

## Appendix B

### Changes to be made to the Goudhurst Neighbourhood Plan as requested by the Independent Examiner's Report 2<sup>nd</sup> September 2021.

The independent examiner has concluded that the Goudhurst Neighbourhood Development Plan should proceed to referendum, subject to the Plan being amended in line with the independent examiner's recommended modifications, which are required to ensure the plan meets the basic conditions. These are set out below.

<b>Independent Examiner's Report: main recommended amendments</b>	<b>Examiners Commentary</b>
<p><b>Policy L1 Development within the AONB:</b></p> <p>Replace the policy with:</p> <p>'Development proposals in the High Weald AONB should, where appropriate, make a positive contribution towards the conservation and enhancement the natural beauty of the designated landscape'</p> <p>At the end of paragraph 58 add:</p> <p>'Policy L1 comments generally about development proposals in the AONB. Where appropriate development proposals should demonstrate the way in which they would deliver key elements of the High Weald AONB Management Plan'.</p>	<p>The approach in the policy is generally appropriate. However, its focus is on compliance with the High Weald AONB Management Plan that is not part of the development plan.</p> <p>The Examiner recommended that the policy takes on a more general nature and that the reference to the AONB Management Plan is repositioned into the supporting text.</p>
<p><b>Policy L2 Development Outside the AONB:</b></p> <p>Replace the policy with:</p> <p>'Development proposals outside the AONB should be designed to safeguard the environment, character and landscape setting of the AONB. Development proposals which would harm or detract from the environment, character and landscape setting of the AONB will not be supported'.</p>	<p>The policy has an unusual structure which takes a negative approach to this issue. The Examiner recommends that the policy is recast so that it sets out the positive expectations of the Plan and sets out the implications of not doing so.</p>

<p><b>Policy L4 Conserve Landscape and Heritage Assets:</b></p> <p>Replace the policy with:</p> <p>'Development proposals should preserve and enhance the historic landscape of the Parish, and its heritage assets and their settings in a manner appropriate to their significance'.</p>	<p>The Examiner recommends a modification to the policy to ensure that it has regard to the contents of Section 16 of the NPPF.</p>
<p><b>Policy L5 Gap between Goudhurst Limits to Built Development:</b></p> <p>Replace the policy with:</p> <p>'Development proposals should maintain the separate identity and character of the two Goudhurst settlements and avoid the erosion of the undeveloped gap'.</p> <p>At the end of paragraph 86 add:</p> <p>'This approach would particularly apply to proposals which would lead to the coalescence of the two settlements. This outcome would significantly and unacceptably affect the character and appearance of the two settlements'.</p> <p>Replace the map of the Gap to the left of the text to paragraph 85 by one of a scale similar to Maps 7.13-7.15 which show the proposed Local Green Spaces.</p>	<p>Policy requires that developments avoid the coalescence of the two Goudhurst settlements or the erosion of the undeveloped gap. In this context the first element is unnecessary given that such an outcome would be well beyond that required in the second element that any development should not erode the undeveloped Gap.</p>
<p><b>Policy L6 Biodiversity:</b></p> <p>In the first sentence replace 'must' with 'should'</p> <p>In the second sentence replace 'considered' with 'supported'.</p>	<p>The Examiner has recommended detailed modifications to ensure that it meets the basic conditions and brings the clarity required by the NPPF.</p>
<p><b>Policy L7 Trees:</b></p> <p>Replace the policy with:</p> <p>'Development proposals should safeguard the future health and retention of ancient woodland, protected trees and veteran trees. Development proposals</p>	<p>It has been recommended by the Examiner that the first sentence of the policy is recast so that it explains the approach in a more positive fashion. Its effect however remains unchanged. Also recommended is that the second sentence is repositioned into the supporting text as it</p>

<p>which would unacceptably impact on the future health and retention of ancient woodland, protected trees and veteran trees will not be supported’.</p> <p>After the second sentence of paragraph 101 add:</p> <p>‘Development proposals should be accompanied by a tree survey that establishes the health and expected longevity of any affected trees’.</p>	<p>addresses process requirements (a tree survey) rather than setting out a policy requirement.</p>
<p><b>Policy L8 Protect dark Skies ‘Nightscape’ and minimise Light Pollution:</b></p> <p>Delete the first paragraph of the policy.</p> <p>Reverse the order of the three remaining paragraphs so that the fourth (as submitted) becomes the first.</p> <p>Replace the first sentence of the second part of the policy (as submitted) with: ‘Where it can be demonstrated as meeting an essential purpose, external lighting (including temporary lighting and lighting of sports facilities) should be of a sensitive and proportionate nature’.</p>	<p>Its first part is supporting text (about the assessment process) rather than policy. The Examiner recommends its deletion and repositioning in the supporting text. He also recommends detailed modifications to the remainder of the policy to bring the clarity required by the NPPF. This includes a reordering of the elements of the policy so that they have a natural flow.</p>
<p><b>Policy L9 Local Green Spaces:</b></p> <p>LGS AS20 Green Space adjacent to Lurkins Rise, Goudhurst</p> <p>The Examiner recommends its deletion from the Plan.</p>	<p>It is a small area of incidental open space within the Lurkins Rise development in Goudhurst and is dominated by a mature oak tree. Whilst it is a pleasant open space it is little different in character and appearance from other incidental open spaces in residential areas in the parish. In these circumstances The Examiner was not satisfied that it is ‘demonstrably special’ and as such meets the high tests for LGS designation in the NPPF.</p>
<p><b>Policy L9 Local Green Spaces:</b></p> <p>LGS102 land is located to the immediate east of Goudhurst.</p> <p>The Examiner recommends its deletion from the Plan.</p>	<p>Taking account of all the information available the Examiner concluded that it is not demonstrably special to the local community and holds a particular significance. In the round it fails to meet the high standards expected of proposed LGSs in national legislation. In these</p>

	<p>circumstances the Examiner recommended that it is removed from the schedule of LGSs in the Plan.</p>
<p><b>Policy L9 Local Green Spaces:</b></p> <p>LGSAS2 is located to the south of LGSAS1 to the immediate south of Jarvis Lane.</p> <p>The Examiner recommends its deletion from the Plan.</p>	<p>The parcel of land is attractive in its own rights, sits within its wider landscape and affords long-ranging views to the south and east. Nevertheless, there is little to distinguish it from adjacent parcels of agricultural land. Concluded that it is not demonstrably special to the local community and holds a particular significance. In the round it fails to meet the high standards expected of proposed LGSs in national legislation.</p>
<p><b>Policy L9 Local Green Spaces:</b></p> <p>Replace the policy with:</p> <p>‘The Plan designates local green spaces as shown on Maps 7.13, 7.14 and 7.15.</p> <p>‘Development proposals within the designated local green spaces will only be supported in very special circumstances’.</p> <p>At the end of paragraph 9.3 add:</p> <p>‘Policy L9 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the Borough Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy’.</p> <p><b>Policy L9 Local Green Spaces- maps:</b></p> <p>Delete LGS 102, AS2 and AS20 from the relevant Maps.</p>	<p>The Examiner recommends modifications so that the policy directly relates to the identified LGSs and takes the matter-of-fact approach in the NPPF. The recommended modification also takes account of the recent case in the Court of Appeal on the designation of local green spaces and the policy relationship with areas designated as Green Belts (2020 EWCA Civ 1259).</p>

<p><b>Policy L10 Views:</b></p> <p>Replace the policy with:</p> <p>'Development proposals should be designed and arranged to conserve important views into, out of, and between the settlements from any area to which the public has access. In particular development proposals should respect, safeguard and be designed to take account of the Key Views as described in table [insert number] and the Views Classification in paragraph 7.18 of the Plan'.</p> <p>Include a table number for the Views information as shown on pages 38-41 of the Plan (to provide a context for the modified policy).</p>	<p>The policy adopts a very general approach rather than one which highlights the specific importance of the key views. The Examiner has recommended modifications to remedy this issue.</p>
<p><b>Policy C1 Community Facilities:</b></p> <p>Remove 'in general' from the policy.</p>	<p>The wording of the policy includes the words 'in general'. However, the circumstances where a different approach would be taken are not specified. On this basis the Examiner recommends the removal of this part of the policy.</p>
<p><b>Policy C2 Accessibility:</b></p> <p>Replace the second sentence with a separate part of the policy to read: 'Development proposals which would unacceptably detract from accessibility to community facilities, will not be supported'.</p>	<p>The second part of the policy comments that proposals which detract from access to community facilities will be rejected. Whilst the intention of the second part of the policy is entirely appropriate, the Examiner recommended that the wording used is modified so that it has the clarity required by the NPPF and relates to the development management process.</p>
<p><b>Policy C3 Developer Contribution:</b></p> <p>The Examiner has recommended deletion of the policy.</p>	<p>The intention of the policy is clear. However, it is not directly a policy and is effectively the description of a process. In any event the broader issue of the potential use of developer contributions is already captured in P5 of the Parish Action Plan (in Section 13 of the Plan). In these circumstances the Examiner recommended the deletion of the policy.</p>

<p><b>Policy C4 Assets of Value within the Community:</b></p> <p>Replace ‘asset or amenity.....our community’ with ‘an important community resource’.</p> <p>Before the list of ten facilities replace ‘The following are considered important assets of the community’ with ‘The Plan identifies the following facilities as Important Community Resources’.</p> <p>Replace the policy title with: ‘Important Community Resources’.</p>	<p>The Examiner recommends that the description of the assets included in the policy is modified to avoid any confusion within the Plan period. This is particularly important as paragraph 170 identifies that GPC has no intentions of designation any Assets of Community Value (in a specific legal fashion). However, the title of the policy which includes ‘Assets of Value’ is not sufficiently distinct from ‘Assets of Community Value’. GPC commented helpfully to this matter in its response to the clarification note. It suggested the alternative title of ‘Important Community Resources’, which the Examiner recommended accordingly.</p>
<p><b>Policy C5 Broadband and Mobile Infrastructure:</b></p> <p>At the beginning of the policy add: ‘Insofar as planning permission is required’.</p>	<p>The policy takes an appropriate and positive approach to this matter. Many such installations benefit from permitted development rights or are processed via prior approval methods. As such the Examiner recommends that the policy is modified so that it applies only to proposals which require planning permission.</p>
<p><b>Policy H1 Housing Mix:</b></p> <p>Replace the policy with:</p> <p>‘Subject to viability issues, housing developments of two or more houses should provide a mix of dwellings which incorporates a minimum of 40% of 1 and 2 bed dwellings and a maximum of 15% of 4+ bed dwellings. An alternative mix of housing sizes will be supported where a robust justification is provided that the scheme would reflect the most up-to-date housing needs evidence available’.</p> <p>At the end of paragraph 186 add:</p> <p>‘Policy H1 addresses this important matter. It acknowledges that the majority of development sites which come forward in the neighbourhood area will be small in</p>	<p>The Examiner sought the GPC’s comments on the appropriateness of the threshold of two homes in the clarification note. In its response it advised that:</p> <p>‘The challenge in Goudhurst is our location. Sites, when they come forward, are generally always small and do not meet the national or local thresholds seen in larger locations. Goudhurst has a need for smaller properties demonstrated by our and TWBC’s housing needs surveys. The intent of the policy is to ensure development proposals focus on the needs of our community. We do not believe that the policy is rigid as the viability element allows for a level of compromise. Our objective is to ensure that any planning approvals can be conditioned based on this policy such that any future applications for</p>

nature. As such the threshold for the application of the policy is two homes. The second part of the policy recognises that housing needs may change in the plan period and that alternative mixes of housing sizes have the ability to be supported where they are evidence-based. Plainly the mathematical nature of the first part of the policy will be easier to apply to larger schemes. As such proposals for two to five homes should demonstrate the way in which they have sought to comply with the details of the policy and the way in which the proposed house sizes directly meet the most up-to-date housing needs in the part of the parish concerned.'

changes to approvals do not weaken the objectives of our NDP'.

The Examiner was satisfied that there is compelling evidence for the delivery of smaller homes in the parish. He also acknowledged that many developments which come forward in the parish will be limited in scale and that the adoption of a higher figure would filter out many schemes from the implications of the policy. In this context the challenge is crafting a policy which marries up the two issues given that, as submitted, the policy is mathematically based and would apply more effectively to larger schemes.

The Examiner recommended modifications to remedy this issue. Their effects are three-fold. The first brings the clarity to the policy wording provided by the NPPF. The second expands the supporting text to explain the operation of the policy. The third includes an element in the supporting text on the extent to which the mathematical approach in the policy would be applied to smaller developments (of two to five dwellings).

**Policy H2 Affordable Housing:**

The Examiner has recommended deletion of the policy.

Delete paragraphs 192-197.

The Examiner sought advice from GPC about the significance of the 4-8 homes thresholds in the policy. He was advised that:

'(for similar reasons for Policy 1) developments in Goudhurst do not meet the 9-dwelling (TWBC) threshold. Without some level of affordable housing provision in the Parish the proportion of affordable homes in the Parish will continue to fall. Developments over nine dwellings will be captured under the TWBC policy. We recognise this will differ from the Local plan but, as above, our objective is not to put rigid controls in place but to frame a discussion and to condition approvals'

	<p>The Examiner considered this matter very carefully given the importance of the matter to the local community. He also took into account the representation from TWBC that Local Plan Policy H3 Affordable Housing applies to developments with a net increase of more than nine dwellings. The representation also advises that sites in AONB delivering six to nine are expected to provide a financial contribution to affordable housing. In these circumstances the Examiner was not satisfied that the proposed policy adds any distinctive value to the existing policy context in general terms. In particular the difference between its threshold of four dwellings and the existing threshold of six dwellings for sites in the AONB is marginal in nature. As such he recommends the deletion of both the policy and the supporting text.</p>
<p><b>Policy H3 Allocating Affordable Housing:</b></p> <p>The Examiner has recommended deletion of the policy.</p> <p>Delete paragraphs 198-201.</p>	<p>The Examiner sought GPC's views on the extent to which the policy is a land use policy or an expression of how TWBC will apply its powers under the Housing Acts to allocate any affordable housing which may come forward in the parish. He was advised that:</p> <p>'Our intention has been to create a community land trust (CLT) which would be the vehicle, in conjunction with a housing supplier, to manage affordable housing allocations. This is a significant effort for a small community with limited growth and we are working to engage with other local parishes to share the burden of development and management of a CLT'.</p> <p>Plainly the development of a CLT would be a very positive step for GPC. However, such an approach would not be a land use matter. In a similar way whilst the delivery of affordable housing is a land use matter its eventual allocation is not a land use matter.</p>

<p><b>Policy H4 Rural Exception Sites:</b></p> <p>Delete 'in general'.</p> <p>In paragraph 203 replace the final sentence with: 'Homes delivered on rural exception sites will be retained in perpetuity as affordable housing and will be allocated according to the Borough Council's most up-to-date approach'.</p>	<p>In its response to the clarification note GPC acknowledged that the policy adds little to national and local planning policies. Nevertheless, it expressed its view that the inclusion of the policy reinforces the importance of this matter and offered a degree of local support for and ownership of the matter.</p> <p>On balance, the Examiner was satisfied that the policy serves a particular purpose in the Plan given its nature and identified housing needs in the parish. However, he recommended that the policy wording is modified to bring the clarity required by the NPPF. He also recommends modifications to the wording of the supporting text to take account of the recommended modifications to Policy H3.</p>
<p><b>Policy H5 Replacing or combining Existing Dwellings:</b></p> <p>Replace 'permitted' with 'supported'.</p>	<p>The Examiner was satisfied that the policy takes an appropriate and balanced approach to this matter. Subject to a detailed modification it meets the basic conditions.</p>
<p><b>Policy H6 Conversion of Existing Buildings:</b></p> <p>Replace the policy with:  'Development proposals for the conversion of existing buildings to alternative uses will be supported where:</p> <p>the proposed conversion will not materially or adversely affect the character and amenities of the surrounding area or the building itself; and the proposal would not result in the loss of a village amenity'.</p> <p>At the end of paragraph 211 add:</p> <p>'Policy H6 has general effect. In all cases proposals for the conversion of buildings to other use will need to be compatible with other relevant development plan policies and the above criteria'.</p>	<p>The Examiner considered this matter carefully. As highlighted in paragraph 1.4 of his report the Examiners role is limited to examining the submitted Plan. As such it would be inappropriate for any recommended modifications to introduce significant new elements or potential development opportunities into the Plan. Whilst GPC has identified Blantyre House as one of two brownfield sites with the potential for redevelopment within the Plan period it has not provided any details on the sites concerned. Plainly it will be for the Ministry of Justice to pursue any potential development opportunities with TWBC as it sees fit within the context of the current and the emerging development plan. Nevertheless, he recommended the paragraph be modified to take account of the updates provided by the Ministry of Justice. The</p>

<p>Replace paragraph 214 with:</p> <p>'The second brownfield site is Blantyre Prison. In recent years it has been used as a training centre by the Ministry of Justice and as a Category C/D Semi-Open Resettlement Prison. The prison closed in 2019. The site is the original Fegan Society home, which was built in the nineteenth century. Some of the original buildings remain and exist alongside a range of other buildings and infrastructure that have been developed over time through the site's use as a detention centre for young offenders and as a prison. There is also row of houses in private ownership on the site along with some housing, originally for prison staff, and offender accommodation. The site is surrounded by a high metal fence and the buildings are surrounded by grassland. This site is remote from all other development, with very limited road and other infrastructure'.</p>	<p>recommended modification takes a neutral approach towards future development opportunities on this site.</p>
<p><b>Policy B1 New Business Space:</b></p> <p>Replace the opening element of the policy with:</p> <p>'Development proposals which would deliver the following elements of business development will be supported:'</p> <p>Replace the third category of business development with: 'A proportionate extension to an existing building for business or tourist use that is on a scale appropriate to the needs and functioning of the business and which should not be visually harmful to the appearance and setting of the existing building, the settlement or the open countryside'</p>	<p>The Examiner recommends that the opening element of the policy is modified so that it provides a clearer context to the policy. He also recommended that the third element of business types to be supported is modified to take on the suggested changes from TWBC. Otherwise, it meets the basic conditions and will assist significantly in delivering the economic dimension of sustainable development.</p>
<p><b>Policy B2 Retention of Business Premises:</b></p> <p>Replace the policy with:</p> <p>'Development proposals for the change of use of buildings to employment, commercial or business uses, and/ or the extension of, buildings in employment, commercial or business uses will be supported.</p>	<p>The Examiner recommended that the policy is recast to take account of this new national legislation. It incorporates a reference to the new Class E use class. It also includes a reference to the new use class F2 which embraces community halls, outdoor sport or recreation not involving motorised vehicles or firearms, indoor or outdoor swimming pools or skating rinks, shop of less than 280sqm</p>

<p>Development proposals which would result in the loss of Commercial Business and Services (Class E), Local Community Uses (Class F2), or hotel/bed and breakfast (Class C1) uses will not be supported unless it can be demonstrated that the premises concerned cannot be sold or let on any basis for either reoccupation or redevelopment for employment-generating uses’.</p>	<p>selling essential goods and at least 1km from a similar shop. This approach may assist in safeguarding any small shops which may become established within the Plan period.</p>
<p><b>Policy B3 Adaptation for Live/Work:</b></p> <p>Replace the policy with:</p> <p>‘Development proposals for the conversion of properties for live/work will be supported. Proposals for Commercial Business and Services (Class E) that involve the use of part of a building, small-scale free-standing buildings within the curtilage of a building, extensions to a building, or the conversion of outbuildings will be supported subject to the following criteria:</p> <p>all activities are undertaken predominantly the occupants of the dwelling; additional buildings, extensions or conversions should not detract from the quality and character of the building to which they are subservient by reason of height, scale, massing, location or the facing materials used in their construction; the employment element does not adversely impact upon road safety or substantially increase traffic volume; and appropriate car parking is provided within the site’.</p>	<p>To bring the clarity required by the NPPF he recommended the following package of related modifications:</p> <ul style="list-style-type: none"> <li>• to separate the live/work part of the policy from that on office/light industrial units;</li> <li>• to reconfigure the second part of the policy so that the detailed factors become criteria associated with that part of the policy on office and light industrial units; and</li> <li>• to take account of the updates to the Use Classes Order in 2020.</li> </ul>
<p><b>Policy D1 Design Considerations:</b></p> <p>In the opening part of the policy insert a full stop after ‘AONB’.</p> <p>Thereafter replace ‘in particular by’ with ‘As appropriate to their scale and location development proposals should respond positively to the following design principles:’</p>	<p>For the purposes of clarity, he recommended that the design criteria are applied in a proportionate way based on the scale and nature of the development proposal concerned. Plainly several of the design principles may not be directly applicable to smaller and/or domestic proposals.</p>
<p><b>Policy D2 Boundary Treatments:</b></p> <p>Replace the policy with:</p>	<p>He recommended that the policy is modified so that it adopts a more rounded approach. As submitted, it defaults to the provision of hedges. Whilst this may be appropriate</p>

<p>'Development proposals should incorporate boundary treatments of an appropriate design, height and material to their location. Proposals which include native hedgerows, native tree planting, post-and-rail fencing, low wooden fencing and green hedging will be particularly supported'.</p>	<p>in some rural locations it will not necessarily be the case in the villages.</p>
<p><b>Policy D3 Climate Change:</b></p> <p>Replace the first design principle with: 'Reduce the use of fossil fuels in line with expectation for net zero emissions by 2030'.</p>	<p>He recommended a modification to the first principle to reflect the representation made by TWBC.</p>
<p><b>Policy D4 Inside the Conservation Areas:</b></p> <p>In the first part of the policy replace 'In addition.....a conservation area' with 'Development proposals in conservation areas'.</p> <p>In the second part of the policy replace 'Redevelopment which involves the demolition of an existing building (or part thereof) within a conservation area will be permitted only where the alternative development preserves or enhances' with 'Development proposals for the full or partial demolition of a building within a conservation area which contribute positively to its character or appearance will only be supported where the proposed development conserves or enhances'.</p> <p>Delete the third part of the policy.</p> <p>In paragraph 266 replace 'to sustain and protect our conservation areas' with 'to oversee development within the conservation areas'. At the end of the paragraph add: 'The two conservation areas are shown on Maps [insert numbers]'</p> <p>At the end of paragraph 267 add: 'As appropriate to their scale and nature development proposals within conservation areas should be accompanied by a Heritage Assessment, and a Design and Access statement (where required) showing how the proposal complies with the requirements of Policy D4'</p> <p>Include a map of each conservation area at an appropriate scale for development management purposes.</p>	<p>The policy takes an appropriate approach to this important matter and which has regard to national policy. The Examiner recommended three modifications to bring the clarity required by the NPPF. The first simplifies the wording of the first part of the policy. The second relates the second part of the policy to buildings which contribute positively to the character or appearance of the conservation area concerned. The third repositions the third part of the policy into the supporting text as it is a process requirement rather than an expression of policy. In doing so he recommended modifications to its wording so that it would apply on a proportionate basis to development proposals. He also recommended a detailed modification to the wording of the supporting text to avoid any potential conflict between the policy and the language used in the text. He also recommended that the policy is underpinned with maps of the two conservation areas at an appropriate scale to bring the clarity required by the NPPF.</p>

<p><b>Policy D5 Outside the Conservation Areas:</b></p> <p>The Examiner has recommended deletion of the policy.</p>	<p>The policy raises two fundamental issues. The first is that it covers the vast majority of the parish and does not provide the granular level of detail required for such a wide area. The second is that the issues which it seeks to address are already adequately captured in other development plan policies, including some policies in the submitted plan itself. The Examiner recommended the deletion of both the policy and the supporting text.</p>
<p><b>Policy D6 Extensions:</b></p> <p>Replace the opening part of the policy with: ‘Development proposals for extensions to buildings will be supported where they meet the following criteria:’ At the beginning of each of the four criteria add ‘they’.</p> <p>At the end of paragraph 269 add: ‘Policy D6 applies both to individual planning applications and to any potential cumulative effects’.</p>	<p>Policy makes a statement rather than establishes a policy. The Examiner recommended a modification to remedy this issue. He also recommended that the commentary about the cumulative element of the policy is repositioned into the supporting text.</p>
<p><b>Policy T1 Parking in New Development:</b></p> <p>Replace ‘must’ with ‘should’.</p> <p>At the end of paragraph 287 add: ‘Policy T1 addresses important car parking capacity issues in Goudhurst village centre. The village centre is a designated conservation area and contains a number of listed buildings. In applying this policy, the Borough Council will also have to give appropriate weight to heritage-related policies both in this Plan and in the wider development plan. In some cases, the issues may pull in different directions and a balanced decision may be required’.</p>	<p>The Examiner was satisfied that the policy addresses an important local issue and, subject to a very detailed modification, meets the basic conditions. He stated that he saw the parking issues in Goudhurst village centre and its effects on the free and safe flow of traffic. He recommended that the supporting text acknowledges that TWBC has a statutory duty to address listed building and conservation area issues in the village centre.</p>
<p><b>Policy T2 Safe Access and Sustainable Transport:</b></p> <p>Replace the opening element of the first part of the policy with:</p>	<p>As submitted the first part of the policy takes a universal approach. In some cases, the criteria will directly relate to new developments. In other cases, this will not be the case. The Examiner recommended a modification to</p>

<p>'As appropriate to their scale, nature and location proposals for housing development should:'</p>	<p>ensure that the first part of the policy can be applied in a proportionate way. The second part of the policy meets the basic conditions.</p>
<p><b>Policy T3 Traffic Mitigation:</b></p> <p>Replace the first part of the policy with:</p> <p>'Development proposals should be able to be accommodated within the capacity of the local highways network. In particular as appropriate to their scale, nature and location they should ensure that:</p> <p>appropriate opportunities to promote sustainable transport modes can be, or have been taken up, given the type of development and its location;</p> <p>safe and suitable access to the site can be achieved for all users; and</p> <p>any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree'</p> <p>Delete the second and third parts of the policy.</p> <p>At the beginning of paragraph 311 add: 'Policy T3 sets out to address these important issues in the neighbourhood area. Mitigation can be secured by design, developer contributions or other measures agreed with the Parish Council, the Borough Council and the Highways Authority. Traffic impact includes adverse road safety conditions, congestion and pollution on both the main roads and rural lanes'.</p>	<p>The Examiner recommended that the policy is recast so that it more explicitly relates to the capacity of the local road network. The recommended modification follows the approach in Section 9 (and paragraph 108 in particular) of the NPPF.</p>
<p><b>General:</b></p> <p>Modification of general text (where necessary) to achieve consistency with the modified policies.</p> <p>Paragraph 5: Replace the first sentence with: 'The development plan consists of the saved elements of the Tunbridge Wells Local Plan 2006, the Core Strategy that runs to 2026 and the Site Allocations Local Plan'.</p>	<p>This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, the Examiner highlighted them in his report. However other changes to</p>

Paragraph 9: Replace the sixth bullet point with 'A Habitat Regulations Assessment screening report'.

Paragraph 11: Replace '2033' with '2038'.

Paragraph 27: Replace '26' with '27' and replace the date in the footnote with 'January 2020'.

the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for TWBC and GPC to have the flexibility to make any necessary consequential changes to the general text.