

Examination of the Tunbridge Wells
Borough Local Plan

Tunbridge Wells Borough Council
Hearing Statement

**Matter 13: Landscape, Local
Green Space and Open Space,
Sport and Recreation (Policies
STR8, EN8, EN15, EN16, EN17,
EN18, EN19, OSSR1 and OSSR2)
Issue 3: Rural Landscape and Dark
Skies**

Document Reference: TWLP/070



Contents

Inspector’s Question 1: [re. Policy EN 8].....	3
TWBC response to Question 1	3
Inspector’s Question 2: [re. rural lanes]	5
TWBC response to Question 2.....	5
Inspector’s Question 3: [re. application of Policies EN 8 and EN 18].....	7
TWBC response to Question 3.....	7

Matter 13 – Landscape, Local Green Space and Open Space, Sport and Recreation (Policies STR8, EN8, EN15, EN16, EN17, EN18, EN19, OSSR1 and OSSR2)

Issue 3 – Rural Landscape and Dark Skies

Inspector’s Question 1: [re. Policy EN 8]

What is the justification for requiring the design and specification of lighting to accord with the Institute of Lighting Professionals Guidance Note GN01 in Policy EN8? Do these specifications form part of the development plan for the area?

TWBC response to Question 1

1. The Institute of Lighting Professionals Guidance Note GN01: the Reduction of Obtrusive Light is an industry-standard guidance document, providing detailed technical information. The policy and text uses supporting text was based on the 2011 version and amended to accord with revisions. The guidance was last updated in 2021 but retains the same title, other than it is referred to as [GN01/21](#).
2. It is guidance rather than policy and the document itself notes the complexity of the technical issues involved with lighting and the need to work with lighting professionals (see, for example, pages 4 and 11 of GN01/21).
3. Criterion 2 aligns with this approach in that it requires the “*design and specification*” to “*minimise obtrusive light*” drawing on the guidance which sets out how this can be done. The Criterion also draws on Table 2 within the Guidance which specifies Environmental Zones for lighting control and suggests that these are specified within Development Plans (page 10). This is what Criterion 2 and the supporting text do, in referring to Zone E1.

4. The table has changed in the latest version of the Guidance (GN01/21) from that used in drafting the policy. The number and title of the Environmental Zones E0 to E4 remain the same (table 2 page 10) as does the reference to surrounding and it has very similar examples. E1 is now “*natural*” which is defined by example as “*relatively uninhabited rural areas, National Parks and Areas of Outstanding Natural Beauty, IDA buffer zones etc*”. Consequently, the reference in paragraph 6.126 of the SLP and Criteria 2 of Policy EN 8 to “*intrinsically dark with natural surroundings*” is out of date. It would be helpful if this was deleted and replaced with only a reference to “*Environmental Zone E1*” in both the supporting text and policy. This is now proposed by the Council as a minor modification.
5. Some 69% of the borough is AONB and much of the remainder is also largely very rural. The AONB Management Plan [[CD 2.1](#)] identifies Dark Skies as part of the Other Qualities that “*enrich the character components*” (page 23) and includes Objective OQ4 “*to protect and promote the perceptual qualities that people value*” (page 61) and provides a Dark Skies Map (page 60) and has as an indicator of success “*no loss of dark skies*” (page 60).
6. The Borough Landscape Character Assessment SPD which applies to the whole borough identifies Dark Skies as a Value of all landscapes [[PS 019](#) Table 1-2 page 14] and this is illustrated in Figure 7 on page 22.
7. It is noted that Policy EN18 Rural Landscape under criterion 5 refers back to Policy EN8 requiring development to “*preserve intrinsically dark landscapes in accordance with Policy EN 8: Outdoor Lighting and Dark Skies*”.
8. In summary, Institute of Lighting Professionals Guidance Note GN01: the Reduction of Obtrusive Light provides the technical information that applicants need to consider when designing lighting schemes in order to meet the general requirements of the policy in terms of minimising light pollution and as such is an important inclusion within the Policy to provide clarity.
9. Apart from the obvious necessity to control obtrusive lighting, the local existence of dark skies and their protection is highlighted in both the AONB Management Plan and the Borough Landscape Character Assessment SPD and as such the policy is fully justified.

Inspector's Question 2: [re. rural lanes]

What is a 'rural lane' for the purposes of Policy EN18? How have they been defined and are they clear to users of the Plan?

TWBC response to Question 2

10. Paragraph 6.228 of the supporting text to Policy EN18 lists the documents (and any subsequent amendments) which "*will used by the Local Planning Authority in assessing the likely effects of development on the landscape*". This list includes the Rural Lanes Supplementary Planning Guidance 1998 [\[CD 3.117\]](#).
11. Hence, it is clear that, in referencing the Rural Lanes SPG, this will assist in identifying what a rural lane is for the purpose of this policy.
12. The SPG advises that the work was a collaboration between the county, borough and some parish councils (paragraph 1.2) and its stated purpose is "*to assist in making decisions on planning applications which may have an impact on rural lanes*" (paragraph 1.4).
13. The SPG (paragraph 3.6) identified and assessed the following "*features of importance*" as set out below:
 - Landscape and visual
 - Detractors of visual amenity
 - Nature conservation value
 - Historical/Archaeological value
 - Recreational facilities/Leisure enhancements opportunities.
14. These are referenced in the wording of criterion 3 referring to "*landscape, amenity, nature conservation, or historic or archaeological importance*".
15. The SPD's appendices (Appendix 2a) include a map and schedule of all rural lanes included within the SPG so that they can be identified and there are further maps indicating the top scoring lanes for each of the features of importance.

16. Whilst the SPG may be dated, rural lanes remain an important characteristic of the borough's landscape as evidenced by the High Weald AONB Management Plan [[CD 2.1](#) pages 37 to 39] which refers to routeways as a component of natural beauty and the Borough Landscape Character Assessment [[PS 019](#)] identifying "*quiet rural lanes*" as a valued feature (table 1-2 page 14).
17. In summary, a rural lane is defined and identified by the Rural Lanes Supplementary Planning Guidance 1998, while rural lanes remain a relevant and valued feature of the borough.

Inspector's Question 3: [re. application of Policies EN 8 and EN 18]

How will Policies EN8 and EN18 apply to allocations in the Plan, such as Tudeley Village for example, which will change parts of the rural landscape?

TWBC response to Question 3

18. Policy EN 8 Outdoor Lighting and Dark Skies is targeted at the rural landscape and as such it specifically excludes urban areas within the Limits to Built Development. This is set out within the opening sentence of the policy “*rural areas outside the Limits to Built Development*”.

19. Policy EN 18 Rural Landscape is, as the title suggests, concerned with rural rather than urban areas and this is explained in the introduction to the Policy at 6.221:

“The rural landscape policy applies particularly to the whole borough outside the defined LBDs, but may also be of relevance to land inside, adjacent to, or in close proximity to, the boundary of LBDs where there is a strong relationship to the countryside”.

20. Within the SLP where sites are allocated, the LBD is being redrawn to include the built elements of the allocation (including the allocations at Tudeley and Land at east Capel) as these will clearly become more urban rather than remaining predominantly rural areas. This approach recognises the transformative nature of development on the landscape and removes what otherwise may be an intractable tension between policies. This does not mean however that the need to minimise light pollution and the consideration of landscape character are not required of development proposals. These are part of good design and will need to be given detailed consideration as part of any planning application, taking account of a wide range of considerations to resolve competing objectives.

21. By way of example, it would be expected that lighting would be minimised in new development and to avoid spillage into ecologically sensitive areas but, at the same time, the lighting of walking and cycle routes is likely to be important to achieving modal shifts in people's daily journeys. This often requires a departure from lighting standards

in sensitive locations and/or additional measures, such as baffles or screens to prevent light spill whilst maintaining a level of lighting that makes people feel safe.

22. Policy EN18 remains relevant to the allocation at Tudeley in terms of the interface between the allocation and the surrounding landscape, where development can on both sides of the LBD boundary contribute towards the criteria in the policy including “*appropriate mitigation to ensure against significant harm to the landscape setting of settlements*”, conserve and enhance “*special features that contribute positively to the local sense of place*” and “*restore landscape character where it has been eroded*”.