

Lamberhurst Neighbourhood Development Plan Regulation 16 consultation 30 October to 11 December 2020: Response Report

Comment Number	Please state which part of the Lamberhurst Neighbourhood Plan (or supporting documents) this response relates to.	Response	If the appointed Examiner determines that a hearing is necessary, do you wish to attend?	Would you like to be notified of the Council's decision regarding the outcome of the Lamberhurst Neighbourhood Plan under Regulation 19?	Name/Organisation
LA_1	Lamberhurst NDP	Test submission			TWBC
LA_2	Regulation 16 Lamberhurst NDP document	Thank you for giving us the opportunity to review and comment on the Regulation 16 Draft Lamberhurst Neighbourhood Plan, which borders Wealden District. We have reviewed the document and have no comments to make.			Wealden District Council
LA_3	Regulation 16 Lamberhurst NDP document	Thank you for sharing with us the Lamberhurst Parish Neighbourhood Development Plan. At this stage we do not foresee an impact on our assets. We have seen your recommendation for future housing proposals to include provision for electric vehicle charging. If and when you see the need for a new connection or connection upgrade, please do not hesitate to contact our connection department on: MBX-Connections Gateway < Connections.Gateway@ukpowernetworks.co.uk >			UK Power Networks
LA_4	Housing allocation	I believe that Misty Meadow may no longer be the second preferred site for housing development. I understand that Lamberhurst Vineyard had been rejected because of its prominent hilltop setting in an AONB. Perhaps its unsuitability now needs re-emphasizing. New housing there would conflict with the policy to avoid building on ridge top locations and retain distant views, and blight the splendid south-facing prospect from both public footpaths leading down to the Teise valley from the ridge bearing Mount Pleasant Lane (where I'm lucky to live).	No	Yes	David Compton Lambert
LA_5	Lamberhurst Neighbourhood Development Plan. Chapter 6 Our policies Landscape & Environment	<u>Please use LA_8 N Murtagh for my input as comments. (My final submission) 11/12/20</u>	Yes	Yes	Nicholas Murtagh
LA_6	Lamberhurst Neighbourhood Development Plan. Chapter 6 Our policies Landscape & Environment	<u>Please use LA_8 N Murtagh for my input as comments. (My final submission) 11/12/20</u>	Yes	Yes	Nicholas Murtagh

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LA_7		<p>Thank you for your email below inviting Southern Water to comment on the Submission Lamberhurst Neighbourhood Plan. I confirm we have reviewed the document, and have no comments to make.</p> <p>We look forward to being kept informed of the Plan's progress.</p>	No	Yes	Southern Water
LA_8	<p>Chapter 6 Our policies</p> <p>Landscape & environment</p>	<p>This is a really great document. However I would like it to include various points which were set out in the Local draft plan that I feel have been missed in this neighborhood development plan:-</p> <p>Replace</p> <p>L3: Retaining parish character and conserving the landscape. Limit new housing on hillsides, retain distant views and maintain the separate identity of different parts of the parish.</p> <p>To</p> <p>L3: Retaining parish character and conserving the landscape. Avoid new housing on hillsides and ridge lines where profile is visible over large areas, retain distant views and maintain the separate identity of different parts of the parish.</p> <p>(As set out in the draft local plan p31 pt 2 - Avoid hills and Ridge tops locations where profile is visible over large areas)</p> <p>2) In addition I would like to add the below clause to this section:</p> <p>Developments must <u>not erode the essential rural working agricultural character of the area</u></p> <p>(As set out in the draft local plan Environment Pt 4)</p>	Yes	Yes	Nicholas Murtagh
LA_9	Policy L2: Development within the High Weald AONB	This policy is supported and similar wording has successfully passed examination in the Salehurst and Robertsbridge Neighbourhood Plan and the Crowhurst Neighbourhood Plan – both in the Rother part of the High Weald AONB. Planning Practice Guidance says “Where landscapes have a particular local value, it is important for policies to identify their special characteristics and be supported by proportionate evidence” (Paragraph: 036 Reference ID: 8-036-20190721). It is considered that this policy wording successfully adds to the national policies on AONBs by providing information on the High Weald AONB’s special characteristics, which are based on the Management Plan and its evidence base.	Yes	Yes	High Weald AONB Unit
LA_10	Policy L4:Bio-diversity	The High Weald AONB Unit supports this policy which seeks to protect and enhance natural habitats and encourage the biodiversity of flora and fauna. This is supported by the Management Plan objectives G3, R2, W1, W2 and FH3.	Yes	Yes	High Weald AONB Unit
LA_11	Policy D1: Design of new development	<p>The reference to the High Weald Housing Design Guide and Colour Study in the supporting text is supported but it is considered that these documents would carry more weight if they were referenced in the policy itself.</p> <p>Recommend that Policy D1 is amended to:</p> <p>“All new development must achieve a high quality of design and reinforce local character, having regard to the High Weald Housing Design Guide and/or the High Weald Colour Guide as appropriate...”</p>	Yes	Yes	High Weald AONB Unit
LA_12	Policy D4:Dark skies	This policy is supported as protecting our dark skies, which is an important feature of the AONB and supports objective OQ4 of the High Weald AONB Management Plan: "To protect and promote the perceptual qualities that people value. Rationale: To ensure that the special qualities people value such as tranquillity, dark skies , sense of naturalness and clean air, are	Yes	Yes	High Weald AONB Unit

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		recognised and taken account of in AONB Management." The indicators of Success for this objective include "No loss of dark skies or tranquillity" and Proposed Actions include: "Follow the Institute of Lighting Professionals guidance; promote information on dark sky-friendly lighting; install outside lighting only when needed and use dark sky –friendly lighting".			
LA_13	General comment on whole Plan	<p>The vision and objectives are excellent. The Plan seems well evidenced and responds well to the particular local circumstances of Lamberhurst. CPRE welcomes the strong emphasis on environmental sustainability.</p> <p>However, the format/layout of the Plan is a little difficult to follow, since it is not absolutely clear which part is the policy wording with which developers will be required to comply, and which is the policy's objective. The detailed policies seem, rather confusingly, to be in boxes headed "Policy Objective". Some of the policies could also perhaps be more precisely drafted in order to ensure their effectiveness: for example in Policy C1 it is not entirely clear whether a), b) and c) must all be complied with, in which case they should be linked by "and", or whether they are alternatives, in which case they should be linked by "or". The guidance from Locality on policy writing https://neighbourhoodplanning.org/toolkits-and-guidance/write-planning-policies-neighbourhood-plan might assist with drafting some minor modifications to address this.</p>		Yes	CPRE Kent Tunbridge Wells District Committee
LA_14	The Vineyard	Development on this rising ground site would be inappropriate in an AONB as it will be visible from a wide area.	No	No	Antony Trevor Bennett
LA_15	Proposal: Lamberhurst Neighbourhood Plan	<p>South East Water would like to thank Lamberhurst Parish Council and Tunbridge Wells Borough Council for bringing the Lamberhurst Neighbourhood Plan Consultation to our attention.</p> <p>Each water company is legally required to prepare a Water Resources Management Plan (WRMP) every five years. South East Water published our WRMP19 in August 2019. This plan sets out how we intend to maintain the balance between increasing demand for water and available supplies over the next 60 years up to 2080. The plan takes into account planned housing growth as well as the potential impact of climate change and includes our ambitious water efficiency programme. For more information please visit our website:</p> <p>https://corporate.southeastwater.co.uk/about-us/our-plans/water-resources-management-plan-2019/</p> <p>In South East Water's most recent business plan we have committed to play an active role regionally in relation to the impact of housing growth on water. We will develop a policy together with local stakeholders – appreciating the balance of supplying water, the need for society to ensure environmentally sustainable future water resources, and also the ongoing support of the south east region and its economic development. South East Water aims to respond to 100 per cent of all national, local and regional authority consultations and seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of water supply infrastructure. Please see our business plan:</p> <p>https://corporate.southeastwater.co.uk/media/2901/sew_five_year_business_plan_2020-2025.pdf</p> <p>We are also committed partners in the Water Resources in the South East (WRSE) Group that works for the collective good of customers and the environment in the wider south east region and are nationally represented in the Water UK water resources long-term planning framework.</p>			South East Water

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		<p>Our aim of reducing demand requires the use of new approaches and technology. Although there is some uncertainty on the level of savings that can be achieved we are seeing a development of new technologies and we are committed to reduce personal water usage and leakage levels in order to be more sustainable for next generations.</p> <p>Our preferred plan for the period 2020 to 2025 includes a mix of demand management initiatives such as leakage reductions and an ambitious water efficiency programme.</p> <p>During the period 2025 to 2045 we will continue our demand management initiatives to achieve further leakage and water efficiency savings.</p> <p>South East Water have now reviewed the Neighbourhood Plan and would like to comment that:</p> <p>South East Water consider that it is important and agree with Lamberhurst Parish Council and Tunbridge Wells Borough Council on the points raised as part of the Neighbourhood Plan objectives and would like to add that water efficiency could also be promoted to existing buildings and new buildings, either residential or non-residential across the Council.</p> <p>South East Water recommend the need of a mandatory housing standards for water use which would support water efficiency on new buildings and promote the collaboration between Lamberhurst Parish Council, Tunbridge Wells Borough Council and developers.</p> <p>South East Water will work with local authorities and developers to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to underestimate the time required to deliver necessary infrastructure.</p> <p>South East Water would like to reiterate that our primary concern is the water that we abstract and treat for public supply purposes and ensuring that the surface and groundwater abstracted does not fall below the tolerances of our water treatment works or the drinking water standards set by our regulators.</p> <p>South East Water would like to be kept updated with any developments relating to Lamberhurst Neighbourhood Plan and we have noted above a number of areas where we welcome an opportunity to meet and discuss with the Council. We look forward to working with Lamberhurst Parish Council and Tunbridge Wells Borough Council to ensure that drinking water supplies remain protected in the area in the future.</p>			
LA_16	Response to a number of policies proposed within the Lamberhurst NDP and supporting text generally within the document.	<p>Please see separate document - table of comments.</p> <p>DRAFT LAMBERHURST NEIGHBOURHOOD PLAN (LNP) REG 16 CONSULTATION</p> <p>https://www.tunbridgewells.gov.uk/planning/planning-policy/neighbourhood-plans/lamberhurst</p> <p>Friday 30th October to Friday 11th December 2020</p> <p>See end of document for TWBC response</p>	No	Yes	Tunbridge Wells Borough Council.

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LA_17	OFFICIAL	<p>Thank you for the providing the opportunity to assist in the preparation of your Neighbourhood Development Plan for Lamberhurst 2016-2036. Network Rail actively welcomes the opportunity to work with stakeholders in providing for their communities and advancing sustainability. In this instance, we will focus our comments on sustainable transport and relevant schemes underway within the Network Rail Kent and Sussex Strategic Planning team (Network Rail K&S SP).</p> <p>Network Rail Infrastructure Limited (Network Rail) is the owner and operator of the rail network in Great Britain and is responsible for its safe operation, maintenance, renewal and enhancement for the benefit of passengers and freight users. The strategic planning function is responsible for planning for the future development of Britain's railway system so that the needs of passengers and freight customers are balanced to support economic and sustainable growth. In the Southern Region, long-term strategic objectives include alleviating overcrowding and accommodating growth on the rail network; improving connectivity; and supporting decarbonisation and modal shift.</p> <p>Network Rail K&S SP is actively working with local stakeholders on the concept of the 'First & Last Mile', looking at how users and potential users can better access the railway in Network Rail's Southern Region. The study focuses on the interaction of bus, cycle and road infrastructures with the rail network to assess how best the rail and wider transport system may fit together in the future. This would provide better first and last mile connectivity for customers, support an integrated transport network, and encourage modal shift from road to the cleaner transport provided by rail. In this regard, we support wholeheartedly any plans to increase connectivity between the cycling, bus, and rail infrastructures. Network Rail would welcome the opportunity to work with the Council in developing safer, more sustainable transport and driving modal shift from road to rail.</p>			Network Rail
LA_18	Lamberhurst Neighbourhood Plan	<p>Thank you for your notification dated 30 October 2020, inviting Highways England to comment on the Lamberhurst Parish Neighbourhood Development Plan (LNDP) Regulation 15 & Regulation 16 Consultations, seeking responses no later than 11 December 2020.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We will therefore be concerned with proposals and policies that have the potential to impact the safe and efficient operation of the SRN. In the case of Lamberhurst our focus will be on any impact to the A21 corridor which passes north to east through the parish.</p> <p>Highways England have reviewed the LNDP which sets out planning policies to promote and control new development in the parish. The Tunbridge Wells Borough Council (TWBC) Draft Local Plan outlines a clear housing strategy for Lamberhurst in Policy STR/LA 1 which includes the allocation of 50-60 dwellings and identifies the delivery of this allocation through Policy AL/LA 1 and Policy AL/LA 2.</p> <p>The TWLP identifies two sites in Lamberhurst Parish:</p> <ol style="list-style-type: none"> 1. Policy AL/LA 1 - Land to the west of Spray Hill – SHELAA ref: Site 279 (25-30 dwellings) 2. Policy AL/LA 2 - Misty Meadow, Furnace Lane – SHELAA ref: 285 (25-30 dwellings). <p>Highways England note that as the Tunbridge Wells Draft Local Plan is not yet adopted, and therefore the LNDP does not include the housing strategy, quantum or sites outlined above. The LNDP states that site allocation is deferred to Tunbridge</p>			Highways England

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		<p>Wells Borough Council, as site allocation will be made in their forthcoming Local Plan and there is little benefit to be gained from duplicating the process in the LNDP.</p> <p>Highways England does not have any objections to the Lamberhurst Neighbourhood Development Plan. However, if proposed new housing sites come forward or the quantum of development in Lamberhurst Parish significantly exceeds the 50-60 allocation up to 2037, then we will wish to be consulted and may require an assessment of the cumulative impact upon the A21 corridor. We look to Tunbridge Wells Borough Council to assess and mitigate any impacts of development in its Local Plan to 2037, including housing to be provided through neighbourhood plans, upon the SRN.</p>			
LA_19	Lamberhurst Neighbourhood Plan	<p>Thank you for consulting Kent County Council (KCC) on the Lamberhurst Parish Neighbourhood Plan, in accordance with the Neighbourhood Planning (General) Regulations 2012.</p> <p>The County Council has reviewed the Neighbourhood Plan and for ease of reference, has provided comments structured under the chapter headings and policies used within the Neighbourhood Plan.</p> <p>Parish Vision</p> <p>The County Council welcomes the amendments made to the Parish Vision, which now includes reference to PRow.</p> <p>Chapter 7 Landscape and Environment</p> <p>The County Council, as Minerals and Waste Planning Authority, recommends that reference is made to minerals (land-won) or minerals/waste infrastructure safeguarding, as set out by the policies CSM 5, CSM 7 and CSW 16 of the Kent Minerals and Waste Local Plan 2013-30. The Neighbourhood Plan area has the following safeguarded land-won minerals:</p> <p>Superficial deposits - Sub-Alluvial River Terrace (sands and gravels)</p> <p>Crustal deposits - Sandstone Tunbridge Wells Sand Formation, Ardingly Sandstone and Ashdown Formation (sandstone)</p> <p>There is no safeguarded waste management infrastructure within the Neighbourhood Plan area.</p> <p>As the Neighbourhood Plan does not propose any additional allocations further to those proposed in the emerging Tunbridge Wells Local Plan, mineral safeguarding considerations can be deferred to the Local Plan. However, the existence of safeguarded minerals should be referred to within the Neighbourhood Plan as an important consideration for an understanding of the area.</p> <p><i>Policy L4: Biodiversity</i></p> <p>The County Council is generally supportive of this policy, but would suggest the following amendment to the policy wording:</p> <p><i>“Utilise all opportunities to protect and enhance natural habitats and encourage biodiversity the bio-diversity of flora and fauna. Development proposals must utilise all available opportunities to protect and enhance natural habitats and encourage the biodiversity of flora and fauna, in particular where the site includes....”.</i></p>			Kent County Council Environment, Planning and Enforcement

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		<p>'Flora and fauna' has been deleted, as it means the same as 'biodiversity'.</p> <p><i>"Any development proposals should will incorporate additional benefits of enhancing for biodiversity through drainage provision."</i></p> <p>As developments are already obliged to provide biodiversity net-gain and will soon be required to demonstrate <i>measurable</i> biodiversity net-gain, the phrasing regarding biodiversity enhancements should be stronger, and include reference to 'biodiversity net-gain'.</p> <p><i>"Where opportunities arise from development, the preparation of management plans to conserve and enhance important habitats in the parish will be encouraged."</i></p> <p>The County Council recommends that the wording of this sentence is strengthened as, for large developments, it is vital that developers commit to management of habitats/greenspaces (especially true for wildflower grassland which requires very specific, if minimal, long-term management prescriptions).</p> <p>Habitat fragmentation is one of the biggest threats to biodiversity so 'green corridors' and maintaining/enhancing ecological connectivity should also be referenced in this policy.</p> <p><i>Public Rights of Way</i></p> <p>The revised text and reference to the KCC Rights of Way Improvement Plan is welcomed and supported. (<i>The text should read 'Ordnance' Survey maps, not 'ordinance'</i>).</p> <p><i>Policy L6: Public Rights of Way</i></p> <p>The inclusion of this specific Public Rights of Way Policy and reference to the KCC Rights of Way Improvement Plan is welcomed.</p> <p>The wording of the 'Policy Objective' has been amended to reflect KCC's previous comments, however, greater clarity should be provided to ensure the objective of this policy is clear. For avoidance of doubt, it is recommended that the fourth paragraph is revised with suggested rewording below:</p> <p><i>"Applications for new development must demonstrate how the PRow network will be positively accommodated within the site layout. Planning applications that would adversely affect the existing PRow network will not be permitted"</i>.</p> <p>Chapter 8 Community and wellbeing</p> <p><i>Policy C1: Assets of value to the community</i></p> <p>The County Council draws attention to the Sport England Active Design Guide, which should be considered for further guidance on active design1.</p>			

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		<p>The County Council welcomes reference to new and improved footpaths linking community facilities. The County Council is keen to ensure that the Neighbourhood Plan considers how to link more facilities within the area, to limit car usage where possible.</p> <p>It is clear that community and leisure has been considered as part of this Plan, with the potential for a new Memorial Hall being proposed. This community facility should seek to encourage new activity groups and organisations in the community. The County Council would draw attention to the opportunity to put a small pot of funding aside as a Kickstarter grants fund to get some of these new groups off the ground</p> <p>The County Council is pleased to see the insightful feedback from the residents, especially around youth activity. The County Council draws attention to a scheme funded by Sport England to support and finance the delivery of Satellite clubs for young people that you may wish to make use of2.</p> <p><i>Policy C3: Developer contributions</i></p> <p>KCC, as Waste Management Authority, is actively seeking developer contributions to support essential waste projects to increase capacity at its network of waste facilities i.e. Waste Transfer Stations (WTSs) and Household Waste Recycling Centres (HWRCs). As such, KCC welcomes the inclusion of waste as an example of services that are referenced in Policy C3.</p> <p>The PRoW reference within this Policy is welcomed and supported.</p> <p>1 https://www.sportengland.org/facilities-planning/active-design/</p> <p>2 https://www.kentsport.org/make-sport-happen/sport-in-education/satellite-clubs/</p> <p>Chapter 9 Housing and Design</p> <p>It should be noted that much of Kent has historically had a dispersed settlement pattern. Development between villages and hamlets and among farm buildings would in many places be consistent with the historic character of those areas. Historic England, KCC and Kent Downs AONB have published guidance on historic farmsteads in Kent that considers how rural development proposals can be assessed for whether they are consistent with existing character. This should at least be referred to in the evidence base.3</p> <p>3 http://www.highweald.org/downloads/publications/land-management-guidance/historic-farmsteads.html</p> <p><i>Policy D1: Design of new development</i></p> <p>Birds such as House Martins cannot nest, and bats cannot roost, within new builds, mainly due to the modern materials used. The County Council recommends that that the use of natural, or 'traditional', materials (such as traditional roof felt to prevent bat entanglement) should be incorporated where possible.</p> <p>The County Council recommends that there should be a focus on native trees where possible. Non-native species, such as laurel hedging, provide little or no biodiversity value. Ideally, all species within a development's landscaping where possible</p>			

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		<p>should be native to support invertebrate communities. Non-native plants rarely support invertebrate communities. Implementing native species-only landscaping (especially native wildflower meadow) is the most significant measure a developer can take to enhance biodiversity. Therefore, KCC would be supportive of a policy, which specifically references the inclusion of <i>native</i> species and wildflowers.</p> <p>The County Council recommends that the bird and bat boxes should be integrated into the building. Integrated bird/bat boxes are much more likely to remain in situ compared to mounted boxes within new developments.</p> <p><i>Policy D2: Boundary treatments</i></p> <p>One of the biggest barriers to small terrestrial wildlife, such as hedgehogs and reptiles, are impenetrable boundaries, such as closeboard fencing. Therefore, provision in boundaries to allow the mobility of wildlife should be included in this policy.</p> <p>Boundary treatments should ensure habitat connectivity is maintained, as well as enhancing biodiversity. The County Council supports the reference to 'native species' and would highlight that all vegetated boundaries should consist of native species only.</p> <p>Policy D3: Climate change</p> <p>The County Council welcomes the consideration of climate change throughout the Neighbourhood Plan and the desire to reduce energy usage and therefore carbon emissions.</p> <p>A target of net-zero greenhouse gas emissions by 2050 has been set in the Kent and Medway Energy and Low Emissions Strategy (ELES). KCC would encourage the Neighbourhood Plan to reference and commit to this target within the Neighbourhood Plan.</p> <p>Taking an evidence based approach, the ELES identifies a pathway to reduce greenhouse gas emissions, eliminate poor air quality, reduce fuel poverty, and promote the development of an affordable, clean and secure energy supply for this county.</p> <p><i>Policy D6: Historic environment</i></p> <p>It must be noted that archaeological notification areas (ANA) should not be listed as heritage assets. They were created by KCC and are simply a means by which Tunbridge Wells Borough Council is notified as to which planning applications KCC Heritage Conservation wishes to be consulted on. The ANAs should therefore be removed from this list.</p> <p><i>Policy D7: Conservation areas – Evidence and Support Information</i></p> <p>KCC would suggest that both the Kent Historic Environment Record and the National Heritage List for England be identified as key evidence bases for this section.</p> <p>The text should also mention that the landscapes surrounding both Bayham Abbey and Scotney Castle are designated as Registered Parks and Gardens by Historic England.</p>			

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		<p>The list of 'Local Heritage Assets' is incongruous in its current form. It is incomplete as there are many other heritage assets in the parish. In addition, Tunbridge Wells Borough Council is producing a formal list of Local Heritage Assets but none of the sites listed in this section are actually on it as they have yet to compile it. The current text should therefore be altered accordingly. The County Council recommends the following wording:</p> <p><i>"In addition to the designated heritage assets, Lamberhurst contains numerous local heritage assets that contribute to the historic character of the parish. Among these are..."</i></p> <p>It should also be noted that heritage assets, whether designated or non-designated, are often part of wider complexes than can be seen today. For example, iron mills such as Furnace Mill are part of an industrial landscape that includes the mill site itself but also millponds, mill leats, slag heaps, accommodation, woodlands and tracks. It is important when considering the impact of development proposals on heritage assets that the integrity of these landscapes is maintained, and that consideration is not only given to visible features.</p> <p>Appendix 4 – Planning context</p> <p>The County Council welcomes the inclusion of ROWIP within this section, however there is a textual error. This wording should read "Rights of Way Improvement Plan" as opposed to Implementation plan.</p> <p>KCC would welcome continued engagement as the Neighbourhood Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.</p>			
		<p>Received after close of consultation:</p>			
LA_20	Received 16/12/20	<p>Thank you for your consultation on the above dated 29 October 2020.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England does not have any specific comments on the Lamberhurst Neighbourhood Plan.</p>			Natural England
LA_21	Received 16/12/20	<p>Thank you for consulting Historic England on the submission version of the Lamberhurst Neighbourhood Plan. Please accept my apologies that we have not been able to respond within the deadline for comment. I am happy to confirm that, without prejudice to comments we may make on individual planning applications, Historic England do not have any matter of concern within our areas of interest to raise with the examiner. As our remit is limited to the historic environment, including the conservation of heritage assets, our review is limited to where our interest could be affected and silence on other matters should not be read as agreement or consent.</p>			Historic England

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		We hope these comments are of assistance to the examiner but would be pleased to answer queries or provide further information to aid the examination process if needed.			
LA_22	Received 18/12/20	<p>We apologise for the delay in replying. As I am sure you understand, due to the current situation with Covid 19 we are</p> <p>We always recommend an objective is included to protect and enhance the environment. Indicators should relate to the environmental constraints in your local area. This may include flood risk, water quality, biodiversity.</p> <p>Together with Natural England, English Heritage and the Forestry Commission we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. (copy attached). There is a useful check list in this document.</p> <p>We also recommend your Neighbourhood Plan takes account of relevant TWBC's policies, plans and strategies including Strategic Flood Risk Assessment, flood risk strategies (https://www.gov.uk/government/collections/flood-risk-management-current-schemes-and-strategies), and the South East River Basin Management Plan (https://www.gov.uk/government/publications/south-east-river-basin-management-plan).</p> <p><i>Supporting document attached, also available online at https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/</i></p>			Environment Agency

Response to a number of policies proposed within the Lamberhurst NDP and supporting text generally within the document.

Please see separate document - table of comments.

DRAFT LAMBERHURST NEIGHBOURHOOD PLAN (LNP) REG 16 CONSULTATION

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

Friday 30th October to Friday 11th December 2020

If the appointed Examiner determines that a hearing is necessary, do you wish to attend? No

Would you like to be notified of the Council's decision regarding the outcome of the Lamberhurst Neighbourhood Plan under Regulation 19? Yes

LNP Reg 16 October 2020 Page no./Policy	Reference to TWBC Draft Local Plan (TWBC Comments made with ref to draft TWBC Pre-Submission Local Plan)	TWBC Officer Comments	Recommendations For changes etc.
General points		LNDP Plan runs 2016 – 2036; TWBC plan period is different to this	Amend date of LDNP to fully align with the emerging TWBC Local Plan 2020 - 2038
		Reference is made to the Localism Act 2011	Add 'as amended' at the end of Localism Act 2011
		Where reference is made to Tunbridge Wells town, refer to as Royal Tunbridge Wells for clarity	Consider amending Tunbridge Wells to Royal Tunbridge Wells when referring to the town of Tunbridge Wells
		Reference is made to TWBC having the option of introducing the Community Infrastructure Levy (CIL) – TWBC will not be introducing CIL and instead will continue to seek development contributions through Section 106 legal agreements or planning conditions as necessary	Consider removing reference to TWBC introducing CIL and add appropriate wording about the use of Section 106 agreements/conditions
Chapter 1: Introduction		Sets out that it will influence planning decisions made by TWBC	Beneficial to set out that once 'made' the LNDP will form part of the Development Plan and be a material planning consideration in the decision making process by TWBC
		Page 5 sets out that the LNDP is being submitted to TWBC for formal examination, this should be consultation under its statutory duty and eventual examination	Revise text to say that the LNDP is being submitted to TWBC to carry out the Regulation 16 consultation under its statutory duties and that following the consultation, the NDP will proceed to the 'examination' stage of the process.
		Page 5 refers to the approval and adoption of the LNDP, would be beneficial to include that it will be 'made' and once 'made' will form part of the Development Plan	Amend text to include reference to the LNDP being 'made'
Page 20/21 Bit about River Teise Flood Management		TWBC in comments dated June 2020 previously advised: A Strategic Flood Risk Assessment produced in July' – suggest this is replaced by 'a Strategic flood risk assessment was carried out for the Borough Council by specialist consultants and was published in July 2019'	Suggest this is amended as previously advised
Chapter 2: Developing the Plan		Development process: Sets out that intention to do a NDP was accepted by TWBC	Beneficial to add in that the Lamberhurst Designated Area was approved by TWBC by decision dated 8/12/17
		Evidence gathering activities: Reference is made to a parish questionnaire and it is identified that this was available online	It would be useful to clarify whether the questionnaire online was to enable this to be printed or if it enabled people to complete an online questionnaire (in addition to the paper copies). If people were able to respond on line as well it would be beneficial to set out the response rate for that similar to other methods sets out

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Chapter 3: Lamberhurst: Portrait of the Parish		This section lists neighbouring parishes including 'Brenchley', which should read 'Brenchley & Matfield' Parish	Amend Brenchley Parish to Brenchley & Matfield
Chapter 4: Summary of planning context		Reference is made to the NDP being in general conformity with the TWBC Local Plan 2006 – this should be the 'saved' policies of the TWBC Local Plan 2006 It is also identified that the LNDP is in general conformity with the emerging TWBC Local Plan 2019 – it is worth identifying that the next stage of the TWBC Local Plan, the Pre-Submission Local Plan is due to be published around March 2021 ahead of its formal submission to the Planning Inspectorate in the summer of 2021	Suggest that reference is made to the 'saved' policies of the TWBC Local Plan 2006 and that additional text is added to reflect the progress of the TWBC emerging Local Plan
Chapter 6: Our policies		General point that comments on individual policies listed in this chapter 6, are given under each of the more detailed individual chapters that follow on from chapter 6 and are made in the context of the emerging Local Plan	
Chapters 7 -			
Policy L1: Green Spaces and LGC section on page 19	TWBC is currently reviewing and updating its Local Green Space Designation Methodology, with consequent amendments being applied to its Local Green Space Assessment document and the review of sites proposed for designation (for the Regulation 19 Pre-Submission Version of the Local Plan).	TWBC will in due course contact Parish/Town Councils and NDP Groups individually regarding TWBC's revised Designation Methodology and assessment of sites proposed for designation.	N/A
Policy L4:Bio-diversity	TWBC has an emerging Net gains for nature: biodiversity policy	Emerging Local Plan policy seeks a measurable long term net gain for biodiversity	Text could be added to require a net gain, which would be a more robust approach in line with NPPF and emerging Local Plan
Policy L5: Water & Management & Floor Risk	TWBC has emerging policy EN25: flood risk	TWBC policy also seeks that proposals for new development should contribute to an overall flood risk reduction	Suggest additional wording be inserted into the policy to capture this
Policy L6: Public footpaths and by-ways	TWBC has emerging policy as part of Local Plan policy EN1: Sustainable Design	This sets requirement for proposals to consider whether they reinforce existing access and connections and create new ones The policy objective on page 33 refers to the need to provide alternative routes but is not cross referenced clearly in other related policies that refer to linkages	Consider adding additional text requiring pedestrian linkages to be considered/provided where these aren't currently available – and sense check against other related policies in the plan to ensure this is cross referenced as necessary
Policy C1: Assets of value to the community	TWBC has emerging policy ED12 relating to retention of local services and facilities within defined Neighbourhood and Village Centres	The policy seeks that development proposals enhance the viability and community value of existing facilities and is silent about when proposals maintain / retain this i.e. do not enhance. It would assist when decision-making if this is clarified It would also be beneficial to clearly set out whether the requirements of this policy relate to the whole parish or whether it is more applicable within the village centre of Lamberhurst for example	Consider clarifying these points
Policy C3: Developer contributions	TWBC emerging place-shaping section of new Local Plan sets out need for development contributions	Contributions should only be sought where they meet the necessary planning tests and can be on-site as well as off-site contributions	Consider adding additional text to capture the need for such requests to meet the necessary planning tests and that such contributions could be on- site as well as off-site; the policy should also set out thresholds for when contributions would be sought (this is often relates to scale of development)

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	for Lamberhurst parish (and other parishes and settlements)	Policy states that contributions will be sought through a Section 106 agreement – this could be planning condition also	Tweak policy wording to enable contributions to be secured by planning conditions in some instances
Chapter 9: Housing & Design	TWBC has emerging policy as part of Local Plan policy H3: Affordable housing	<p>The objective to the LNDP policy seeks to “ensure an adequate supply of affordable housing “ – would assist if the NDP expanded on this/defined to make it more robust</p> <p>Also needs to clarify what the NP considers ‘affordable’ housing to be – more affordable open market units for example or affordable housing as set out by emerging policy H4 of the Local Plan</p>	Suggest that this is added to, to ensure the policy is more robust and clarify what is meant by ‘affordable housing’ in NDP terms
Existing Planning Policies – page 45		<p>Paragraph 2 refers to settlement hierarchy and sets out that Lamberhurst parish has been strictly controlled in part because of this – it is noted that the settlement of Matfield in the emerging Local Plan is likely to have a greater quantum of planned growth than Lamberhurst</p> <p>Reference is also made to 13 sites in the parish having been submitted to the TWBC Call for sites. It is noted that this figure has risen to 14</p> <p>Final paragraph refers to the TWBC Draft Local Plan consultation to be conducted in 2019</p>	<p>It is suggested that reference to the settlement hierarchy is deleted</p> <p>Amend reference to the number of sites assessed through the TWBC Strategic Housing and Economic Land Availability Assessment</p> <p>Reference to public consultation on the TWBC Draft Local Plan should be updated to reflect timetable set out in the TWBC Local Development Scheme (LDS)</p>
Policy H1: Location of housing development	There are emerging TWBC Local Plan policies including H5: rural exception sites and H7: rural workers’ housing	<p>The objective sets out that the NDP will concentrate new housing in and around the village – it would be beneficial to identify this on a map to provide clarity</p> <p>It also identifies that in addition to allocations in the TWBC Local Plan, housing will be provided by appropriate small scale developments – this should be defined, and that this will be within or adjoining the limits to built development for Lamberhurst - once adopted the approach of the NDP to enabling such development adjoining the Limits to Built Development will conflict with the TWBC Local Plan, which will seek development through allocations and appropriate windfalls, which would normally be expected to be within the defined settlement boundaries</p> <p>Where reference to adjoin the limits to built development is stated, this may perhaps mean on appropriate brownfield sites, if so, this needs to be clearly set out within the policy</p> <p>Point b of policy – there is conflict here with the NPPF which at paragraph 79 point c allows for the re-use of redundant or disused buildings where development would enhance its immediate setting</p>	Suggest that amendments are made accordingly to ensure the policy is robust and is clear in its expectations
Policy H2: Housing mix, tenure and affordability	TWBC has emerging policies H1: housing mix and policy H3: affordable housing covers tenure and affordable housing	<p>General comment on this policy – not clear whether it applies to all housing (including open-market) or to “affordable housing” only – needs to be clarified</p> <p>The policy sets out the affordable housing requirements for smaller scale schemes of less than 10 – experience at TWBC has shown that Registered Social Landlords (RSLs) are reluctant to take on the management of such small schemes/so few units. Has the NDP group/Parish Council discussed this with RSLs?</p>	

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Policy H3: Allocating affordable housing	TWBC has emerging policy H3: affordable housing	<p>Affordable Housing %</p> <p>Pre-Submission Local Plan - delivery of affordable on sites delivering net increase of 9 or more. Although Draft Local Plan required contributions for off-site provision on smaller developments</p> <p>Local Connection</p> <p>It is considered that the Local Connection Policy in the NDP should follow the one in the Council's Housing Allocations Policy with views on specific clauses negotiated on a site by site basis with the NDP.</p> <p>Linked to previous housing policies – not clear what the NDP considers to be affordable housing</p>	<p>Re-consider threshold for provision of on-site affordable housing, to apply to net increase of 9 or more in line with emerging Local Plan policy.</p> <p>Neighbourhood Plan to clarify what it considers to be 'affordable housing' – could define in a glossary.</p> <p>Local connection requirements: It is recommended that the Local Connection Policy in the NDP should follow the one in the Council's Housing Allocations Policy with views on specific clauses negotiated on a site by site basis with the NDP.</p>
Policy H4: Rural exception sites	There is an emerging TWBC Local Plan policy H5: rural exception sites	Nothing particular to add to this.	
Policy H5: Replacement dwellings	TWBC has emerging policy: replacement dwellings outside the Limits to Built Development	<p>This sets out specified criteria to be satisfied; the LNDP policy is more restrictive and appears to rule many such proposals out in principle and neither does it say whether this applies within or outside of the established settlement</p> <p>In addition, permitted development rights are such (and including the ability to provide an additional storey to property) that it is possible a building would end up much larger than would normally be allowed</p>	Suggest that clarity is needed on when this policy would apply; also consider making the policy more flexible recognising there will be instances when it is acceptable to replace a dwelling with a new one
Policy H6: Conversion of existing buildings		<p>Part of the policy seeks to resist the loss of employment – it is noted that there will be instances when there may be a wish to support the loss of such a use e.g. an employment use that causes noise/disturbance to neighbouring amenity for example</p> <p>Furthermore, as noted previously the NPPF does allow for conversions of existing buildings</p>	Consider refining the policy to enable flexibility
Policy D1: Design of new development	There are various emerging policies in the TWBC Local Plan including EN1: Sustainable development, EN4: Historic environment and EN5: Heritage Assets and other policies in the plan have a design element to them	The first bullet point seeks low density development – this may not always be appropriate because for example, the historic core of Lamberhurst will be higher density so something low density could be out of keeping with the site context and prevailing character/density of the area	Suggest amending the policy to refer more to site context/prevaling character than to requirement for low density development
Policy D2: Boundary treatments	TWBC emergency policy EN1: sustainable design does not refer specifically to boundary treatments. However, these are an integral part of other requirements set out within policy EN1	The policy refers to the fact that close boarded fencing is not welcome, which it is considered could be better worded	Change "...close boarded fencing is not welcome" to "...close boarded fencing will not be supported"
Policy D3: Climate change	TWBC emerging plan has policy EN3: Climate change Mitigation and adaptation	<p>The sub title "Minimise impact on climate" could be amended to include adaptation to climate change so it in line with the policy box and supporting text</p> <p>It might be useful for either the policy box or the supporting text to include the Borough Council's commitment to become carbon neutral by 2030.</p>	Suggest amending the policy accordingly

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		Likewise, the national target to be net zero by 2050 which was incorporated in the Climate Change Act in 2019 i.e. a legal requirement Minor point. CO2 should be written with a subscript 2	
Policy D4: Dark skies	TWBC emerging plan has policy EN8: Outdoor Lighting and Dark Skies	Policy is not as detailed as the emerging TWBC	Suggest discussion/review with TWBC to add to policy or cross-reference with TWBC policy in some way
Policy D6: Historic environment	TWBC has emerging policies EN4: historic environment and EN5: heritage assets	It is important that the policies reference the High Weald Design Guide and the Conservation Area appraisals. The list of identified local heritage assets is supported Two things of note: The policy wording itself for D6 and D7 is very generic. The supporting text goes into some detail but this needs to feed through into enhanced wording in the policy text to ensure that the local distinctiveness of the parish is articulated – this is the chance to do so and provide that hook. See for instance the detailed landscape policies. They could also refer to our Historic Environment Review (in the evidence base) which has a ‘warp and weft’ graphic of the heritage themes of the Borough, many of which are represented in the Parish This is also an opportunity to flag up potential improvements. Are there buildings or areas that could benefit from enhancement in particular? These could be mentioned in the supporting text. The NDP group may want to consider mentioning the conservation appraisal being out of date to work with us and look for a community-led appraisal opportunity?	Suggest amending the policy and text accordingly to make it more robust
Policy D8: Parking	TWBC has emerging policy TP3: parking standards	LNP is higher requirement than policy in emerging Local Plan; May have viability implications; ‘per bedroom’ is open to interpretation – existing number or proposed for example, what happens if a bedroom is indicated as a study or snug, could have enforceability issues; does a car space include garages / car ports? It will not always be possible to provide parking to this standard	Consideration needs to be given about the enforceability of this policy and to text to clarify precisely what is sought by it;
Chapter 10: Traffic and Transport, page 67	TWBC has emerging policy TP1: Transport Assessments, Travel Plans, and Mitigation and Policy TP2: Transport Design and Accessibility	Bullet point 4 deals with public transport and sustainable transport initiatives – reference could be added to include active travel – by foot and cycles; In addition it will not always be possible to provide on site parking as sought by the policy, which in some instances may have unacceptable visual impacts – suggest some flexibility be built into the policy The bullet points do not cover road safety improvements referred to in text	reference could be added to include active travel – by foot and cycles; Consider an additional bullet point to capture the aspiration for road safety improvements Suggest flexibility in policy to recognise that it won’t always be possible (or desired) to provide on site parking
Page 69: A sustainable transport policy	As per above	Reference is made to electric cars and cycling; given the topography of the Parish reference could also be made to electric bikes	Consider adding reference to electric bikes
Page 70: Policy T1: Sustainable transport		The policy refers to Pembury Hospital	The correct name for ‘Pembury Hospital’ is ‘Tunbridge Wells Hospital at Pembury’, it is recommended that this is amended accordingly
Page 71: Evidence & supporting information relating		Reference is made to results of the Parish questionnaire, advising that people would make greater use of public transport if services to Pembury, Paddock Wood, Wadhurst and Tunbridge Wells were more frequent and reliable; this text would be better placed alongside Policy T1: Sustainable transport	Consider re-locating the text to accompany policy T1: Sustainable transport

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to policy T2: Traffic management			
Chapter 11: Business and employment Policy B1: Business and economy	TWBC has a variety of relates emerging policies including ED2: retention of existing employment sites & buildings, ED4: rural diversification, ED5: conversion of rural buildings outside the Limits to Built Development	It is stated that the policy aims to facilitate business growth by supporting applications for a change of use for redundant agricultural buildings and brownfield sites; these are not picked up within the bullet points listed on page 72 The bullet points also identify that local employment opportunities should not generate heavy lorry traffic on rural road, which is difficult to control and unenforceable Live/work units should be defined	Consider adding additional bullet points to the policy objectives setting out support for change of use for redundant agricultural buildings and brownfield sites Reconsider the bullet point that refers to heavy lorry traffic on rural roads Define what is meant by live/work units. A question in regard to live/work units – would the LNDP support planning applications for extensions/outbuildings applied for to facilitate home working?
Page 75 - 76: Communications (Policy B1: Business and economy)		Reference is made to 90% of respondents to the Parish questionnaire thought it crucial to improve broadband and mobile communications; this is not reflected within the bullet points listed on page 72	Consider adding an additional bullet point to the policy objectives
Chapter 12: Selecting sites for Development		This makes reference to TWBC assessments of sites being published with the initial draft of the Local Plan, likely to be later in 2019; this will need amending to reflect the Strategic Housing and Economic Development Land Availability Assessment (SHELAA) dated July 2019 having been published alongside the Draft Local Plan, 2019 Of note also: a final SHELAA will be published to accompany the Regulation 19 Pre-Submission Local Plan	Amend text to reflect that the Strategic Housing and Economic Development Land Availability Assessment (SHELAA) dated July 2019 was published alongside the Draft Local Plan, 2019 and that a final SHELAA will be published by TWBC alongside its Pre-Submission Local Plan in 2021. Also reference should be made to other sites being submitted to TWBC outside of the two main 'Call for Sites'
Chapter 14: Parish feedback & implementation, page 82		Point a. refers to the LNDP being 'adopted'; the correct terminology is "made"	Amend terminology to refer to "made" NDP
Appendix 1: sources and useful definitions, page 84		The definition of brownfield site is absent from the list	Suggest that the NPPF definition of brownfield land is added to the list of definitions or reference made to the NPPF on this
Appendix 4: Planning context, page 89		Reference is made to the TWBC Site Allocations Plan, 2015; this should be 2016	Amend date of Site Allocations Plan