



Lamberhurst Parish

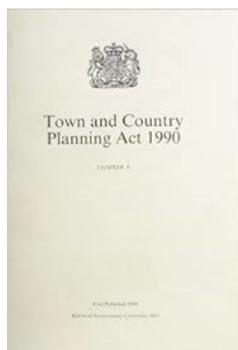


Basic Conditions Statement

Setting the pattern for future development in Lamberhurst Parish
Regulation 15 version September 2020

Prepared in accordance with the Localism Act 2011 and
Neighbourhood Planning (General) Regulations 2012-2017

www.lamberhurstvillage.org



***Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990, as applied to neighbourhood plans by section 38A of the Planning & Compulsory Purchase Act 2004**

1. Introduction

1.1 This Statement has been prepared by Lamberhurst Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, Tunbridge Wells Borough Council (“TWBC”), of the Lamberhurst Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the whole of the parish of Lamberhurst, following approval by the TWBC on 18 December 2017. The extent of the plan area is shown in Map 1 below. The plan period looks forward to 2036. A draft Neighbourhood Plan was the subject of public consultation in summer 2019.

1.3 The planning policies in the Neighbourhood Plan relate to the development and use of land in the plan area. The plan also includes a number of proposals for community action, outside the planning system, which are not covered by the legislative requirements for neighbourhood plans: these are clearly differentiated in the plan.

1.4 This Statement addresses each of the four “basic conditions” required in the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act, as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- **having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,**
- **the making of the neighbourhood development plan contributes to the achievement of sustainable development,**
- **the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),**
- **the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.** (NB. These obligations remain despite UK departure from EU, unless specifically revised or removed by the UK Parliament)

(there are additional basic conditions requirements concerning the statutory protection of listed buildings and conservation areas which apply only to Neighbourhood Development Orders)

1.6 The structure of this statement closely follows the above legislative requirements. Following some brief background information in section 2, the remaining sections (3-6 inclusive) cover how the Parish Council has sought to meet each in turn of the four “basic conditions” in preparing the plan.

Map 1: Lamberhurst Parish Area



2. Background

2.1 On 7 August 2017, Lamberhurst Parish Council decided to make a formal application to TWBC for the designation of a neighbourhood plan area covering the entire civil parish of Lamberhurst. TWBC approved the application on 18 December 2017. A copy of the approval letter is attached as Appendix A.

2.2 The motivation for preparing the plan was two-fold: firstly, to respond positively to the challenge of neighbourhood planning offered by the Government's Localism Act 2011 and, secondly, the desire of the local community to shape the future of a special area they have lived in for many years, and which they want to pass onto future generations in a good condition.

2.3 The Parish Council then set up a Steering Group and four Topic Groups to oversee the preparation of the plan, comprising parish councillors and volunteers, and meeting at regular intervals. The Steering Group established links with planning officers at TWBC and has kept in regular contact with them as the plan has progressed. The Group has worked throughout the process to gather together an evidence base to support the Neighbourhood Plan (mostly through its Topic Groups) and has carried out several rounds of consultation in the local community, which are detailed in the accompanying Consultation Statement. In November 2017, the Parish Council engaged Jim Boot, Community Planner, to provide advice on community engagement on the neighbourhood plan, and Lindsay Frost Consulting Ltd to provide professional planning assistance with the work.

2.4 National planning policy was streamlined and refocused with the publication of the National Planning Policy Framework (NPPF) in March 2012, and subsequently revised and updated in July 2018 and February 2019. The NPPF was followed up with the National Planning Practice Guidance (NPPG) in March 2014, giving more detailed guidance on how to apply the policies set out in the NPPF. The NPPG is an online document which is updated regularly. These documents set the framework for planning work at the local level, including preparation of local plans and neighbourhood plans

2.5 The local planning authorities for Lamberhurst parish are TWBC (for most forms of development) and Kent County Council (for minerals and waste-related development and some KCC operational development). The planning policy documents covering Lamberhurst are set out in Table 1 and briefly described in paragraphs 2.6 to 2.12 below:

List 1: Local Plans affecting Lamberhurst Parish

- Tunbridge Wells Borough Local Plan (2006) – “saved policies” only
- Tunbridge Wells Borough Core Strategy (2010)
- Tunbridge Wells Borough Site Allocations Plan (2016)
- Tunbridge Wells Borough Local Plan (2019) – consultation draft

- Tunbridge Wells Borough Council – Supplementary Planning Documents and Guidance
- Kent County Council- Waste and Minerals Plan (2016) **
- Kent County Council- Minerals Sites Plan (2020) **

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**** Minerals and waste matters are not considered in the Lamberhurst Neighbourhood Plan, and so are not referred to further in this Basic Conditions Statement**

2.6. The **Tunbridge Wells Borough Local Plan (2006)** was produced under old legislation superseded by the Planning and Compulsory Purchase Act 2004 and later legislation. However, some detailed policies in the plan were saved by approval of the Secretary of State in March 2009. Others were rendered obsolete by the adoption of newer planning

policies in 2010 and 2016 (see below). However, some “saved” policies are still used today in determining planning applications, although the weight attached to them is diminished by time and newer national and local planning policies. A list of the “saved policies” is at:

http://www.tunbridgewells.gov.uk/data/assets/pdf_file/0013/130027/Local-Plan-2006-Remaining-Saved-Policies-at-2016.pdf

These “saved policies” include policies relating to development in villages and the surrounding countryside, particularly policy LBD1 which defines built confines for Lamberhurst.

2.7. The Tunbridge Wells Borough Core Strategy (2010) comprises a long-term spatial vision and objectives for the Tunbridge Wells Borough area for the period 2006 to 2026, and a set of core planning policies by which they will be delivered. It is used in the determination of planning applications, along with some of the more detailed planning policies in the 2006 document above.

The following Core Strategy policies are of particular relevance in Lamberhurst parish:

- Core Policy 1: Delivery of Development
- Core Policy 3: Transport Infrastructure
- Core Policy 4: Environment
- Core Policy 5: Sustainable Design and Construction
- Core Policy 6: Housing Provision
- Core Policy 7: Employment Provision
- Core Policy 8: Retail, Leisure and Community Facilities Provision
- Core Policy 14: Development in the Villages and Rural Areas

2.8. The Tunbridge Wells Borough Site Allocations Plan (2016) allocates land for housing, employment, retail and other land uses to meet the identified needs of the communities within Tunbridge Wells Borough to 2026 and beyond. The plan follows the strategic objectives and sustainable development objectives set out within the Core Strategy. The document also identifies safeguarded land and areas requiring continued protection from development. Most of the plan’s allocated development sites are in the larger towns and villages of the borough. There are no allocations in Lamberhurst parish.

2.9. The emerging Tunbridge Wells Borough Local Plan 2019 looks forward to 2036 and seeks to apply the latest national planning policy to the Borough, including provision of a higher level of future housing development. A draft plan was published for public consultation from September 20 to November 15 2019. It proposes to allocate two sites in Lamberhurst for housing development at Misty Meadow, Furnace Lane (25-30 dwellings) and at land west of Spray Hill (25-30 dwellings).

It is understood that TWBC will be considering all the views received during the autumn 2019 consultation, and the need for any revisions to the draft local plan, over the winter 2020-21, with further public consultation on the plan in spring 2021. This would then lead to formal examination towards the end of 2021.

The new plan will attract increasing weight in planning decisions as it proceeds towards examination by an independent inspector and formal adoption. When adopted, the new Local Plan will supersede the policies contained within the Tunbridge Wells Core Strategy 2010, the Site Allocations Plan 2016, and the “saved” policies of the Local Plan (2006) and the associated supplementary planning documents. The Inset Map for Lamberhurst from the new Local Plan is shown below as Map 2.

2.10 Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPGs) are non-statutory documents that are used to supplement policies and strategies set out in other statutorily produced documents, such as the above Local Plans. The Borough Council has produced a wide range of such documents, which are relevant to Lamberhurst parish, which include the following:

- Affordable Housing SPD (October 2007)
- Alterations and Extensions SPD (June 2006)
- Lamberhurst and The Down Conservation Areas Appraisal (July 2002)
- Contaminated Land SPD(September 2016)
- Farmsteads Assessment SPD(February 2016)
- Green Infrastructure SPD (August 2014)
- Tunbridge Wells Borough Landscape Character Assessment (December 2017)
- Noise and Vibration SPD (November 2014)
- Recreation and Open Space SPD (July 2006)
- Renewable Energy SPD (April 2007 , updated 2016)
- Rural Lanes SPD (January 1998)
- Planning Obligations Good Practice Guide (undated)

As these are supplementary planning documents, which elaborate or explain the application of, planning policies in the statutory plans above, they are not assessed in detail in this Basic Conditions Statement.

2.11 The Kent Waste and Minerals Plan (2016): The County Council is the local planning authority for development associated with waste disposal and processing, and with the extraction, processing and transportation of minerals in Kent. The plan, which was adopted in 2016, sets the overall planning strategy for these types of development up to 2030.

2.12 A Minerals Sites Local Plan, identifying sites to give effect to the strategy, was adopted by KCC in September 2020. No sites in Lamberhurst parish are allocated in the plan.

2.13 it is possible that the Lamberhurst Neighbourhood Development Plan might be formally adopted in advance of the new Tunbridge Wells Borough Local Plan .The National Planning Practice Guidance (Neighbourhood Planning paragraph 009)states that it is possible to bring into force a neighbourhood plan in advance of an emerging local plan. It states:

Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its local plan

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the Basic Conditions. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing evidences relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.

Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
- *the emerging local plan (or spatial development strategy)*
- *the adopted development plan*

with appropriate regard to national policy and guidance.

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning & Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan

2.14 Lamberhurst Parish Council has worked closely with officers from TWBC throughout the preparation of this Plan with the aim of developing a clear and coherent relationship between the older adopted plans and the newly emerging planning policy documents.

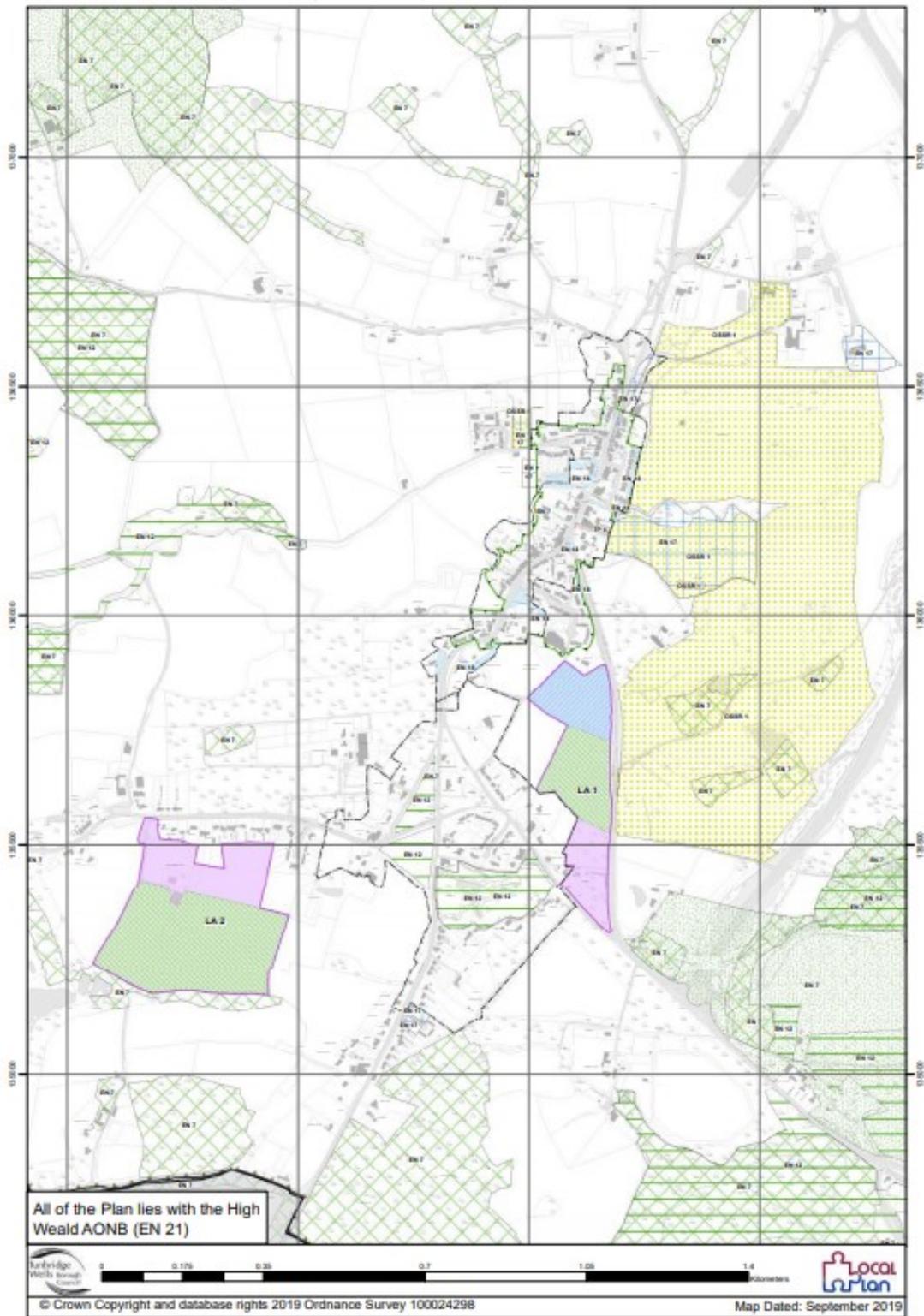
COVID-19 pandemic

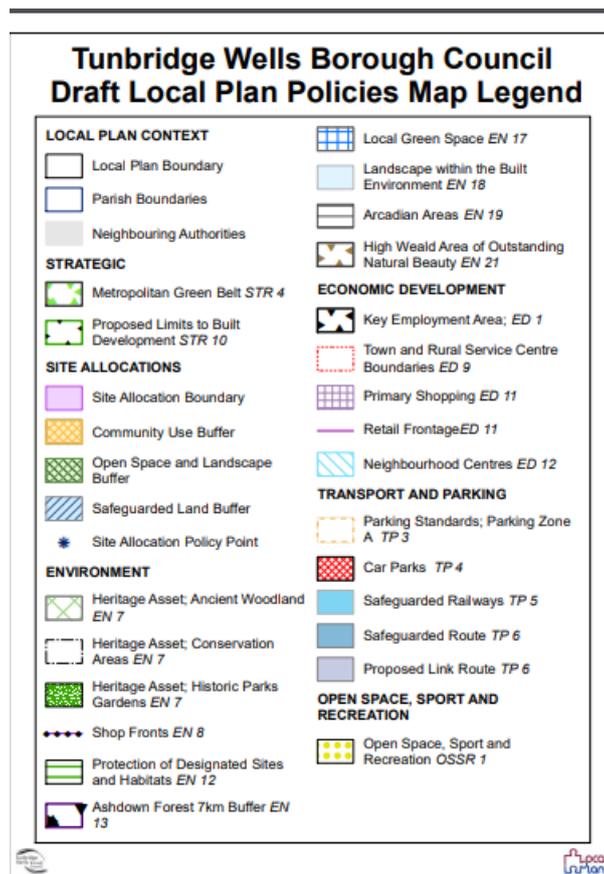
2.15 The pandemic arrived in the UK early in 2020, leading to stringent lockdown measures affecting all areas of life from March onwards. These measures have been regularly adjusted by the Government since that time, as it seeks to strike a balance between preventing the spread of the virus and allowing a safe return to normal life. Legislation has been passed to allow local authorities (including parish councils) to make decisions on planning matters in online meetings. Government guidance on progressing neighbourhood plans during the pandemic was published in May 2020, which will affect how public consultation is carried out and defer any further neighbourhood plan referenda until after May 2021.

<https://www.gov.uk/guidance/coronavirus-covid-19-planning-update>

Map 2: Draft Tunbridge Wells Local Plan (2019) – Inset proposals map for Lamberhurst Parish

Lamberhurst Draft Policies Map - Inset Map 26





(NOTE:

LA1- proposed housing development allocation at Spray Hill, Lamberhurst

LA2-Proposed housing development allocation at Misty Meadow, Furnace Lane, Lamberhurst)

3. Conformity with National Planning Policies

3.1 The NPPF is the national planning policy framework for England. It was published by the Secretary of State for Communities and Local Government in 2012 and updated in 2018 and 2019. All local plans and neighbourhood plans are expected to have regard to it. At its core, the NPPF has a presumption in favour of sustainable development. One definition of sustainable development is “meeting today’s social and economic needs without narrowing the choices open to future generations”. The national policy is that this will be achieved in rural areas by:

- building a strong, competitive, and prosperous rural economy
- promoting sustainable transport
- supporting high quality communications infrastructure
- delivering a wide choice of high quality homes
- requiring good design

- promoting healthy communities
- meeting the challenge of climate change
- conserving and enhancing the natural environment
- conserving and enhancing the historic environment

3.2 The Lamberhurst Neighbourhood Development Plan has had regard to the NPPF throughout its preparation. Table 2 below shows how each of the planning policies in the Plan relates to the NPPF.

(The “Community Action” items in the plan are not included here, as they will be delivered outside the planning system, and are not required to be in compliance with national and strategic planning policy)

Table 2: How the Neighbourhood Development Plan’s Policies relate to the NPPF

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|---|---|--|
| Landscape and environment | | |
| L1 .Local Green Spaces | 99-100. Designation of Local Green Space in local and neighbourhood plans is supported where it is consistent with sustainable development and provision for planned growth. Such designations must meet these tests: a)it is in reasonably close proximity to the community it serves; b)demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land. | Work by TWBC identifies eight Local Green Spaces, which are designated for the qualities set out in the NPPF and which are both in close proximity to the local community and local in character, so meeting the three tests. These sites are protected by policy L1 and development on them will only be allowed in the very exceptional circumstances set out in the policy |
| L2 .Development within the | 170 -172. These paragraphs | Policy L2 recognises that the |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|---|--|---|
| AONB | <p>seek to protect and enhance valued landscapes, particularly those of national importance such as the High Weald AONB.</p> <p>“Great weight is given to conserving and enhancing landscape and scenic beauty in AONBs , which have the highest status of protection in relation to these issues” and limits the scale of development there</p> | <p>whole of the parish is included in the High Weald AONB and the importance of conserving and enhancing the landscape.</p> <p>It provides a set of criteria , established by the High Weald AONB in their Management plan 2019-24 , by which development will be assessed in terms of its contribution towards meeting these aims and which reflect the key features of the designated landscape</p> |
| L3. Retaining parish character and conserving the landscape | <p>170. The NPPF recognises the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.</p> <p>171. The NPPF seeks to maintain and enhance networks of wildlife habitats and green infrastructure</p> | <p>Policy L3 requires development to conserve and enhance the special character of Lamberhurst and the countryside setting of the village.</p> <p>It identifies the key features of the village and key views, both into and out of settlements, drawing on the conservation area appraisals prepared by TWBC</p> |
| L4. Biodiversity | <p>170. Development should minimise impacts on , and provide net gains for , biodiversity and assist the establishment of more resilient ecological networks</p> <p>174. Plans should identify wildlife rich habitats and wider ecological networks</p> | <p>Policy L4 strongly encourages development proposals to utilise all available opportunities to protect and enhance wildlife habitats and the biodiversity of flora and fauna in Lamberhurst parish.</p> <p>It goes on to identify</p> |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|--|---|--|
| | <p>175-177. Provides guidance for consideration of planning applications in terms of avoiding , mitigating or compensating for , any loss of biodiversity , particularly on designated sites and other irreplaceable habitats , such as ancient woodland</p> | <p>particularly important habitats in the parish , such as the corridor along the river Teise and uses the “avoid, mitigate, compensate” sequential approach advocated in the NPPF, with proposals based on a site-specific ecological assessment</p> |
| <p>L5 .Water management and flood risk</p> | <p>148-149. Stresses the need to take account of climate change and flood risk in planning decisions, with a proactive approach which promotes resilience.</p> <p>155-165. directs development away from areas of highest risk with a sequential, risk-based, approach to the location and design of new development, based-where necessary on a site-specific flood risk assessment. Proposals should not increase flood risk elsewhere. The NPPF promotes sustainable drainage systems (SUDS) which slow down the passage of water.</p> | <p>Lamberhurst has a history of flooding along the river Teise, with major floods in 1960 and 2000.Measures to reduce flood risk in the parish were delivered by the Environment Agency in 2011. JBA Consulting completed a borough-wide Strategic Flood Risk Assessment for TWBC in July 2019.</p> <p>Policy L5 closely follows the NPPF with a sequential, risk-based approach. This aims to ensure that development is located and designed so as to reduce and mitigate flood risk , both to itself and to other land and properties</p> |
| <p>L6 .Public footpaths and by-ways</p> | <p>98. Promotes the rights of way network</p> <p>102. Opportunities to promote walking and cycling should be identified and pursued , in order to limit the need to travel , mitigate the adverse impacts of motorised transport (e.g. on air quality), and provide</p> | <p>The NDP seeks to promote a “walkable village” where journeys on foot are the preferred way of getting around.</p> <p>Policy L6 seeks to locate new housing development in close proximity to pedestrian routes and public rights of way; maintain existing rights</p> |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|--|--|---|
| | <p>scope for environmental gain</p> <p>104. Promotes walking and cycling networks</p> <p>110. Priority in transport provision is given to walking and cycling networks</p> | <p>of way, or provide new pedestrian links, within new development; or failing that, provide a suitable alternative route. This is in line with the NPPF.</p> |
| Community and well being | | |
| <p>C1 .Assets of value to the community</p> | <p>91. This section of the NPPF promotes healthy , safe and inclusive communities, which assist social interaction , community safety and healthy lifestyles</p> <p>92. The planning system should provide the social, recreational and cultural facilities and services by planning positively for them and safeguarding against the unnecessary loss of valued facilities.</p> <p>96-97. Provide criteria by which to assess development proposals which may adversely affect such facilities.</p> | <p>Policy C1 supports the provision of new community facilities and sets out planning criteria for development proposals which would result in their loss or diminution. These criteria closely reflect the guidance in NPPF paragraphs 96-97.</p> <p>Work for the NDP has identified a list of community assets around the parish , which are important and highly valued locally , and these are listed in the supporting text for the policy</p> |
| <p>C2 .Broadband and mobile infrastructure</p> | <p>112-116. These paragraphs set out the NPPF’s support for advanced, high quality and reliable communications infrastructure, because if the economic and social benefits they provide.</p> <p>Planning policies should support expansion of telecom networks and 5G mobile technology and full fibre broadband</p> | <p>Both residents and business questionnaires showed this as a high priority issue in Lamberhurst Some parts of the parish still suffer from poor quality links.</p> <p>Policy C2 promotes investment in the local telecoms network, in line with the NPPF, but also contains more specific guidance on local initiatives</p> |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|---|--|---|
| | connections. Equipment should be sympathetically located and designed, with operators sharing masts where possible. | to provide FTTP (Fibre To The Premises) in any new development. |
| C3 .Developer contributions | <p>34. Plans should set out the contributions expected from development , including affordable housing and social and physical infrastructure, but this should not undermine the deliverability of the plan</p> <p>54-57. These paragraphs set out the role of planning conditions and planning obligations in making development acceptable, together with the tests to be applied to their application and the need to be mindful of the impact of them on the overall viability of development.</p> | <p>Policy C3 requires provision of any infrastructure necessary to support growth, with any off-site provision being provided through planning obligations. The supporting text includes reference to the tests for planning obligations set out in the NPPF.</p> <p>Chapter 13 of the NDP (Community Action Plan) includes a priority list for improvements to community infrastructure , based on local consultations</p> <p>Affordable housing will be provided on site in accordance with policies H2,H3, H4 and H5</p> |
| Housing | | |
| H1. Location of housing development | <p>77-78. The NPPF seeks to promote sustainable development in rural areas, by locating it where it can maintain or enhance the vitality of rural communities (normally in or adjacent to existing rural settlements). Provision of housing to meet local needs is encouraged , such as through “rural exception schemes”</p> <p>The NPPF seeks to avoid the development of isolated homes in the countryside,</p> | <p>Policy H1 seeks to focus housing development in and adjacent to existing rural settlements and to strictly control development in the surrounding countryside in line with national policies and the need to protect and enhance the High Weald AONB.</p> <p>The NDP makes no new development allocations , as such allocations are to be made through the emerging Tunbridge Wells Borough</p> |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|--|---|---|
| | <p>unless this can be justified exceptionally, such as a need arising from agriculture or another land-based business.</p> <p>172. Protection and enhancement of AONBs (see policy L2 above)</p> | <p>local Plan</p> |
| <p>H2. Housing mix and tenure</p> | <p>59-62. Within the overall amount of housing provided, the needs of specific groups in the local community should be considered and informed by a local housing needs assessment. Such as assessment should identify the size, type and tenure of housing required, including the need for affordable housing</p> | <p>Policy H2 reflects the communities need for more small dwellings, as indicated in a local housing needs assessment (2019) and the residents’ survey (2018). The policy indicates a minimum % of smaller 1/2 bed homes and caps larger 4+ homes , and reaffirms the borough-wide target of 40% affordable homes in developments of 10+ dwellings , with a sliding scale for smaller developments . The NPPF makes allowance for this in “protected areas”, such as AONBs.</p> |
| <p>H3. Allocating affordable housing</p> | <p>The NPPF provides no specific policy on how any affordable housing delivered through the planning system should be allocated</p> | <p>Policy H3 reflects consultations with the local community, which indicate strong support for affording priority in any affordable housing for people with a local connection and defines what such a connection means</p> |
| <p>H4. Rural Exceptions sites</p> | <p>77. This paragraph states “In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should</p> | <p>Policy H4 sets out the circumstances in which “Rural Exception housing sites” will be supported in Lamberhurst and closely reflect s paragraph 77 of the NPPF</p> |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|--------------------------------------|---|---|
| | support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this”. | |
| H5. Replacement dwellings | 78. The NPPF seeks to avoid the development of isolated homes in the countryside, unless this can be justified exceptionally, such as a need arising from agriculture or another land-based business. | Policy H5 seeks to control the impact of demolition and rebuilding of dwellings at larger size on the countryside and the loss of smaller dwellings to the local dwelling stock by setting limits to the size of replacement dwellings |
| H6. Conversion of existing buildings | 79. The NPPF strictly controls isolated residential development in the countryside , but allows some exceptions which include the re-use of heritage assets and the re-use of redundant or disused buildings , particularly where this will enhance the immediate setting of the buildings | Policy H6 supports the conversion of existing buildings to residential use where it does not adversely affect their character , result in the loss of employment premises or assets of community value or loss of amenity to the local area |
| H7. Self-build dwellings | 61. Here, the NPPF confirms that meeting local housing needs includes provision for people who wish to commission or build their own homes. This reflects the requirements on local authorities in the Self Build and Custom Housebuilding act 2015 for them to keep a register of people wishing to acquire serviced plots and | Policy H7 seeks to actively support this aspect of government housing policy , both in diversifying the supply of housing and meeting local needs |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|----------------------------------|--|--|
| | then make adequate provision for them | |
| Design | | |
| D1. Design of new development | <p>124-132. The NPPF promotes the creation of high quality buildings and places, with good design a key component of sustainable development.</p> <p>The planning system should set out expectations for achieving these objectives, developing design policies in consultation with local communities and reflecting their aspirations for the sort of place they want to live in.</p> <p>In particular , paragraph 127 seeks to promote development which:</p> <ul style="list-style-type: none"> • functions well over its lifetime • is visually attractive • is sympathetic to local history and character • maintains or establishes a strong sense of place • optimises site potential • is safe, inclusive and accessible and helps to promote health and well-being | <p>Policy D1 is an overarching policy for design which takes up the principles set out in the NPPF and applies them to Lamberhurst.</p> <p>It has been informed by local consultations (where there is strong support for policies to promote good quality design) and extensive field work assessing the factors which go together to give Lamberhurst its attractive and distinctive character.</p> <p>The policy identifies the key features of local character and provides guidance to applicants for planning permission on the matters they need to take into account in working up development proposals which will preserve and enhance local character</p> |
| D2. Boundary treatments | 124-132. The NPPF does not specifically address the issue of boundary treatments , but does in its general design guidance refer to the need for developments to be | Policy D2 reflects the importance of boundary treatments in maintaining and enhancing the distinctive character of Lamberhurst and the Kentish |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|----------------------------------|---|---|
| | <p>visually attractive with appropriate and effective landscaping ; to be sympathetic to local character and history, including landscape setting; and the need to maintain or enhance a strong sense of place.</p> <p>All of these requirements come together in how boundary treatments for new development are designed and executed.</p> | <p>High Weald.</p> <p>This distinctive character derives in part from low density development set in landscaped grounds with soft boundary treatments which help to integrate it with the surrounding countryside.</p> <p>The policy provides guidance on appropriate forms of boundary treatment to help integrate development well into its surroundings</p> |
| D3. Climate change | <p>148-154. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.</p> | <p>Policy D3 seeks to promote new development which helps to mitigate, and adapt to, climate change, making use of renewable energy sources, reducing waste and CO2 emissions . It has had regard to the likely climates we can expect to see in south-east England and applies the principles set out in the NPPF.</p> <p>It complements the NDPO policy for managing and mitigating flood risk (L5)</p> |
| D4. Dark skies | <p>180. Planning policies and decision should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p> | <p>Policy D4 seeks to retain dark skies over the parish and gives guidance on minimising light pollution in new development.</p> <p>This was supported by public consultation, where the local community attaches great</p> |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|----------------------------------|--|---|
| | | value to dark skies, and reflects the objectives of the High Weald AONB Management Plan |
| D5. Housing density | 122-123. The NPPF seeks efficient use of land, avoiding as far as possible low density development and ensuring that densities make optimal use of the potential of each site. This may require the setting of minimum density standards. | <p>Policy D5 reflects the distinctive local character of Lamberhurst, with generally low density development set within a nationally protected landscape.</p> <p>Minimum density standards are not appropriate in the parish, where density should instead be driven by the local site context and the aim of achieving a development which blends well into its surroundings. Instead, a maximum density is appropriate here. This is supported by local consultations</p> |
| D6. Historic environment | <p>184-202. The NPPF seeks to protect heritage assets as an irreplaceable resource, which should be conserved “in a manner appropriate to their significance” for the benefit of current and future generations.</p> <p>Plans are encouraged to have a positive strategy for the historic environment and to carefully assess any development proposals affecting heritage assets through a requirement for Heritage Statements to set out the significance of the asset and the impact of development on it</p> | <p>Policy D6 attaches great weight to the conservation and enhancement of the historic environment and lists the range of assets in the parish.</p> <p>Any proposals causing harm or loss to these assets will require clear and convincing justification , with criteria set out for consideration no such proposals</p> |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|---|---|---|
| D7. Conservation areas | 184-202. Paragraph 186 of the NPPF requires local planning authorities to ensure that conservation area designations are justified by the special architectural and historic interest of the area. The impact of development on this special character should be assessed to ensure that it preserves or enhances this special character. | Policy D7 seeks to preserve and enhance the special character of the two conservation areas in Lamberhurst .It requires proposed developments to have regard to the character appraisals for them, and to provide detailed assessments to assist in consideration of the impact of planning applications. |
| D8. Parking | 105-107. The NPPF requires local parking standards to take account of: a) the accessibility of the development; b) the type, mix and use of development; c) the availability of and opportunities for public transport; d) local car ownership levels; and e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. It also states that maximum parking standards should only be imposed where there are clear and compelling reasons, for example in city centres with good public transport links | Policy D8 establishes a minimum parking standard for Lamberhurst reflecting concerns over the impact of past minimum standards, which have often provided insufficient off-street parking and led to problems with on-street parking congestion and road safety. The policy also seeks to accommodate parking in ways which do not detract from local character. |
| Traffic and transport | | |
| T1. Sustainable transport | 102-111. The NPPF requires development to assess the impacts of development on transport networks; promote opportunities for walking, cycling and public transport; and take into account environmental impacts and opportunities for | Policy T1 seeks to apply these principles to the rural circumstances of Lamberhurst, which is currently very car dependent and where opportunities for transfer to other modes are limited |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|---|--|---|
| | <p>environmental gain.</p> <p>The location of development should aim to reduce the need to travel and , as far as possible , offer a choice of transport modes</p> | |
| T2. Traffic management | As T1 above | <p>Policy T2 supports development which improves, or does not worsen, the safe and free flow of traffic in the parish.</p> <p>It identifies a number of local roads where there is existing traffic flow or parking stress and where development proposals – and their access to the road network- will need careful traffic assessment</p> |
| Business and employment | | |
| B1. Business and economy | <p>80-84. The NPPF wants to help businesses invest, expand and adapt in order to promote economic growth and productivity</p> <p>Paragraphs 83 and 84 support the sustainable growth of the rural economy, including farming and other land-based businesses; sustainable tourism and leisure; and the retention and expansion of rural services and community facilities.</p> | Policy B1 supports developments which provide local employment opportunities, particularly where they meet local business needs, are of appropriate scale and design, do not harm the local environment, provide adequate parking, and help reduce out-commuting from Lamberhurst. |
| B2. Tourism and hospitality | 83. The NPPF supports sustainable rural tourism and leisure developments which respect the character of the countryside; | Policy B2 supports development which improves the range and quality of tourist facilities in the parish , where this takes account of local character |

| Neighbourhood Plan Policy (NPPF) | Relevant paragraphs in the NPPF 2019 | Comments |
|----------------------------------|--------------------------------------|--|
| | | and a demonstrates a commitment to sustainable development |

4. Achieving Sustainable Development

4.1 Throughout preparation of the Neighbourhood Development Plan (NDP), the Parish Council has been mindful of the NPPF’s requirement in its paragraphs 8-10 that:

The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

b) a social objective – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;*

and c) an environmental objective – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

This puts delivery of sustainable development at the heart of planning

4.2 The planning policies of the Neighbourhood Development Plan (along with the related community action) aim to deliver sustainable development for Lamberhurst over the next 15 years or so. This is the basis of the Vision which underpins the Plan:

OUR VISION FOR LAMBERHURST PARISH

“In 2036, Lamberhurst Parish will be a vibrant and diverse community that takes care of its environment and provides suitable housing for residents of all ages and means.

At its heart will be a strong social core with good local facilities including schools, GP surgery, shops, cafes, pubs, recycling and parking facilities as well as excellent links in terms of communications and public transport for residents and rurally based businesses.

Well maintained Public Rights of Way will provide safe routes throughout to encourage walking and cycling.

Lamberhurst will continue to be a compelling destination for visitors to the scenic Kentish High Weald.

4.3 The plan goes on to set out the **objectives** by which it will deliver the Plan’s Vision for Lamberhurst under the following subject headings, set out in Table 3 below:

Table 3: Objectives of the Plan

| Subject | Objective |
|----------------------------------|--|
| Landscape and environment | Lamberhurst is often described as the “Jewel of the Weald”. It is wholly within the High Weald Area of Outstanding Natural Beauty (AONB), which recognises that the landscape is of national importance. The community wishes to conserve this unique landscape for future generations, therefore it is important to protect biodiversity by conserving our ancient woodland, gills, water resources and dark skies. |
| Community and well being | Sustain and enhance the community assets of the parish to benefit local parishioners, including accessible footpaths throughout the parish, supporting and using community facilities and integrating stakeholders such as The National Trust at Scotney Castle and English Heritage at Bayham |
| Housing | Ensure an adequate supply of affordable housing in order to meet the needs of parish residents now and in the future, to include potential rural exception sites with local nomination rights. Maintain a strong community by ensuring a mix of homes that integrate various types and tenures of housing within the village Enable local people who wish to do so, to |

| Subject | Objective |
|--------------------------------|---|
| | remain in the village throughout their lifetime, ensuring that housing stock meets the requirements of residents of all ages. |
| Design | Delivering environmentally sympathetic, energy efficient, flexible designs and use materials that age well. |
| Traffic and transport | To address our traffic issues we must: Ensure the impact of traffic is considered in all development proposals; Facilitate safe and connected walking community; Ensure that all proposals include adequate provision for on-site parking; Seek to improve public transport links and other sustainable transport initiatives; Initiate projects to address key issues not covered by policy, for example maintaining and improving the rights of way network and maintaining the existing highway network. |
| Business and employment | Sustain and grow Lamberhurst as a business-supportive Parish especially for home and farmstead-based “Small and Medium Sized Enterprises” |

5. General conformity with policies of the local planning authority (Tunbridge Wells Borough Council)

5.1 This is analysed in Tables 4 and 5 below. The status of the various local planning policies is described in section 2 above.

5.2 Most of these plans comprise planning policies to be applied across the whole of Tunbridge Wells Borough, or specific development allocations in other parishes, but the new emerging Local Plan (2019) includes an overarching planning strategy for Lamberhurst (policy STR/LA1). Whilst this policy as yet carries little weight, as part of an untested consultative draft plan, it is likely – as the new local plan progresses to formal adoption - to become the key policy against which the NDP needs to be assessed.

5.3 The current draft policy STR/LA1 and how it relates to the draft NDP policies are set out in Table 4 below. This analysis demonstrates that NDP policies are well aligned with the new planning strategy for the parish being promoted by TWBC.

Table 4: Draft Policy Str/LA1 of the draft Tunbridge Wells Local Plan (2019) and how it relates to the policies of the draft Lamberhurst Neighbourhood Development

| | |
|---|-----------------------------|
| Draft TWBC Local Plan 2020-37 | Neighbourhood Plan policies |
| <i>Policy STR/LA 1 The Strategy for Lamberhurst Parish</i> | |

| Draft TWBC Local Plan 2020-37 | Neighbourhood Plan policies |
|---|---|
| <p><i>At the parish of Lamberhurst, as defined on the draft Policies Map, proposals shall accord with the following requirements:</i></p> <p><i>1. Approximately 50-60 new dwellings will be delivered on two sites allocated in this Local Plan in the plan period (Policies AL/LA 1-2);</i></p> <p><i>2. Additional housing may be delivered through the redevelopment of appropriate sites and other windfall development in accordance with Policy STR 1;</i></p> <p><i>3. Where a site is within the AONB, it should be demonstrated that the proposal will make a positive contribution towards achieving the objectives of the most recent AONB Management Plan and show how relevant guidance from the AONB Joint Advisory Committee has been considered to meet the high standards required of the other policies in this Plan for the High Weald AONB landscape (see Policy EN 21: High Weald AONB);</i></p> <p><i>4. The following public car park within Lamberhurst, as defined on the draft Policies Map, will also be retained in accordance with Policy TP 4: Public Car Parks: The Broadway</i></p> <p><i>5. Maintenance and enhancement of, and/or linkages to, public rights of way or the local strategic cycle network in accordance with Policy TP2: Transport Design and Accessibility;</i></p> <p><i>6. Development proposals will need to demonstrate, where appropriate, a positive contribution to Biodiversity Opportunity Area</i></p> | <p>The NDP does not make any housing development allocations over and above those in the draft local plan , but cross references to the two proposed Local Plan allocations on land west of Spray Hill (AL/LA1) and Misty Meadow , Furnace Lane (AL/LA2) Together , these two sites would provide 50-60 dwellings.</p> <p>Draft NDP policies H1 and H4-H7 allow for redevelopment of appropriate sites and other windfall development.</p> <p>Draft NDP policies L2, L3 and D1 give detailed guidance on how new development can make a positive contribution to AONB objectives.</p> <p>NDP policy C1 identifies the car park to the rear of the Memorial Hall in The Broadway, as an asset of community value, which should be retained.</p> <p>NDP policy L6 seeks to integrate new development with, and maintain or enhance linkages to, the rights of way network. Policy T1 seeks to promote sustainable transport arrangements in new development</p> <p>NDP policy L4 seeks to promote opportunities for biodiversity improvements in new development and identifies particular</p> |

| Draft TWBC Local Plan 2020-37 | Neighbourhood Plan policies |
|---|--|
| <p><i>targets (See Policy EN 11: Net Gains for Nature: biodiversity);</i></p> <p><i>7. Provision of allotments, amenity/natural green space, parks and recreation grounds, children’s play space and youth play space in accordance with the requirements of Policy OSSR 2: Provision of publicly accessible open space and recreation.</i></p> <p><i>It is expected that contributions will be required towards the following if necessary to mitigate the impact of the development:</i> <i>a. Primary and secondary education; b. Health and medical facilities; c. The provision of buildings and spaces to provide cultural infrastructure; d. Improvements to Lamberhurst Village Hall; e. Provision of allotments, amenity/natural green space, parks and recreation grounds, children’s play space and youth play space; f. Other mitigation measures identified through the pre-application process and planning application.</i></p> <p><i>Any major development larger than approximately 100 residential units on greenfield windfall sites is expected to provide suitable employment floorspace, to be discussed with the Local Planning Authority and Lamberhurst Parish Council through pre-application discussions.</i></p> <p><i>Minor changes are proposed to the Limits to Built Development at Lamberhurst as set out in the Topic Paper referred to in Policy STR 10 above</i></p> | <p>habitats in need of retention, restoration or enhancement.</p> <p>NDP policy L1 lists the local green spaces which should be protected from development , unless exceptionally justified, and aligns with the strategic approach</p> <p>NDP policy C3 seeks developer contributions for investment in infrastructure necessary to support growth. In addition , the Community Action Plan attached to the NDP indicates a range of improvements to local infrastructure which overlap with those in the strategic policy (for example on the village hall , primary school, parks and open spaces)</p> <p>It is hard to see how any windfall site of this scale would arise in Lamberhurst and the Parish Council is seeking further clarification from TWBC.</p> <p>The Limits to Built Development in NDP policy H1 reflect the latest LBD boundaries indicated by TWBC</p> |

Table 5: How the Neighbourhood Plan relates to relevant local planning policies

- A. Tunbridge Wells Borough Local Plan (2006) - saved policies**
- B. Tunbridge Wells Borough Core Strategy (2010)**
- C. Tunbridge Wells Borough Site Allocations Local Plan (2016): No allocations made in Lamberhurst parish**

D. Tunbridge Wells Borough Local Plan(2019) - consultation draft

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|---|--|---|
| Landscape and environment | | |
| L1 .Local Green Spaces | <p>A. EN21: Areas of Important Open Space</p> <p>B. Core policy 8: Community Facilities provision</p> <p>D. STR5: Essential infrastructure OSSR1:Retention of open space OSSR2 : Provision of publicly accessible open space and recreation</p> | <p>Policy L1 accords with adopted and emerging TWBC policies in identifying and protecting important areas of open space and setting out the exceptional circumstances in which development on them may be appropriate. The new Local Plan additionally sets out open space requirements in new development</p> |
| L2 .Development within the AONB | <p>A. LBD1 :Development outside the Limits to Built Development (partially superseded by Site Allocations Local Plan)</p> <p>B. Core policy 4: Environment Core policy 14: Development in villages and rural areas</p> <p>D. STR8: Conserving and enhancing the natural, built and historic environment EN21:High Weald AONB</p> | <p>All these policies – both NDP and TWBC policies- reflect the national planning policy of preserving and enhancing the nationally important landscape of the High Weald AONB , with the more recent policies (NDP and emerging local plan) explicitly linked to the objectives of the AONB Management Plan</p> |
| L3 .Retaining parish character and conserving the landscape | <p>A. LBD1 :Development outside the limits to built development (partially superseded by Site Allocations Local Plan) EN22: Areas of Landscape Importance EN23: Important Landscape Approaches EN24: Arcadian areas</p> | <p>Policy L3 accords with the adopted policies for protecting the key features of the local landscape, key views, and ensuring that new development is in harmony with them.</p> <p>It also accords with the</p> |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|-------------------------------------|--|---|
| | <p>EN25:Development control criteria for all development proposals affecting the rural landscape</p> <p>B. Core policy 1: Delivery of development Core policy 4: Environment Core policy 14 : Development in villages and rural areas</p> <p>D. STR8: Conserving and Enhancing the natural , built and historicenvironment EN20 : rural landscape EN15: ancient woodland EN16: Green, grey and blue infrastructure EN18:Landscape within the built environment</p> | <p>new draft local plan policies for conservation of the local landscape and valued features of it.</p> |
| L4 .Biodiversity | <p>A. EN15 :Statutory Local Nature reserves and other non-statutory nature conservation sites</p> <p>B. Core policy 4: environment Core policy 8: Community facilities Core policy 14: Development in villages and rural areas</p> <p>D. STR8 Conserving and enhancing the natural, built and historic environment EN11: Net gains for biodiversity EN 12: Protection of designated sites and habitats</p> | <p>Policy L4 follows longstanding TWBC policies in identifying , and seeking to protect, important wildlife habitats by avoiding , managing and mitigating , or compensating for any harm to important wildlife assets</p> <p>As with newer planning policies , it also seeks net biodiversity gains from new development</p> |
| L5 .Water management and flood risk | <p>D. STR5 Essential infrastructure EN5 : Climate change adaptation EN 27 : Conservation of water Resources EN28: Flood risk</p> | <p>Policy L5 is in conformity with the new draft local plan policies in managing and mitigating flood risk by steering development to lower</p> |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|--------------------------------------|--|---|
| | EN29: Sustainable drainage | risk locations and , where exceptionally allowed in higher risk locations, taking measures to make it more resilient |
| L6 .Public footpaths and by-ways | B. Core policy 14 : development in villages and rural areas D. STR6: transport and parking STR7: Place shaping and design EN1: Design and other DM Criteria EN2: Sustainable design and Construction TP2: Transport design and accessibility | Policy L6 is consistent with TWBC planning policies in seeking to locate development where it can also be easily accessed on foot or bicycle, with benefits for sustainability |
| Community and well being | | |
| C1. Assets of value to the community | A. EN20:Telecommunications CR3: Location of small scale non-residential uses in village centres CR13: Retention of community facilities in neighbourhood centres or villages B. Core policy 8: Community facilities Core policy 14 : Development in villages and rural areas D. STR5: Essential infrastructure STR7: Place-making and design ED9: Town and rural service Centres ED12: Retention of local services and facilities in village centres | Policy C1 reflects longstanding , and newer, TWBC policies to maintain and improve community assets in Lamberhurst and set planning criteria for the exceptional circumstances in which they may be reduced or lost |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|---|---|--|
| C2. Broadband and mobile infrastructure | D. STR5: Essential infrastructure ED3: Digital communications | Policy C2 is in line with TWBC planning policies to roll out high speed broadband connections as part of new development and to tackle gaps in mobile and digital provision which handicap rural businesses |
| C3. Developer contributions | C. Core policy 1 : delivery of development D. STR5: Essential infrastructure STR7:Place shaping and design | Policy C3 seeks developer contributions for investment in the infrastructure necessary to support growth, through s.106 agreements attached to the grant of planning permission and, if introduced, CIL . |
| Housing | | |
| H1. Location of housing development | A. H1: Retention of the housing stock H5 : Housing development within LBDs B: Core policy 6 : housing provision Core policy 14: Development in villages and rural areas D. STR1: the development strategy STR2: Presumption in favour of sustainable development STR7: Place shaping and design STR10: Limits to Built Development Boundaries STR /LA1 Strategy for Lamberhurst H1: Implementation of planning | Policy H1 of the NDP follows the longstanding TWBC policy of concentrating development within the “limits to built development” of towns and rural settlements, with strict control of development in the countryside beyond where development is allowed only exceptionally. This policy is carried through into the emerging local plan in policy STR10. |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|--|---|---|
| | <p>permission for new residential dwellings</p> | |
| <p>H2. Housing mix and tenure</p> | <p>A. H2 : Small and intermediate sized dwellings H8 : affordable housing outside LBDs H9: Key worker dwellings B: Core policy 6: Housing provision D: STR 7 Place shaping and design H3 Housing Mix</p> | <p>Policy H2 reflects TWBC policies to promote balanced housing provision , particularly provision tailored to meet local housing needs , with affordable housing provision reflecting needs identified through the council’s housing register</p> |
| <p>H3. Allocating affordable housing</p> | | <p>NDP Policy H3 is a detailed policy on the allocation of dwellings provided as “affordable housing” in s.106 legal agreements. It goes into more detail on defining “local connections” than new draft local plan policy H5, but is in broad conformity with it</p> |
| <p>H4. Rural exceptions sites</p> | <p>B. Core policy 6: Housing provision D. H7: Rural exceptions sites</p> | <p>NDP policy H4 is in broad conformity with new draft local plan policy H7 on arrangements for the delivery of “rural exceptions” housing, with both reflecting the national policy set out in the NPPF.</p> |
| <p>H5. Replacement dwellings</p> | <p>A. H10:Replacement dwellings outside LBDs D. H14: Replacement dwellings outside LBDs</p> | <p>Policy H5 is in broad conformity with established and newer TWBC policies in requiring existing and continuing use rights to</p> |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|--------------------------------------|---|---|
| | | be established; limits to expansion ; and siting on or close to any pre-existing dwelling |
| H6. Conversion of existing buildings | <p>A. H13: Conversion of rural buildings to residential use outside LBDs</p> <p>D. EN1: Design and other DM criteria</p> <p>H16: Residential extensions, alterations, outbuildings and annexes outside LBDs</p> | NDP policy H6 aligns with TWBC policies in allowing conversions where they retain the original character of the building , do not result in loss of employment or assets of community value , or harm the amenity of nearby residents and businesses |
| H7. Self-build dwellings | D. H11 Self Build and Custom Housebuilding | Support for self-build and custom build initiatives is in broad conformity with the new draft local plan |
| Design | | |
| D1. Design of new development | <p>D. STR7 : place shaping and design</p> <p>EN1: Design and other DM criteria</p> <p>EN2: Sustainable design and construction</p> <p>EN3: Sustainable design standards</p> | Policy D1 is in line with TWBC policies in seeking to promote high quality design in new development, which helps to reinforce local character . It also sets out design issues to which applicants for planning permission need to have regard in drawing up development proposals |
| D2. Boundary treatments | <p>A. EN13:Tree and woodland protection</p> <p>D. EN1 : Design and other DM Criteria</p> <p>EN14: Trees , woodlands</p> | Policy D2 is broadly compliant with the TWBC policies in promoting boundary treatments which reflect |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|---------------------------|---|--|
| | <p>hedges and development EN18 : Landscape within the built environment</p> | <p>the distinctive character of Lamberhurst and recommends a range of appropriate forms, plantings and materials.</p> |
| D3. Climate change | <p>B. Core policy 5 : Sustainable design and construction D. EN1: Design and other DM criteria EN2: Sustainable design and construction EN3: Sustainable design standards EN4: Energy reduction in new buildings EN5: Climate change adaptation</p> | <p>Policy D3 is in line with the TWBC’s planning policies in seeking to mitigate, and adapt to, climate change by providing guidance on the ways in which new development can achieve these objectives.</p> |
| D4. Dark skies | <p>A. EN8:Outdoor lighting D. EN10: Outdoor lighting and dark skies</p> | <p>Policy D4 is compliant with TWBC planning policies in seeking to manage and mitigate the impact of outdoor lighting in order to preserve the amenity of nearby properties and the wider environment , particularly maintaining dark skies in a rural area</p> |
| D5. Housing density | <p>B. Core policy 6: Housing provision D. H4: Housing density</p> | <p>The borough –wide policy promotes effective use of land, and achievement of higher development densities through minimum density standards.</p> <p>NDP policy D5 reflects the distinctive local character of Lamberhurst, with generally low density</p> |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|----------------------------------|---|---|
| | | <p>development set within a nationally protected landscape.</p> <p>Minimum density standards are not appropriate in the parish, where density should instead be driven by the local site context and the aim of achieving a development which blends well into its surroundings. Instead, a maximum density is appropriate here. This is supported by local consultations</p> |
| D6. Historic environment | <p>A. EN10: Archaeological sites EN11: Historic parks and gardens</p> <p>B. Core policy 4: Environment</p> <p>D. STR8: Conserving and enhancing the natural, built and historic environments EN6: Historic environment EN7: Heritage assets</p> | <p>Policy D6 reflects TWBC planning policies to conserve and enhance the historic environment by identifying heritage assets and their significance and avoiding, managing or mitigating any harm to them (or their settings) in accordance with their significance . It also advocates the use of Heritage Statements as part of understanding the significance of heritage assets.</p> |
| D7. Conservation areas | <p>A. EN4:Demolition in Conservation Areas EN5: Development in or affecting a Conservation Area</p> <p>B. Core policy 4: Environment</p> <p>D. STR8: Conserving and</p> | <p>Policy D7 focuses on the statutory requirement to conserve and enhance the two conservation areas in Lamberhurst , and</p> |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|----------------------------------|--|---|
| | <p>enhancing the natural, built and historic environments EN6: Historic environment EN7: Heritage assets</p> | <p>reflects the approach set out in TWBC policies</p> |
| <p>D8. Parking</p> | <p>A. TP5: Vehicle parking standards TP8: Vehicle parking standards for small scale changes of use TP9: Cycle parking B. Core policy 3: Transport infrastructure D. STR6: Transport and parking TP3 Parking standards</p> | <p>The new TWBC Local Plan represents an important change in moving from maximum to minimum parking standards.</p> |
| Traffic and transport | | |
| <p>T1. Sustainable transport</p> | <p>A. TP1: Major development requiring transport assessments and a travel plan TP2/3 : Multi-modal access for smaller and larger scale residential development B. Core policy 3: Transport infrastructure D. STR6: Transport and parking TP1: Transport assessments, travel plans and mitigation TP2: Transport design and accessibility TP3 Parking standards</p> | <p>Policy T1 is broadly compliant with TWBC policies in promoting transport arrangements which are as sustainable as possible , in terms of using opportunities for walking , cycling and public transport in this rural parish and in terms of managing and mitigating the environmental impact of road traffic.</p> |
| <p>T2. Traffic management</p> | <p>A. TP4 Access to the road network B. Core policy 3: transport infrastructure D. STR6: Transport and parking TP1: Transport assessments, travel plans and mitigation TP2: Transport design and accessibility TP3 Parking standards</p> | <p>Policy T2 seeks to address the impact of development on parts of the local traffic network in Lamberhurst where there are highway capacity or parking issues that may affect the free flow of traffic or road safety. It is broadly compliant with TWBC planning policies in seeking to ensure that</p> |

| Neighbourhood Plan Policy | Relevant plans and policies | Comments on broad conformity with strategic planning policies |
|----------------------------------|---|--|
| | | new development is served by adequate road links. |
| Business and employment | | |
| B1 Business and economy | <p>A. ED2: Location of small scale B1 development ED6: Conversion of rural buildings to economic use outside LBDs</p> <p>B. Core policy 7: employment</p> <p>D. E2: Retention of existing employment site and buildings ED4: Rural diversification ED5: conversion of rural buildings outside LBDs ED6: Commercial and private recreational (including equestrian) uses in the countryside</p> | Policy B1 is in line with TWBC policies in promoting local employment opportunities of a scale and type which can be accommodated in an attractive rural area, particularly the conversion and re-use of vacant or redundant buildings in suitable locations |
| B2 Tourism and hospitality | <p>A. T1: Location of small scale tourist development T2. Retention of tourist accommodation T3: Tourist accommodation outside LBDs</p> <p>B. Core policy 7 : Employment</p> <p>D. ED7: Retention and promotion of new tourist accommodation and attractions</p> | Policy B2 is broadly compliant with TWBC policies to promote the retention and development of tourist-related businesses of an appropriate scale , particularly where they have regard to the local environment and demonstrate a commitment to sustainable operations |

6. Compatibility with European Union Regulations

6.1 The Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. It complies with the UK Human Rights Act 1998.

6.2 European directives, incorporated into UK law, may apply to a draft neighbourhood plan. Where they do, a qualifying body must make sure that it also complies with any specific publicity and consultation requirements set out in the relevant legislation. The legislation that may be of particular relevance to neighbourhood planning is:

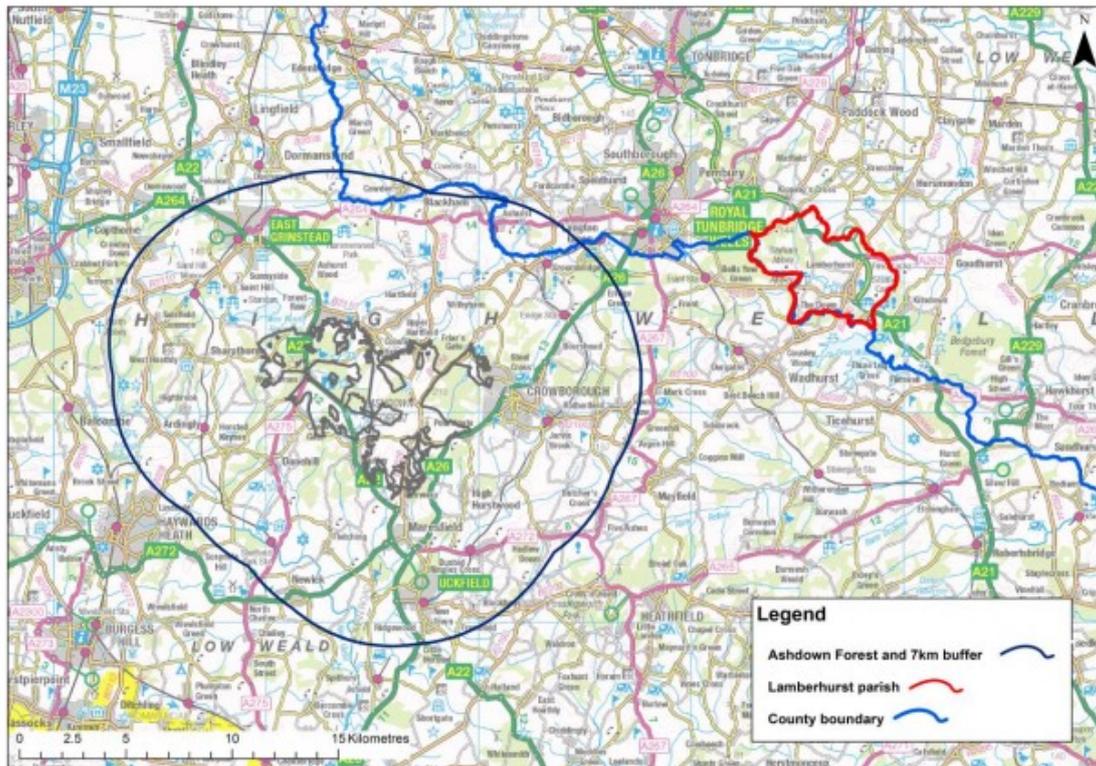
- the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)
- the Conservation of Habitats and Species Regulations 2017 (as amended)
- the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

6.3 A formal screening request regarding the need for a Strategic Environmental Assessment (SEA) of the draft Neighbourhood Plan was made to the local planning authority, TWBC, in August 2019. TWBC prepared a draft SEA Screening Report in January 2020 and this was the subject of consultation with Natural England, the Environment Agency and Historic England in January –February 2020. The conclusion of the draft screening report was that a full SEA was not required.

6.4 All three consultees concurred with the conclusion of the draft screening report that a full SEA was not required. However, Historic England raised a concern about a specific element of policy H6 and the intention to focus development within, or adjacent to, Lamberhurst village in the interests of protecting the AONB landscape and more sustainable access to services and public transport) and, as a result, the conservation area. Amendments have been made to the latest submission draft plan to address these concerns. Correspondence with TWBC on this matter is attached in Appendix B .

6.3 The Neighbourhood Area is not proposing to allocate any land for new development (leaving development allocations to the new Local Plan) , and expects only a small amount of other new development. In addition, the plan area is not in close proximity to any European designated nature sites. The nearest such sites are parts of the Ashdown Forest Special Area for Conservation (SACs) ,Special Protection Area (SPAs) and Natura 2000 sites, which are at least 14 km to the south-west of Lamberhurst , as shown on the map below. Normally, compensation and mitigation measures to safeguard the protected habitats and fauna in Ashdown Forest (particularly ground nesting birds on lowland heath) are required within a 7km buffer zone.

6.4 TWBC has carried out a Habitat Regulations Screening Assessment and, following consultation with Natural England, has concluded that an Appropriate Assessment under the Habitat Regulations is not required. A copy of Natural England’s response is attached as Appendix C



APPENDIX A

Designation of the Lamberhurst Neighbourhood Development plan area by Tunbridge Wells Borough Council

18 DECEMBER 2017



TUNBRIDGE WELLS BOROUGH COUNCIL

NOTICE OF DECISION OF THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORTATION

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Regulation 13(1)

Decision Taken: Monday 18 December 2017

Lamberhurst Neighbourhood Plan Area Designation

DETAILS OF DECISION MADE

| | |
|--|--|
| Decision: | RESOLVED – That the designation of a neighbourhood area for the purposes of producing a Neighbourhood Development Plan for Lamberhurst, as set out in the report, be approved. |
| Reason for decision: | The proposed Neighbourhood Area exactly follows the boundary of the Parish of Lamberhurst. This is the most appropriate definition for an area and accords with best practice. Consultation responses supported the designation of the Neighbourhood Area and approval will enable Lamberhurst Parish Council to commence the process of producing a Neighbourhood Plan. |
| Possible alternatives considered and rejected: | <ol style="list-style-type: none">1. To not approve the Neighbourhood Area as submitted and seek an amendment.2. To not approve a Neighbourhood Area. |
| Conflicts of interest and any dispensations granted: | No conflicts of interest were declared by any Member who was consulted in respect of this decision. |

APPROVAL

I have read and approve the above decision for the reasons (including possible alternative actions rejected) set out above and in the report:

A handwritten signature in black ink, appearing to read 'Alan McDermott', written over a light blue background.

Signed: **Councillor Alan McDermott**

Dated: **Monday 18 December 2017**

Full details of the decision made can be found in the accompanying document(s) to this Notice:
<http://democracy.tunbridgewells.gov.uk/meetings/mgIssueHistoryHome.aspx?Id=50016527&Opt=0>

Please see below for details of the Council's call-in procedure.

APPENDIX B

Strategic environmental assessment (SEA)

Screening opinion from Tunbridge Wells Borough Council

-----Original Message-----

From: Katie McFloyd <Katie.McFloyd@TunbridgeWells.gov.uk>
To: 'James Boot' <jimbootcp@gmail.com>; 'Lindsay Frost' <lfrost5@aol.com>; grahamwhite108@gmail.com <grahamwhite108@gmail.com>
CC: Deborah Dixon <Deborah.Dixon@Tunbridgewells.gov.uk>
Sent: Fri, 7 Feb 2020 18:26
Subject: Lamberhurst NDP - SEA Screening

Dear all,

Please note that I've now heard back from all Statutory Environmental Bodies regarding the environmental screening for your draft Neighbourhood Plan.

With regards the HRA, Natural England agree that a full Appropriate Assessment is not necessary.

With regards the SEA, all three Statutory Bodies now agree that a full SEA is not necessary. However, please note that Historic England had concerns about Policy H6 and the intention to direct development within/adjacent to the LBD and, as a result, the Conservation Area. I've attached the email conservation so you are aware of their concerns and how we've resolved these. You may wish to consider rewording this policy to remove the statement about the LBD.

Kind regards,

Katie



Katie McFloyd MSc BSc (hons) MIEMA
Planning Environmental Officer
(Part-time Mon, Tues, Fri)

T: 01892 554065 ext: 4065

E: katie.mcfloyd@tunbridgewells.gov.uk

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

www.tunbridgewells.gov.uk

APPENDIX C - Habitat regulations screening assessment – response from Natural England 17 October 2019

Katie McFloyd

From: SM-Defra-Plan Cons Area Team (Sussex and Kent) (NE)
<PlanConsAreaTeamSussexandKent@defra.gov.uk>
Sent: 17 October 2019 11:04
To: Katie McFloyd
Subject: RE: HRA Screening - Lamberhurst

Dear Katie,

Thank you for consulting Natural England on the abovementioned HRA Screening Report.

I can confirm that Natural England concurs with the conclusions of the HRA report, in there is no likely significant effect from this plan, either alone or in combination with other plans or projects, on the conservation objectives of the Ashdown Forest SPA and SAC. It is therefore not necessary to undertake an appropriate assessment.

Kind regards,

Amy

Amy Kitching
Lead Adviser
Sussex and Kent Area Team

Natural England
3rd Floor, Guildbourne House, Chatsworth Road, Worthing, West Sussex, BN11 1LD
T: 0208 2258409 M: 07786 022 161

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.