

Lamberhurst Parish Neighbourhood Development Plan 2016 - 2036

Further Comments of the Independent Examiner

Prepared by

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2nd April 2021

Introductory Remarks

1. I am very grateful for the comments submitted on behalf of the Parish Council and the Borough Council on 31st March and on 1st April 2021. They were most useful but there is now a number of supplementary matters that I need to raise, most of which spring from the responses.

Plan Period

2. I note that the end date for the neighbourhood plan is 2036, whilst the Pre-Submission Version of the Tunbridge Wells Local Plan is proposing to run until 2038. It seems to be sensible for the plan period to be the same, but I need to ask whether either party have views, on unforeseen consequences, if I were to propose that the end date of the neighbourhood plan should be extended by 2 years.

Policy L1 - Green Spaces

3. The Parish Council will see the response from the Borough Council, that if the neighbourhood plan were to designate all the local green spaces in the parish, then it would withdraw the LGSs in Lamberhurst from the Local Plan. I propose to proceed on that basis. Can I ask that Table 7.1 be now updated to omit the open spaces which are not being recommended for designation, but it will also be necessary to add the two additional LGSs, the neighbourhood plan is proposing? Can the accompanying map be updated accordingly?

Policy L2 - Development with the High Weald AONB

4. Can the Borough Council development management team be asked whether, in their view, a planning condition requiring only the use of native plants would meet the 6 tests of a planning condition.

Policy L3 - Retaining parish character and conserving the landscape

5. The Parish Council appears to have misunderstood my request. My request was not referring to designated common land. A decisionmaker, using this policy, would need to be clear which parts of the plan area maintains the “*open land between Lamberhurst and Lamberhurst Down*”. I am seeking a map which defines the location and extent of the open land being referred to, which will be protected under the policy.
6. Can I be provided with a detailed map which should show the position on the public footpath which the View 4 is seen from?

Policy L4 - Bio-diversity

7. According to my reading of the map provided, the River Tease *catchment* covers the whole plan area. The issue I need to be satisfied on, is what is the geographical extent of the “*River Tease corridor*” which is quoted in the policy. Is it restricted to the line of the watercourse and the immediate banks or is

there a wider corridor? If the latter is the case, then I need to see the extent of the corridor shown on a map.

Policy L5 – Water Management and flood risk

8. Can the Parish Council confirm that the historic flooding information is as shown on Figure 6.4 of the Level 1 SFRA?
9. Can I be provided with a copy of Appendix C?

Policy C1 - Assets of Value to the Community

10. There is a special significance, attached to term Assets of Community Value, which refers to facilities which have to be registered with the Borough Council and whose designation, only lasts 3 years and which triggers a community right to bid if the property comes on to the market. Would there be any concerns if I were to refer to the assets as “Community Facilities”?
11. Can the Parish Council explain why it is not proposing St Mary’s Church, the Doctor’s Surgery and the Primary School as community assets?
12. The policy wording refers to Chequers Field – is that the same as Lamberhurst Playing Field which is shown on the map.

Policy H5 – Replacement dwellings

13. I gave the two examples, as possible reasons why a householder may wish to rebuild their home. Would the Parish Council have any comments if I was to recommend that the principle of a replacement of an existing dwelling would be acceptable, subject to the restrictions on the size and location of the replacement, as set out in a and b.

Concluding Remarks

14. I am again sending this note direct to Lamberhurst Parish Council, as well as Tunbridge Wells Borough Council. I am anxious to start preparing my final report and I ask for the two parties’ response to my further questions to be submitted to me by 5 pm on **Monday 19th April 2021** and also copied to the other party.
15. I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan’s and also Tunbridge Wells Borough Council’s website.

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Independent Examiner to the Lamberhurst Neighbourhood Plan.

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