



# **STAPLEHURST** **NEIGHBOURHOOD** **PLAN**

CONDITIONS STATEMENT  
JULY 2015

**Staplehurst**  
**Parish**  
**Council**

**STAPLEHURST NEIGHBOURHOOD PLAN  
CONDITIONS STATEMENT**

July 2015



This report has been prepared by:

**Staplehurst Parish Council, The Parish Office, Village  
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**[www.staplehurstvillage.org.uk](http://www.staplehurstvillage.org.uk)  
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This report needs to be read in conjunction with the  
Staplehurst Neighbourhood Plan (Submission Plan).  
Please send all comments and responses to:

**Maidstone Borough Council, Maidstone House,  
King Street, Maidstone, ME15 6JQ.**



**HOW DOES THE PLAN MEETS  
THE BASIC CONDITIONS?**



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Feria Urbanism is a planning and design studio that specialises in neighbourhood strategies, public participation and community engagement. Established in 2007, we have been involved in a diverse range of projects across the UK and have developed key skills in organising community engagement events to inform excellent planning and design.

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**CONDITIONS  
STATEMENT**



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The neighbourhood plan seeks to effectively integrate new development with the established village areas, a principle of good planning and enshrined in the NPPF.

# MEETING THE CONDITIONS

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**Staplehurst Parish Council considers that its neighbourhood plan meet the basic conditions as required by the legislation. The neighbourhood plan is in accordance with the Neighbourhood Plans (General) Regulations 2012, the National Planning Policy Framework and with Maidstone Borough Council planning policies.**

The neighbourhood plan does not simply repeat the local or national planning policies. The Localism Act 2012 enables communities to create a plan that reflects the needs of the local population and future residents. A collaborative approach, led by Staplehurst Parish Council and involving local residents and other interest groups, including developers and neighbouring communities, has created a plan that broadly reflects local aspirations.

## GENERAL CONFORMITY

The planning context for the production neighbourhood plans are set out in the Localism Act 2011, the Town and Country Planning Act 1990 (as amended), the National Planning Policy Framework (NPPF) and the Neighbourhood Planning (General) Regulations 2012. For a neighbourhood plan to be approved, it must demonstrate that it:

- is in compliance with national planning policy as set out by the NPPF
- contributes to sustainable development
- is in general conformity with the spatial policies of the development plan for the local area
- is compatible with European policies
- reflects best practice in terms of quality urban design and sustainable planning principles.

The Staplehurst Neighbourhood Plan also:

- contains a mix of uses that meets the need of the local community
- has been developed through widespread local consultation
- has general support from the residents of Staplehurst
- has general support of the various land owners/developers on whose land new development is being proposed
- provides development that will add to the village without unnecessarily infringing upon protected countryside
- creates a welcoming environment for residents, tourists and business interests alike
- promotes sustainable development through a holistic approach to development in the village
- enhances pedestrian and cycle routes in the village
- encourages a strong village economy through extra retail and employment opportunities to support the local jobs and reduce the need to travel.

## CONFORMITY WITH THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

This neighbourhood plan is in conformity with the National Planning Policy Framework (NPPF) which has been taken into consideration at all stages of the plan's development.

Paragraphs 1 and 2 of the NPPF make clear that neighbourhood plans need to take the policies in the NPPF into account and that these policies are a material consideration in the determination of planning applications, alongside local documents such as the Local Plan and neighbourhood plans.

Paragraph 16 of the NPPF states that neighbourhoods should develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development and that neighbourhoods plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.

Staplehurst Parish Council considers that this neighbourhood plan supports both of these objectives. The range of policies in this neighbourhood plan both addresses the strategic growth agenda in the Maidstone Local Plan and helps shape and support development in response to the local context.

Paragraph 28 of the NPPF states that neighbourhood plans should include a policy on economic growth in the rural areas. This neighbourhood plan contains such a policy, PW3. Paragraph 58 of the NPPF requires neighbourhood plans to include policies that encourage good design in their areas and this is met through neighbourhood plan policies H1 and H2.

Paragraphs 150 — 157 of the NPPF set out how development plans should be aspirational but practical and should spatially address the economic, social and environmental dimensions of sustainable development. This neighbourhood plan has been generated to address all of these aspects while remaining flexible in order to respond to change in the parish.

Paragraphs 183 — 185 of the NPPF provide some general guidance on the production of neighbourhood plans in addition to the requirements of paragraph 16. In particular, paragraph 184 makes it clear that "... neighbourhood plans should not promote less development than is set out in the Local Plan or undermine its strategic policies".

This neighbourhood plan accepts the principle of development within the housing allocations as set out in the (Regulation 18) draft Local Plan and it is therefore considered to meet the objectives of paragraph 184 of the NPPF. It should also be noted that paragraph 185 of the NPPF states that once approved, the policies in the neighbourhood plan will take precedence over existing non-strategic policies in the Local Plan for that neighbourhood.

Staplehurst Parish Council acknowledges that there is no up to date and adopted Local Plan in place at Maidstone Borough Council. It therefore wishes to move quickly, but thoroughly, towards the adoption of this neighbourhood plan in order to give the community that lives and works in the parish the certainty and control it needs over its future.

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## SUSTAINABILITY MATTERS

Paragraphs 7 and 14 of the NPPF identify the components of sustainable development, and how planning applications and Local Plans can meet these requirements. It is considered that the Staplehurst Neighbourhood Plan fills an economic, social and environmental role in planning positively to shape the future development and needs of the parish. In addition, the neighbourhood plan is in general conformity with the policies set out in the emerging Maidstone Local Plan. This neighbourhood plan has been produced with the requirements of paragraph 14 of the NPPF in mind.

The policies in the Staplehurst Neighbourhood Plan have been produced in general conformity with the strategic policies of the emerging Maidstone Local Plan. These Local Plan policies have been subject to a Sustainable Appraisal (SA) in line with the relevant European directives. The policies in the neighbourhood plan therefore supplement and help to implement these strategic policies. They are therefore considered sustainable in line with these regulations.

This neighbourhood plan is a sustainable plan that incorporates employment, key services and new facilities together with a range of access and movement options that help reduce the need to travel.

As part of the evidence base for the preparation of the neighbourhood plan, the parish council has undertaken a housing needs survey to understand local need to inform an appropriate mix of house types and tenures in Staplehurst. It has also held collaborative design and planning workshops to determine the most appropriate locations for new development that can contribute to the overall sustainability of the village while minimising any negative impact upon attractive areas of countryside.

## BEST PRACTICE IN RURAL DESIGN

To ensure that the design and layouts of new development are appropriate to the village, the plan encourages high quality design and sustainable planning based on an assessment of the positive qualities of the existing village. This plan seeks to integrate new development with the necessary social and physical infrastructure. Paragraphs 47 — 55 in the NPPF expect the delivery of high quality homes to match appropriate housing needs through sensitively designed new places. This plan indicates appropriate housing sites in the context of the wider village. In terms of design, a positive relationship between existing built areas and the new will be critical to the successful assimilation of new development.

The selection of the indicated development sites has been based on striking the right balance between the need for more housing and the protection of the countryside environment. Paragraph 58 of the NPPF states that new developments “... will function well and add to the overall quality of the area, not just for the short term”. The parish council considers this draft plan to be a long-term strategy that will enhance the village through high quality architectural form and layout.

## CONFORMITY WITH THE STRATEGIC SAVED POLICIES FROM THE MAIDSTONE BOROUGH LOCAL PLAN

A draft neighbourhood development plan must be in general conformity with the strategic policies contained in the development plan for the area of the relevant authority. For the Staplehurst Neighbourhood Plan, the relevant authority is Maidstone Borough Council. The development plan for the borough currently comprises

- the saved policies from Maidstone Borough-wide Local Plan, 2000;
- the Open Space DPD, 2006 and
- the Affordable Housing DPD, 2006.

It is understood that the borough council has assessed the currently adopted policies to identify those which are strategic in nature. Strategic policies have been defined as those policies important to the supply of land for strategic uses to meet strategic needs such as housing, employment and transport; the provision or retention of key services and facilities to help achieve sustainable development across the borough; the protection and/or enhancement of strategic environmental assets important to a borough-wide population; and those supporting specific policies identified in the National Planning Policy Framework which the Government identifies as strategically important in restricting development.

The National Planning Policy Framework (NPPF) was introduced in March 2012 after the adoption of the borough’s development plan policies. The NPPF provides new national planning guidance on a wide range of planning issues. The NPPF is a material consideration in planning decisions which local planning authorities should take into account.

For the purposes of decision-taking, saved Local Plan policies should not be considered out of date simply because they were adopted prior to the publication of the NPPF. However, from March 2013, due weight should be given to saved policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).



The neighbourhood plan aims to deliver sustainable growth and high quality designs.

In assessing the adopted strategic policies of the development plan, their consistency with the NPPF and emerging Local Plan has been examined. Where a strategic policy no longer remains consistent, it should no longer be given weight.

For this reason, the Staplehurst Neighbourhood Plans is not expected to be consistent with such policies and consequently they are not included in the schedule of strategic policies contained in this Conditions Statement.

It is the considered view of Staplehurst Parish Council, the qualifying body responsible for the preparation of the neighbourhood plan, that the Staplehurst Neighbourhood Plan is in general conformity with both the NPPF and the strategic (saved) policies set out, right. The neighbourhood plan is also in conformity with Policy OS1 from the Open Space DPD, 2006 and Policy AH1 from the Affordable Housing DPD, 2006

## SCHEDULE OF STRATEGIC SAVED POLICIES FROM MAIDSTONE BOROUGH-WIDE LOCAL PLAN, 2000

ENV23	Loss of Open Space and Recreation Facilities
ENV24	Site Specific Public Open Space Allocations
ENV27	New Footpath, Cycleway and Bridleway Proposals
ENV28	Development In the Countryside
ENV33	Kent Downs Area of Outstanding Natural Beauty
ENV35	Areas of Local Landscape Importance
ENV41	Ponds, Wetlands and Marshlands
ENV44	Conversion of Rural Buildings for Commercial, Industrial, Recreation and Tourism Purposes
ENV45	Conversion of Rural Buildings for Residential Purposes
H1	Housing Land Allocations
H16	Oliver Road, Staplehurst
H27	Rural Settlements (Minor Development)
H28	Rural Settlements (Allocations)
ED1	Allocations of Employment Land
ED2	Retention of Employment Sites
T2	Bus and Hackney Carriage Corridors
T7	Safeguarding Railway Lines
T18	Highways Construction, Widening and Junction Improvements
T21	Accessibility of New Development
T23	Need for Highway/Public Transport Improvements
R1	Maintaining and Enhancing Existing Retail Facilities
R2	Major Retail Proposals Exceeding 500 sq. m.
R10	Local Centres
R11	Local Convenience Shops, Post Offices and Pharmacies
CF1	Seeking New Community Facilities
CF2	Re-Using Public Land and Community Facilities
CF3	Loss of Community Facilities
CF8	Primary Schools

The neighbourhood plan is considered to be conformity with the above schedule of saved policies.

## CONFORMITY WITH THE EMERGING REPLACEMENT MAIDSTONE BOROUGH LOCAL PLAN

In the adopted Maidstone Borough-wide Local Plan, 2000 policies were designed to be relevant up to 2006, when the South East Plan was adopted) whereas the Neighbourhood Plans are now being produced to extend to 2031. Maidstone Borough Council is preparing a new Local Plan to cover the period to 2031. The Maidstone Borough Local Plan has reached the consultation (Regulation 18) stage (March 2014).

Maidstone Borough Council states that while general conformity to an emerging local plan is not a legal requirement set out in the Act, the emerging strategic policies can provide some additional clarity to the neighbourhood plan making process. Furthermore, in order to future-proof a neighbourhood plan, those preparing the plan should ensure, through close dialogue with the borough council, that the plan is appropriately in line with up to date evidence of any strategic needs identified for the area and takes account of the strategic priorities of the emerging local plan.

It is for this reason that the Staplehurst Neighbourhood Plan has aligned itself with the Maidstone Borough Local Plan consultation (Regulation 18) version (March 2014) in order to be as up to date as possible.

Maidstone Borough Council also states in its guidance note on matters of conformity, that where neighbourhood planning is undertaken before an up-to-date local plan is in place, collaboration between the parish council and the borough council is critical, sharing evidence and information and ensuring the neighbourhood plan fits with any relevant up-to-date evidence of strategic needs.

Staplehurst Parish Council has therefore made every effort to engage Maidstone Borough Council in the preparation of its neighbourhood plan and has kept officers and members of the borough council informed at every stage in its preparation.



The neighbourhood plan contains an assessment of the qualities that make Staplehurst special.

## RURAL SERVICE CENTRE

This neighbourhood plan positively supports development by accepting the village's strategic role as a designated Rural Service Centre (RSC). The parish council acknowledges that Policy SP3 in the draft Maidstone Borough Council (Regulation 18) Local Plan designates Staplehurst a Rural Service Centre — that is, a larger rural settlement deemed suitable by MBC for additional houses.

This neighbourhood plan is in general conformity with the policy themes and growth agenda as set out by Maidstone Borough Council. In this respect, the parish council firmly believes it meets the general conformity test for neighbourhood planning with respect to the borough or district level planning policies.

Staplehurst Parish Council recognises the importance of new development and the significant role the village can play in accommodating this development as a designated Rural Service Centre. This neighbourhood plan gives the community in Staplehurst the control and confidence it needs to help it develop as a prosperous and attractive Kentish village.

## **SUPPORTING NEW DEVELOPMENT**

This plan supports new development in a sustainable way. Development is located and designed so as to create a compact and balanced settlement that enhances connections across the village. This will help create a sustainable settlement that will connect residential neighbourhoods with services through the increased use of non-car modes of travel. The sites identified for development are informed by their immediate context. This is a direct response to paragraph 47 of the NPPF on delivering high quality homes in a rural environment; this plan identifies key sites in the village that reflect locations suitable for the long term success of the village.

## **MEETING THE NEEDS OF THE LOCAL COMMUNITY**

The parish council believes that this neighbourhood plan supports the needs of the wider community by addressing the social, economic and environmental aspects of village life. This has been expressed through the identification of new areas of housing, new retail opportunities, together with a sustainable access and movement network across the village. The specific policy themes within the plan will benefit all elements of the community.

## **EFFECTIVE LOCAL CONSULTATION**

As set out in Section 14 (a) of the 2012 Neighbourhood Planning (General) Regulations, consultation on the plan and the plan-making process must be brought to the attention of the people who live or work in the village. Staplehurst Parish Council has ensured that this is a plan that reflects local opinions and local needs. To ensure that public engagement and consultation were effective, input from the community has been sought at every stage and has been invaluable to the production of the plan. Throughout the process, members of the community have been able to shape discussions and form dialogues with fellow residents, with land owners and with other interest groups. The result has been that different groups have been able to find shared outcomes.

There has been a series of consultation and engagement events that have directly influenced the drafting of the plan. All consultation material relating to these events (e.g. slideshows, reports and posters) have been published online during the plan preparation. Please see the accompanying Consultation Statement for full details on the consultation process undertaken as part of the preparation of this neighbourhood plan.

## **BROAD LOCAL SUPPORT**

From the outset, Staplehurst Parish Council has tried to ensure that a broad cross-section of the local community has been involved in the plan-making process. The consultation and engagement process has been open and transparent and interest groups such as land owners, local developers and school representatives have all been included in the process. All these groups are considered appropriate consultation bodies to include, as defined in the neighbourhood planning (General) Regulations Schedule 1.

This approach towards finding shared solutions to resolve issues in the village has the support from the various interest groups and from those on whose land development is being proposed. It is hoped that this support for the process will also translate into support for this submission plan.

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## **ESTABLISHING THE SHARED VISION**

The results of the local consultation and the parallel work to ensure the plan meets the basic conditions have been combined to establish an shared vision, bringing the plan in line with paragraph 183 of the NPPF. This vision is expressed in the form of eight key vision points. These points have structured the neighbourhood plan and informed the development of the individual policies and objectives.

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