

Headcorn Neighbourhood Development Plan: Examination Version

Report to Maidstone Borough Council of the Examination into
the Headcorn Parish Council Neighbourhood Development Plan

Initial comments of Independent Examiner

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Member of NPIERS

3 May 2016

- 1.1. As you are aware I have been appointed to carry out the examination of the Headcorn Neighbourhood Plan and I have now completed my initial assessment of the plan. I have also carried out an unaccompanied site visit to the village and parish.
- 1.2. One of the Examiner's first tasks is to determine whether the examination should proceed via the normal route, namely through an examination of the written material and the representations or whether a public hearing is required should I feel the need to call for further submissions to allow me to adequately examine matters in greater detail.
- 1.3. I have been mindful that since the Steering Group for the Headcorn NDP began their plan, several changes have been made to neighbourhood planning guidance that has resulted in HNBP coming to Examination without attention to the most up to date guidance and case law. This now presents HNBP with some difficulties in its current form in terms of meeting the Basic Conditions. The changes in guidance and impacts on the plan relate, briefly, to the greater weight afforded to the need for up to date evidence supporting a neighbourhood plan where there is only an emerging local plan.

- 1.4. I have completed my initial assessment and concluded that it will be necessary to call a public hearing to hear further submissions on a number of issues. I set out the questions I wish to explore in this paper. I will prepare an additional note when the arrangements for the hearing have been agreed, setting out how I will conduct the hearing and identify the parties to be invited and the format of the examination.
- 1.5. The following deals with the matter or questions that I wish to examine further at the public hearing:
1. Bearing in mind national advice which seeks to ensure that neighbourhood plans and emerging local plans have complementary policies, do the findings of the report 'Analysing the Sustainability of Housing Development in Headcorn: How much development would be sustainable?', Analytically Driven, December 2014' support the strategic development needs¹ for the area which forms the basis for the emerging Local Plan as identified in its uptodate evidence base?
 2. In what way does the HNDP support the delivery of the objectively assessed need and the housing numbers set out in the uptodate evidence base for the emerging local plan²?
 3. In what way does the HNDP Sustainability Assessment, predicated on a lower amount of housing figures, support the deliver the objectively assessed housing need³ set out in the evidence base for the emerging Local Plan?
 4. In what way is the HNDP's Sustainability Assessment for proposed sites to be used in the HNDP if these do not form a land allocation in the Plan?
 5. Has HNDP been prepared in a positive manner?
 6. How much weight should be afforded to an emerging Local Plan⁴ when developing a neighbourhood plan in terms of meeting the guidance set out in the NPPF and delivery of sustainable development?
 7. Is it appropriate for the HNDP to challenge the strategic policies⁵ of the emerging Local Plan?
 8. How would the proposed development boundary facilitate delivery of housing?

¹ NPPF 16

² Planning Practice Guidance: Paragraph: 009 Reference ID: 41-009-20160211, NPPF 49 and 14

³ Planning Practice Guidance: Paragraph: 009 Reference ID: 41-009-20160211, NPPF 49 and 14

⁴ NPPG Paragraph: 007 Reference ID: 41-007-20140306

⁵ NPPF 16

9. What is the aim of a policy seeking dispersement of development to 30 units at a time? Could this policy frustrate the Plan from delivering the level of housing required to meet the objective assessment of housing need?
10. Could the aim you have identified in q.9 above be achieved by other means?
11. What is the argument against the Southern Water advice of development proceeding in parallel with agreed improvements to sewerage infrastructure?
12. What guidance exists in the NPPF, NPPG or other CLG related advice to inform decisions on 'remoteness' of a rural area and corresponding appropriateness of development?
13. Does HNPD 9 relating to delivery of 20% of affordable housing deliver the requirements of Adopted policy 'Affordable Housing DPD 2006' that comprises the adopted Borough wide strategic framework for decisions on affordable housing?
14. Policies seem to be missing from HNP relating to allocation of Local Green Space and Community Asset designation upon which HNP 4 is predicated as it seeks to manage these assets. Do you wish to add these policies in or remove HNP 4?
15. Are there any other areas of the HNPD that would benefit from its updating?

In terms of next steps, I will ask at the Hearing: -

16. Would it be appropriate for me to be asked to adjourn the HNPD Examination until after the MBP 2016 has been the subject of its public examination and the Inspectors findings published? This will provide the Parish with the opportunity to place their arguments before the Local Plan Inspector at the Examination In Public, or;
17. Should I be asked to Allow the examination of the Plan to proceed in its current form if my conclusion was that I could not recommend that it does not proceed to Referendum, or;
18. Should I be seeking to amend the Plan to inform the shape of further development, perhaps by removing the policies relating to the scale and location for new housing so that it can proceed to Referendum.

Other Matters

1.6. In addition to identifying the above questions I have also asked Maidstone Borough Council for the following additional information, which with the responses to the above questions will assist my examination. This information along with this note should be put on both the Borough Council's and the Parish Council's website:

- The current position regarding the 5-year housing land supply
- Which are the strategic policies of the emerging Local Plan and their general location in the document. Whether the Rural Service Centre policy comprises a strategic policy and whether the individual, designated Rural Service Centres, that include Headcorn comprise strategic policy?

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