

Southborough and High Brooms Neighbourhood Development Plan

Responses to Independent Examiner's Clarification Note

Prepared by the Southborough and High Brooms Neighbourhood Development Plan Steering Group on behalf of Southborough Town Council

9 September 2025

This response has been prepared by the Southborough and High Brooms Neighbourhood Plan Steering Group (SG) on behalf of Southborough Town Council (STC) in relation to the Southborough and High Brooms Neighbourhood Plan (SHBNDP). We are grateful for the opportunity to provide further clarification on the points raised below by the independent Examiner.

Policy SHB1 - This policy provides a positive spatial strategy for the neighbourhood area and will focus sustainable development within easy reach of its commercial and community facilities.

On what basis did the Town Council decide to identify development which would be supported beyond the Limits to Built Development (in Part B)? Is it practicable to attempt to identify a definitive list of such development? Would the opening element of Part B of the policy be sufficient given the contents of national and local planning policies and other policies in the submitted Plan?

The principle of development is established within the Limit to Built Development. The purpose of Part B is to set out guidance for any development on land that might come forward outside the Limit to Built Development, the majority of which either falls in Green Belt and/or the National Landscape. The policy takes a cautionary approach to such development by setting out the instances where it might be appropriate and the criteria it should adhere to in order to ensure that it takes place sustainably.

It is accepted that producing a definitive list of acceptable developments may be difficult and therefore the SG would be minded to amending Part B of the policy to:

“Development in the countryside, beyond the Limits to Built Development, will be strictly controlled in the interests of conserving the nationally important landscape of the High Weald National Landscape (and its setting) and the Green Belt, and will only be supported **where they involve development supported in such locations in national and local planning policies.**”

This would remove clauses i-v.

The wording **“Such development must:”** and clauses vi to x would better form their own Part C, as these criteria would apply to development proposals both within and outside the Limits to Built Development.

Policy SHB2 - The policy addresses local housing needs in a positive way. The final sentence of Part Ai of the policy does not provide clarity either to the Borough Council or to the development industry. Is there any evidence to justify the 5% figure quoted?

The sentence was added into the Submission Version following comments received from TWBC on the Pre-Submission Version Plan. The comment received was: *“Larger (4 bedrooms and over) homes should be restricted to a low percentage of the overall site total, perhaps up to 5% of overall dwelling numbers. Para 1.32 of the Housing Needs Study notes that if the NDP are seeking to improve housing affordability then more 1 – 3 bed homes should be provided. Smaller 1 and 2 bed homes should also be designed to be accessible and adaptable to help meet the growing need for older persons housing”.*

The purpose of Part Ai is to ensure that any new homes focus predominantly on delivering smaller (in terms of bedroom numbers) homes to address the needs of single people, young couples, smaller families and those wishing to downsize as identified in the Housing Needs Assessment. It may be that removing the final sentence retains the overall thrust of the policy.

Policy SHB3 - This is an excellent, locally-distinctive policy which is underpinned by the equally-impressive Design Guidance and Codes. In the round, it is a first-class local response to Section 12 of the NPPF.

This comment is noted.

Policy SHB4 - This is another excellent locally-distinctive policy. Its non-prescriptive approach has regard to Section 14 of NPPF and the Written Ministerial Statement of December 2023 on local energy efficiency standards.

This comment is noted.

Policy SHB6 - I looked carefully at Southborough High Street and the other Neighbourhood Centres during the visit. Their importance to the local community was self-evident. The policy acknowledges the importance of economically vibrant mixed-use centres.

What is the intended purpose of the reference to permitted development rights in Part C of the policy? Should that purpose be explained in the Justification?

The inclusion of this wording seeks to acknowledge the fact that some development proposals may be undertaken under permitted development and therefore this clause would not apply. An alternative approach may be to amend the wording to *“Insofar as planning permission is required”*. This could be elaborated on within the justification.

Policy SHB7 - This is an interesting and locally-distinctive policy. I note the commentary in paragraph 7.22 of the Justification. Nevertheless, Part A of the policy reads as a process matter rather than a land use planning policy. In addition, how would the Town Council expect the Borough Council to apply the policy through the development management process either generally or in a proportionate way? For example, the application of the approach towards the development of a new café/bar/restaurant would be relatively clear, whilst its application to a modest rear extension of an existing retail unit would not be clear. It would be helpful if the Town Council expanded on its intentions.

It is accepted that the second and third sentences of Part A are largely process and may sit better within the justification.

In terms of applying the policy, the SG consider that it would be possible for even a modest planning application to consider how it might contribute to the overarching cultural aim for the High Street. Nevertheless, Part A could be amended to offer additional flexibility for those applying the policy, for instance:

“Subject to their scale and nature, non-residential development proposals in the High Street **should** demonstrate that future cultural provision has been considered (which may include the provision of public realm capable of hosting events and performances, as well as cultural space within buildings).”

Policy SHB9 - This is a very good and locally distinctive policy which responds positively to Section 15 of the NPPF.

This comment is noted.

Policy SHB10 - I looked at a selection of the various Local Green Spaces (LGSs) during the visit. I note that the policy is underpinned by the details in Appendix C. This is best practice.

I note that several of the proposed LGSs are within the Green Belt and/or the High Weald National Landscape? Has the Town Council assessed the added value of designating the parcels of land concerned in accordance with Planning practice guidance D: 37-010-20140306 and ID: 37-011-20140306?

Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. They should be capable of enduring beyond the end of the plan period.

Planning Practice Guidance notes that in instances where a local green space is located within Green Belt or an area protected by designations, consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space. A potential benefit, which is relevant to the spaces in the SHBNDP, is that it serves to identify formally those areas that are of particular importance to the local community.

Five of the local green spaces in the SHBNDP fall within such locations. In these instances, the designation will help to identify formally those areas that are of particular importance to the local community. Whilst some are located in the Green Belt, it is considered that the Local Green Space designation would afford the spaces further protection should that status ever change, which could take place as part of any future Green Belt Review or if the presumption in favour of sustainable development were to be applied in the future.

Those spaces that fall into this category are:

LGS10 (The Piggery, Powdermill Lane) – This is a valued space not only for recreation but also for its richness of wildlife. It is a Local Wildlife Site. Located near to the Limits to Built Development, it is considered to be more threatened than other areas, notably if the Green Belt were to be amended in the future. The LGS designation acknowledges its importance to the community and the desire to retain it as a green space in perpetuity.

LGS24 (Apple Orchard) – This space would appear to be well-protected, however it is one of the few remaining traditional orchards in the Parish and the LGS designation seeks to protect and conserve its biodiversity and its role as an important habitat for wildlife. Whilst it is in a Green Belt location, this no longer guarantees its safeguarding.

LGS27 (Camp Field) – The LGS designation recognises formally the cultural importance of this space and its historical significance to the local community.

LGS28 (Doctor's Meadow) – The space is owned by the Southborough Society and the designation provides a formal recognition of its significance from a historic, wildlife and recreation value.

LGS37 (David Saloman's Estate) – This is a historic estate within the neighbourhood area and the designation serves to formally recognise its importance to the community.

For these reasons, the SG consider that the designation provides more than a protection, rather a formal acknowledgement of the significance of these spaces to local residents.

What is the size of LGSs 13 (Southfields Park Skinners School Football Rugby Grounds), 27 (Camp Field) and 37 (David Saloman's Estate (gardens))?

LGS13: 9.16 ha

LGS27: 7.66 ha

LGS37: 10.26 ha

The policy simply lists the proposed LGSs without including policy wording. Was this approach deliberate?

The policy did not include such a clause in the interests of not repeating national policy. However, the SG would be content to add detail for the purposes of clarity, for example *“Policies and decisions for managing development within a Local Green Space should be consistent with national policy for Green Belts as set out in the NPPF”*.

Policy SHB11 - This is another very good and locally distinctive policy. In this case it is underpinned by the details in Appendix D.

This comment is noted.

Policy SHB15 - This is a good policy which seeks to improve opportunities for community and cultural facilities, sport, and recreation. Part C of the policy acknowledges that the use and/or viability of existing services may alter in the Plan period.

This comment is noted.

Implementation and Plan Review

Section 11 of the Plan addresses these matters in a very positive fashion. It anticipates the adoption of the emerging the Local Plan.

This comment is noted.

It would be helpful if the Town Council would respond to the comments from Kent County Council, the owner of Camp Field, Southern Water and Applause Rural Touring.

The Borough Council also makes a series of comments and suggested revisions to the Plan. It would be helpful if the Parish Council would respond to those comments.

Comments on the Representations are included in Appendix A of this response.

We are grateful for the opportunity to provide further clarification on these questions and points.

Nick Woolett

Chair of the Southborough and High Brooms Neighbourhood Plan Steering Group

Response to representations received at the Regulation 16 consultation

Kent County Council

Para 1.10: This is noted.

Para 4.3: We would be content to reference Chapter 15 of the National Planning Policy Framework (NPPF) and Defra's guidance on National Standards for Sustainable Drainage Systems (SuDS) as suggested.

Policy SHB1: We would be content to add a reference to the need for planning applications needing to meet Defra's guidance on National Standards for SuDS which following the latest update contain a new standard, Standard 6, introducing a requirement on development proposals as suggested.

Policy SHB4: We would be content to amend the wording of the policy To recognise that whilst 110 litres per person is the accepted maximum, figures below this volume are encouraged.

Policy SHB9: We would be content to incorporate a clause relating to the use of SuDS into the policy requirements and to require new development not to contribute to flood risk via the inclusion of SuDS.

The owner of Camp Field

The objections to the inclusion of this site were received and acknowledged by the SG. The site in question is 7.66 ha, which is one of the larger LGSs identified, although neither the NPPF nor PPG provide an upper limit to what might constitute a local green space. The SG does not consider this space to be an expansive tract of land in the context of Southborough. There are also examples of larger areas being successfully designated as LGS in other areas.

It is acknowledged that the owner intends to retain the field for agricultural use. This is not considered to impact the justifications provided as to why the field is demonstrably special to the local community. Whilst there is no public access onto the site, public access is not a requirement of the designation.

The SG is minded to retaining the inclusion of the field as a local green space for the reasons provided in the SHBNDP.

Southern Water

Policy SHB10 - Further to our representations at the Regulation 14 stage, whilst we note that policy SHB1, the Location of Development, allows for 'necessary utilities infrastructure where no reasonable alternative location is available', policy SHB10 does not make this clear for local green spaces. Nor does policy SHB10 make clear that development proposals within the

designated local green spaces will be consistent with national policy for Green Belt.

As per our response to the Examiner on Policy SHB10, we would be content to add the following wording to this policy, which would address the matter raised: *“Policies and decisions for managing development within a Local Green Space should be consistent with national policy for Green Belts set out in the NPPF”*.

Applause Rural Touring

Hello,

Please see comments on the Southborough & High Brooms NDP Consultation from Applause Rural Touring.

I suggest the highlighted area is removed from the plan as there is no working partnership between Applause and STC for ongoing activity within the Civic Centre following the pilot programme which has ended.

PAGE 45

7.20. The idea of Southborough as a creative hub was raised during many of the community events and via the community survey. There are a number of existing private businesses operating in this sector including ArtyFarty and Knot Work. In addition, Applause Rural Training Touring is based in the Civic Centre. It is a cultural charitable organisation with Arts Council England National Portfolio status that collaborates with people across Kent, Sussex, Essex, and the wider region to create opportunities for creative experiences in their local communities. Applause has trialled a year-long pilot family theatre programme at the Civic Centre and is seeking to work with STC on recommendations for future activity.

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Response: The SG would be content to remove the wording as suggested, which aligns with comments received from TWBC.

Tunbridge Wells Borough Council

Reference to the adopted and New Local Plan: Many of the comments raised relate to amendments required in relation to the new Local Plan, including the Schedule of Proposed Modifications.

Having discussed this with TWBC, we would be minded to following the Examiner's advice and waiting until the new Local Plan has been adopted (we understand that this is likely to be this winter) and amending all references to it (including for instance the LBD) at that point. This will also mean that references to the existing Local Plan can be removed.

The SHBNDP has been prepared to conform to the adopted Local Plan, however the content of the emerging Local Plan has formed an important context throughout its development, and it is considered that the SHBNDP policies are aligned to the new Local Plan.

Factual errors / typos/ updates to evidence since the Submission Version was published: We are content to amend these as suggested.

Para 1.10: Reference to the Kent Minerals and Waste Plan can be updated as suggested, as it has now been adopted.

Policy SHB1 Part B: See our response to the Examiner's question on this point.

Policy SHB2

- **Part A:** We would be content to expand on the definition of 'specialist housing need' as suggested.
- **Part A i:** See our response to the Examiner's question on this point.
- **Part A iv:** the thrust of this clause is to encourage proposals that would provide an uplift on housing affordability. First Homes is provided as an example of this but is not promoted above and beyond other affordable housing products.

Policy SHB4

- **Part Bii:** We would be content to reference explicitly the fabric first approach.
- **Part Biv:** We would be content to add the points noted in the comments.

Para 7.11: We would be content to extend the sentence as suggested.

Policy SHB10: See our response to the Examiner's question on this point.

LGS1: We would be content to amend the text and potentially the corresponding map for this to ensure accuracy.

Para 8.37: We would be content to include the reference to the High Weald Dark Skies Planning Technical Advice Note alongside the reference to the High Weald AONB Management Plan.

Policy SHB13 Part A: We agree that this could and should apply to all residential and employment developments. To allow flexibility when it comes to very small-scale proposals, we would be minded to adding “*Subject to their scale, nature and location*” to the start of Part A.