

## DRAFT LAMBERHURST NEIGHBOURHOOD PLAN (LNP) REG 16 CONSULTATION

<https://www.tunbridgewells.gov.uk/planning/planning-policy/neighbourhood-plans/lamberhurst>

Friday 30<sup>th</sup> October to Friday 11th December 2020

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
General points		LNDP Plan runs 2016 – 2036; TWBC plan period is different to this	Amend date of LNDP to fully align with the emerging TWBC Local Plan 2020 - 2038
		Reference is made to the Localism Act 2011	Add 'as amended' at the end of Localism Act 2011
		Where reference is made to Tunbridge Wells town, refer to as Royal Tunbridge Wells for clarity	Consider amending Tunbridge Wells to Royal Tunbridge Wells when referring to the town of Tunbridge Wells
		Reference is made to TWBC having the option of introducing the Community Infrastructure Levy (CIL) – TWBC will not be introducing CIL and instead will continue to seek development contributions through Section 106 legal agreements or planning conditions as necessary	Consider removing reference to TWBC introducing CIL and add appropriate wording about the use of Section 106 agreements/conditions
Chapter 1: Introduction		Sets out that it will influence planning decisions made by TWBC	Beneficial to set out that once 'made' the LNDP will form part of the Development Plan and be a material planning consideration in the decision making process by TWBC

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		<p>Page 5 sets out that the LNDP is being submitted to TWBC for formal examination, this should be consultation under its statutory duty and eventual examination</p>	<p>Revise text to say that the LNDP is being submitted to TWBC to carry out the Regulation 16 consultation under its statutory duties and that following the consultation, the NDP will proceed to the 'examination' stage of the process.</p>
		<p>Page 5 refers to the approval and adoption of the LNDP, would be beneficial to include that it will be 'made' and once 'made' will form part of the Development Plan</p>	<p>Amend text to include reference to the LNDP being 'made'</p>
<p>Page 20/21 Bit about River Teise Flood Management</p>		<p>TWBC in comments dated June 2020 previously advised:</p> <p>A Strategic Flood Risk Assessment produced in July' – suggest this is replaced by 'a Strategic flood risk assessment was carried out for the Borough Council by specialist consultants and was published in July 2019'</p>	<p>Suggest this is amended as previously advised</p>
<p>Chapter 2: Developing the Plan</p>		<p>Development process: Sets out that intention to do a NDP was accepted by TWBC</p>	<p>Beneficial to add in that the Lamberhurst Designated Area was approved by TWBC by decision dated 8/12/17</p>
		<p>Evidence gathering activities: Reference is made to a parish questionnaire and it is identified that this was available online</p>	<p>It would be useful to clarify whether the questionnaire online was to enable this to be printed or if it enabled people to complete an online questionnaire (in addition to the paper</p>

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
			copies). If people were able to respond on line as well it would be beneficial to set out the response rate for that similar to other methods sets out
Chapter 3: Lamberhurst: Portrait of the Parish		This section lists neighbouring parishes including 'Brenchley', which should read 'Brenchley & Matfield' Parish	Amend Brenchley Parish to Brenchley & Matfield
Chapter 4: Summary of planning context		<p>Reference is made to the NDP being in general conformity with the TWBC Local Plan 2006 – this should be the 'saved' policies of the TWBC Local Plan 2006</p> <p>It is also identified that the LNDP is in general conformity with the emerging TWBC Local Plan 2019 – it is worth identifying that the next stage of the TWBC Local Plan, the Pre-Submission Local Plan is due to be published around March 2021 ahead of its formal submission to the Planning Inspectorate in the summer of 2021</p>	Suggest that reference is made to the 'saved' policies of the TWBC Local Plan 2006 and that additional text is added to reflect the progress of the TWBC emerging Local Plan
Chapter 6: Our policies		General point that comments on individual policies listed in this chapter 6, are given under each of the more detailed individual chapters that follow on from chapter 6 and are	

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		made in the context of the emerging Local Plan	
Chapters 7 -			
Policy L1: Green Spaces and LGC section on page 19	TWBC is currently reviewing and updating its Local Green Space Designation Methodology, with consequent amendments being applied to its Local Green Space Assessment document and the review of sites proposed for designation (for the Regulation 19 Pre- Submission Version of the Local Plan).	TWBC will in due course contact Parish/Town Councils and NDP Groups individually regarding TWBC's revised Designation Methodology and assessment of sites proposed for designation.	N/A
Policy L4: Bio- diversity	TWBC has an emerging Net gains for nature: biodiversity policy	Emerging Local Plan policy seeks a measurable long term net gain for biodiversity	Text could be added to require a net gain, which would be a more robust approach in line with NPPF and emerging Local Plan
Policy L5: Water & Management & Floor Risk	TWBC has emerging policy EN25: flood risk	TWBC policy also seeks that proposals for new development should contribute to an overall flood risk reduction	Suggest additional wording be inserted into the policy to capture this
Policy L6: Public footpaths and by- ways	TWBC has emerging policy as part of Local Plan policy EN1: Sustainable Design	This sets requirement for proposals to consider whether they reinforce existing access and connections and create new ones  The policy objective on page 33 refers to the need to provide alternative routes but is not cross referenced clearly in other related policies that refer to linkages	Consider adding additional text requiring pedestrian linkages to be considered/provided where these aren't currently available – and sense check against other related policies in the plan to ensure this is cross referenced as necessary
Policy C1: Assets of value to the	TWBC has emerging policy ED12 relating to	The policy seeks that development	Consider clarifying these points

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
community	retention of local services and facilities within defined Neighbourhood and Village Centres	<p>proposals enhance the viability and community value of existing facilities and is silent about when proposals maintain / retain this i.e. do not enhance. It would assist when decision-making if this is clarified</p> <p>It would also be beneficial to clearly set out whether the requirements of this policy relate to the whole parish or whether it is more applicable within the village centre of Lamberhurst for example</p>	
Policy C3: Developer contributions	TWBC emerging place-shaping section of new Local Plan sets out need for development contributions for Lamberhurst parish (and other parishes and settlements)	<p>Contributions should only be sought where they meet the necessary planning tests and can be on-site as well as off-site contributions</p> <p>Policy states that contributions will be sought through a Section 106 agreement – this could be planning condition also</p>	<p>Consider adding additional text to capture the need for such requests to meet the necessary planning tests and that such contributions could be on- site as well as off-site; the policy should also set out thresholds for when contributions would be sought (this is often relates to scale of development)</p> <p>Tweak policy wording to enable contributions to be secured by planning conditions in some instances</p>
Chapter 9: Housing & Design	TWBC has emerging policy as part of Local Plan policy H3: Affordable housing	The objective to the LNDP policy seeks to “ensure an adequate supply of affordable	Suggest that this is added to, to ensure the policy is more robust and clarify what is

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		<p>housing “ – would assist if the NDP expanded on this/defined to make it more robust</p> <p>Also needs to clarify what the NP considers ‘affordable’ housing to be – more affordable open market units for example or affordable housing as set out by emerging policy H4 of the Local Plan</p>	<p>meant by ‘affordable housing’ in NDP terms</p>
Existing Planning Policies – page 45		<p>Paragraph 2 refers to settlement hierarchy and sets out that Lamberhurst parish has been strictly controlled in part because of this – it is noted that the settlement of Matfield in the emerging Local Plan is likely to have a greater quantum of planned growth than Lamberhurst</p> <p>Reference is also made to 13 sites in the parish having been submitted to the TWBC Call for sites. It is noted that this figure has risen to 14</p> <p>Final paragraph refers to the TWBC Draft Local Plan consultation to be conducted in 2019</p>	<p>It is suggested that reference to the settlement hierarchy is deleted</p> <p>Amend reference to the number of sites assessed through the TWBC Strategic Housing and Economic Land Availability Assessment</p> <p>Reference to public consultation on the TWBC Draft Local Plan should be updated to reflect timetable set out in the TWBC Local Development Scheme (LDS)</p>
Policy H1: Location of housing development	There are emerging TWBC Local Plan policies including H5: rural exception sites and H7: rural workers’ housing	The objective sets out that the NDP will concentrate new housing in and around the village – it would	Suggest that amendments are made accordingly to ensure the policy is robust and is clear in its

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		<p>be beneficial to identify this on a map to provide clarity</p> <p>It also identifies that in addition to allocations in the TWBC Local Plan, housing will be provided by appropriate small scale developments – this should be defined, and that this will be within or adjoining the limits to built development for Lamberhurst - once adopted the approach of the NDP to enabling such development adjoining the Limits to Built Development will conflict with the TWBC Local Plan, which will seek development through allocations and appropriate windfalls, which would normally be expected to be within the defined settlement boundaries</p> <p>Where reference to adjoin the limits to built development is stated, this may perhaps mean on appropriate brownfield sites, if so, this needs to be clearly set out within the policy</p> <p>Point b of policy – there is conflict here with the NPPF which</p>	<p>expectations</p>

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		at paragraph 79 point c allows for the re-use of redundant or disused buildings where development would enhance its immediate setting	
Policy H2: Housing mix, tenure and affordability	TWBC has emerging policies H1: housing mix and policy H3: affordable housing covers tenure and affordable housing	<p>General comment on this policy – not clear whether it applies to all housing (including open-market) or to “affordable housing” only – needs to be clarified</p> <p>The policy sets out the affordable housing requirements for smaller scale schemes of less than 10 – experience at TWBC has shown that Registered Social Landlords (RSLs) are reluctant to take on the management of such small schemes/so few units. Has the NDP group/Parish Council discussed this with RSLs?</p>	
Policy H3: Allocating affordable housing	TWBC has emerging policy H3: affordable housing	<p><b>Affordable Housing %</b></p> <p>Pre-Submission Local Plan - delivery of affordable on sites delivering net increase of 9 or more. Although Draft Local Plan required contributions for off-site provision on smaller developments</p> <p><b>Local Connection</b> It is considered that</p>	<p>Re-consider threshold for provision of on-site affordable housing, to apply to net increase of 9 or more in line with emerging Local Plan policy.</p> <p>Neighbourhood Plan to clarify what it considers to be ‘affordable housing’ – could define in a glossary.</p> <p>Local connection</p>



LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		<p>the Local Connection Policy in the NDP should follow the one in the Council's Housing Allocations Policy with views on specific clauses negotiated on a site by site basis with the NDP.</p> <p>Linked to previous housing policies – not clear what the NDP considers to be affordable housing</p>	<p>requirements: It is recommended that the Local Connection Policy in the NDP should follow the one in the Council's Housing Allocations Policy with views on specific clauses negotiated on a site by site basis with the NDP.</p>
Policy H4: Rural exception sites	There is an emerging TWBC Local Plan policy H5: rural exception sites	Nothing particular to add to this.	
Policy H5: Replacement dwellings	TWBC has emerging policy: replacement dwellings outside the Limits to Built Development	<p>This sets out specified criteria to be satisfied; the LNDP policy is more restrictive and appears to rule many such proposals out in principle and neither does it say whether this applies within or outside of the established settlement</p> <p>In addition, permitted development rights are such (and including the ability to provide an additional storey to property) that it is possible a building would end up much larger than would normally be allowed</p>	<p>Suggest that clarity is needed on when this policy would apply; also consider making the policy more flexible recognising there will be instances when it is acceptable to replace a dwelling with a new one</p>
Policy H6: Conversion of existing buildings		Part of the policy seeks to resist the loss of employment – it is noted that there will be instances when	Consider refining the policy to enable flexibility

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		<p>there may be a wish to support the loss of such a use e.g. an employment use that causes noise/disturbance to neighbouring amenity for example</p> <p>Furthermore, as noted previously the NPPF does allow for conversions of existing buildings</p>	
Policy D1: Design of new development	There are various emerging policies in the TWBC Local Plan including EN1: Sustainable development, EN4: Historic environment and EN5: Heritage Assets and other policies in the plan have a design element to them	The first bullet point seeks low density development – this may not always be appropriate because for example, the historic core of Lamberhurst will be higher density so something low density could be out of keeping with the site context and prevailing character/density of the area	Suggest amending the policy to refer more to site context/prevaling character than to requirement for low density development
Policy D2: Boundary treatments	TWBC emergency policy EN1: sustainable design does not refer specifically to boundary treatments. However, these are an integral part of other requirements set out within policy EN1	The policy refers to the fact that close boarded fencing is not welcome, which it is considered could be better worded	Change “...close boarded fencing is not welcome” to “...close boarded fencing will not be supported”
Policy D3: Climate change	TWBC emerging plan has policy EN3: Climate change Mitigation and adaptation	<p>The sub title “Minimise impact on climate” could be amended to include adaptation to climate change so it in line with the policy box and supporting text</p> <p>It might be useful for either the policy box</p>	Suggest amending the policy accordingly

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		<p>or the supporting text to include the Borough Council's commitment to become carbon neutral by 2030. Likewise, the national target to be net zero by 2050 which was incorporated in the Climate Change Act in 2019 i.e. a legal requirement</p> <p>Minor point. CO<sub>2</sub> should be written with a subscript 2</p>	
Policy D4: Dark skies	TWBC emerging plan has policy EN8: Outdoor Lighting and Dark Skies	Policy is not as detailed as the emerging TWBC	Suggest discussion/review with TWBC to add to policy or cross-reference with TWBC policy in some way
Policy D6: Historic environment	TWBC has emerging policies EN4: historic environment and EN5: heritage assets	<p>It is important that the policies reference the High Weald Design Guide and the Conservation Area appraisals. The list of identified local heritage assets is supported</p> <p>Two things of note:</p> <p>The policy wording itself for D6 and D7 is very generic. The supporting text goes into some detail but this needs to feed through into enhanced wording in the policy text to ensure that the local distinctiveness of the parish is articulated – this is the chance to</p>	Suggest amending the policy and text accordingly to make it more robust

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		<p>do so and provide that hook. See for instance the detailed landscape policies. They could also refer to our Historic Environment Review (in the evidence base) which has a 'warp and weft' graphic of the heritage themes of the Borough, many of which are represented in the Parish</p> <p>This is also an opportunity to flag up potential improvements. Are there buildings or areas that could benefit from enhancement in particular? These could be mentioned in the supporting text. The NDP group may want to consider mentioning the conservation appraisal being out of date to work with us and look for a community-led appraisal opportunity?</p>	
Policy D8: Parking	TWBC has emerging policy TP3: parking standards	<p>LNP is higher requirement than policy in emerging Local Plan;</p> <p>May have viability implications; 'per bedroom' is open to interpretation – existing number or proposed for example, what happens if a bedroom is indicated as a study or snug,</p>	Consideration needs to be given about the enforceability of this policy and to text to clarify precisely what is sought by it;

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		<p>could have enforceability issues; does a car space include garages / car ports?</p> <p>It will not always be possible to provide parking to this standard</p>	
Chapter 10: Traffic and Transport, page 67	TWBC has emerging policy TP1: Transport Assessments, Travel Plans, and Mitigation and Policy TP2: Transport Design and Accessibility	<p>Bullet point 4 deals with public transport and sustainable transport initiatives – reference could be added to include active travel – by foot and cycles;</p> <p>In addition it will not always be possible to provide on site parking as sought by the policy, which in some instances may have unacceptable visual impacts – suggest some flexibility be built into the policy</p> <p>The bullet points do not cover road safety improvements referred to in text</p>	<p>reference could be added to include active travel – by foot and cycles; Consider an additional bullet point to capture the aspiration for road safety improvements</p> <p>Suggest flexibility in policy to recognise that it won't always be possible (or desired) to provide on site parking</p>
Page 69: A sustainable transport policy	As per above	Reference is made to electric cars and cycling; given the topography of the Parish reference could also be made to electric bikes	Consider adding reference to electric bikes
Page 70: Policy T1: Sustainable transport		The policy refers to Pembury Hospital	The correct name for 'Pembury Hospital' is 'Tunbridge Wells Hospital at Pembury', it is recommended that this is amended

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
			accordingly
Page 71: Evidence & supporting information relating to policy T2: Traffic management		Reference is made to results of the Parish questionnaire, advising that people would make greater use of public transport if services to Pembury, Paddock Wood, Wadhurst and Tunbridge Wells were more frequent and reliable; this text would be better placed alongside Policy T1: Sustainable transport	Consider re-locating the text to accompany policy T1: Sustainable transport
Chapter 11: Business and employment Policy B1: Business and economy	TWBC has a variety of relates emerging policies including ED2: retention of existing employment sites & buildings, ED4: rural diversification, ED5: conversion of rural buildings outside the Limits to Built Development	<p>It is stated that the policy aims to facilitate business growth by supporting applications for a change of use for redundant agricultural buildings and brownfield sites; these are not picked up within the bullet points listed on page 72</p> <p>The bullet points also identify that local employment opportunities should not generate heavy lorry traffic on rural road, which is difficult to control and unenforceable</p> <p>Live/work units should be defined</p>	<p>Consider adding additional bullet points to the policy objectives setting out support for change of use for redundant agricultural buildings and brownfield sites</p> <p>Reconsider the bullet point that refers to heavy lorry traffic on rural roads</p> <p>Define what is meant by live/work units. A question in regard to live/work units – would the LNDP support planning applications for extensions/outbuildings applied for to facilitate home working?</p>
Page 75 - 76: Communications (Policy B1: Business and economy)		Reference is made to 90% of respondents to the Parish questionnaire thought it crucial to improve	Consider adding an additional bullet point to the policy objectives

LNP Reg 16 October 2020 <sup>1</sup> Page no./Policy	Reference to TWBC Draft Local Plan <sup>2</sup>	TWBC Officer Comments	Recommendations For changes etc.
		broadband and mobile communications; this is not reflected within the bullet points listed on page 72	
Chapter 12: Selecting sites for Development		<p>This makes reference to TWBC assessments of sites being published with the initial draft of the Local Plan, likely to be later in 2019; this will need amending to reflect the Strategic Housing and Economic Development Land Availability Assessment (SHELAA) dated July 2019 having been published alongside the Draft Local Plan, 2019</p> <p>Of note also: a final SHELAA will be published to accompany the Regulation 19 Pre-Submission Local Plan</p>	<p>Amend text to reflect that the Strategic Housing and Economic Development Land Availability Assessment (SHELAA) dated July 2019 was published alongside the Draft Local Plan, 2019 and that a final SHELAA will be published by TWBC alongside its Pre-Submission Local Plan in 2021.</p> <p>Also reference should be made to other sites being submitted to TWBC outside of the two main 'Call for Sites'</p>
Chapter 14: Parish feedback & implementation, page 82		Point a. refers to the LNDP being 'adopted'; the correct terminology is "made"	Amend terminology to refer to "made" NDP
Appendix 1: sources and useful definitions, page 84		The definition of brownfield site is absent from the list	Suggest that the NPPF definition of brownfield land is added to the list of definitions or reference made to the NPPF on this
Appendix 4: Planning context, page 89		Reference is made to the TWBC Site Allocations Plan, 2015; this should be 2016	Amend date of Site Allocations Plan