

Ashford Borough Council

Rolvenden Neighbourhood Development Plan

Regulation 18 Decision Statement

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012

1. Purpose

The purpose of this Decision Statement is to set out Ashford Borough Council's (the Council) decision in relation to the Rolvenden Neighbourhood Development Plan (the Plan) 2013 – 2030. The Decision Statement outlines the Council's decision in respect of:

- The actions to be taken in response to recommendations made by the Examiner in the Examiner's Report
- What modifications are to be made to the Plan
- Whether the Plan meets the basic conditions, and would not breach or be incompatible with any EU obligation or Convention rights
- The area in which the referendum will take place

2. Response to the Examiner's Report and details of modifications

The Rolvenden Neighbourhood Development Plan was submitted for examination in May 2019. The Council appointed Derek Stebbing BA(Hons), DIP EP, MRTPI to independently examine the Plan. The Council received the Examiner's report in September 2019.

The Examiner's report recommended that the Rolvenden Neighbourhood Development Plan should proceed to referendum subject to a number of modifications.

The Council has considered each of the recommendations made by the Examiner and what modifications need to be made to the Plan. The recommendations, the Council's response and proposed modifications are set out in Appendix 1.

The Council is satisfied that subject to the modifications being made, that the Rolvenden Neighbourhood Development Plan meets the basic conditions and other legal requirements and can proceed to referendum.

3. Referendum Area

In recommending that the modified Plan go forward to referendum, the Examiner considered whether or not the referendum area should extend beyond the designated Neighbourhood Area. The Examiner recommended that there is no need to extend the referendum area.

The Council agrees with this recommendation and concludes that the referendum area will not be extended and will be applied only to the designated Neighbourhood Area.

4.Conclusions

Following the independent examination, Ashford Borough Council confirms that the Rolvenden Neighbourhood Development Plan, with modifications as set out in Appendix 1, meets the basic conditions and other legal requirements.

The Rolvenden Neighbourhood Development Plan can proceed to a Neighbourhood Planning Referendum. The Rolvenden Parish Neighbourhood Area shall define the extent of the referendum area.

24th September 2019

Appendix 1 – Examiner’s recommendations, Council’s response, reasons and proposed modifications

Proposed Modification number (PM)	Page no./other reference	Recommendation	Council’s response	Reason
PM1	Front Cover	Amend to read: “Rolvenden Neighbourhood Plan 2013- 2030”	Modify as recommended	For clarity/correction
PM2	Page 23	<u>Policy RNP1 (Design of New Development and Conservation)</u> Add new clause e) to read: “Protects and, where appropriate, secures enhancements to the Public Rights of Way network within the Plan area through developer contributions in accordance with Policy RNP17.”	Modify as recommended	To meet the basic conditions
PM3	Pages 23, 27, 33, 34, 35, 38, 46, 49, 52, 53 and 55	<u>Policies RNP1, RNP2, RNP3, RNP4, RNP5, RNP6, RNP8, RNP9, RNP10, RNP11 and RNP12</u> Policy RNP1 – line 1: Replace “permitted” with “supported” . Policy RNP2 – line 2: Replace “permitted” with “supported” . Policy RNP3 – line 3: Replace “permitted” with “supported” . Policy RNP4 – line 6: Replace “permitted” with “supported” . Policy RNP5 – line 1: Replace “permitted” with “supported” . Policy RNP6 – line 2: Replace “permitted” with “supported” . Policy RNP8 – line 6: Replace “permitted” with “supported” . Policy RNP9 – clauses b) and c): Replace “permitted”	Modify as recommended	To meet the basic conditions

		<p>with “supported” in each clause.</p> <p>Policy RNP10 – line 13: Replace <i>“permitted”</i> with “supported”.</p> <p>Policy RNP11 – line 2: Replace <i>“permitted”</i> with “supported”.</p> <p>Policy RNP12 – line 2: Replace <i>“allowed”</i> with “supported”.</p>		
PM4	Page 38	<p><u>Policy RNP6 (Small scale residential development within the built-up confines of Rolvenden and Rolvenden Layne)</u></p> <p>Amend the text of the policy to read:</p> <p>“Proposals for small scale residential development within the built-up confines of Rolvenden and Rolvenden Layne, as defined in Maps 3 and 4 respectively, will be supported, where such proposals do not conflict with other policies in the Plan. Development proposals should be designed to a high quality and respond to the heritage and distinctive characteristics of Rolvenden and Rolvenden Layne. Proposals should also seek to protect important landscape features, such as trees, hedges and ponds, within a development site.”</p>	Modify as recommended	To meet the basic conditions
PM5	Page 53	<p><u>Policy RNP 11</u></p> <p>Replace the semi colon in the title of the Policy with a comma.</p> <p>Amended title of policy to read: “Conversion of rural buildings to business use, tourist accommodation or tourist attraction”</p>	Modify as recommended	For clarity/correction

PM6	Page 55	<p><u>Policy RNP12 (Recreation and Leisure Open Space and Public Rights of Way)</u></p> <p>Add new Map 20 (with subsequent Maps in the Plan to be re-numbered to Maps 21 and 22), to be cross-referenced within the second part of this policy, showing the principal network of existing Public Rights of Way within the Parish.</p>	Modify as recommended	To meet the basic conditions
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