more generally within the defined Lenham village boundary.
- 4.41 Policy EMP1 (Lenham Square) addresses the issues concerning the Lenham Square area, which is the focus of retail and service activity in Lenham. The policy seeks to support the role of Lenham Square as the primary retail, commercial, employment and entertainment hub within the village. I consider that the policy is justified and recognises the importance of Lenham Square to the local community. However, to reflect national policy guidance, a minor amendment is necessary to the text of the policy, together with a further amendment to the supporting

text. These amendments are addressed by recommended modification **PM13**.

- 4.42 Policy EMP2 (Land North and South of the Railway Station) relates to potential opportunities for employment development, together with associated environmental and accessibility improvements, on land to the north and south of Lenham Station, which is situated to the south of the village. The policy contains two clauses, the first addressing opportunities to the north of the Railway Station and the second addressing opportunities south of the Station. In this respect, the second part of the policy is closely aligned with the proposals for Strategic Housing Delivery Site 3 (Land East of Old Ham Lane and South of the Railway) (see paragraph 4.79 below). I have considered the representations made to the policy, and I consider that a number of amendments should be made to the policy itself and to its supporting text, in order to achieve clarity around the policy requirements and to make appropriate cross-references to Policy SHDS3. I therefore recommend modification **PM14** to address these matters.
- 4.43 Policy EMP3 (Providing for a Mix of Employment Opportunities) seeks to promote potential employment opportunities within the built-up areas of the Parish, but with environmental safeguards. I consider that this policy is justified and seeks to broaden the range of employment opportunities across the Plan area, particularly in respect of small and medium sized businesses. I recommend two minor amendments to the text of the policy as modification **PM15** in order to provide greater clarity.
- 4.44 With the recommended modifications PM13-PM15, I consider that the draft Plan's policies for employment are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Community Facilities

- 4.45 Section 8 of the draft Plan is concerned with community facilities in the Plan area and contains seven policies (Policies CF1-CF3 and Policies ED1-ED4) addressing the provision of social and community facilities, including schools, healthcare, sports halls and community centres.
- 4.46 Policy CF1 (Community Facilities) states that planning applications to enhance and provide additional community facilities will be supported. It further states that all facilities should be easily accessible and provide for good walking and cycling connections, located where possible close to public transport. The loss of existing community buildings (with Use Class D1) will not be supported unless it can be demonstrated that demand for the facility no longer exists or that suitable alternative provision is made elsewhere. I consider that the policy is justified, but that two minor amendments are necessary in order to improve its clarity. I therefore recommend modification **PM16** to address this point.

- 4.47 Policy CF2 (Lenham Community Centre) is concerned solely with the Lenham Community Centre, and the policy states that the Centre will be maintained and enhanced, and that opportunities will be supported to improve the facilities at the site. I consider that the policy is justified, and I do not recommend any modifications to the text of the policy.
- 4.48 Policy CF3 (Health Infrastructure) relates to the Lenham Health Centre, and states that development proposals for the expansion of the Centre will be supported. Again, I consider that the policy is justified, but I consider that the title of the policy should be amended to 'Lenham Health Centre (Len Valley Practice)' for accuracy, and that the reference in the policy to the 'Lenham Medical Centre' be amended to 'Len Valley Practice', again for accuracy. I recommend modification **PM17** in order to address this point.
- 4.49 Policies ED1-ED4 are all entitled 'Education'. However, Policies ED1 and ED2 relate to the Lenham Primary School, Policy ED3 relates to The Lenham School which is a secondary school and Policy ED4 relates to nursery education provision. The titles of these four policies is presently potentially confusing for users of the Plan and I recommend, as part of modifications **PM18-PM20** (see below), that the titles of the policies be amended to give greater clarity regarding the scope of each policy. Additionally, I consider that Policies ED1 and ED2 should be consolidated into a single policy relating to the Lenham Primary School with revised text, again for clarity. Furthermore, I consider that the text of Policy ED3 (to be re-numbered ED2) requires some amendment to make it clear that the use of The Lenham School for multi-functional community uses will be supported, where appropriate. Finally, I also consider that the text of Policy ED4 (to be re-numbered ED3) requires some amendment to make the scope of the policy clearer. I address these recommended amendments by modifications **PM18** (concerning Policies ED1 and ED2), **PM19** (concerning Policy ED3) and **PM20** (concerning Policy ED4).
- 4.50 With the recommended modifications PM16-PM20, I consider that the draft Plan's policies for community facilities are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Tourism

- 4.51 Section 9 of the draft Plan covers tourism, noting that the Parish contains areas of highly attractive countryside, including the Kent Downs AONB. There is one policy (Policy TOU1) addressing tourism-related developments in the Plan area.
- 4.52 Policy TOU1 (Tourism) seeks to promote the development of sustainable tourist facilities, including visitor attractions, accommodation and infrastructure, including green infrastructure, subject to planning safeguards regarding siting, scale, design and materials. I have

considered the representations made concerning this policy, but it is my conclusion that the policy provides positive support for the development of the tourism industry in the Plan area, whilst ensuring that any proposed developments will be required to demonstrate high quality design that has regard to the local character, historic and natural assets of the Plan area. I do not recommend any modifications to the policy.

- 4.53 I therefore consider that the draft Plan's policy for tourism in the Plan area is in general conformity with the strategic policies of the HDPF, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Air Quality and Renewables

- 4.54 Section 10 of the draft Plan addresses the need to promote improved air quality and renewable energy generation as part of development proposals in the Plan area. There are three policies (Policies AQ1-AQ3) on this topic.
- 4.55 Policies AQ1 and AQ2, both entitled 'Charging Points for Electric Vehicles', seek to promote the introduction of charging stations and charging points to support the use of electric vehicles. These policies address the provision of public charging points at locations such as public car parks (Policy AQ1) and as part of development proposals, particularly for new residential developments (Policy AQ2). The fundamental planning objective of both policies is the same, and I therefore consider that the two policies should be consolidated as one policy, in order to provide clearer and more concise policy guidance for users of the Plan. Two minor amendments to the supporting text (at paragraph 10.1.1) for the two policies are necessary. I therefore recommend modification **PM21** to address the consolidation of Policies AQ1 and AQ2, with appropriate revisions to the policy text and the minor amendments to paragraph 10.1.1.
- 4.56 Policy AQ3 (Renewables) states that planning applications for renewable energy schemes will be required to demonstrate that they do not have a significant adverse effect on landscape character, biodiversity, heritage or cultural assets or amenity value. I have considered the representations that were made concerning this policy, but my conclusion is that the policy is justified, particularly in the interests of promoting sustainable development. I recommend modification **PM22** to re-number and re-title the policy, and also to make a minor amendment to the policy text.
- 4.57 With the recommended modifications PM21 and PM22, I consider that the draft Plan's policies for air quality and renewables in the Plan area are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Strategic Housing Delivery Sites

- 4.58 Section 11 of the draft Plan is concerned with securing the strategic policy requirement for the delivery of approximately 1,000 new homes in the Plan area up to 2031. This requirement is set out in Policies SP8 and H2 of the adopted MBLP (see paragraphs 4.2 and 4.10 above). Policy SP8 (6) states, inter alia, that housing site allocations and associated infrastructure requirements to meet this requirement will be made through the Lenham Neighbourhood Plan or through the local plan review to be adopted by April 2022, and also that housing sites should avoid significant adverse impact on the setting of the AONB and coalescence with the neighbouring village of Harrietsham. This section of the Plan contains three policies (Policies SHDS1-SHDS3) covering general requirements, design principles and housing tenure and mix respectively. It then contains seven specific housing site allocations (Strategic Housing Delivery Sites 1-7 grouped under the headings of the three proposed strategic growth areas - see paragraph 4.61 below).
- 4.59 The identification of potential strategic housing site allocations in the draft Plan has followed a process that has been undertaken in parallel with the SEA and the preparation of various supporting technical studies. Following consultation and engagement during the earlier stages of the Plan's preparation, the Steering Group took forward a spatial strategy which seeks to focus new development in the vicinity of Lenham village rather than at other locations in the Plan area. This was in order to support and enhance the existing community infrastructure in the village and maximise access to local facilities, such as schools, shops, medical services and social facilities.
- 4.60 To achieve this spatial strategy, seven 'potential areas of growth' (PAGs) were identified and tested through the SEA process. The PAGs are shown on Figure 4.1 of the SEA report. Tables 4.3-4.9 in the SEA report identify the key environmental constraints present at each PAG and the potential environmental effects that may arise from their development, in order to provide an indication of each site's sustainability performance. The PAGs took account of potential housing, employment or mixed use sites contained in the Borough Council's Strategic Housing and Economic Development Land Availability Assessment (SHEDLAA) completed in 2016, but in some cases the PAG boundaries differ from or overlap sites identified in the SHEDLAA.
- 4.61 The draft Plan allocates seven sites for housing development within three strategic development areas, as follows:

North-East of Lenham Village Extension

- Site 1 – Land South of Old Ashford Road (approximately 85 dwellings).

South-West of Lenham Village Extension

- Site 2 – Land West of Headcorn Road and North of Leadingcross Green (approximately 110 dwellings).

- Site 3 – Land East of Old Ham Lane and South of the Railway (approximately 230 dwellings).
- Site 4 – Land West of Headcorn Road and South of the Old Goods Yard (approximately 110 dwellings).

North-West of Lenham Village Extension

- Site 5 – Land West of Old Ham Lane and North of the Railway (approximately 360 dwellings).
- Site 6 – Land at William Pitt Field (approximately 50 dwellings).
- Site 7 – Land West of Loder Close (approximately 55 dwellings).

These seven sites have a total potential housing capacity of approximately 1,000 dwellings, thereby meeting the strategic policy requirement contained in the adopted MBLP.

- 4.62 The three strategic development areas correspond to PAGs 7, 4 and 2 respectively. PAGs 1, 3, 5 and 6 were not taken forward into the draft Plan. The identification of the three strategic development areas (and the seven housing allocation sites) is accompanied by a number of key supporting documents in addition to the SEA report. These comprise reports on the likely impact on best and most versatile agricultural land, an archaeological desk-based assessment, the landscape and visual impact assessment (LVIA), housing needs, financial viability and masterplanning.
- 4.63 The draft Plan is also accompanied by an extensive Transport Assessment which contains assessments of the baseline situation as at 2018, including public transport, the impacts of the proposed additional 1,000 dwellings allocated in the Plan and the potential transportation infrastructure requirements to support the planned growth in the Plan area.
- 4.64 I have taken into account the findings from each of the supporting documents in my assessment of the proposed Strategic Housing Delivery Sites (SHDS). I note that the Transport Assessment (at page 108) sets out an indicative phasing schedule for the delivery of the housing sites being linked to the provision of new and improved transportation infrastructure. I further note that the Financial Viability Statement concludes that each of the SHDS allocated in the Plan “can be brought forward with a policy compliant provision of affordable housing, Section 106 and Community Infrastructure Levy (CIL) payments whilst maintaining an appropriate landowner premium and a developer’s return”.
- 4.65 I am satisfied that the proposed allocation of the three SHDS in the Plan, containing seven housing site allocations (as listed at paragraph 4.61 above) has been based on a robust evidence base of supporting documents, which demonstrate that the allocations can be delivered during the Plan period in accordance with national and local planning policy objectives.

- 4.66 I am also satisfied that the selection and allocation of the sites has followed a rigorous consideration of evaluating alternative spatial options for accommodating the planned growth in the Parish and the testing of those “reasonable alternatives”, particularly through the SEA process. I consider that the development strategy in the draft Plan has taken account of the environmental and landscape constraints relating to the Kent Downs AONB and maximises the potential sustainability benefits of the preferred sites in the vicinity of Lenham village.
- 4.67 My broad conclusion is that the three proposed SHDS allocations in the draft Plan, including the seven specific housing site allocations, are in each case fully justified by the supporting technical studies, meet the strategic policy requirements in the adopted MBLP and have regard to national policy and advice. I am satisfied that their inclusion in the draft Plan has followed some extensive consultation and engagement with the Lenham community and with key stakeholders.
- 4.68 In reaching this conclusion, I have given full consideration to those representations which have proposed the development of sites not included within the three SHDS allocations in the draft Plan. These representations concern land at the former Lenham Quarry and land to the east of Old School Close, Lenham. I do not recommend the allocation for residential development of either or both of these two sites, as I am satisfied that the draft Plan meets the strategic policy requirement for additional housing provision in the Plan area up to 2031 and that, as noted at paragraph 4.66 above, the selection of sites to meet that requirement has followed a rigorous and robust approach that meets the Basic Conditions.
- 4.69 I turn now to consider the various representations that have been made concerning specific aspects of Policies SHDS1-SHDS3 and the seven site allocations. To facilitate an easier understanding of my report, I address each policy and proposed site allocation individually although some representations covered multiple matters within this section of the Plan. I have taken the relevant key issue papers prepared by the Parish Council on the Delivery Strategy and the William Pitt Field into account in my consideration of matters concerning the SHDS.
- 4.70 Policy SHDS1 (Strategic Housing Delivery Sites – General Requirements) is a lengthy policy setting out eight criteria that should be met by all planning applications for proposed developments within the SHDS, and these are in addition to the site-specific requirements identified for each of the seven housing allocation sites (see paragraphs 4.77-4.82 below). The criteria cover the submission of a detailed Masterplan, affordable housing proposals in accordance with the adopted policies in the MBLP, appropriate surface water, sewerage and flood mitigation arrangements, public open space provision, highways proposals and a Construction Method Statement.

- 4.71 I am satisfied that Policy SHDS1 is justified in setting the fundamental parameters for all development proposals that come forward on the housing allocation sites. However, I do consider that a number of amendments are necessary to certain policy criteria in order to provide greater clarity for users of the Plan, and for subsequent development management purposes. Additionally, a minor amendment to the supporting text (at paragraph 11.1.7) to this policy is necessary for accuracy. I therefore recommend modification **PM23** to encompass these amendments.
- 4.72 Policy SHDS2 (Strategic Housing Delivery Sites – Design Principles) states that planning applications for development should demonstrate how they meet four design principles within the proposals, including a high quality, attractive, accessible and safe environment, the placemaking function of streets and secure, attractive and clearly defined public and private spaces.
- 4.73 I have considered the representations concerning this policy, including the Borough Council’s view that it should be deleted. However, I consider that it is important that the Plan contains all necessary policy guidance regarding the SHDS to enable users of the Plan to have a comprehensive understanding of the requirements to enable the sites to be delivered. I recommend two amendments to the text of the policy to ensure that it refers to the need to incorporate local watercourses into the design of site layouts and the need to protect the setting of the Kent Downs AONB, in order to provide improved clarity regarding the scope of the policy. These amendments are addressed by recommended modification **PM24**.
- 4.74 Policy SHDS3 (Strategic Housing Delivery Sites – Housing Tenure and Mix) states that support will be given to proposals that provide for affordable housing with an indicative tenure mix of 80% social and affordable rent and 20% intermediate affordable housing, and a range and mix of house types with an indicative target of 40% one and two bedrooms, 50% three bedrooms and 10% four bedrooms or more.
- 4.75 I consider that this policy is justified in seeking to ensure that the tenure and mix of the proposed new residential developments meets the identified local housing needs. One minor amendment is necessary to align with the Housing Needs Assessment (at page 33), and I therefore recommend modification **PM25** to address that point.
- 4.76 Each of the seven housing site allocations identified in the Plan includes a set of site-specific policy requirements, in addition to the matters set out at Policies SHDS1-SHDS3. Such requirements are set out under the headings of Highways, Access and Transportation, Open Space and Design and Layout. There have been a number of representations concerning some of the site-specific requirements.
- 4.77 Strategic Housing Delivery Site 1 – Land South of Old Ashford Road: this site comprises the only site within the ‘North East of Lenham Village

Extension' to provide approximately 85 dwellings. I consider that certain of the requirements for this site need to be considerably strengthened in order to address strong concerns raised by the Kent Downs AONB Joint Advisory Committee, and also that some further minor amendments are necessary in order to provide greater clarity. Additionally, the illustrative Masterplan for the development of this site, which is at page 48 in the Plan, contains certain cartographical errors which should be corrected. These amendments are all addressed by recommended modification **PM26**.

4.78 Similarly, I consider that some minor amendments are necessary to certain of the site-specific requirements in order to provide clarity in relation to:

- Strategic Housing Delivery Site 2 – Land West of Headcorn Road and North of Leadingcross Green;
- Strategic Housing Delivery Site 3 – Land East of Old Ham Lane and South of the Railway; and
- Strategic Housing Delivery Site 4 – Land West of Headcorn Road and South of the Old Goods Yard;

The recommended modifications for Sites 2, 3 and 4 are set out in **PM27**, **PM28** and **PM29** respectively.

4.79 Strategic Housing Delivery Site 5 – Land West of Old Ham Lane and North of the Railway: as with Site 1, I consider that certain of the requirements for this site need to be strengthened in order to address the concerns raised by the Kent Downs AONB Joint Advisory Committee, and also that some further minor amendments are necessary in order to provide greater clarity. These amendments are addressed by recommended modification **PM30**.

4.80 Strategic Housing Delivery Site 6 – William Pitt Field: I have given careful consideration to the Borough Council's concerns regarding the proposed replacement of sports pitches at this site by the provision of new pitches at Site 1. However, I consider that this aspect of the proposed development of the site for residential development is justified, subject to the agreement of Sport England to the replacement pitches. As with Sites 1 and 5, I consider that certain of the requirements for this site need to be strengthened in order to address the concerns raised by the Kent Downs AONB Joint Advisory Committee, and also that a further minor amendment is necessary in order to make clear the site-specific requirements for this site. These amendments are addressed by recommended modification **PM31**.

4.81 Strategic Housing Delivery Site 7 – Land West of Loder Close: this site is also within the 'North West of Lenham Village Extension' to provide approximately 55 dwellings. As with Sites 2, 5 and 6, I consider that certain of the requirements for this site need to be strengthened to address the concerns raised by the Kent Downs AONB Joint Advisory Committee, and also that a further minor amendment is necessary in

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order to provide greater clarity to the site-specific requirements for this site. These amendments are addressed by recommended modification **PM32**.

- 4.82 With the recommended modifications PM23-PM32, I consider that the draft Plan's policies for the Strategic Housing Delivery Sites are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Implementing the Plan: Community Infrastructure Levy, Developer Contributions and Planning Conditions

- 4.83 Section 12 of the draft Plan addresses the implementation of the Plan and its policies. It contains one policy (Policy DC1) concerning developer contributions. This section also includes a table (Table LNP 1) setting out a list of strategic infrastructure projects that are considered necessary in the Plan area, together with their potential funding sources. It also includes a proposed list of Lenham Parish Infrastructure Projects which could be funded by future CIL payments made to the Parish Council.
- 4.84 Policy DC1 (Developer Contributions) states that developer contributions towards developments in the Plan area will be sought in accordance with the policies in the Plan and the adopted MBLP. Contributions that are made to the Parish Council will be used to deliver projects such as the Lenham Parish Infrastructure Projects. A number of minor amendments are necessary to the supporting justification to this policy and to the policy text in order to ensure that this section of the Plan is in general conformity with the strategic policies of the adopted MBLP. I therefore recommend modification **PM33** which encompasses these amendments.
- 4.85 With the recommended modification PM33, I consider that the draft Plan's policies for implementing the Plan (Community Infrastructure Levy, Developer Contributions and Planning Conditions) are in general conformity with the strategic policies of the MBLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Appendix A - Glossary

- 4.86 Appendix A to the draft Plan contains a Glossary of planning terms used in the Plan. Three minor amendments are necessary to ensure accuracy, and these are addressed by recommended modification **PM34**.

Lenham Local Policies Map

- 4.87 The Lenham Local Policies Map is contained at page 47 in the draft Plan. The scale of the Policies Map renders it very difficult to interpret some policies of the Plan with the necessary accuracy. This is particularly the case with policy notations affecting the Lenham Village area. For the

benefit of users of the Plan, the interpretation of policies would be facilitated by the inclusion of a Lenham Village Inset Plan of the Policies Map at a larger scale, and I consider that this is a necessity for greater clarity. I therefore recommend, as modification **PM35**, that a Lenham Village Inset Plan of the Policies Map be prepared at a suitable scale and be included in the Plan following the main Local Policies Map. The geographical area to be shown on the Inset Plan should be identified with a boundary notation on the main Local Policies Map.

Other Matters

- 4.88 There is the likelihood that there will be a need to formally review the Plan during the Plan period, particularly following the prospective adoption of the emerging Maidstone Borough Local Plan Review, which is presently timetabled to occur in April 2022. The Submission Plan does not contain a reference regarding the need to review the Plan, which I consider to be an omission. I therefore recommend, as modification **PM36**, that an additional paragraph be added to Section 1 of the Plan to address this point.

Concluding Remarks

- 4.89 I consider that, with the recommended modifications to the Plan as summarised above and set out in full in the accompanying Appendix, the Lenham Neighbourhood Plan (2017-2031) meets the Basic Conditions for neighbourhood plans. As a further advisory comment, when the Plan is being redrafted to take account of the recommended modifications, it should be re-checked for any typographical errors and any other consequential changes, etc.

5. Conclusions

Summary

- 5.1 The Lenham Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Plan, and the supporting documents submitted with it.
- 5.2 I have made recommendations to modify certain policies and other matters to ensure that the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Lenham Neighbourhood Plan, as modified, has no policies or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.4 It is clear that the Lenham Neighbourhood Plan is the product of extensive work undertaken since 2012 by the Parish Council, the Neighbourhood Plan Steering Group and by the many individuals and stakeholders who have contributed to the preparation and development of the Plan. In my assessment, the Plan reflects the land use aspirations and objectives of the Lenham community for the future development of their community up to 2031. The output is a Plan which should help guide the area's development over that period, making a positive contribution to informing decision-making on planning applications by Maidstone Borough Council.

Derek Stebbing

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Pages 2, 5, 7 and 8	<p>Paragraph 1.2.1 – 1st line – replace the word “that” with “the”.</p> <p>Paragraph 2.1.1 - 4th line – delete “Drawing 1” and replace with “the Lenham Neighbourhood Plan Parish Boundary Map on page 46”.</p> <p>Paragraph 2.2.6 - criterion 4 – add the word “provision” after “on-site”.</p> <p>Paragraph 2.2.6 – criterion 6 – amend 2nd sentence to read “Such provision should respond positively to the wider area to create enhanced linkages and networks;”.</p> <p>Paragraph 3.1.8 – Amend 3rd sentence to delete the wording after “Report”.</p>
PM2	Page 9	<p>Delete paragraph 4.1.5.</p> <p>Re-number paragraphs 4.1.6-4.1.13 as 4.1.5-4.1.12.</p>
PM3	Pages 10 and 11	<p><u>Policy D1 – Quality Design</u></p> <p>Clause 2 – amend 3rd sentence to read: “Design that incorporates opportunities to enhance and provide for net gains for biodiversity will be encouraged.”</p> <p>Clause 3 – delete 3rd sentence.</p> <p>Clause 4 – delete existing text, and replace with: “Development within mixed-use areas, including Lenham village centre, should seek to contribute to the vitality of the area and the role of the public realm, and where appropriate:</p>

		<ul style="list-style-type: none"> • provide active uses and shop window frontages at street level; • where areas of private realm are to be created, such as outdoor seating areas, these should be designed to complement and not detract from any adjacent areas of public realm; • vehicular parking and external storage areas should not be designed adjacent to any existing areas of public realm." <p>Clause 6 – amend 2nd sentence to read: "Proposals for development on allocated sites in this Plan should be designed such that they do not prejudice the future planning and development of any adjoining allocated sites."</p> <p>Clause 7 – delete existing text, and replace with: "The location, design and site layout of new development in the Plan area should have regard to the role Lenham plays within the setting of the Kent Downs Area of Outstanding Natural Beauty (AONB). Development should not detract from the landscape quality and special characteristics of the AONB. Proposals for major development, or other schemes capable of detracting from the AONB, in the Plan area should be accompanied by a Landscape and Visual Impact Assessment (LVIA) and, where appropriate, a landscape mitigation strategy."</p> <p>Clause 8 – delete existing text, and replace with: "The size and height of proposed new buildings should be designed such that they will be well screened by trees and other landscaping when viewed from the AONB and its setting, taking account of the prominent scarp of the AONB."</p>
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		<p>Clause 9 – amend 1st sentence to read: “Non-reflective building materials should be used wherever possible.”</p> <p>Clause 11 – delete existing text, and replace with: “The design of proposed new developments should take account of local building characteristics, including the traditional materials found in the Plan area.”</p> <p>Clause 12 – sub-clause 2) – delete this clause, as it may not be appropriate in all situations.</p> <p>Clause 12 – sub-clause 3) – amend to read: “Location and design of car parking should ensure that the streetscape is not dominated by car parking;”.</p> <p>Clause 12 – sub-clause 7) – delete the words “ship lap cladding” in the 1st line and replace with “feather edged weatherboarding”.</p> <p>Clause 12 – sub-clause 8) – amend to read: “Native trees appropriate to landscape character that have the capacity to establish large crowns shall be planted alongside roads and within communal areas, unless other species are characteristically appropriate, in order to achieve the optimum integration of new developments into the landscape when viewed from the AONB;”.</p>
PM4	Pages 11 and 12	<p><u>Policy D2 - Small Scale Residential Development and Householder Extensions</u></p> <p>Clause 1 – delete “welcomed” in the 2nd line and replace with “supported”.</p> <p>Clause 2 – sub-clause 3) – amend to read: “The proposed development does not result in the net loss of local amenity green space, nor adversely impact on biodiversity.”</p>

PM5	Page 13	<p><u>Policy D3 – Innovation and Variety</u></p> <p>Clause 1) – amend the text to read as follows:</p> <p>“Development proposals in the Plan area that incorporate innovative design are encouraged.”</p> <p>Clause 2) – delete existing text, and replace with:</p> <p>“Development proposals which reflect the local distinctiveness of building design in Lenham, and which establish a good sense of place, will be supported.”</p> <p>Delete Clause 3).</p>
PM6	Page 13	<p><u>Policy D4 – Design for Self and Custom Build Homes</u></p> <p>Delete existing policy text, and replace with:</p> <p>“Where land is proposed for self or custom-built homes, a site masterplan and design codes should be submitted as part of any planning application. Together, these will inform each plot design and ensure that a cohesive and high-quality form of development is secured. The masterplan should address site layout, open space, vehicular and pedestrian access, whilst design codes should address building parameters such as height, density, materials and parking requirements. Where appropriate, planning applications should identify and include proposals for the future management and maintenance of open spaces and landscaping.”</p>
PM7	Page 13	<p><u>Policy D5 – Residential Car Parking Design</u></p> <p>Delete 3rd sentence of policy text, and replace with:</p> <p>“Where development proposals include separate parking courts, these should be designed to form an integral element of the open space strategy for the site in terms of materials and landscaping and</p>

		be visually supervised by the dwellings they serve.”
PM8	Page 14	<p><u>Policy AT1 – Active Travel</u></p> <p>Paragraph 5.1.6 – add new 3rd sentence, to read as follows:</p> <p>“The improvement of public rights of way in the Plan area will also take account of Kent County Council’s Rights of Way Improvement Plan (ROWIP).”</p> <p>Paragraph 5.1.8 – amend final sentence to read:</p> <p>“(See Section 12 below”.</p> <p>Clause 1) – 2nd line – replace the word “direct” with “attractive”.</p>
PM9	Page 15	<p><u>Paragraph 5.3 – Active Travel Projects funded by Community Infrastructure Levy and Government Grants</u></p> <p>Amend title of this sub-section to read:</p> <p>“Active Travel Projects funded by Developer Contributions, Community Infrastructure Levy and Government Grants”.</p>
PM10	Page 16	<p><u>Policy GS1 – Natural and Amenity Green Space</u></p> <p>Paragraph 6.1.5 – amend text of this paragraph to read:</p> <p>“Development proposals in the Plan area should have regard to the open space standards contained in Policy DM19 in the adopted Maidstone Borough Local Plan, or a successor policy.”</p> <p>Clause 5) – delete the word “urban” in the 2nd line.</p> <p>Clause 6) – insert the words “or a successor policy” after “DM19” in the 3rd line.</p>
PM11	Pages 17-20 and 47	<u>Policy LGS1 – Local Green Space</u>

		<p>Clause 6) Delete the site described as 'Land at Royton Avenue'.</p> <p>Delete sub-section 6.8 (paragraphs 6.8.1-6.8.4) in full.</p> <p>Delete notation of 'Land at Royton Avenue' as a Local Green Space on the Policies Map.</p> <p>Delete text of 2nd paragraph of policy (after clause 6) and replace with:</p> <p>"The sites designated as Local Green Space will be given long-term protection and priority will be given to preserving their character, function and openness. Proposals for development within the Local Green Spaces will not be supported unless, in very special circumstances, it is necessary to meet specific infrastructure utility needs and no feasible alternative site is available. Proposed developments within close proximity of the designated Local Green Spaces should demonstrate that they will not adversely impact upon the accessibility, function or character of the Local Green Spaces."</p> <p>Paragraph 6.4.1</p> <p>Delete existing text, and replace with:</p> <p>"The allotments are situated behind the frontages to Ham Lane, Honeywood Road and Robins Avenue. The allotments are well used and form an important recreational facility for the Lenham community, which are clearly visible from the many houses which front surrounding roads."</p> <p>Paragraph 6.5.2</p> <p>Delete the words "within the village confines" in the 1st line and replace with "lies adjacent to the village boundary".</p> <p>Paragraph 6.5.4</p>
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		<p>Delete the word "within" in the 1st line of criterion 3) and replace with "adjacent to".</p> <p>Paragraph 6.5.5</p> <p>Delete the word "within" in the 1st line and replace with "adjacent to".</p> <p>Paragraph 6.7.4</p> <p>Add the words "adjacent to the village boundary" before "is closely bounded" in the 1st line.</p>
PM12	Page 20	<p><u>Policy CP1 – Countryside Protection</u></p> <p>Delete existing policy text in full and replace with:</p> <p>"The Lenham Local Policies Map defines the settlement boundary for Lenham village which is extended to include the Strategic Housing Delivery Sites. All proposals for new development in the countryside beyond the settlement boundary for Lenham will be assessed in terms of:</p> <ol style="list-style-type: none"> 1) the potential visual impact of the development; 2) the effects upon the landscape character and heritage assets of the site and its surroundings; 3) the potential impact upon the biodiversity of the area; 4) the capacity of infrastructure and services available to support the proposed development; and, 5) the relationship of the proposed development to the setting and character of the rural hamlets and settlements within the countryside beyond Lenham village. <p>Development proposals should seek to protect the rural environment of the Parish, such that there are no adverse impacts upon the character of the countryside. Proposals which fail to</p>

		<p>demonstrate that any such impacts can be mitigated will not be supported.”</p> <p>Add new paragraph 6.9.3 (to precede Policy CP1) to read as follows:</p> <p>“6.9.3 One of the distinctive characteristics of the countryside beyond Lenham village is the existence of small hamlets and settlements such as Sandway, Platts Heath, Lenham Forstal, Lenham Heath, West Street and Woodside Green, which are set within the wider landscape setting of the Parish which includes the Kent Downs AONB. At various points across the Parish there are important views of the AONB and the open countryside. This locally distinctive context provides a strong sense of identity and character to the countryside in the Plan area.”</p>
PM13	Page 22	<p><u>Policy EMP1 – Lenham Square</u></p> <p>Amend clause 1) to read to read as follows:</p> <p>“1) Development proposals which preserve or enhance the character and function of Lenham Square as the retail, commercial, employment and entertainment hub of the Plan area will be supported.”</p> <p>Paragraph 7.2.4 – insert the words “the need for” after the word “identifies” in the 5th line.</p>
PM14	Page 23	<p><u>Policy EMP2 – Land North and South of the Railway Station</u></p> <p>Clause 1) – Delete existing text, and replace with:</p> <p>“Appropriate commercial development will be supported on land to the north of Lenham Railway Station, as shown on the Local Policies Map. Development proposals should demonstrate that they will not affect the function and accessibility of the station, and that, where possible, they would secure improvements to the public realm in the area.”</p>

		<p>Clause 2) – Delete existing text, and replace with:</p> <p>“Proposals for new commercial and social development on land to the south of Lenham Railway Station will be considered in relation to the proposed development of Strategic Housing Delivery Site 3, as set out in Policy SHDS3. Such proposals should comprise a new community hub, incorporating a mix of uses, including new retail floorspace and some residential development. Any development proposals should be accompanied by an assessment of any potential impact upon existing retail provision in the village and should ensure that there is direct and convenient accessibility by pedestrians and cyclists from the proposed residential development to the south. Such proposals should also contain an assessment of the feasibility of providing new or enhanced pedestrian access between the north and south sides of the Station, in order to achieve improved connectivity to the community hub.”</p> <p>Paragraph 7.3.2 – amend the word “routed” in the 4th line to “route”.</p> <p>Paragraph 7.3.3 - Clause 1) – add the word “pedestrian” before the word “crossing” in the 1st line of this clause.</p> <p>Paragraph 7.3.3 – Add new paragraph after clause 5 d), to read as follows:</p> <p>“Proposals for the development of land to the south of the Lenham Station will be considered in the context of the proposals for the development of Strategic Housing Delivery Site 3, as set out in Policy SHDS3 on page 35.”</p>
PM15	Page 23	<p><u>Policy EMP3 – Providing for a Mix of Employment Opportunities</u></p> <p>Clause 1) – 3rd line – delete the words “are welcome” and replace with “will be supported”.</p>

		Clause 2) – insert the word “for” between “support” and “small” in the 1 st line.
PM16	Page 24	<p><u>Policy CF1 – Community Facilities</u></p> <p>Clause 2) – Delete the words “All facilities” in the 1st line and replace with:</p> <p>“Subject to the impact of proposals on residential amenity, all proposals for community facilities”.</p> <p>Clause 3) – 1st line – delete the words “be resisted” and replace with “not be supported”.</p>
PM17	Page 24	<p><u>Policy CF3 – Health Infrastructure</u></p> <p>Amend the title of the policy to read “Lenham Health Centre (Len Valley Practice)”.</p> <p>Delete the words “Lenham Medical Centre” in the policy text and replace with “the Len Valley Practice”.</p>
PM18	Page 25	<p><u>Policies ED1 and ED2</u></p> <p>Delete the text of both policies as drafted, in full.</p> <p>Consolidate the two policies into a single policy, to be numbered Policy ED1 and entitled “Lenham Primary School”, with the following text:</p> <p>“The Lenham Primary School site, as shown on the Lenham Local Policies Map, will be safeguarded for educational use. Proposals to increase the capacity of the school on its current site will be supported. The use of the school facilities for multi-functional community activities will be supported, where there are no adverse impacts upon local residential amenity.”</p>
PM19	Page 25	<p><u>Policy ED3</u></p> <p>Re-number policy as Policy ED2 and entitled “The Lenham School”.</p> <p>Delete existing text, and replace with the following text:</p>

		<p>“The Lenham School site, as shown on the Lenham Local Policies Map, will be safeguarded for educational use. Proposals for additional school facilities on the site will be supported. The use of the school facilities for multi-functional community activities will be supported, where there are no adverse impacts upon local residential amenity.”</p>
PM20	Page 26	<p><u>Policy ED4</u></p> <p>Re-number policy as Policy ED3 and entitled “Nursery Education”.</p> <p>Delete existing text, and replace with the following text:</p> <p>“A site to the north of the allotment site at Ham Lane is safeguarded for the development of nursery education facilities, as shown on the Lenham Local Policies Map. Development proposals for nursery school facilities on the site will be supported, subject to detailed consideration of access arrangements and site layout.”</p>
PM21	Page 28	<p><u>Policies AQ1 and AQ2</u></p> <p>Paragraph 10.1.1 – insert the word “the” before “concept” in the 2nd line of this paragraph.</p> <p>Paragraph 10.1.1 – replace the words “a viable and attractive alternative” in the 4th line of this paragraph with “viable and attractive alternatives”.</p> <p>Delete the text of both Policies AQ1 and AQ2 as drafted, in full.</p> <p>Consolidate the two policies into a single policy, to be numbered Policy AQ1 and entitled “Charging Points for Electric Vehicles”, with the following text:</p> <p>“1) Proposals for developments in the Plan area which provide for electric vehicle charging points will be supported. In the case of proposed residential developments, proposals should include a charging point for each new dwelling. For flats and apartments</p>

		<p>which do not have an allocated car parking space, proposals which make provision for a shared communal charging point will be supported.</p> <p>2) Proposals for new developments, such as shops and businesses, which include car parking provision for the public and employees, should include at least one electric vehicle charging point, with the necessary infrastructure for future charging points, as part of the development.</p> <p>3) In all cases, electric vehicle charging points should be sited to ensure that there are no adverse impacts upon pedestrian movement or the immediate appearance of the street scene.”</p>
PM22	Page 28	<p><u>Policy AQ3 – Renewables</u></p> <p>Re-number and re-title policy as “Policy AQ2: Renewable Energy Generation”.</p> <p>Delete the word “effect” in the 2nd line of policy text and replace with “impact”.</p>
PM23	Pages 30-32	<p><u>Policy SHDS1 – Strategic Housing Delivery Sites: General Requirements</u></p> <p>Clause 1) – insert the words “, and an appropriate mitigation and enhancement scheme,” after “survey” in the 2nd line.</p> <p>Clause 2) – delete the words “which should be designed to be as natural as possible” in the 2nd and 3rd lines and replace with “which should be multi-functional and address the need for surface water attenuation and flow restriction.”</p> <p>Clause 5) – delete the word “include” in the 1st line and replace with “be supported by”.</p> <p>Clause 5) – delete the words “will be in general accordance with” in the 2nd and 3rd lines and replace with “should have regard to”.</p> <p>Clause 5) – delete the words “these arrangements will work in conjunction with”</p>

		<p>in the 6th and 7th lines and replace with “the development will integrate with the existing built fabric and setting of Lenham. Where the proposals relate to a larger area, the Masterplan should demonstrate how the proposed development will connect with”.</p> <p>Clause 5) – Delete the final sentence and place it within the policy as an additional clause numbered “9)”.</p> <p>Clause 7) – Delete the 1st sentence in full, and the first seven words of the 2nd sentence. The 3rd sentence should commence with “All the sites shown”.</p> <p>Paragraph 11.1.7 – delete the word “Strategic” in the 2nd line of this paragraph.</p>
PM24	Page 32	<p><u>Policy SHDS2 – Strategic Housing Delivery Sites: Design Principles</u></p> <p>Add new Clauses 5) and 6) to the policy to read as follows:</p> <p>“5) Incorporate any local watercourses into the design of site layouts and that they form part of the drainage strategy for the development of sites.</p> <p>6) All proposals must satisfy the requirement set out in Policy D1 in the Plan to ensure that the setting of the Kent Downs AONB is protected.”</p>
PM25	Page 33	<p><u>Policy SHDS3 – Strategic Housing Delivery Sites: Housing Tenure and Mix</u></p> <p>Clause 2) amend 2nd sentence to read as follows:</p> <p>“An indicative target is 10% one bedroom, 30% two bedrooms, 50% three bedrooms and 10% four bedrooms or more.”</p>
PM26	Pages 33/34 and 48	<p><u>Strategic Housing Delivery Site 1 (Land South of Old Ashford Road)</u></p> <p>Clause 1 – add the words “at a density of 22 dwellings per hectare and with a</p>

	<p>maximum building height of two storeys.” after the word “dwellings” at the end of the 1st sentence.</p> <p>Clause 2 (i) – Delete the existing text in full and replace with:</p> <p>“Access will be secured by a single ‘all purpose’ junction and an emergency access with Old Ashford Road and will include the provision of a new road to provide access to the area of Strategic Open Space to the south.”</p> <p><u>Note</u> – Plan 1 (the Site 1 Masterplan) on page 48 will require amendment to reflect the above modification.</p> <p>Clause 2 (ii) – Amend to read as follows:</p> <p>“The development will provide for a footpath/cycleway link along Old Ashford Road/Ashford Road to connect the site with the Ashmill Business Park/Northdown Close employment area.”</p> <p>Clause 3 – Amend the final sentence to read:</p> <p>“The proposed sports and recreation area has potential for an additional three sports pitches which are not directly required as a result of the proposed residential development and which will be provided as a replacement for the recreation facility currently located at William Pitt Field (Site 6).”</p> <p>Clause 4 – Insert new sub-clause 1) and re-number existing sub-clauses 1)-3) as 2)-4) respectively.</p> <p>New sub-clause 1) to read as follows:</p> <p>“1) the landscape strategy for this site must demonstrate that it mitigates as far as possible the visual impact of the development in relation to the AONB, with particular importance being</p>
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		<p>required to structural tree and woodland planting.”</p> <p>Clause 5 - Amend text to read as follows:</p> <p>“5 The design and layout of the site should follow the principles contained in the illustrative Masterplan at page 48.”</p> <p>Plan 1 – Site 1 Illustrative Masterplan (at page 48) - The Masterplan as drawn is incorrect as it omits the definitive line of existing footpath KH399A. It also has a buffer in excess of 30 metres on the south side and therefore does not correlate with the Masterplanning background paper which indicates (at section 3.3) that there should be a 15 metre wide buffer to the east and south of the housing area. Plan 1 should be amended to correct these inaccuracies.</p>
PM27	Pages 34/35	<p><u>Strategic Housing Delivery Site 2 (Land West of Headcorn Road and North of Leadingcross Green)</u></p> <p>Clause 2 – Add new 3rd sentence to read as follows:</p> <p>“The development access road should also be designed to form part of the proposed new link road between Old Ham Lane and Headcorn Road.”</p> <p>Clause 3 – Delete existing text and replace with:</p> <p>“The proposed development should enable pedestrian and cycle access to Lenham Railway Station, including an improved footway along Headcorn Road together with internal pedestrian and cycle routes which connect with adjoining sites.”</p> <p>Delete Clause 4 in full, and re-number Clauses 5 and 6 as 4 and 5 respectively.</p> <p>Clause 5 – Amend 1st sentence to read:</p> <p>“Provision within the site of public open amenity space and a children’s play area in accordance with the standards set out</p>

		<p>in Policy DM19 of the adopted Maidstone Borough Local Plan.”</p> <p>Clause 6 - add new sub-clause 4) to read as follows:</p> <p>“4) the design and layout of the site should follow the principles contained in the illustrative Masterplan at page 49.”</p> <p><u>Note</u> – the deletion of Clause 4 by this modification, and the deletion of similar clauses for Sites 4, 5 and 6 by further modifications listed below, will necessitate the re-numbering of following clauses. To avoid confusion in understanding this report and its modifications, I do not address the full consequential re-numbering that will be necessary.</p>
PM28	Pages 35/36	<p><u>Strategic Housing Delivery Site 3 (Land East of Old Ham Lane and South of the Railway)</u></p> <p>Clause 13 – delete the word “also” in the 3rd line and replace with “additionally”. Clause 15 – add new sub-clause 4) to read as follows:</p> <p>“4) The design and layout of the site should follow the principles contained in the illustrative Masterplan at page 49.”</p>
PM29	Page 36	<p><u>Strategic Housing Delivery Site 4 (Land West of Headcorn Road and South of the Old Goods Yard)</u></p> <p>Clause 16 – add the words “at a density of 35 dwellings per hectare.” at the end of the 1st sentence.</p> <p>Clause 18 – delete the words “the provision of enhanced” in the 2nd line and replace with “access to proposed enhanced”.</p> <p>Delete Clause 19 in full.</p> <p>Clause 20 – delete the existing text, and replace with:</p> <p>“The development scheme shall provide</p>

		<p>for a minimum of 0.5 ha. of open space of a type suited to the character and location of the development. Open space should be designed to integrate with open space provision on adjacent sites, in order to enhance its benefits to the wider community.”</p> <p>Clause 21 – sub-clause 3) – delete existing text and replace with:</p> <p>“3) The design and layout of the site should follow the principles contained in the illustrative Masterplan at page 49.”</p>
PM30	Pages 36/37	<p><u>Strategic Housing Delivery Site 5 (Land West of Old Ham Lane and North of the Railway)</u></p> <p>Insert the word “Delivery” in the title for this site (as above).</p> <p>Clause 2 – add new 3rd sentence to read as follows:</p> <p>“Development proposals will need to demonstrate how they will secure the deliverability of a satisfactory access road link between Old Ham Lane and Ashford Road.”</p> <p>Delete Clause 3 in full.</p> <p>Clause 5 – delete the words “will be transferred to Maidstone Borough Council or Lenham Parish Council” and replace with:</p> <p>“will either be transferred to Lenham Parish Council or to a private management company”.</p> <p>Clause 6 – sub-clause 2) – delete the word “vehicular”</p> <p>Clause 6 – sub-clause 3) – amend the text to read as follows:</p> <p>“3) the site layout should include appropriate community facilities, where this is justified.”</p> <p>Add new sub-clause 4) to read as follows:</p>

		<p>"4) the landscape strategy for this site must demonstrate that it mitigates as far as possible the visual impact of the development in relation to the AONB, with particular importance being required to structural tree and woodland planting."</p> <p>Insert new paragraph following Clause 6 to read:</p> <p>"The occupation of the development will be phased to align with the delivery of sewerage infrastructure in liaison with Southern Water."</p> <p>Amend the final paragraph of text to read as follows:</p> <p>"The design and layout of the site should follow the principles contained in the illustrative Masterplan at page 50."</p>
PM31	Pages 37/38	<p><u>Strategic Housing Delivery Site 6 (William Pitt Field)</u></p> <p>Delete Clause 9 in full.</p> <p>Clause 11 – add new sub-clause 2) to read as follows:</p> <p>"2) the landscape strategy for this site must demonstrate that it mitigates as far as possible the visual impact of the development in relation to the AONB, with particular importance being required to structural tree and woodland planting."</p> <p>Clause 11 – add new sub-clause to read as follows:</p> <p>"3) the design and layout of the site should follow the principles contained in the illustrative Masterplan at page 50."</p> <p>Insert new paragraph after Clause 11 to read;</p> <p>"The occupation of the development will be phased to align with the delivery of</p>

		sewerage infrastructure in liaison with Southern Water.”
PM32	Page 38	<p><u>Strategic Housing Delivery Site 7 (Land West of Loder Close)</u></p> <p>Clause 16 – Add new 2nd sentence to read as follows:</p> <p>“The landscape strategy for this site must demonstrate that it mitigates as far as possible the visual impact of the development in relation to the AONB, with particular importance to structural tree and woodland planting being required.”</p> <p>Add new Clause 17 to read as follows:</p> <p>“The design and layout of the site should follow the principles contained in the illustrative Masterplan at page 50.”</p> <p>Insert new paragraph (to follow Clause 17) to read:</p> <p>“The occupation of the development will be phased to align with the delivery of sewerage infrastructure in liaison with Southern Water.”</p>
PM33	Pages 40-42	<p>Policy DC1 – Developer Contributions</p> <p>Delete the words “Monies payable” in the 2nd sentence of policy text and replace with “Contributions made”.</p> <p>Paragraph 12.2.1 – delete the word “will” in the 4th line and replace with “may”.</p> <p>Paragraph 12.2 – Table LNP1 – amend the title of this Table to read “Strategic Infrastructure Levy Projects and Exclusions”.</p> <p>Paragraph 12.2.6 - include a cross-reference to Policy EMP2 in the 6th sentence of this paragraph.</p> <p>Paragraph 12.2.7 – delete the acronym “CIL” in the first line of this paragraph.</p>

PM34	Page 43	<p><u>Appendix A – Glossary</u></p> <p>Community Infrastructure Levy (CIL) – insert the word “made” before the word “Neighbourhood” in the 3rd sentence.</p> <p>Development Plan – add the words “the Kent Minerals and Waste Local Plan” before “and Neighbourhood Development Plans” in the 2nd line.</p> <p>Greenfield site – delete this term (which is not used in the Plan).</p>
PM35	Page 47	<p><u>Lenham Local Policies Map</u></p> <p>Prepare a Lenham Village Inset Policies Map at an appropriate scale in order to identify the various Policy notations with accuracy, and insert the Inset map following the main Local Policies Map.</p>
PM36	Page 4	<p>Add new sub-heading, after paragraph 1.6.2 as follows:</p> <p>1.7 Review of the Neighbourhood Plan</p> <p>Add new paragraph 1.7.1, as follows:</p> <p>“1.7.1 The Neighbourhood Plan covers the period from 2017 to 2031. The emerging Maidstone Borough Local Plan Review is expected to replace the adopted MBLP during 2022, and it is likely to be necessary to review the Neighbourhood Plan to maintain its general conformity with the strategic policies in the Local Plan Review. The Parish Council, working with Maidstone Borough Council, will review and update the Neighbourhood Plan at an appropriate time following the adoption of the Local Plan Review.”</p>