

# **Cranbrook and Sissinghurst Neighbourhood Development Plan 2020-2038**

**A report to Tunbridge Wells Borough Council  
on the Cranbrook and Sissinghurst  
Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by Tunbridge Wells Borough Council in December 2022 to carry out the independent examination of the Cranbrook and Sissinghurst Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 17 December 2022.
- 3 The Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its distinctive rural character. It includes a series of environmental and community policies. In addition, the Plan proposes the designation of a series of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. The community has been engaged in its preparation in a proportionate way.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Cranbrook and Sissinghurst Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**25 May 2023**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Cranbrook and Sissinghurst Neighbourhood Development Plan 2020-2038 ('the Plan').
- 1.2 The Plan has been submitted to Tunbridge Wells Borough Council (TWBC) by Cranbrook and Sissinghurst Parish Council (CSPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012. The NPPF continues to be the principal element of national planning policy. It was updated in 2018, 2019 and 2021.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan. It addresses a range of environmental and community issues and proposes the designation of local green spaces.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## **2 The Role of the Independent Examiner**

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by TWBC, with the consent of CSPC, to conduct the examination of the Plan and to prepare this report. I am independent of both TWBC and CSPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. I have 40 years' experience in planning and development issues in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

### 3 Procedural Matters

3.1 In examining the Plan I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Design Checklist.
- the SEA screening report.
- the HRA screening report.
- the representations made to the Plan.
- CSPC's responses to the clarification note.
- the TWBC Planning Brief for Providence Chapel.
- the saved elements of the Tunbridge Wells Borough Local Plan 2006.
- the Tunbridge Wells Core Strategy Development Plan Document.
- the Tunbridge Wells Site Allocations Local Plan.
- the emerging Tunbridge Wells Borough Local Plan 2020 to 2038.
- the National Planning Policy Framework 2021.
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 17 December 2022. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood development plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised TWBC of this decision once I had received the responses to the questions in the clarification note.

## 4 Consultation

### *Consultation*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 CSPC has prepared a Consultation Statement. The Statement reflects the neighbourhood area and its policies. It also provides specific details on the consultation process that took place on the pre-submission version of the Plan between October and December 2020.
- 4.3 The Statement is both comprehensive and informative. The Statement itself is concise. It is underpinned by three appendices which set out the comments received on the pre-submission version of the plan. The table in section 15 summarises the principal changes which were made to the Plan as a result of that process. This helps to explain the evolution of the Plan. The Statement also sets out the extensive range of local and statutory organisations that were advised about the preparation of the Plan in general, and its pre-submission consultation phase.
- 4.4 The Statement sets out details of the consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the Visioning events (March 2017);
  - the three-day Design Forum (May 2017);
  - the community questionnaire (July 2017);
  - the business questionnaire (Sept 2017);
  - the Framework and Action Plan (November 2017); and
  - the Update and Growth Scenarios exhibitions (June 2018).
- 4.5 From all the evidence available to me as part of the examination, I have concluded that the Plan has sought to develop an inclusive approach to seeking the opinions of all concerned throughout the process. TWBC has carried out its own assessment of this matter as part of the submission process and has concluded the consultation process has complied with the requirements of the Regulations.

### *Representations Received*

- 4.6 Consultation on the submitted plan was undertaken by TWBC which ended on 14 November 2022. This exercise generated comments from the following statutory and local organisations:
- Lidl
  - Southern Water
  - CPRE Kent
  - High Weald Swift Conservation Group
  - Berkeley Homes

- Charterhouse Strategic Land
- Environment Agency
- Historic England
- Kent County Council
- Natural England
- NHS Kent and Medway
- Rydon Homes
- South East Coast Ambulance Service
- Tunbridge Wells Borough Council
- National Highways
- Coal Authority
- National Trust
- Taylor Wimpey

4.7 Representation were also received from several residents.

4.8 I have taken account of all the representations received as part of the examination of the Plan. Where it is appropriate and relevant to do so, I refer specifically to certain representations on a policy-by-policy basis in this report.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Cranbrook and Sissinghurst. In 2011 it had a population of 6717 persons living in 2741 households. It was designated as a neighbourhood area in July 2016. The parish contains a hierarchy of small-scale settlements typical of a Wealden landscape. At its heart lies the small historic market town of Cranbrook. The village of Sissinghurst is located to the north-east of Cranbrook. These main settlements are interspersed and surrounded by hamlets and numerous historic farmstead settlements, set within gentle rolling countryside and remnants of ancient woodland. The parish is a watershed between the two main river systems of the Medway and the Rother. The Crane Brook flows north through the centre of Cranbrook and beyond to join the Hammer Stream just east of the parish boundary. Most of the neighbourhood area is within the High Weald AONB.
- 5.2 Cranbrook is an attractive small rural town nestled in the Crane Valley. It is characterised by its distinctive and varied architecture and its independent shops and businesses. It has a range of services and facilities, including four schools, comprising a co-educational grammar (with a small theatre), two specialist schools, and a Church of England Primary School, two children's nurseries, a supermarket, a museum, a library, health, leisure and sports facilities, places of worship, public green spaces, a small community facility and several free car parks. A network of pedestrian routes connects the town centre to the outlying residential areas and the countryside beyond, including the High Weald Landscape Trail. A Sustrans cycle route runs just to the south of the parish through Bedgebury Forest. Sissinghurst is a small village with the Milk House Pub and local convenience shop at its heart. It also has a primary school, a community hall, a children's nursery, a takeaway outlet, several playing fields, and one bus service.
- 5.3 The internationally-renowned Sissinghurst Castle and Gardens lies just to the north east of Sissinghurst. The neighbourhood area also includes a series of smaller villages and hamlets including Hartley, Colliers Green, Golford, Wilsley Green, Flushingurst and Swattenden. In recent years the diversification of agriculture has led to several new business ventures growing up around farmsteads, including food processing and farm shop retail, plus other related service, and leisure activities.

### *Development Plan Context*

- 5.4 The development plan context in the Borough is both complex and evolving. The Tunbridge Wells Borough Core Strategy was adopted in June 2010. It covers the period up to 2026. The Core Strategy sets out policies for the use and development of land across the Borough. Core Policy 1 and Boxes 3 (Spatial Strategy) and 4 (Settlement Hierarchy) set out an approach which has an urban focus for development in order to optimise the vitality of the Borough's town centres and to protect the distinctive character of the rural environment. In this context the majority of new development is focussed at Royal Tunbridge Wells and Southborough. The Core Strategy also identifies development at Cranbrook, Hawkhurst and Paddock



Wood to support and strengthen them as local service centres for the Borough's rural area. Elsewhere the approach is to protect the character of the Borough's villages by limiting new development to be within the existing limits to built development unless it is specifically required to meet local needs. In this context Core Policy 12 sets out a spatial strategy for the parish.

The Core Strategy has a range of other policies including:

Core Policy 4 Environment

Core Policy 5 Sustainable Design and Construction

Core Policy 8 Retail, Leisure, and Community Facilities Provision.

Core Policy 14 Development in the Villages and Rural Areas

5.6 Key elements of the 2006 Local Plan remain as saved policies whilst the Core Strategy review is taking place. They include:

Policy EN5 Development within a conservation area

Policy EN20 Telecommunications

Policy CR13 Retention of community facilities in neighbourhood centres or villages

Policy H5 Residential development inside limits to built development

Policy R1 Retention of existing recreation open space

Policy TP5 Vehicle Parking Standards

Policy TP27 Retention of Public Car Parks in villages.

Policy LBD1 Limits to Built Development

5.7 The Core Strategy is underpinned by the Sites Allocations Local Plan. It was adopted in 2016. That Plan identifies a series of housing allocations in the parish (Policies AL/CR1-6) and includes a more general policy which defines the Cranbrook Town Centre and Primary Shopping Areas (AL/CRS7). The former Sissinghurst Primary School, The Street, Sissinghurst was an allocation in the Plan (Policy AL/VRA1). The site has now been built out in accordance with that policy.

5.8 TWBC has made good progress in its preparation of a new local plan to replace saved policies in the Local Plan 2006, the Core Strategy, and in the Site Allocations Local Plan. It will guide new development in the Borough up to 2038. The Plan was examined in 2022 and the Inspector's preliminary findings have now been published. TWBC responded to the preliminary findings in February 2023 setting out an indicative timetable for the remainder of the examination. Policy STR1 sets out an overall strategy for the Borough. It comments about the nature of the development proposed in the parish at Cranbrook and the community benefits which will be provided. Policy STR/CRS1 of the emerging Local Plan sets out a spatial strategy for the parish based on the following key principles:

- the delivery of between 415 and 429 homes in Cranbrook and 38 homes in Sissinghurst;
- the protection of the High Weald AONB;
- retaining landscape gaps between the individual settlements in the parish;
- the retention of identified car parks; and

- a requirement for developer contributions to an identified series of community facilities to mitigate the impacts of new development.

The emerging Local Plan proposes a series of allocations in the parish. Most are for housing development. In summary they are:

- Policies AL/CRS1-AL/CRS4 (in Cranbrook); and
- Policies AL/CRS5- AL/CRS7 (in Sissinghurst).

Whilst the basic conditions assessment of the neighbourhood plan is against the adopted development plan, I have sought to ensure that the submitted Plan has an appropriate relationship with the emerging Local Plan. This reflects national policy as set out in paragraph ID: 41-009-20190509 of Planning Practice Guidance.

*Unaccompanied Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 17 December 2022. I travelled to the parish along the A262 from Goudhurst to the west. This highlighted the way in which the parish was positioned in both the Borough and the High Weald AONB and its access to the strategic road network.
- 5.10 I looked initially at Cranbrook town centre. I saw its attractive range of retail and commercial premises and the availability of car parking. I spent time in St Dunstan's Church and walked to the Union Windmill.
- 5.11 Whilst I was in the town centre, I saw the significance of the Cranbrook School both to the local environment and to its vibrancy and prosperity. I also saw the Providence Chapel off Stone Street. This helped to explain the significance of Policy HD4.8 of the Plan.
- 5.12 I then looked at Sissinghurst. I saw the importance of the village shop. I saw the Millennium map. It was very helpful for my navigation around the village.
- 5.13 I then drove to Sissinghurst Castle and Gardens. Its popularity as a National Trust attraction was self-evident. I looked at the car parking arrangements and saw the café, the bookshop, and the main arrival/entrance point.
- 5.14 I then drove around the smaller settlements in the parish. In doing so I was able to understand better its landscape character and topography.
- 5.15 Throughout the visit I looked at the proposed local green spaces (Policy LN3.11) and the key views.
- 5.16 I left the neighbourhood area and headed towards Staplehurst. This helped me to understand the way in which the parish related to its wider countryside setting.

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 6.3 I assess the Plan against the basic conditions under the following headings:
- National planning policies;
  - Sustainable development;
  - General conformity with the strategic policies in the development plan;
  - Strategic Environmental Assessment;
  - Habitats Regulations Assessment; and
  - Human Rights Act.

### *National Planning Policies and Guidance*

- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021.
- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the Cranbrook and Sissinghurst Neighbourhood Plan:
- a plan led system – in this case the relationship between the neighbourhood plan, the saved policies in the Local Plan, the policies in the Core Strategy and the policies in the Site Allocations Local Plan;
  - delivering a sufficient supply of homes;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;

- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

6.7 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.

6.8 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It includes policies to safeguard its built and natural environment. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.

6.9 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced in Planning Practice Guidance (paragraph ID:41-041-20140306) which indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.

6.10 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies to stimulate the rural employment and to encourage diversification (Policies BE6.1- BE6.4). In the social role, it includes policies on community facilities (Policies CC8.1- CC8.8) and on local green spaces (Policy LN3.11). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on landscape (Policies LN3.1-LN3.10), and on design (Policy HD4.10). CSPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.12 I have already commented in detail on the development plan context in Tunbridge Wells Borough in paragraphs 5.4 to 5.8 of this report. I am satisfied that subject to the incorporation of the modifications recommended in this report that the submitted Plan is in general conformity with the strategic policies in the development plan.
- 6.13 I also consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*Strategic Environmental Assessment*

- 6.14 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement, TWBC produced a screening report in September 2020. It concludes that as a result of the assessment it is unlikely there will be any significant environmental effects arising from the draft Plan. As such, it does not require a full SEA to be undertaken.

*Habitats Regulations Assessment*

- 6.16 In order to comply with legislative requirements, TWBC published a separate Habitats Regulations Assessment (HRA) of the Plan in September 2020. It takes account of the likely effects of development in the neighbourhood area on the Ashdown Forest SPA and SAC site. It concludes that the Plan is not considered to have the potential to cause a likely significant adverse effect on this site or another European protected site. It also concludes that there will be no likely significant in-combination effects. Its level of detail provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.17 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with HRA obligations.

*Human Rights Act*

- 6.18 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

*Summary*

- 6.19 On the basis of my assessment of the Plan in this section of my report, I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and CSPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It includes a series of non-land use Projects which are separately listed in Section 10 of the Plan.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. The Projects are addressed after the policies.
- 7.6 For clarity this section of the report comments on all the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.
- The initial sections of the Plan (Sections 1 and 2)
- 7.8 These elements of the Plan set the scene for the policies. They are commendable in the way that they are proportionate to the neighbourhood area and the Plan's policies.
- 7.9 The Introduction is both helpful and informative. It identifies the broader context to the Plan and how it was prepared. It sets the scene for the wider neighbourhood planning agenda. It explains the way in which the Plan has sought to add value to the emerging Tunbridge Wells Local Plan. It describes the principal settlements in the parish.
- 7.10 These initial sections of the Plan do not identify the neighbourhood area or the Plan period. Whilst the submission documents include a separate map of the neighbourhood area it should be included in the Plan itself. I recommend modifications to remedy this issue.
- At the end of paragraph 1.1 add:*
- 'The neighbourhood area was designated in July 2016. The neighbourhood area is the parish of Cranbrook and Sissinghurst. It is shown on Map [insert number]. The plan period is 2020 to 2038.'*
- Delete the first sentence of paragraph 1.3.*
- 7.11 I also recommend a modification so that the Introduction makes a clear distinction between the land use policies and the Projects.

At the end of Section 2 insert a new paragraph (2.3) to read:

*'These objectives create the structure of the Plan. A series of land-use policies are set out in Sections 3-9 of the Plan. A series of non-land use Projects are set out in Section 10 of the Plan. The policies will form part of the development plan in the parish. The Projects will not form part of the development plan. However, in several cases, they will support the implementation of the policies.'*

- 7.12 Section 2 sets out the Vision and the strategic objectives for the Plan. The Vision is as follows:

*'In fifteen years' time, Cranbrook and Sissinghurst Parish will be a vibrant, attractive, and sustainable place to live, work and visit. It will have protected and enhanced its distinctive rural Wealden character and richness of its landscape, its settlements, and its built environment. High quality well-designed and well-connected new developments which are sympathetic to the distinctive local heritage, will provide new homes for local workers and new residents. Greater social and environmental sustainability will have been achieved through improvements to technological infrastructure, active travel routes, community facilities and public realm spaces, as well as enhancements to ecological connectivity for the benefit of people and wildlife. These, in turn, will have brought increased opportunities to boost the local economy through a range of new businesses in a variety of sectors including new green and technological economies, to serve the needs of both residents and visitors.'*

- 7.13 The Vision is supported by seven objectives. They are very distinctive to the parish. Their importance is further heightened as they form the basis of the policies and Sections 3 to 9 of the Plan.
- 7.14 The remainder of this section of the report assesses the individual policies against the basic conditions as set out in paragraphs 7.5 to 7.7 above.

#### General Comments

- 7.15 The Plan includes a comprehensive range of policies. Some are very distinctive to the parish. Others are more general and, in some cases, repeat or restate national or local policies.
- 7.16 Planning practice guidance is clear that neighbourhood plan policies do not need to repeat existing national and local planning policies. This acknowledges that the development plan is read and applied in the round. Where a policy in the Plan adds parish value to an existing local policy, I have generally concluded that it meets the basic conditions. Where a proposed policy restates national or local policy, I have recommended its deletion from the Plan. I do not repeat this explanation on a policy-by-policy basis.
- 7.17 There is a high degree of overlap between national and local planning policies and the proposed policies in Part 3 (Landscape and Natural Environment) of the submitted Plan. This part of the Plan also includes policies which overlap one with the other. On this specific point I have recommended that Policies LN3.2-3.4 are combined into a single policy later in this report.



- 7.18 The difference between the way in which the policies and the supporting text are presented throughout the Plan is not clear. Whilst they have their own headings, that format can be lost in extensive elements of the text. As such I recommend that the policies are displayed in a slightly shaded policy box.

*Display each of the policies in a slightly shaded policy box.*

#### LN3.1 - Special Sites for Nature Conservation

- 7.19 This is a wide-ranging policy on nature conservation. Its different parts seek to protect identified sites for nature conservation, establish buffers between new development and protected sites and achieve biodiversity net gains.
- 7.20 On the one hand, the policy's intentions are well-considered. On the other hand, the intentions are rather sweeping and are not directly supported by evidence. This will make them difficult to apply through the development management process. In addition, several elements of the policy do not bring any added value beyond the protection already provided to sites for nature conservation.
- 7.21 On the balance of the evidence, I recommend that the policy is deleted. I have reached this decision for a series of reasons. The first is that protection for nature conservation sites are already provided within local and national planning policies, guidance, and legislation. In addition, the policy gives equal importance to all nature conservation sites rather than distinguishing a hierarchy of sites as required by the NPPF. The second is that the requirement of a 25 m buffer strip in the second part of the policy to all nature conservation sites goes beyond what is required by local and national policies and guidance. In addition, no justification for such an approach is included in the Plan. The third is that biodiversity net gain is addressed in national and local policies. In addition, the requirement for on-going management of biodiversity within development sites by way of planning conditions and obligations is impracticable.

#### **Delete the policy**

*Delete paragraphs 3.4 to 3.7*

LN3.2 - Biodiversity & Ecological Connectivity: Protection & Enhancement  
LN3.3 - Protection & Enhancement of Priority Habitats  
LN3.4 - Protection of Species and Habitats of Principal Importance

- 7.22 These policies address a series of overlapping issues. They have attracted comments from TWBC, Kent County Council and the development industry.
- 7.23 In the round the policies address important elements of biodiversity within the parish and rely on existing published information.
- 7.24 I have considered the policies and the representations very carefully. On the balance of the information, I recommend that the three policies are combined into a single and simplified policy which applies the approach taken in national policy to the local circumstances. I also recommend consequential modifications to the supporting text.

#### **Replace the policies with:**

#### **'Policy LN3.2 Biodiversity and Ecology**

**Development proposals should conserve and, where practicable, enhance habitats and sites of ecological significance in accordance with their status.**

**Development proposals which actively support and enable the protection, enhancement and active positive management to conserve and enhance biodiversity and the ecological networks of wildlife habitats as identified on High Weald AONB Unit “Green and Blue Infrastructure and Ecological Networks” will be supported.’**

*Replace the supporting text with:*

*‘Policy LN 3.2 addresses a series of ecological and biodiversity issues. They are key features of the character of the parish. Paragraphs 3.8/3.9 (combined).’*

*Paragraph 3.10.*

*Paragraph 3.11.*

*Paragraphs 3.12/3.13 (combined).*

*Paragraph 3.27.*

*Further information on habitats in the parish is available from Kent & Medway Biological Records Centre, the MAGIC website, the National Biodiversity Network, and the Kent Wildlife Trust. In addition to the legally-protected species, others are identified as Priority Species by the Natural Environment and Rural Communities Act 2006. Further information on these species is also available from the organisations listed above. The High Weald AONB Unit has also identified Green and Blue Infrastructure and Ecological Networks.’*

*Renumber paragraphs accordingly (and then from Policy LN3.5 onwards).*

LN3.5 - Local Protection & Enhancement of the Crane Valley

- 7.25 This policy seeks to protect and enhance the Crane Valley. I looked at various parts of the valley during the visit.
- 7.26 The policy comments that in order to protect and enhance the role of the Crane Valley as an area of natural flood management and for the establishment of nature recovery networks, proposals for major development in parts of the Crane Valley beyond the footprint of existing historic farmsteads or previously developed land, as described on High Weald AONB Map “Crane Valley and Its Setting”, will not be supported.
- 7.27 On the one hand, the policy seeks to protect a very important component of the natural environment of the parish. On the other hand, its approach to restrict proposals for major development in parts of the Crane Valley beyond the footprint of existing historic farmsteads or previously developed land the policy is in direct conflict with the adopted Site Allocations Local Plan (SALP) and the submitted Local Plan (which is now at examination and the preliminary findings of the inspector have now been received). In this context the policy has attracted detailed comments from TWBC and the development industry.
- 7.28 As submitted, I am not satisfied that the policy is in general conformity with the strategic policies in the development plan. In addition, I am not satisfied that it would contribute towards the delivery of sustainable development.

- 7.29 I have considered the potential for the policy to be re-phrased in order to identify the specific environmental qualities of the Crane Valley that need to be preserved and to set out criteria which limit the types of development that will be appropriate. However, I have not pursued this course of action for two reasons. The first is that the nature of such a policy would be very different from that in the submitted Plan and it is not my role to propose a different or alternative plan. I have also taken account of the inclusion of a specific policy element about the Crane Valley in Policy IN9.4. The second is that the supporting text does not provide any details on the potential contents of such a policy.
- 7.30 In all the circumstances, I recommend the deletion of the policy.
- 7.31 Within the spirit of the earlier comments on this policy I am satisfied that the supporting text can remain in the Plan with degree of consolidation to reflect the deletion of the policy.

### **Delete the policy**

*In the supporting text delete paragraphs 3.33, 3.34, 3.39 and 3.40.*

*In paragraph 3.41 replace 'This policy supports' with 'The broader enhancement of the Valley'*

#### LN3.6 - Protection of Geodiversity

- 7.32 This policy seeks to safeguard geodiversity on development sites and safeguard the existing ecology on site. It comments that development proposals will only be supported if a management plan for the retention of topsoil removed during development and its future dispersal on the same site is produced and approved at application stage, providing it can be demonstrated that this will not cause harm to the existing ecology on site.
- 7.33 Both TWBC and Rydon Homes comment that the policy as submitted is too onerous. I agree. I recommend that the policy is modified so that it acknowledges that such an approach will not always be practicable. I also recommend that the process elements in the policy are repositioned into the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**Replace the policy with: 'Wherever practicable, development proposals should retain the topsoil removed during development and its secure its future use on the same site.'**

*At the end of paragraph 3.42 add: 'Development proposals which intend to retain and reuse the topsoil from the site concerned should indicate at the planning application stage how this will be achieved.'*

#### LN3.7 - Protecting the Historic Landscape Character

- 7.34 This proposal seeks to ensure that new development responds positively to the historic landscape character of the parish. The first part comments that development proposals within the settlements of Cranbrook and Sissinghurst, and outlying hamlets, should protect and enhance the historic landscape. The second part comments that new development should incorporate these patterns in their

masterplans. The third part of the policy comments that new developments on the edges of the settlements should demonstrate how their proposal will protect and enhance the existing patterns and framework of green and blue infrastructure.

- 7.35 The policy takes a positive approach to this important dimension of the parish. I recommend that the second part is incorporated into the first part of the policy to ensure a more natural flow of the policy. I also recommend that the explanatory text in the policy is deleted and that this element of the policy is applied where necessary. As submitted, the requirements for a masterplan are applied to all new development. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**At the end of part a) of the policy add: ‘Where appropriate, new development should respond positively to these patterns and demonstrate in their masterplans how they will be protected and enhanced.’**

**Delete part b) of the policy.**

#### LN3.8 - Green Gaps & Preventing Settlement Coalescence

- 7.36 This is an important policy in the Plan. As the supporting text comments, the historic settlement hierarchy pattern in the parish is distinctive with the town of Cranbrook being closely neighboured by the village of Sissinghurst, interspersed with the hamlets of Wilsley Green, Wilsley Pound, Colliers Green, Golford, and Hartley. This pattern is then underpinned by the many historic farmstead settlements which formed the original settlement pattern of the parish.
- 7.37 The policy has two parts. The first comments that development proposals should preserve the integrity of the green gaps between the historic settlements of Cranbrook, Wilsley Green, Sissinghurst and Hartley. The second comments that proposals which are of a scale or scope that would result in the coalescence of the historic hamlet and farmstead settlements will not be supported.
- 7.38 In its response to the clarification note CSPC provided maps showing the green gaps referenced in the first part of the policy. However, I am not satisfied that the proposed definition of the green gap between Cranbrook and Hartley will contribute to the delivery of sustainable development as it would conflict with the allocation of housing sites in the emerging Local Plan (Corn Hall AL/CS2 and Turnden AL/CS3). However, taking account of all the information I am satisfied that the general nature of the policy is appropriate. There is no suggestion in the emerging Local Plan that the development of the two sites would lead to the coalescence of Cranbrook and Hartley and the policies map shows a buffer area/open space around the two allocations.
- 7.39 TWBC make comments about the practicality of the second part of the policy. It highlights that the historical development of the area is founded on a dispersed pattern of historic farmsteads and so almost all development will have some effect on the setting of farmsteads and may lead to coalescence especially with hamlets, which, often as a group, coalesce to form a hamlet. I have considered this matter very carefully. On the balance of the evidence, I am satisfied that the policy meets the basic conditions. It addresses proposals ‘of a scale or scope’ that would result in the coalescence of hamlet and farmsteads. Given that these locations are outside the

principal settlements, development proposals might reasonably be expected to be modest in scale.

#### LN3.9 - Protection of the High Weald AONB and its Setting

- 7.40 This policy focuses on the High Weald AONB. Its first part comments that proposals will conserve and enhance the natural beauty of the parish and will address the objectives of the High Weald AONB management plan. Other parts of the policy address specific development proposals.
- 7.41 Rydon Homes suggests that the policy is deleted as it largely repeats national and local planning policies. It also comments that the policy seeks to apply AONB principles to that part of the parish which is not within the AONB. I have considered the first point carefully. On the balance of the evidence, I am satisfied that the policy adds value to and complements national and local planning policies by addressing specific issues which exist in the parish. I agree with the second point and have recommended modifications to the relevant parts of the policy to remedy the matter.
- 7.42 I recommend consequential modifications to other parts of the policy. I recommend that the first part of the policy should be applied in a proportionate way. This acknowledges that individual proposals will have different impacts. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**In each part of the policy replace ‘Proposals’ with ‘Development proposals in the High Weald AONB’**

**In part a) replace the first ‘will’ with ‘should’ and replace the second ‘will’ with ‘as appropriate to their scale and nature’**

**In part b) delete ‘and anywhere...the parish’**

**In part f) replace ‘retains historic fields.....mediaeval features’ with ‘and retain historic fields.’**

#### LN3.10 - Protection & Enhancement of Sissinghurst Castle Garden

- 7.43 This policy recognises the importance of Sissinghurst Castle and its Garden. It is owned and managed by the National Trust. It comments that proposals put forward to support the optimum viability of Sissinghurst Castle, its estate, and its setting should conserve and enhance it as a significant heritage asset and visitor attraction. Proposals will be supported where they ensure any harm to the significance of the estate’s heritage assets is avoided, minimised or, where unavoidable, justified.
- 7.44 I looked at the Castle Gardens during the visit. I saw its significance and popularity.
- 7.45 I recommend that the policy is modified to bring the clarity required by the NPPF. This has the indirect benefit of simplifying the content and structure of the policy. I recommend that the policy’s reference to viability is deleted. Development proposals can be determined based on the policy context and any other material considerations.

- 7.46 The National Trust suggests that the supporting text is consolidated so that it better explains its ambitions for the site during the Plan period. I recommend accordingly.

**Replace the policy with: ‘Development proposals for Sissinghurst Castle, its estate, and its setting should conserve and enhance its role as a heritage asset and a visitor attraction. Proposals should be designed to ensure that any harm to the significance of the estate’s heritage assets is avoided or minimised.’**

*At the end of paragraph 3.66 add: ‘The National Trust intend to maintain and enhance the visitor offer at Sissinghurst Castle to ensure its sustainable future whilst sensitively caring for its historic significance and sense of place. Visitor enhancements may include additional retail and new visitor welcome space and other improvements to the visitor offer.’*

#### LN3.11 - Local Green Space Designations

- 7.47 This policy proposes the designation of 24 local green spaces (LGSs).
- 7.48 The supporting text provides detailed maps of each proposed LGS and the extent to which it meets the criteria in the NPPF (paragraph 101 and 102).
- 7.49 TWBC’s representation draws attention to the overlap between the proposed designation of LGS in the submitted Plan and the proposed LGSs in the parish in the emerging Local Plan. There are several proposed LGSs in the submitted Plan which do not feature in the emerging Local Plan. In these circumstances I have reached my own judgement about the additional proposed LGSs in the submitted Plan based on the evidence available and my own observations.
- 7.50 I have considered carefully the proposed LGSs in the submitted Plan which do not feature in the emerging Local Plan (LGSs 4/8/11/12/15/17/20/21/24). On the balance of the evidence, I am satisfied that they meet the criteria in the NPPF. In coming to this judgement, I have relied on the criteria in the NPPF. Whilst some of the proposed LGSs are already safeguarded due to their proximity to listed buildings and their locations in conservation areas, Planning practice guidance (ID:37-011-20140306) provides the opportunity for LGS designation to bring additional local benefit beyond existing protections.
- 7.51 I recommend a modification to the boundary of proposed LGS1 to exclude the southern parcel of the proposed green space and to consolidate its northern boundary.
- 7.52 I recommend a modification to the boundary of proposed LGS14 to exclude the western strip of the proposed green space and as agreed by CSPC in its response to the clarification note.
- 7.53 In the round I am satisfied that the proposed LGSs meet the detailed criteria in paragraph 102 of the NPPF. In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established

element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.

- 7.54 The policy itself has two related points. The first seeks to protect the proposed LGSs from built development, except in very special circumstances (such as essential infrastructure) that justify the need for development and where there are no suitable alternative sites. The second comments that proposals will not be permitted which cause harm to the character and function of the local green space.
- 7.55 I can understand the approach taken in the policy given the number of proposed LGSs and their different characteristics. Nevertheless, I recommend that the policy is modified so that it takes the matter-of-fact approach in paragraph 103 of the NPPF. If proposals come forward on the proposed LGSs they can be assessed on a case-by-case basis by TWBC. In doing so, it will be able to make its own assessment on whether the proposal meets the 'very special circumstances' required by the policy. I recommend that the supporting text clarifies this matter. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**Replace the policy with: 'The Plan designates the parcels of land in the following schedule and maps as local green spaces. Development proposals on local green spaces will only be supported in very special circumstances.'**

*At the end of paragraph 3.70 add: 'Policy LN3.11 takes the matter-of-fact approach in paragraph 103 of the NPPF. If proposals come forward on the proposed local green spaces, they can be assessed on a case-by-case basis by the Borough Council. In doing so it will be able to make its own assessment if the proposal meets the very special circumstances required by the policy.'*

*Revise the boundaries of LGS1 and LGS14 in the schedule of LGSs.*

#### HD4.1 - Protect, Conserve & Enhance the Conservation Areas

- 7.56 This policy seeks to safeguard the conservation areas in the parish and its listed buildings and other non-designated heritage assets. It comments that all designated and non-designated heritage assets referred to in the Cranbrook Conservation Area Appraisal (CCAA) 2010, Wilsley Green Conservation Area Appraisal (WGCAA) 2012 and Sissinghurst Conservation Area Appraisal (SCAA) 2012 of the Tunbridge Wells Borough Local Development Framework, the Historic England list of buildings of historic interest, and the Kent Historic Buildings Index should be protected, conserved, and enhanced in a manner appropriate to their significance.
- 7.57 The intent and purpose of the policy is clear. However as submitted it has a very broad effect and does not bring any added value beyond national and local policies on the historic built environment. In addition, the policy does not have the clarity required by the NPPF. For example, the non-designated assets in the parish can only be identified after an exhaustive and time-consuming search of the documents identified in the policy. In these circumstances I recommend that the policy is deleted. This will have no specific harm on the assets as they are already safeguarded by other policies.

- 7.58 Within the spirit of the comments in the paragraph above I am satisfied that the supporting text can remain in the Plan with a consolidated element about the way in which the assets are already safeguarded.

**Delete the policy**

*At the end of paragraph 4.14 add: 'The historic built environment in the parish is already safeguarded by national and local planning policies. The Parish Council is confident that this policy framework will ensure that well-informed decisions are made on planning applications within the Plan period. The Parish Council will comment on planning applications and applications for listed building consent which may have a detrimental effect on heritage assets.'*

HD4.2 - Protect, Conserve & Enhance the Historic Public Realm

- 7.59 The policy comments that historic features of the public realm identified as making a positive contribution to the character or appearance of the conservation areas in the appropriate appraisal document, should be protected and maintained.
- 7.60 I recommend that the third part of the policy is modified to bring the clarity required by the NPPF and better to express its intentions. There is no need in national legislation for proposals in conservation areas to be of 'exceptional quality' and the Plan does not define such quality.

**Replace part c) of the policy with: 'Development proposals that would enhance the architectural interest of Cranbrook town centre, and demonstrate a sensitive and appropriate approach which respects local materials, the site concerned, and its context and setting, will be supported.'**

HD4.3 - Protect & Enhance Shopfronts

- 7.61 This policy comments that proposals to maintain shop fronts that contribute to historic or architectural character, and improve those which do not, will be supported. It also comments that the promotion of traditional, non-illuminated shopfronts, compatible in size and style with the building in which they are located, and the inclusion of features such as signage, painted lettering on wooden fascia boards, stall risers and fascia mounted pull-down awnings, will be supported.
- 7.62 The policy takes an appropriate approach to this matter. I saw the importance of traditional shopfronts in Cranbrook.
- 7.63 I recommend that the first part of the policy acknowledges that not all proposals to maintain shopfronts will be development and therefore need the submission of planning applications. I also recommend that the third part of the policy is recast so that it will have the clarity required by the NPPF. This will have the indirect effect of simplifying its format. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**In a) replace 'Proposals' with 'Insofar as planning permission is required proposals'**

**Replace c) with: 'Proposals for new shopfronts, or alterations to existing shopfronts will be supported where they respond positively to the High Weald'**



## **AONB Colour Study and Policy ENV6 (Shopfronts) of the TWBC Local Plan 2006.'**

### HD4.4 - Protection of Key Views

- 7.64 This policy seeks to protect a series of key views. The supporting text comments that engagement with residents has identified many of the precious views of both landscapes and buildings. The scale and nature of the views in the parish is self-evident and reflects the relationship between the settlements and the surrounding rolling countryside.
- 7.65 The policy comments that views of key buildings, roofscapes and landscapes (as defined on the associated plan) should be protected and not harmed by new development, while opportunities to improve vistas and views of significant buildings within the parish will be encouraged. Other elements of the policy consolidate this overall approach.
- 7.66 The policy and the identification of several of the key views has attracted comments from TWBC and the development industry. Concern is expressed about the relationship between the key views and allocated housing sites in the Allocations Plan and proposed allocations in the emerging Local Plan. Other representations comment on the way the policy was developed and the evidence for the identification of the various views.
- 7.67 In its response to the clarification note CSPC advised that the policy was developed following the Landscape Character Assessment workshop held in February 2018. The Steering Group produced photographs of all the views identified by the public, which was then made available on the Plan's website as an interactive document. The response appended the background evidence paper prepared at that time.
- 7.68 I have considered the policy very carefully. On the balance of the evidence, I recommend that it is deleted. I have reached this conclusion for a series of related reasons. The first is that the views have been identified with little evidence of a detailed analysis of their importance in the landscape. In many cases the views are typical views which can be enjoyed in the wider parish rather than of a significance which needs specific protection. The second is that in several cases the views take no account of sites designated for development in the adopted development plan or the emerging Local Plan. The third is that the policy is very prescriptive and restrictive.
- 7.69 I appreciate that this outcome will be a disappointment to CSPC. Nevertheless, the protection of important views will be a material consideration in the determination of planning applications in the Plan period both generally and within the High Weald AONB in particular.

### **Delete the policy**

*Delete paragraphs 4.20 to 4.22*

*Delete Figure 6*

*Delete the List of Views*

#### HD4.5 - Protection, Conservation & Enhancement of Heritage Assets Outside the Conservation Areas

- 7.70 This policy has two parts. The first comments that buildings, structures, features, and archaeology identified as designated or non-designated heritage assets nationally or locally which are outside of the conservation areas should be protected, conserved, and enhanced in a manner appropriate to their significance. The second seeks to ensure that proposals should protect, conserve, and enhance the historic buildings and heritage assets within the parish in accordance with the High Weald AONB Management Plan (2019-24).
- 7.71 The policy takes a positive approach to this matter and has regard to national policy. I recommend that the second part of the policy is modified so that it applies within that part of the parish within the High Weald AONB. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**Replace part b) of the policy with: ‘Development proposals in the High Weald AONB should protect, conserve, and enhance the historic buildings and heritage assets within the parish in accordance with the High Weald AONB Management Plan 2019-24.’**

#### HD4.6 - Protection, Conservation and Enhancement of Agricultural Heritage Assets

- 7.72 The policy seeks to retain heritage assets in the parish. It comments that designated and non-designated agricultural heritage assets should be protected, conserved, and enhanced in a manner appropriate to their significance.
- 7.73 Other related elements on the policy focusing on farmsteads. Part e) of the policy offers support for proposals which would safeguard small agricultural buildings.
- 7.74 The policy takes a positive approach to this matter and reflects the rural nature of the parish. I recommend that the unnecessary commentary about the diminishing number of agricultural buildings in part e) of the policy is deleted. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**Replace part e) of the policy with: ‘Development proposals that would protect, conserve, and enhance small agricultural buildings, especially cattle sheds and unconverted barns, will be supported.’**

#### HD4.7 - Cranbrook Windmill

- 7.75 This policy is very specific. It comments that the character, operation, and fabric of the windmill should be protected. It also comments that the potential impact of any development on the mill’s access to wind shall be determined using the Dutch mathematical model called ‘Molen Biotoop’ (windmill living space).
- 7.76 I saw the prominence and significance of the windmill during the visit.
- 7.77 The second part of the policy takes a very specialist approach. Nevertheless, this is part of the purpose of a neighbourhood plan. In addition, it has not attracted any objections. I am satisfied that the policy meets the basic conditions.

#### HD4.8 - Retention & Restoration of The Providence Chapel

- 7.78 This policy comments that Providence Chapel should be restored and revitalised so that it becomes an integral part of the life of the town. I saw its architectural significance and the potential for its restoration during the visit.
- 7.79 The policy takes a positive and non-prescriptive approach to this specific building.
- 7.80 In May 2023 TWBC published a Planning Brief for the restoration of the Chapel. I recommend that the supporting text refers to the Brief.
- 7.81 I recommend detailed modifications to the policy to ensure that it has the clarity required by the NPPF whilst retaining its purpose and ambition. I am satisfied that the contents of the policy and the Planning Brief are consistent one with the other and that they will play complementary roles. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**Replace the policy with: ‘Proposals for the sensitive restoration and re-use of the Providence Chapel will be supported where the intended uses respect the integrity of the building.’**

*At the end of paragraph 4.32 add: ‘In May 2023 the Borough Council published a Planning Brief for the restoration and re-use of the Chapel’*

HD4.9a - Preference for Small Scale Sustainable Development Sites & Design

#### Criteria

- 7.82 The policy sets out to promote small-scale sustainable housing developments. It offers support to small scale, sustainable developments within rural and urban brownfield sites. It also comments that any greenfield housing sites should be contiguous with existing limits of built development and provide for sites of up to 10 dwellings, subject to their effective physical integration with the existing settlement patterns within the historic landscape of the parish. It also requires new developments to take account of local design guidance, the Design Guidance in the Plan, and the High Weald AONB colour study.
- 7.83 The policy’s approach is appropriate for the rural nature of the parish. It takes a positive direction on securing good design. The Design Guidance is an excellent document.
- 7.84 The second part of the policy comments that priority will be given to redevelopment of previously-developed sites over greenfield sites. Whilst the redevelopment of brownfield sites is desirable, the wording of this part of the policy is incapable of being applied through the development management process for two related reasons. The first is that TWBC must determine each application on its merits. The second is that the policy offers no guidance about the outcome of a planning application for development on a greenfield site which would otherwise be acceptable. On this basis I recommend that this part of the policy is deleted. I recommend consequential modifications to the title of the policy. Otherwise, it meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**Delete part b) of the policy.**

*In title delete ‘Preference for’*

#### HD4.9b - Exceptions for Large Scale Developments & Community Involvement

- 7.85 This policy follows on from the previous policy. It comments that proposals for developments of 10 or more houses may be considered if it can be demonstrated that there are exceptional circumstances as prescribed by the NPPF and it can be demonstrated that their impact on the sensitive AONB landscape setting and the considerable environmental constraints can be effectively mitigated. It also comments that such proposals should demonstrate effective physical integration with the existing settlement patterns within the historic landscape of the parish.
- 7.86 Parts b) and c) of the policy comment on design and other planning matters. Parts d) and e) comment about the way in which CSPC anticipates that local people would become involved in the formulation of such proposals. Part f) comments about how the Design Checklist would be applied to such proposals.
- 7.87 The policy takes a positive approach to this matter. However, to bring the clarification required by the NPPF I recommend the following modifications:
- a revision to the wording of part a) of the policy – ‘may be considered’ in the submitted Plan will provide little guidance to TWBC in its application of the development management process;
  - a revision to the wording in part b) of the policy so that it more naturally follows on from part a); and
  - the deletion of parts d) and e) on community engagement – they comment on process matters rather than policy issues and are already fully addressed in paragraphs 4.37 and 4.38 of the Plan.
- 7.88 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**In a) replace ‘may be considered’ with ‘will be supported’**

**In b) replace ‘The proposals’ with ‘Any such proposals’**

**Delete d) and e)**

#### HD4.10 - The Design of New Buildings Within or Within the Setting of Conservation Areas

- 7.89 This policy seeks to ensure that the design of new buildings in conservation areas (or their settings) are to an appropriate standard. It comments that new buildings within or within the setting of the conservation areas in Cranbrook and Sissinghurst Parish should respect local styles and use vernacular materials as detailed in Cranbrook Conservation Area Appraisal 2010, Sissinghurst Conservation Area Appraisal 2012 and Wilsley Green Conservation Area Appraisal 2012. It also includes additional elements and refers to the Parish Design Guide.
- 7.90 The policy takes a positive approach which has regard to Section 16 of the NPPF.
- 7.91 I recommend two modifications to the policy. The first acknowledges that the use of vernacular materials (as specified in the first part) will not always be practicable. The second recommends a detailed change to the wording used in part b) of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

**In part a) replace ‘use vernacular materials’ with ‘where practicable, use vernacular materials’**

**In part b) replace ‘permitted’ with ‘supported’**

HD4.11- Making Efficient Use of Land Through Appropriate Densities

- 7.92 This policy comments that new development should reflect the historic density and grain of the area in which it is being proposed so that the distribution of buildings supports the existing pattern of the settlement. It also comments that their grain and density should closely relate to the street pattern so that the way buildings are distributed relates to movement.
- 7.93 This is a well-considered policy which meets the basic conditions.

HD4.12 - Avoidance of Light Pollution

- 7.94 The policy comments about the protection of the dark skies within the parish. It identifies three requirements for new development.
- 7.95 In general terms the policy takes a positive approach to this matter. The dark skies environment was clear during the visit.
- 7.96 I recommend that the policy is modified to bring the clarity required by the NPPF and to remove unnecessary supporting text. In some cases, I recommend that the deleted elements of the policy are included in consolidated supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social environmental dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals should respond positively to the dark skies’ environment.**

**a) Outside lighting should be at the lowest level to achieve its intended purpose, and use dark sky-friendly lighting.**

**b) Any exterior, street, and public lighting in the High Weald AONB should follow the Institute of Lighting Professionals Guidance (AONB) for Areas of Outstanding Natural Beauty.**

**c) The impacts of any lighting proposed on biodiversity should be identified and considered. Lighting design should be bat-sensitive. Any negative impact should be mitigated through appropriate site and lighting design.’**

*At the end of paragraph 4.51 add: ‘Policy HD4.12 addresses these important issues. Where necessary a suitably-qualified ecologist should work alongside a lighting engineer to produce an appropriate solution and evidence of this input should be provided. Where necessary, planning conditions and obligations will be applied to secure such avoidance measures and ensure appropriate lighting management in perpetuity.’*

AM5.1 - The Pedestrian Environment

- 7.97 This policy seeks to enhance the pedestrian environment. The first part comments that new developments will only be supported if they provide safe access for all parishioners to local facilities and public transport links. It also advises that safe and convenient access routes should avoid using existing main roads, be of an appropriate width, and use a suitable surface material for all users. The second part offers support to the provision of additional pedestrian crossing points.
- 7.98 The policy will assist in making the parish safer for pedestrians. I recommend a modification to the first part of the policy so that it can be applied by TWBC in a proportionate way. Plainly there will be a difference in the effect of a house extension and a major residential or commercial development.
- 7.99 I recommend modifications to the second part of the policy so that it has the clarity required by the NPPF and can be applied through the development management process. I also recommend the deletion of the final sentence which comments about dropped kerbs given that these are matters which are determined under the Highways Acts. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

**Replace the first sentence of part a) of the policy with: ‘As appropriate to their scale, nature and location development proposals should provide safe access to local facilities and public transport links.’**

**Replace the first sentence of part b) of the policy with: ‘The provision of additional pedestrian crossings points, or other viable alternatives, will be supported.’**

**Delete the final sentence of part b) of the policy.**

AM5.2 - Pedestrian Priority & Public Rights of Way

- 7.100 This policy comments that all development proposals should contribute towards creating or enhancing existing streets and thoroughfares with an emphasis on pedestrian safety and priority parish wide. Areas of particular concern were highlighted in certain locations.
- 7.101 The policy takes a positive approach to this matter. However, to bring the clarity required by the NPPF I recommend that the specific list of priority areas is repositioned into the supporting text. This will allow the policy to be applied in a general and non-prescriptive (and indeed inclusive) way. I also recommend that the supporting text is consolidated to include the County Council’s very helpful comments about partnership working. Otherwise, it meets the basic conditions.

**Replace the policy with:**

**‘As appropriate to their scale, nature and location development proposals should contribute towards creating or enhancing existing streets and thoroughfares with an emphasis on pedestrian safety and priority parish wide.**

**As appropriate to their scale, nature and location development proposals should seek to protect and enhance PROWs across the parish. Where appropriate developer contributions will be sought to promote active travel networks for the benefit of public health and well-being, environmental protection, and local economic resilience.’**

*At the end of paragraph 5.8 add: ‘Key areas for pedestrian safety include [list the locations in part a of the policy]. Where appropriate developer contributions will be sought to the following projects [list the schemes in part b of the policy].’*

*At the end of paragraph 5.9 add: The development of schemes and improvements should take a collaborative approach with the relevant agencies’*

#### AM5.3 - Public Transport & Access to Amenities

- 7.102 This policy seeks to ensure that new development will not be dependent on the private car for access. The first part comments that all new developments are expected to invest and liaise with stakeholders (including the County Council’s highways team, the local planning authority, and the Parish Council) to improve public transport services within the parish, especially for the elderly and less mobile, workers, commuters, and school children. The second part comments that applications for development should ensure that businesses and residents should not be dependent on car ownership to access amenities and services and should be accessible using sustainable access modes.
- 7.103 The ambition of the policy is clear. However, as submitted, it is incapable of being delivered through the development management process. The first part deals with process matters and the second part is unclear about its intentions. I recommend that the policy is recast so that it sets out general requirements for new development. I also recommend that the policy is applied on a proportionate basis for similar reasons to Policy AM5.1. I recommend that the deleted first part of the policy is repositioned into the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

**Replace the policy with: ‘As appropriate to their scale, nature and location, development proposals should incorporate sustainable access modes and/or provide convenient access to footpaths and cycleways in the immediate vicinity of the site.’**

*At the end of paragraph 5.13 add: ‘Developers should invest and liaise with stakeholders (including Kent County Council, the Borough Council and the Parish Council) to improve public transport services within the parish, especially for the elderly and less mobile, workers, commuters and school children.’*

#### AM5.4 - Cycle Storage & Cycle Parking

- 7.104 This policy comments that new residential and commercial developments, or conversions, should provide secure cycle storage. It also comments that contributions to secure on-street cycle parking provision within the community spaces will be sought.
- 7.105 The policy takes an appropriate approach to this matter. I recommend that the second part of the policy is simplified so that it can be applied in a general and proportionate way through the development management process. Plainly different proposals will have different impacts on the need for and the use of on street cycle parking provision. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social environmental dimensions of sustainable development.

**Replace part b) of the policy with: ‘As appropriate to the scale, nature and location of the development concerned, contributions to secure on-street cycle parking provision will be sought.’**

AM5.5 - Safer Road Conditions

- 7.106 This policy concentrates on improving the safety of the local road network. The first part comments that applications for development should demonstrate provision for improving the network of roads, streets and lanes related to that development. The second part comments that developments which propose using Frythe Way as the access route will not be supported.
- 7.107 The first part of the policy takes a positive and non-prescriptive approach which meets the basic conditions.
- 7.108 The second part of the policy is supported by the comments in paragraph 5.22 of the Plan. I understand the concerns expressed. However, the approach taken in the policy is prescriptive. In addition, it is not supported by any evidence. TWBC and the County Council will be able to determine planning applications which propose to use Frythe Way as an access on their merits. On this basis I recommend the deletion of the second part of the policy and the associated supporting text.

**Delete part b) of the policy.**

*Delete paragraph 5.22*

AM5.6 - Rural Lanes

- 7.109 This policy seeks to ensure that new developments should take account of rural lanes which characterise the parish. I recommend modifications to its wording to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

**Replace the policy with: ‘Development proposals should take account of the rural character of the parish and its historic rural lanes.’**

AM5.7 - Car Parking Provision

- 7.110 This policy comments about car parking. The first part comments that developments should contribute to a parish-wide parking strategy to promote sustainable travel, reducing the need for short car journeys within the parish and helping to release spaces for parking that can support economic development and tourism related activities. The second part comments that adopted car park design standards and national best-practice should be used to influence car park designs in recognised environmentally sensitive areas.
- 7.111 I understand the proposed approach taken in the first part of the policy. However, in the absence of a strategy or any information in the Plan about the way in which CSPC would develop such a strategy, I recommend that this part of the policy is deleted. It would be impracticable for TWBC to apply through the development management process.
- 7.112 I recommend that the second part of the policy is recast so that it more fully sets out its requirements. As submitted the policy refers the developer to unspecified national



best practice. I also recommend that the supporting text is consolidated so that it better expresses the purpose of the policy and that the policy title is modified. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

**Replace the policy with: ‘The design and layout of car parks in the AONB and the Conservation Areas should respond positively to their locations in terms of the use of surface materials and landscaping.’**

*Replace paragraph 5.25 with: ‘The character of the parish is largely defined by its conservations areas and the High Weald AONB. In this context Policy AM5.7 sets out requirements for the design and layout of car parks. The policy will apply to proposals for new car parks and for the reconfiguration of existing car parks. Adopted car park design standards and best-practice (including that provided by the High Weald AONB) should be used to influence car park designs in recognised environmentally sensitive areas.’*

#### BE6.1 - Business and Employment Space

- 7.113 This policy seeks to promote sensitive business opportunities. The first part of the policy comments that the creation of new business opportunities will be supported, when designed in ways sensitive to the town and/or landscape setting. The second part of the policy comments that applications which seek to enhance the town centre business offer will be supported, provided they complement the local context. It advises that the conversion of long term vacant High Street spaces into business premises is particularly welcomed.
- 7.114 The policy takes a positive approach to this issue. It has regard to Section 6 of the NPPF.
- 7.115 I recommend modifications to the second part of the policy so that it has the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and economic dimensions of sustainable development.

**Replace the second part of the policy with: ‘Development proposals which would enhance the town centre business offer will be supported, where they complement the local context. The conversion of long-term vacant High Street spaces into business premises will also be supported.’**

#### BE6.2 - Tourism and Retail

- 7.116 This policy comments that proposals to increase the diversity of retail, hospitality, community, cultural and business activities, that reflect the market town character of Cranbrook and the village nature of Sissinghurst, will be supported. It also comments that proposals that promote sympathetic active ground floor uses will be supported, and flexible and multi-functional retail and outdoor spaces in the town and village centres will be encouraged.
- 7.117 The policy has been carefully developed to take account of the character of the parish. I recommend that the second part of the policy is recast so that both elements of business development are ‘supported’. The submitted policy’s use of ‘encouraged’

has little if any weight in the development management process. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social environmental dimensions of sustainable development.

**Replace part b) of the policy with: ‘Proposals that promote sympathetic active ground floor uses, and flexible and multi-functional retail and outdoor spaces in the town and village centres will be supported.’**

#### BE6.3 - Adult Education & Vocational Training

- 7.118 This policy has a focus on adult education. It comments that planning applications for new buildings, change of use, extensions or new facilities that seek to address lack of adult education and vocational training opportunities, and which can demonstrate that they are designed in ways sensitive to their town and/or landscape settings, will be supported.
- 7.119 The policy takes a positive approach to this matter. I recommend detailed modifications to the wording of the policy to bring the clarity required by the NPPF. Otherwise, it meets the basic conditions. It will contribute to the delivery of the social environmental dimensions of sustainable development.

**Replace ‘Planning applications’ with ‘Development proposals’**

#### BE6.4 - Protection, Conservation & Enhancement of The Rural Economy

- 7.120 This policy comments that proposals linked to farms and farmsteads, which promote economic, social, and environmental sustainability will be supported where they meet a series of criteria.
- 7.121 The policy takes a very positive approach to this matter. The criteria on the package of uses and environmental conditions are very distinctive to the parish. The policy meets the basic conditions. It will contribute to the delivery of the social environmental dimensions of sustainable development.

#### HO7.1 - Affordable Homes in Sustainable Locations

- 7.122 This policy sets out the Plan’s approach towards the delivery of affordable housing. It is a significant issue for local people and the evidence suggests that the parish is one of the most unaffordable areas in the country for local people.
- 7.123 The first part of the policy comments that planning applications for the development of affordable housing schemes, which can demonstrate that they are of a high design standard in keeping with town and/or landscape settings, will be supported. Other parts of the policy comment on the matter in more detail.
- 7.124 TWBC raises detailed issues about the application of the policy. Two developers contend that the policy repeats national and local policies and as such is unnecessary. I sought CSPC’s comments on this contention. It replied that the approach taken:

*‘shows support for affordable housing at a neighbourhood level and endorsement of this approach through a local referendum has value in and of itself. It would be remiss for a neighbourhood plan prepared by the Parish Council to not address affordable housing matters on behalf of local people.’*

- 7.125 I have considered this matter very carefully. On the balance of the evidence, I am not satisfied that the policy brings any parish-based value beyond that already provided by national and local planning policies. On this basis I recommend that the policy is deleted. Within the context of my reasoning the deletion of the policy will have no impact on the ability of TWBC to secure affordable homes in the parish.
- 7.126 In all the circumstances I am satisfied that the supporting text can remain in the Plan with a degree of consequential modifications. It will help to reinforce the significance of this issue to all concerned in the development management process.

### **Delete the policy**

*At the end of paragraph 7.15 add: 'The delivery of affordable housing throughout the Plan period will be controlled by the Borough Council through the development management process. The Parish Council will continue to work with the Borough Council and other relevant agencies to secure the best outcomes for local people in the challenging conditions presented by the local housing market.'*

### HO7.2 - Lifetime Homes & Accessible Intergenerational Living

- 7.127 This policy comments that proposals for accessible homes, including single storey dwellings, suitable for the elderly and/or those with a disability (seen or unseen), which can demonstrate that they are of a high design standard in keeping with town and/or landscape settings, will be supported. It also offers support to other types of specialist housing.
- 7.128 The policy takes a positive approach to this important matter. It takes account of the demographic profile of the parish.
- 7.129 I recommend that each element of the policy is modified so that they better respond to the development management process. This recommended modification will indirectly ensure that the policy wording is more consistent throughout the Plan.
- 7.130 The title refers to 'Lifetime Homes'. This concept has now been overtaken by recent updates to the Building Regulations. I recommend that the title of the policy is modified accordingly and that the supporting text is consolidated. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social environmental dimensions of sustainable development.

**In each of the three parts of the policy replace 'Applications' with 'Development proposals'**

**In the policy title delete 'Lifetime Homes &'**

*At the end of paragraph 7.18 add: 'As appropriate to their scale and nature new housing designed for the elderly and those with a disability should comply with Sections 4(2) or Part 4(3) of Part M of the Building Regulations.'*

### HO7.3 - Innovative Construction Solutions

- 7.131 This policy comments that alternative housing delivery solutions such as self-build, co-housing and other community-led housing schemes will be supported subject to certain criteria. The criteria are both appropriate and distinctive to the parish. The

policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

#### CC8.1 - Community Facilities

- 7.132 This is the first in a series of community-related policies. It is general in effect. It comments that new community facilities will be supported, across the parish, where a need is identified. It also comments that the enhancement of existing facilities to improve access and personal security will be supported.
- 7.133 The policy takes a positive approach to this important matter. I saw the importance of such facilities in the parish throughout the visit. I recommend a modification to the first part of the policy so that it relates to the development management process and removes the unnecessary reference to the need for new facilities. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

**Replace the first part of the policy with: ‘The development of new community facilities will be supported’**

#### CC8.2 - Provision of Health & Well-Being Facilities

- 7.134 This is an important policy. It comments that the provision of health, dental and well-being facilities will be supported where they can demonstrate that they are designed in ways sensitive to the parish and landscape setting and meet sustainable travel principles to access them, minimising the requirement for additional car parking. The replacement of existing GP practices with a single larger centralised practice with additional medical facilities will be supported in line with current Health Service policy.
- 7.135 The approach taken is supported by the Kent and Medway NHS Trust.
- 7.136 The policy has been carefully-considered. The second element is both interesting and innovative. I recommend that the second part of the policy focuses simply on planning matters. Otherwise, it meets the basic conditions.

**In the second part of the policy delete ‘in line with current Health Service policy’**

#### CC8.3 - New Community Centre in Cranbrook

- 7.137 This is an exciting element of the Plan. It comments that proposals for a new community centre on Wilkes Field will be supported, for the benefit of the entire Parish and catchment area. It also comments that proposals for the new building and associated community space and facilities should be sensitive to its built and landscape setting and meet sustainable travel principles to access the facilities, minimising the requirement for additional car parking.
- 7.138 As the supporting text comments a central community space will create a hub of activity within the town and wider parish, leading to enhanced social cohesion and improved mental and physical health. A revised plan for the already allocated site for a community centre in Cranbrook is being progressed in response to public consultation.

- 7.139 The policy is well-considered. However, I recommend the deletion of unnecessary supporting text from part a) of the policy.
- 7.140 I recommend that part b) of the policy (which comments about the detailed arrangements for the building) is repositioned into the supporting text. This reflects CSPC's response to the clarification note. I also recommend that the fourth part of the policy (about seeking developer contributions towards the cost of the building) is relocated to the supporting text for two reasons. The first is that it is a process matter. The second is that as submitted it offers no guidance to developers about the scale of contributions which would be sought. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

**In part a) of the policy delete 'for the benefit...catchment area'**

**Delete part b) of the policy**

**Delete part d) of the policy**

*At the end of paragraph 8.14 add part b) of the submitted policy. Thereafter add: 'Where appropriate, and in accordance with the national policy approach, developer contributions will be sought to assist with the development of this important initiative.'*

#### CC8.4 - Creation of a New Outdoor Public Space in Cranbrook

- 7.141 This policy is based around proposals which emerged from the Visioning Events and Design Forum to identify an outdoor public realm space which will act as a new civic focus for the town. It advises that for centuries Cranbrook undoubtedly had a central space large enough at least for a market cross and for trading. Recent temporary revival of such space as an outdoor café on the south side of Stone Street was much appreciated by the community. The policy comments that Proposals to provide a new outdoor public realm space in Cranbrook will be supported. The space should be sensitive to its built and landscape setting and be in a location which relates well to other active frontages in the town centre.
- 7.142 The approach taken in the policy is both appropriate and locally-distinctive. It meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

#### CC8.5 - New Village Hall for Sissinghurst

- 7.143 This is another exciting element of the Plan. It comments that proposals for a new Sissinghurst village hall and linked outside space at land south of The Street will be supported. Proposals for the new building and associated community space and facilities should be sensitive to its built and landscape setting and meet sustainable travel principles to access the facilities. A recent planning application (21/03914/F) for the demolition of the existing St George's Institute building and erection of a new building providing community facilities, community parking spaces, improved access arrangements, 19 dwellings and associated landscaping and infrastructure was approved in January 2023, in accordance with Policy AL/CRS 6 of the emerging Local Plan.

- 7.144 As the supporting text comments, the current village hall in Sissinghurst, St George's Institute, is old and no longer fit for purpose. The residents of Sissinghurst and the wider parish need a community space to enhance their experience of living in the area, with potential for use by a wide variety of local groups.
- 7.145 The policy has been well considered. I recommend a similar package of modifications to those for Policy CC8.3 and for the same reasons. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

**Delete part b) of the policy**

**Delete part d) of the policy**

*At the end of paragraph 8.20 add part b) of the submitted policy. Thereafter add: 'Where appropriate, and in accordance with the national policy approach, developer contributions will be sought to assist with the development of this important initiative.'*

CC8.6 - Preserve & Enhance Cranbrook Library

- 7.146 This policy comments that proposals to maintain, enhance, and encourage the greater use of library facilities will be supported, whether in the existing building or as part of the new community centre.
- 7.147 The approach taken is very appropriate. I saw the importance of the library during the visit. I recommend modifications to the policy so that it is more closely related to the development management process and to set out the two options more clearly. Otherwise, it meets the basic conditions.

**Replace the policy with: 'Development proposals which would maintain, enhance, and encourage the greater use of library facilities either in the existing building or as part of the new community centre will be supported.'**

CC8.7 - Performing Arts

- 7.148 This policy comments that proposals to maintain and enhance premises and facilities that support the performing arts within the parish will be supported. It is general rather than specific in nature.
- 7.149 The approach taken is very appropriate. I recommend modifications to the policy so that it is more closely related to the development management process. Otherwise, it meets the basic conditions.

**Replace the policy with: 'Development proposals to maintain and enhance premises and facilities which deliver performing arts will be supported.'**

CC8.8 - Preserve & Enhance Cranbrook Museum

- 7.150 The policy comments that proposals to maintain and enhance the museum for use by the community and for tourism will be supported, including sensitive expansion on the current site.
- 7.151 The approach taken is very appropriate. I saw the importance of the Museum during the visit. I recommend modifications to the policy so that it is more closely related to the development management process and to set out the potential for the expansion of the museum more clearly. Otherwise, it meets the basic conditions.

**Replace the policy with: ‘Development proposals to maintain and enhance the Cranbrook Museum for use by the community and for tourism including the sensitive expansion of the current site will be supported.’**

#### IN9.1 - Provision of Enhanced Broadband & Mobile Data

- 7.152 This policy seeks to respond to public concern about patchy mobile data coverage in the parish and very poor internet connectivity outside the centre of Cranbrook and Sissinghurst. It acknowledges the importance of good communications for business and social use in modern society.
- 7.153 The policy comments that planning applications for new developments should deliver adequate mobile data coverage for new residents’ businesses. Access to broadband of 100mb/s, which is above the OFCOM ultra-fast target level should also be delivered. Where necessary, applications for the installations of poles or masts to support superfast broadband and mobile data coverage will be approved.
- 7.154 The policy takes a positive approach to this matter. At the time that the Plan was submitted the policy element on broadband connections met the basic conditions in general terms. However, since that point, Part R of the Building Regulations now address this matter (in December 2022). On this basis I recommend the deletion of parts a) and b) of the policy. For clarity I recommend that the supporting text is consolidated to explain these changed circumstances.
- 7.155 I recommend detailed modification to the third part of the policy so that it has the clarity required by the NPPF and can be applied consistently through the development management process. I recommend that there is an explicit reference to the AONB in the series of criteria. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Delete parts a and b of the policy.**

**In part c) of the policy replace the initial wording with: ‘Development proposals for the installation of poles or masts to support superfast broadband and/or mobile data coverage will be supported where the siting and character of the structure:’**

**After the second bullet point add an additional point to read: ‘responds positively to the natural beauty of the High Weald AONB where proposed sites are within the AONB or visible from within the AONB.’**

*At the end of paragraph 9.3 add: ‘From December 2022 Part R of the Building Regulations has addressed the provision of broadband connections within new developments.’*

#### IN9.2 - Provision of Electric Vehicle Charging Points

- 7.156 This policy seeks to encourage the provision of electric vehicle (EV) charging points. It has four related parts. The first comments that Vehicle charging points, accessible from each car parking facility, should be included in new development applications. The third comments that proposals for re-charging points for dedicated public transport will be supported, where they can demonstrate that they are designed in ways sensitive to the town and landscape settings.

- 7.157 In general terms the policy takes a positive approach to this matter. Plainly the number of EVs in the parish is likely to increase significantly in the Plan period.
- 7.158 I recommend that the second part of the policy (which encourages developers to support installation of charging points in public car parking spaces) is deleted. As submitted it does not offer either a justification for such an approach or any details about how the proposal would operate.
- 7.159 I recommend other detailed modifications to the wording of other parts of the policy to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**In part a) replace ‘applications’ with ‘proposals’**

**Delete part b) of the policy**

**In parts c) and d) replace ‘Applications’ with ‘Development proposals’**

**IN9.3 - Low & Zero Carbon Energy Production**

- 7.160 This policy seeks to promote low and zero carbon energy production. It comments that proposals for individual and community-scale renewable energy projects (including, but not limited to solar panels, local biomass facilities and anaerobic digesters, ground and air source heat pumps, hydro-electricity) either as stand-alone proposals or within the design of new developments will be supported subject to a series of criteria.
- 7.161 The policy takes a positive approach to this matter. It has regard to national policy and meets the basic conditions.

**IN9.4 - Sustainable Drainage**

- 7.162 This policy seeks to promote and encourage sustainable drainage. It comments that developments should incorporate sustainable drainage systems to reduce the run-off of surface water. It also comments that the drainage systems should effectively mitigate any adverse effects from surface water run-off and flooding on people, property, and the ecological value of the local environment.
- 7.163 Part b of the policy comments specifically about the Crane Valley. I am satisfied that the ongoing inclusion of this element in the policy is consistent with the modifications which I have recommended to Policy LN3.5.
- 7.164 TWBC has suggested that the text comments about climate change. This approach would improve the extent to which the Plan addresses issues in the round. However, its inclusion is not required to ensure that the Plan meets the basic conditions.

- 7.165 The policy takes a positive approach to this matter. It has regard to national policy and meets the basic conditions.

**IN9.5 - Allotment Gardens**

- 7.166 This policy seeks to ensure that strategic housing sites should provide allotments. It comments that they should include the sufficient provision of allotment gardens. The amount of land made available should be at least proportionate to that provided during historic large-scale new developments in the parish. Allotments should be



enclosed by native hedgerows to enhance biodiversity but avoid overshadowing trees. It also comments that the resulting allotments should be managed by CSPC.

- 7.167 The ambitions of the policy are laudable. However, as submitted, the policy would be unworkable within the development management system for a variety of reasons. The first is that it offers no specific guidance on the requirements other than that it relates to that which was provided in the past by other strategic sites. The second is that the policy takes a blanket approach and makes no analysis of the need for allotments to be associated with strategic sites on a case-by-case basis. The third is that the detailed requirements for the design and layout of new allotments is both specific and prescriptive. The fourth is that the management of any additional allotments provided is not a land use matter.
- 7.168 In all the circumstances I recommend that the policy and the supporting text are deleted. It will be for TWBC to determine the scale and nature of community benefits associated with the development of each strategic site. The deletion of this policy would not prevent TWBC from seeking to include allotments within the various packages where there was evidence to support such an approach. In this context I recommend that the promotion of additional allotments is included in the schedule of non-land use projects.

### **Delete the policy**

*Delete paragraphs 9.13 and 9.14*

#### Non-land use Projects

- 7.169 Section 10 of the plan details a series of Projects. They are matters which have naturally arisen as the Plan was being prepared.
- 7.170 The Plan comments that the Projects range in scale and cost and that further work is required by the Parish Council to prioritise these projects to enable both small-scale improvements to social infrastructure and larger-scale provision of community space. It also comments that contributions from developers will be sought in order to deliver these projects. The Plan recognises that several projects are beyond the scope of CSPC and will require collaboration with borough and county councillors and other agencies in order to secure their delivery.
- 7.171 The Projects overlap with the policies in the Plan and may assist in the implementation of both the relevant policies and the wider objectives of the Plan. In the round I am satisfied that the Projects are appropriate to be included in the Plan and are distinctive to the parish. I recommend the inclusion of an additional project relating to the promotion of additional allotments.

*Include an additional Project as follows:*

*'Promote the creation of additional allotments to reflect the increasing demand for such facilities and the enhanced well-being such facilities can provide.'*

#### Other Matters - General

- 7.172 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are

required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for TWBC and CSPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

Other Matters – Specific

7.173 TWBC has made several general comments on the Plan. I have found them very helpful as part of the examination process. Similarly, CSPC's responses to the comments have also been helpful.

7.174 In several cases, the comments have been incorporated into the relevant policies addressed elsewhere in this report. In addition, I recommend modifications to the initial sections of the Plan where they are necessary to ensure that it meets the basic conditions:

*In paragraph 1.2 – ensure that the figures included relate to those in the emerging Local Plan*

*In paragraph 1.8 replace 'three schools' with 'four schools (a co-educational grammar, two specialist schools and one primary)'*

*In paragraph 1.14 add '(NPPF)' after 'Framework'*

*Replace the fourth bullet point in the Buildings for the Future Section of the Objectives with: 'To ensure the design of new housing schemes maintain the distinctive model of development by being well-related to existing built-up areas or elsewhere by being small scale, sensitive and dispersed in the landscape.'*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2038. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Cranbrook and Sissinghurst Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended some modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

### *Conclusion*

- 8.4 On the basis of the findings in this report, I recommend to Tunbridge Wells Borough Council that subject to the incorporation of the modifications set out in this report that the Cranbrook and Sissinghurst Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the Borough Council in July 2016.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**25 May 2023**