

# Hawkhurst Neighbourhood Plan

## Schedule of Modification Recommendations

The Neighbourhood Planning (General) Regulations 2012 (as amended) requires in Regulation 18 for the local planning authority to outline what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood plan. The Regulations provide that where the Council disagrees with the Examiner's report to re-consult and this provision is engaged in this instance for the following reason:

Having considered each of the recommendations made by in the examiner's report and the reasons for them, Tunbridge Wells Borough Council, with the consent of Hawkhurst Parish Council has decided to accept most modifications to the draft neighbourhood plan. However, there is disagreement with modifications relating to some of the proposed housing policies in the Examiner's recommendations.

For this reason, alternative modifications are proposed. The table below outlines the alterations made to the draft neighbourhood plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the examiner's recommendations and the justification for this. The table also includes some further modifications agreed by the Tunbridge Wells Borough Council with the consent of the Hawkhurst Parish Council.

<b>Examiner Reference</b>	<b>Requested Change</b>	<b>Action Taken</b>	<b>Justification for Action Taken</b>
01	Include the boundary of the neighbourhood plan area on the key to the Local Context Map of the plan. Revise the final sentence of paragraph 1.13 to read "The boundary of the Plan area is shown on the Local Context Map and the Map in Appendix 1.	Boundary added to key on diagram on page 13.  Sentence revised. New paragraph reference for this is 1.14 on page 8.	Changed as recommended.

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02	Include the lifespan of the plan 2016 – 2033 on the front cover of the plan.	Date has been added.	Changed as recommended.
03	Include a paragraph in the introductory section of the Neighbourhood Plan and in the Basic Conditions Statement on how the plan will deliver sustainable development in terms of the enhancement of social, economic, and environmental matters.	<p>Added to the plan on page 6, paragraph reference 1.3.</p> <p>Basic Conditions Statement updated</p>	Changed as recommended to demonstrate stronger support for sustainable development.
04	Improve the contextual material on Hawkhurst Today by including a summary of the population, housing, and employment data for the plan area; describe the location and importance of the SSSI; and include a summary of the strategic planning context for the plan area from the Core Strategy.	<p>Summary of population, housing and employment data added to the plan, paragraph reference 2.5 on page 10.</p> <p>Description and location of SSSI added to the plan, pages 22 and 23.</p> <p>Added strategic planning context to the plan on page 12 , paragraph references 2.10 to 2.13</p>	Changed as recommended.
05	Revise paragraph 4.2 to read “The planning policies are written to help	Paragraph 4.2 amended as requested.	Changed as recommended.

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	the plan deliver these objectives.”		
06	<p>Revise paragraph 7.2 to 7.3 to read:</p> <p>“The Tunbridge Wells Core Strategy requires that approximately 240 net additional dwellings be developed in Hawkhurst during the period 2006 – 2026. At (date) xx dwellings have been completed, xx are commitments with planning permission and the following sites are allocated for development in the Tunbridge Wells Site Allocation Plan 2016:</p> <ul style="list-style-type: none"> <li>— Former Springfield Garden Centre (40)</li> <li>— Land at Woodham Hall (12-15)</li> <li>— Hawkhurst Castle (30)</li> <li>— Birchfield Rye Road (26)</li> </ul> <p>This totals 267 net additional dwellings (check figure) which is sufficient to deliver the Core Strategy’s housing requirement to 2026 with a degree of flexibility.</p>	<p>New paragraphs 7.3 and 7.4 on page 37 now read as follows:</p> <p>“7.3 The Tunbridge Wells Core Strategy requires that approximately 240 net additional dwellings be developed in Hawkhurst during the period 2006 – 2026.</p> <p>At February 2017, 225 dwellings have been completed/started, 62 are commitments with planning permission. The following sites are allocated for development in the Tunbridge Wells Site Allocation Plan 2016:</p> <ul style="list-style-type: none"> <li>— Former Springfield Garden Centre. This site is being developed incrementally. First 9 of 40 dwellings seeking planning approval.</li> <li>— Land at Woodham Hall for 16 dwellings received planning approval.</li> <li>— Hawkhurst Castle. This site has</li> </ul>	<p>Changed as recommended and the housing numbers context and situation brought up to date.</p>

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	<p>The housing requirement to 2033 and site allocations to deliver this will be determined by Tunbridge Wells Borough Council through the Local Plan review taking account of the policies in the Neighbourhood Plan.”</p>	<p>been developed as a nursing home with 92 beds and is no longer available for housing.</p> <p>— Birchfield Rye Road with 26 dwellings already received planning approval.</p> <p>This total of 296 net additional dwellings is sufficient to over deliver the Core Strategy’s housing requirement to 2026 by 23%”</p> <p>“7.4 The housing requirement to 2033 and site allocations to deliver this will be determined by Tunbridge Wells Borough Council through the Local Plan review taking account of the policies in the neighbourhood plan.”</p>	
07	<p>Delete Policy HD1 and the policy justification in paragraphs 7.4 to 7.13.</p>	<p>Significant revisions to Policy HD1 (over pages 36 to 42) for it to be retained in the neighbourhood plan. Principal changes made to meet the concerns expressed by the examiner include:</p>	<p>The Borough Council, and the Parish Council, have carefully considered the Examiner’s comments in regard to Policy HD1 and the related justification as originally prepared.</p>

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		<p>— New preamble text (paragraphs 7.1 and 7.2) explaining the context to the policy, the parish’s support for sustainable growth and its preferred develop types.</p> <p>— Separation of policy into two sections HD1(a) Preference for Small-Scale Developments and HD1(b) Exceptions for Larger-Scale Developments addressing smaller developments of under 10 units and 10 units or more respectively.</p> <p>Each of the two new policies HD1 (a) and HD1 (b) now has significant new elements of supporting text.</p>	<p>The Examiner’s comments on various aspects of the Policy and Justification as previously written are accepted.</p> <p>However the intention was never to set blanket restrictions rather to influence development to ensure the objectives of sustainable development were met as set out in the NPPF. Rather than remove the Policy the opportunity has been taken to revise it by alternative modification ensuring the plan meets the legal Basic Conditions, supports the delivery of sustainable development, is in compliance with national planning policy (NPPF) regarding development in AONB’s and continues to be responsive to community concerns and aspirations.</p>
07 (continued)	Paragraph 4.11 (and 4.17 see below) comments that Paragraph 7.13 is considered to be unclear as it does	Clarification of agricultural land classification added to new paragraph 7.9.	Clarifications and supporting references (DEFRA and Institution Highways and

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	<p>not define poorer quality land.</p> <p>Paragraph 4.17 The wording of Policy HD1 is unclear as it does not define “the existing built area” or “walking distance from shops and amenities” or the “edge of the existing developed parts of the parish”. Paragraph 7.13 refers to “poorer quality land” being preferred but this is not defined.</p>	<p>Clarification of limits to build development shown through new map on page 42.</p> <p>Clarification of walking distance through reference to guidance added to new paragraph 7.17.</p>	<p>Transportation) have been added together with map in response to the Examiner’s comments.</p>
08	<p>Revise point 1 of Policy HD2 to read:</p> <p>“A mix of housing types, sizes and tenures shall be provided on housing developments to support the delivery of housing that meets the local housing needs and demands demonstrated in the most recent Housing Market Assessment and Housing Needs Analysis for the plan area.”</p> <p>Delete point 2 of the Policy HD2</p> <p>Replace the word “must” with</p>	<p>These recommendations have been actioned. Due to paragraph renumbering, it is new paragraph 7.22 that now contains reference to most recent housing market assessment and needs analysis.</p>	<p>Changed as recommended.</p>

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	<p>“should” throughout the justification.</p> <p>Revise the final sentence of paragraph 7.12 to read “...based on <i>the most recent Housing Market Assessment and Housing Needs Analysis</i>..... connection.”</p>		
09	<p>Revise Policy HD3 as follows:</p> <ol style="list-style-type: none"> <li>1. “New housing development shall comprise a variety of housing designs and details to create homes fit for modern living.”</li> <li>2. Delete point 2.</li> <li>3. Accessible homes suitable for the elderly and disabled, in particular bungalows, will be encouraged.</li> <li>4. New housing should be designed to meet Lifetime Homes standards and should encourage the efficient use of water and energy, and locally sourced and recycled materials.”</li> </ol>	<p>These recommendations have been actioned. Due to paragraph renumbering, it is new paragraph 7.27 that now contains reference to technical standards and new paragraph 7.28 that contains reference to encouragement for bungalows.</p>	<p>Changed as recommended.</p>

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	<p>Replace “must” with “should” throughout the justification.</p> <p>Delete paragraph 7.17 and replace with: “New housing development should be built to the space standards set out in the DCLG Technical Housing Standards.”</p> <p>Revise the second sentence of paragraph 7.18 to read: “The development of accessible dwellings, including one storey bungalows will be encouraged.”</p>		
10	<p>Revise the justification to Policy HD4 and the Design Guidance as follows:</p> <p>Replace “must” with “should” throughout the justification.</p> <p>Revise the final sentence of paragraph 7.21 to read: “The inclusion of working chimneys will be encouraged where appropriate to the design of the dwelling.”</p>	<p>These changes have broadly been actioned as recommended except for the reference to working chimneys. New text now reads:</p> <p>“Paragraph 7.31 As recommended by the AONB Unit through consultation on the draft version of this plan, the inclusion of working chimneys will be encouraged except where it can be demonstrated it is not feasible or practical on smaller properties.”</p>	<p>Changed as recommended with the exception of working chimneys where the Examiner’s words from Report ref 4.36 are used.</p>

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	<p>Delete “but” from the third sentence of paragraph 7.22.</p> <p>Revise paragraph 7.23 to read: “The following section sets out design guidance to support Policy HD4. All new development proposals will be encouraged to take account of the design guidance.”</p> <p>Revise paragraph 7.24 to read “This design guidance should also be used to inform the selection of sites.”</p> <p>Delete the second sentence from the section on sustainability in the guidance.</p>	<p>Further adjustment to policy text made to add a third subsection that reads as follows:</p> <p>3) ALL DEVELOPMENTS SHOULD COMPLY WITH THE DESIGN GUIDANCE NOTES ON PAGES 46 — 49.</p>	<p>To strengthen the design policy and more effectively link the design guidance notes with Policy HD4.</p>
11	<p>Include a description of Robin Woods SSSI with a location map in the Landscape Context section.</p>	<p>This has been added to pages 22 and 23, including a map.</p>	<p>Changed as recommended.</p>
12	<p>Revise Policy LP1 to read:</p> <p>“Developers should demonstrate that their proposals will not have an</p>	<p>Recommended changes actioned.</p>	<p>Changed as recommended.</p>

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	<p>unacceptable adverse visual impact on the landscape setting of the village or views of key landmarks.”</p> <p>Delete the final sentence of paragraph 8.3.</p>	<p>New paragraph 8.3 uses revised text</p>	
<p>12 (continued)</p>	<p>Comments made in the examiner’s report include:</p> <p>4.41 The justification recognises that there are various points in and around the village where there are clear sight lines to open countryside and back from the countryside to the village. However, these are not defined on a plan.</p> <p>4.42 The Qualifying Body has explained that a map was included in the Regulation 14 draft of the Neighbourhood Plan and this was subsequently removed in favour of the generic policy.</p> <p>4.43 A representation has been received requesting an additional</p>	<p>The map-based diagram that was used in the earlier versions of the plan has been reintroduced onto page 52 and now includes the views as mentioned in the representation received.</p> <p>New paragraph 8.5 added to provide explanation for inclusion of map-based diagram to support Policy LP1, the protection of views.</p>	<p>Taking the lead from the Examiner’s comments, a view map and explanation have been included.</p>

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	<p>view to be included. I have concluded that as Policy LP1 is worded in a generic manner and does not refer to specific viewpoints, no change is necessary in response to this representation.</p> <p>4.44 It is considered that due to the lack of information about key viewpoints, it is unclear how this policy is to be interpreted on a consistent basis.</p>		
13	<p>Revise Policy LP2 as follows:</p> <p>“The management, conservation and enhancement of the High Weald AONB is encouraged making use of the following documents or their replacements: ...points 1 – 3.” Delete final sentence. Delete the final sentence in paragraph 8.8 concerning log burners.</p>	<p>Changes to policy text actioned as recommended, on page 53.</p> <p>Final sentence of new paragraph 8.9 now reads: “To support the local wood fuel industry, new residential development should include a working chimney except where it can be demonstrated it is not feasible or practical on smaller properties”</p>	<p>Changed as recommended with the exception of the deletion of working chimneys and log burners. (See also Recommendation 10 above).</p>
14	Revise Policy LP3 to read:	Policy LP3 on page 54 now reads:	Changed as recommended.

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	<p>“The areas shown on map XX are designated as Local Green Space. Proposals for development of these areas will only be permitted where it has been demonstrated that there are very special circumstances that justify the need for the development and there are no suitable alternative sites.”</p> <p>Designate sites 11, 12 and 20.</p> <p>Include examples of the exceptional forms of development that may be permitted by the policy as very special circumstances within the justification such as utility infrastructure.</p>	<p>Policy LP3 Designated Green Spaces</p> <p>THE AREAS SHOWN ON THE MAPS ON PAGE 55 ARE DESIGNATED AS LOCAL GREEN SPACE. PROPOSALS FOR DEVELOPMENT OF THESE AREAS WILL ONLY BE PERMITTED WHERE IT HAS BEEN DEMONSTRATED THAT THERE ARE VERY SPECIAL CIRCUMSTANCES (SUCH AS ESSENTIAL UTILITY INFRASTRUCTURE) THAT JUSTIFY THE NEED FOR THE DEVELOPMENT AND THERE ARE NO SUITABLE ALTERNATIVE SITES. New maps added to page 55 with the three designated green spaces.</p>	<p>Other sites, regarded as important landscape features, have been moved to new section 10 on pages 24-25.</p>
15	<p>Revise Policy AM1 to read:</p> <p>“Improvements to the Highgate Hill A229-A268 crossroads will be sought to ease traffic flow and improve conditions for pedestrians and cyclists and to enhance the character</p>	<p>All these changes have been actioned on page 57.</p>	<p>Changed as recommended.</p>

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	<p>and environment of the village centre.”</p> <p>Delete the second part of the policy. Include reference in the justification to the Parish Council working with the District and County Council to develop a feasible design for the highway and environmental improvements. Note that consultations with the community and transport operators will be carried out in the future on design options.</p> <p>Place the illustrative design in an Appendix and update paragraph 9.4.</p>		
16	Delete paragraph 9.11 and the second sentence of paragraph 9.13 from the justification to Policy AM3.	These paragraphs on page 59 have been redrafted to make them clearer and more easily understood.	In agreement with the principles raised by the Examiner, the paragraphs have been re-worded rather than deleted.
17	Add the following to the end of paragraph 9.17: “The cycle parking standards for residential areas are set out in Kent County Council’s	This change has been actioned on page 60.	Changed as recommended.

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	Supplementary Planning Guidance on Parking Standards.”		
18	Revise the justification to Policy CM1 as follows: Include reference to the detailed design requirements of the new pavilion being of a high quality in accordance with Policy HD4. Revise paragraph 10.3 to include reference to the specific sports facility needs of the Plan area that have been identified.	These changes have been actioned on page 63. Reference to Policy HD4 has been added to Policy CM1 itself.	Changed as recommended.
19	Revise Policy CM2 as follows:  “The replacement of the existing community hall with a larger, improved facility will be supported.”	This change has been actioned on page 64.	Changed as recommended.
20	Revise Policy CM3 as follows:  “The replacement of the existing GP practices with a single, larger practice with additional medical	This change has been actioned on page 65.	Changed as recommended.

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	facilities and support facilities (or health centre) will be supported.”		
21	<p>Revise Policy CM4 as follows:</p> <p>“Town centre uses should be located within the Town Centre Boundary as defined in the Tunbridge Wells Local Plan. Changes of use in the Primary Shopping Area will be considered against Policy CR12 of the Local Plan 2006 (or its replacement).</p> <p>“The Gills Green Employment Area is defined as a Key Employment Area in the Local Plan. Development proposals within the area shall be considered against Policies ED1, ED2 and ED3 of the 2006 Local Plan (or its replacement).”</p> <p>Revise the justification to reflect the revised policy. Include reference to the sports facility needs of the Plan area that have been identified in the</p>	These changes have been enabled on page 66 and 67.	<p>No reference is made to “town centre”; the reference is, as recommended to, “Primary Shopping Area”.</p> <p>As Gills Green employment area is covered by the Local Plan, it has been removed from Policy but is included in 10.19.</p> <p>Sports facilities are covered by Policy CM1 and are not repeated</p>

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	<p>justification.            Revise paragraph 10.18 to refer to “The key community assets to be safeguarded are shown on the map on page xx.” Revise the wording under the map to refer to “safeguarded by Policy CM4”.</p>		<p>here.</p>
<p>ends</p>			