

## Rother District Council

**Report to:** Cabinet

**Date:** 2 November 2020

**Title:** Burwash Neighbourhood Plan – Rother District Council Representations to the Regulation 16 Consultation

**Report of:** Tim Hickling, Head of Service - Strategy and Planning

**Cabinet Member:** Councillor Vine-Hall

**Ward(s):** Burwash and The Weald

**Purpose of Report:** To present the council representations made for the Regulation 16 Consultation on the Burwash Neighbourhood Plan

**Decision Type:** Non-Key

### Officer

**Recommendation(s):** It be **RESOLVED** That:

- 1) the representations set out at Appendix 1 be submitted, together with supporting material, for consideration by the Examiner in relation to the submitted Burwash Neighbourhood Plan; and
- 2) the Chief Executive be authorised to consider any potential modifications to the Neighbourhood Plan that may be raised through the examination process in order to secure a Neighbourhood Plan in general conformity with the adopted Core Strategy and Development and Site Allocations Local Plan.

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**The Chairman of Council has already agreed that, subject to the approval of Cabinet, this decision can be taken as an urgent decision to allow the Council to respond to the Consultation by the deadline of 6 November 2020.**

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### Introduction

1. The Burwash Neighbourhood Plan has been prepared by Burwash Parish Council following designation of the parish as a Neighbourhood Area in 2016. It is currently the subject of a statutory public consultation ending on 6 November 2020 during which period representations may be made. Duly-made representations will be considered through an examination process by an independent Examiner to determine whether the Plan meets the 'basic conditions' required in order for the Plan to proceed to referendum.
2. This report is to enable Cabinet to make representations on behalf of the Council as part of this process. Given that the consultation period ends four days after this Cabinet meeting, this is an urgent decision and will therefore be outside the scope of the call-in procedure. In accordance with the call-in

procedure, the Chairman of Council has given his consent to this matter being taken as an urgent decision.

3. This report is to enable Cabinet to make representations on behalf of the Council as part of this process.

## **Analysis**

4. The Neighbourhood Plan, together with supporting documents, can be viewed on the Council's website at <https://www.rother.gov.uk/planning-and-building-control/planning-policy/neighbourhood-plans/burwash-neighbourhood-plan/>.

The submitted documents are:

- Burwash Parish Boundary Map
- Burwash Neighbourhood Plan 2020-2028 - Submission Version
- Consultation Statement
- Basic Conditions Statement
- Strategic Environmental Assessment

### *Additional Documents*

- Burwash Character Appraisal
- Burwash Development Boundaries
- Burwash Infrastructure Assessment
- Business Survey
- Call for Sites Evaluation Report
- Call for Sites Report
- Community and Engagement Strategy
- Consultation Event Records
- East Sussex Landscape Assessment – High Weald
- Housing Needs Survey
- Listed Buildings
- Neighbourhood Plan Survey
- Planning Permissions
- SHLAA – Burwash
- Traffic and Transport Survey
- Wishes of Local Residents
- Wishes of Young People

5. The Neighbourhood Plan has 20 planning policies and additional community aspirations which are as follows:

### List of BNP Planning Policies

#### *General Policies*

- GP01 Protection of the Area of Outstanding Natural Beauty landscape
- GP02 Views into and from the AONB
- GP03 Heritage
- GP04 Development boundaries
- GP05 Design standards
- GP06 Existing open spaces
- GP08 Sustainable development

### *Housing*

HO01 Housing and tenure mix

HO02 Rural Exception sites

### *Environment*

EN01 Land Management

EN02 Natural environment protection

EN03 Green infrastructure: footpaths and bridleways

EN04 Dark skies

EN05 Historic landscape environment

EN06 Integration of landscaping

### *Infrastructure (Leisure, Economy, Tourism)*

IN01 Pedestrian safety

IN02 Parking

IN03 Supporting business

IN04 Retention of existing business premises

### *Future Projects*

*Parish Council Rolling Plan – Community and Communications, Environment and Maintenance, Traffic and Transport*

*Aspirational capital projects for the future*

6. The Neighbourhood Plan relates to the period 2020-2028 in line with the end date of the Core Strategy.

### **General conformity and other ‘basic conditions’ requirements**

7. As stated in the National Planning Policy Framework (NPPF) 2019: *‘Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan.’* Paragraph 29 goes on to state:

*‘Neighbourhood plans should reflect these policies and neighbourhood plans should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.’*

8. Other basic conditions relate to: having regard to national policies and advice contained in guidance issued by the Secretary of State; having special regard to the desirability of preserving any listed building (or its setting) or conservation area; contributing to the achievement of sustainable development; and compatibility with EU obligations.
9. Hence, a critical function of this Council is to consider and advise on whether each Neighbourhood Plan policy – and the Plan overall – is in ‘general conformity’ with the policies of the adopted Local Plan Core Strategy.

### **Key Core Strategy policies and housing provisions**

10. In considering ‘general conformity’ of the Neighbourhood Plan’s development provisions, reference is made to the overall spatial strategy for development across the District as set out in policy OSS1 of the Core Strategy. Part (iii) of this policy is to:

Identify suitable sites in accordance with the following spatial distribution:

- (c) *Facilitate the limited growth of villages that contain a range of services and which contributes to supporting vibrant, mixed rural communities, notably in relation to service provision and local housing needs, and is compatible with the character and setting of the village;*
  - (d) *Allow for small-scale infill and redevelopment, and otherwise enable local needs for housing and community facilities to be met in other villages; and*
  - (e) *Give particular attention to the ecological, agricultural, public enjoyment and intrinsic value of the countryside, and continue to generally restrict new development to that for which a countryside location is necessary or appropriate to promoting sustainable land-based industries and sensitive diversification, primarily for employment uses.*
11. This spatial strategy is elaborated upon for Rural Areas through policy RA1, which sets out the approach to villages in policies RA2-RA4 in relation to development in the countryside. Of particular relevance, Part (v) of policy RA1 states:
- (v) *In order to meet housing needs and ensure the continued vitality of villages, the provision of 1,670 additional dwellings (comprising existing commitments, new allocations and windfalls) in villages over the Plan period 2011 to 2028. This will be located in accordance with Figure 12, subject to refinement in the light of further investigation via the Development and Site Allocations Local Plan and/or Neighbourhood Plans.*
12. In relation to Burwash Parish, Figure 12 referred to in Policy RA1 identifies that, as of 1st April 2013, 52 dwellings must be identified and built on new sites in Burwash Village in order to meet the target for rural areas. Taking into account an extant planning application, Strand Meadow, as at 1 April 2019 the residual figure is 22.
13. In addition to Policies OSS1 and RA1-RA4, other significant core policies are:
- OSS2 – the basis for determining development boundaries
  - OSS3 – other factors for the location of development
  - OSS4 – general development considerations
  - EN1 – for the good stewardship of the landscape, notably the character and features of the High Weald AONB
  - EN2 – for stewardship of the historic built environment
  - DHG1 – for affordable housing

## **Key Issues**

14. The supporting text to the Burwash Neighbourhood Plan places a strong emphasis on local support for development, which is welcomed by the Council, however the NPPF 2019, paragraph 29, sets out that *'Neighbourhood Plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.'* When Burwash Parish Council submitted their application for Burwash parish

to be designated a Neighbourhood Area, it was formally agreed that the allocation of housing sites to meet the target set out within the adopted Core Strategy was 'scoped' into the remit of the Neighbourhood Plan. However, the Burwash NDP does not allocate any housing sites to meet the target of 52 dwellings (seen as a *minimum* figure), nor does it make any amendments to the existing development boundary to accommodate the outstanding figure for the settlement of Burwash, therefore the Submission BNP does not meet the following basic condition as set out by planning policy guidance, '*the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*' The Core Strategy sets out the vision and objectives to guide the future pattern and form of development up to 2028, provides broad guidance on the scale and distribution of development and contains strategic policies to support the vision and objectives. The Development and Site Allocations Plan (DaSA)<sup>1</sup> also contains a small number of policies which also are considered to be strategic. Policy RA1: Villages is one of the key strategic policies in the Core Strategy which sets out the overall quantity/distribution of housing per settlement in the Rural Area, including that of village of Burwash.

15. Comments made by Rother District Council at the Regulation 14 stage emphasised that site allocations are imperative to progress the Plan to Regulation 16, or risk failing the aforementioned basic condition. As expressed in the consultation comments, it is difficult to ascertain what the approach of being pro-development, whilst not updating the development boundary which is taken from the Rother Local Plan 2006, nor allocating any sites, is trying to achieve. The residual amount of housing of 22 dwellings<sup>2</sup> to be allocated is highly likely to require a revised development boundary.
16. There are two 2013 SHLAA sites, Strand Meadow<sup>3</sup> and Shrub Lane<sup>4</sup> (which were categorised as green and amber sites respectively) which have not been allocated within the Plan and there is no clear evidence to support this decision. Strand Meadow is a saved policy in the 2006 Local Plan (Policy VL1) and whilst it has extant outline planning permission it should be included as a site allocation in the BNP. A reserved matters planning application for the site at Strand Meadow has been recently submitted (October 2020) for a scheme of 30 dwellings. The use of a positively worded policy relating to the site would have assisted in the consideration of future applications relating to detail of the site and could ensure local vernacular is reflected in its design, for example.
17. Whilst a planning application at Shrub Lane by Denton Homes was refused in 2017 by Planning Committee, the decision was made in respect of a scheme submitted for 42 dwellings. This decision does not rule out an application for a smaller scheme being successful. The SHLAA comments for the site (BU12a) set out mitigation criteria for a scheme of approximately 30 dwellings, namely that a village edge scheme is desired which implements a broad-leaved woodland buffer across the northern and eastern perimeters of the site. The suitability of the development is also dependant on access. Developers'

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<sup>1</sup> Policy DHG1: Affordable Housing, DHG2: Rural Exception Sites, DEN3: Strategic Gaps, HAS1: Combe Valley Countryside Park, RY1 (xii), HF1(iii) and HF1(i)

<sup>2</sup> Taken from the minimum target of 52 dwellings for Burwash village minus the extant outline planning permission at Strand Meadow of 30 dwellings, thus leaving a residual requirement of 22 dwellings.

<sup>3</sup> Site BU2

<sup>4</sup> Site BU12a

contributions will be required to implement footway provision towards the bus service and village centre, as well as allotments and sports pitches in order to be policy compliant. The evidence supporting the Neighbourhood Plan has not considered whether a smaller scheme would be acceptable and has simply ruled out development on this site altogether.

18. Notwithstanding the comments made above that the BNP does not meet the basic conditions, as stated previously in the RDC Regulation 14 comments, in the absence of allocations set out in the NDP, planning applications for development within Burwash Parish will be considered in the context of Policy OVE1 in the DaSA which states:

*'Until such time as a Neighbourhood Plan for the relevant settlement with an outstanding Core Strategy housing requirement is in force, planning applications will be favourably considered for development proposals in those settlements where:*

- (i) they contribute to meeting the housing target for that settlement and accord with the relevant spatial strategy; and (ii) the site and development proposals are otherwise suitable having regard to other relevant policies of the Core Strategy, including the considerations in OSS2 and OSS3, and of this Plan.'*

19. Including allocations within the Neighbourhood Plan ensures positive planning for development in the area and does not leave the parish vulnerable to speculative planning applications. Having a Neighbourhood Plan, which includes housing allocations to meet the outstanding target, offers far better protection from speculative development than without it. When making the application to undertake the Neighbourhood Plan, BPC opted to include allocations within the Plan and as such no respective housing allocations were considered within the District Council's now adopted DaSA Local Plan. This leaves a 'planning void' in Burwash parish, with no possible positive planned remedy to fill this void. This leaves the parish very vulnerable to speculative housing development. Therefore, it is considered that it is for the Neighbourhood Plan to make these allocations to meet the target set out in the adopted Core Strategy.

## **BNP Overview**

### *General comments*

20. Overall, whilst the policies are relevant for the parish, the plan lacks the structure and focus required of a neighbourhood development plan. A large amount of the supporting text sets out local opinion to development, but this is not sufficient to justify the policies. The anecdotal evidence could be substituted with a comprehensive overview of the parish, which is key to giving context to the policies. Information regarding population, size, demographics, employment, local issues, infrastructure and public services would all help create a sense of place for the reader and decision maker. The Character Appraisal helps to give some context, however a summary of this document would have been better placed to form the History and Background (or Past and Present) sections of the plan introduction. This section currently

does not give a complete picture of the parish, and mainly focuses on architectural styles.

21. The main document contains a substantial amount of information which belongs within supporting documents or the appendices; some careful editing would have given more focus to the Plan and made it more accessible for decision making. The section 'Community Development' gives a comprehensive explanation of the consultation process, community engagement and the outcomes, however this would be better retained in the Consultation Statement rather than in the main body of the BNP. This also applies to the section 'Assessment of Development Opportunities'. This is supporting evidence and should be omitted from the main body of the Plan. The section includes information regarding an anticipated planning application, which is anecdotal and will soon be dated. The sections 'Community Support for Developments' and 'Housing Conclusion' would also be more appropriate as supporting evidence for the Plan or inserted into the Consultation Statement.
22. Regarding formatting and editing, there are typographical errors which undermine the quality of the BNP and the document has a noticeable absence of parish photographs, which would have served to strengthen the identity of the parish to a reader/decision maker who does not know Burwash well, as well as illustrating the plan's objective to protect its well-regarded natural and historic environment. Some of the maps would be more legible in a larger A4 format rather than inserted within the text.
23. Several proposed policies repeat national and/or local policy including GP01 Protection of the AONB Landscape, GP04 Development Boundaries, HO01 Housing Tenure and Mix, HO02 Rural Exception Sites, EN01 Land Management, EN02 Natural Environment Protection, EN05 Historic Landscape Environment and IN02 Parking. Neighbourhood Plan policies can be successfully crafted to expand on local/national policy and be more relevant to the local area, however repeating local and national policy is unnecessary and does not add any benefit in considering applications in the parish. The draft Plan does not take the opportunity to add any parish specific elements to policies to safeguard local elements unique to the parish of Burwash.
24. Policies in the BNP could be worded more positively; the NPPF encourages plans to be positively prepared. Policies GP05 Design Standards, GPO6 Existing Open Spaces, EN01 Land Management, EN05 Historic Landscape Management, should be re-worded to be supportive of development. The policy text could often be more succinct which would assist a decision maker when determining an application. The language often makes the policy ambiguous and it can be difficult to understand the exact intent. The clear use and therefore interpretation of the language used within these policies is critical when using for decision-making.

## **Conclusion**

25. The Burwash Neighbourhood Plan does not meet all of the Basic Conditions set out in the Neighbourhood Planning Regulations (amended) 2012, required for a plan to undergo a successful examination and proceed to referendum.

The omission of site allocations as well as non-amendment to the 2006 development boundary, leave the Council in a position unable to support this Neighbourhood Development Plan. It is therefore recommended to Cabinet that the full comments made at Appendix 1 to this report are submitted on behalf of the District Council in response to the Regulation 16 consultation.

<b>Other Implications</b>	<b>Applies?</b>	<b>Other Implications</b>	<b>Applies?</b>
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

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Appendices:	Appendix 1
Relevant	None
Previous Minutes:	
Background Papers:	None
Reference Documents:	None

## Rother District Council Representations

### 1. General comments on the Neighbourhood Plan itself

The Council appreciates the amount of resources that are harnessed in order to produce a Neighbourhood Development Plan (NDP). In this case it is clear that a strong drive to protect the parish of Burwash exists within the community and this is clearly reflected throughout the document. Despite this, the Burwash Neighbourhood Plan (BNP) would have benefited from some considered editing and consultation with the Local Planning Authority which may have identified the following errors before it was submitted at Regulation 15.

The plan date should read Burwash Neighbourhood Development Plan 2019-2028 as this is the start date to which it relates, as with all NDPs, to the latest development figures made available when the plan is submitted. There is some apparent confusion regarding the neighbourhood planning process which is clarified here:

Neighbourhood Plans which are successful at examination i.e. when the examiner indicates that the plan should proceed to referendum, are given weight whilst waiting for the referendum. The timeline between the examination and the referendum is set out in the Neighbourhood Planning Regulations (General) 2012; the Local Planning Authority is not obliged to hold the referendum 'as soon as possible'. The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 set out the time allowed between the examiner's report being issued, the publication of the decision statement and the date of the referendum. The LPA has five weeks from when the examiner's report is issued until the decision statement must be published. The referendum must then be held within 56 days of this date. Regulations linked to the Coronavirus Act 2020 mean that referendums cannot take place until May 6<sup>th</sup>, 2021. Government guidance states that these provisions will be kept under review and may be amended or revoked in response to changing circumstances.

A large amount of the text in the main body of the BNP belongs in the appendices or as supporting evidence. The main issue with the lack of editing is that the resulting document is difficult to navigate and often superfluous. This undermines the very intention of the NDP which is to be deftly used by decision makers who are determining applications in the parish. A further issue which would have been resolved in consultation with the Local Planning Authority is the repetition of local and national policy, which is unnecessary and does not add value to the BNP. Examiners are generally not supportive of repeating national and local policies within Neighbourhood Plans as it unnecessarily complicates the consideration of planning applications and does not add value, as a result these may be recommended to be removed within the Examination process. Detailed comments on this are expanded in more detail below.

The supporting text to the Burwash Neighbourhood Plan places a strong emphasis on local support for development, which is welcomed by the Council, however the National Planning Policy Framework (NPPF) 2019, paragraph 29, sets out that '*Neighbourhood Plans should not promote less*

*development than set out in the strategic policies for the area, or undermine those strategic policies.*' When Burwash Parish Council (BPC) submitted their application for Burwash parish to be designated a Neighbourhood Area, it was agreed that the allocation of housing sites to meet the target set out within the adopted Core Strategy was 'scoped' into the remit of the Neighbourhood Plan. However, the Burwash NDP does not allocate any housing sites to meet the target of 52 dwellings (seen as a *minimum* figure), nor does it make any amendments to the existing development boundary to accommodate the outstanding figure for the settlement of Burwash, therefore it is the view of Rother District Council (RDC) that the Submission BNP does not meet the following basic condition as set out by planning policy guidance, *'the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).'*' The Core Strategy sets out the vision and objectives to guide the future pattern and form of development up to 2028, provides broad guidance on the scale and distribution of development and contains strategic policies to support the vision and objectives. The Development and Site Allocations Plan (DaSA)<sup>5</sup> also contains a small number of policies which also are considered to be strategic. Policy RA1: Villages is one of the key strategic policies in the Core Strategy which sets out the overall quantity/distribution of housing per settlement in the Rural Area, including that of village of Burwash.

Comments made by RDC at the Regulation 14 stage emphasised that site allocations are imperative to progress the Plan to Regulation 16, or risk failing the aforementioned basic condition. As expressed in those consultation comments, it is difficult to ascertain what the approach of being pro-development, whilst not updating the development boundary which is taken from the Rother Local Plan 2006, nor allocating any sites, is trying to achieve. The residual amount of housing of 22 dwellings<sup>6</sup> to be allocated is highly likely to require a revised development boundary.

There are two 2013 Strategic Housing Land Availability Assessment (SHLAA) sites, Strand Meadow<sup>7</sup> and Shrub Lane<sup>8</sup> (which were categorised as green and amber sites respectively) which have not been allocated within the Plan and there is no clear evidence to support this decision. Strand Meadow is a saved policy in the 2006 Local Plan (Policy VL1) and whilst it has extant outline planning permission it should be included as a site allocation in the BNP. A reserved matters planning application for the site at Strand Meadow has been recently submitted (October 2020) for a scheme of 30 dwellings. The use of a positively worded policy relating to the site would have assisted in the consideration of future applications relating to detail of the site and could ensure local vernacular is reflected in its design, for example.

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dwellings, namely that a village edge scheme is desired which implements a broad-leaved woodland buffer across the northern and eastern perimeters of the site. The suitability of the development is also dependant on access. Developers' contributions will be required to implement footway provision towards the bus service and village centre, as well as allotments and sports pitches in order to be policy compliant. The evidence supporting the Neighbourhood Plan has not considered whether a smaller scheme would be acceptable and has simply ruled out development on this site altogether.

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Regarding formatting and editing, there are typographical errors which undermine the quality of the BNP and the document has a noticeable absence of parish photographs, which would have served to strengthen the identity of the parish to a reader/decision maker who does not know Burwash well, as well as illustrating the plan's objective to protect its well-regarded natural and historic environment. Some of the maps would be more legible in a larger A4 format rather than inserted within the text.

Several proposed policies repeat national and/or local policy including GP01 Protection of the Area of Outstanding Natural Beauty (AONB) Landscape, GP04 Development Boundaries, HO01 Housing Tenure and Mix, HO02 Rural Exception Sites, EN01 Land Management, EN02 Natural Environment Protection, EN05 Historic Landscape Environment and IN02 Parking. Neighbourhood Plan policies can be successfully crafted to expand on local/national policy and be more relevant to the local area, however repeating local and national policy is unnecessary and does not add any benefit in considering applications in the parish. The draft Plan does not take the opportunity to add any parish specific elements to policies to safeguard local elements unique to the parish of Burwash.

Policies in the BNP could be worded more positively; the NPPF encourages plans to be positively prepared. Policies GP05 Design Standards, GPO6 Existing Open Spaces, EN01 Land Management, EN05 Historic Landscape Management, should be re-worded to be supportive of development. The policy text could often be more succinct which would assist a decision maker when determining an application. The language often makes the policy ambiguous and it can be difficult to understand the exact intent. The clear use and therefore interpretation of the language used within these policies is critical when using for decision-making.

## **2. Policy GP01 Protection of the AONB Landscape**

Overall the policy repeats national and local policy in terms of protection given to the AONB and does not take the opportunity to set out criteria specific to the parish. The policy should be re-worded to be positively written, 'Development will be supported..' to replace 'Development will only be permitted...' in line with national guidance. Criterion b) is restrictive and it is not clear how this could be enforced for every planning application. The policy is unclear whether each criterion should be applied to every application for the parish. The policy could be re-worded to make it easier to interpret. It should

be considered that housing forms part of the character of the High Weald, and this can be embraced in order to maintain the sustainability of a settlement.

**3. Policy GP02 Views into and from the AONB**

This policy content would benefit by being re-worded to read in a positive manner. It could be tailored by citing certain views of the villages that have particular significance to local people rather than all views, making it more relevant to Burwash. It could be included as a criterion of Policy GP01 and deleted as a separate policy.

**4. Policy GP03 Heritage**

This policy would be difficult to interpret when determining an application. How exactly would development need to affect heritage assets in order to not be supported? Criteria here would be helpful.

Criteria could further be applied to the last paragraph setting out what the policy is supporting/not supporting in terms of damage to the heritage assets. Furthermore, GP03 does not add anything to local or national policy, the policy would benefit from re-wording with criteria that are specific to the parish or its removal from the Plan.

**5. Policy GP04 Development Boundaries**

This policy does not conform with strategic policies in the Core Strategy. The development boundary as set out in the BNP replicates the 2006 development boundary for Burwash and does not make provision for additional development to accommodate the outstanding housing target in the Local Plan, and therefore needs to be amended. The policy wording makes it clear that, excluding essential operational requirements of utility infrastructure providers, development will generally not be supported outside development boundaries and whilst that is the purpose of development boundaries, by not making any amendments from the 2006 boundary the plan has not taken a positive approach to development.

**6. Policy GP05 Design Standards**

The policy would benefit from editing where it repeats local/national policy (criteria e and j). Criteria d) and h) would be difficult to apply in its entirety to every planning decision. It is unclear whether every criterion is to be applied to each application. The addition of 'and' or 'or' would be helpful. References to 'the existing palette' under criteria c) is does not refer to a particular palette, whilst criteria i) is superfluous.

**7. Policy GP06 Existing Open Spaces**

The policy should be expanded to set out how development must not impact on existing open space. The policy should be more precise, and this could be achieved by listing criteria.

It is recommended that it should be re-worded in a positive manner to say how development will be supported when it does not detract from the visual and physical qualities, and the community benefit, from the listed open spaces. The open spaces would benefit from being identified on the respective policies map.

- 8. Policy GP07 New Open Spaces**

The second part of this policy will be difficult to enforce in all developments of 10+ homes. I recommend including this as an aspiration in the 'Future Plans' section of the NDP.
- 9. Policy GP08 Sustainable Development**

The aims of this policy are achievable however, clarification whether development is to achieve all or some of the criteria is necessary here. Out of date terms are used such as 'Sustainable Urban Drainage' and should be replaced with 'Sustainable Drainage Systems'. It is recommended to remove words such as 'generally' as this adds ambiguity for a decision maker.
- 10. Policy HO01 Housing Tenure and Mix**

Criterion a) is too vague and b) repeats affordable housing policy in the DaSA, albeit without a relevant threshold. It is recommended that a) sets out the type of housing that has been identified in the housing needs survey. Criteria b) should be removed from the policy. This policy suggests that all applications will be supported if they meet criteria a) and b) which it is not believed is the intent of the policy.
- 11. Policy HO02 Rural Exception Sites**

This policy does not expand on policy DHG2 in the DaSA and in fact is less detailed than that which is contained within it. References to the emerging DaSA should be removed as they are out of date.
- 12. Policy EN01 Land Management**

It is not clear what is meant by 'unacceptable impact'. This does not expand on DaSA policy and it is recommended it is deleted or criteria added to shape the policy around local issues.
- 13. Policy EN02 Natural Environment Protection**

This policy does not expand on local/national policy. It is recommended that inserting criteria which specifically protect identified natural capital of the villages.
- 14. Policy EN03 Green Infrastructure: Footpaths and Bridleways**

This policy is essentially requesting maintenance and would sit better in the 'aspirations' section of the BNP. It is unclear if it applies to all new development and how it would be enforced.
- 15. Policy EN04 Dark Skies**

Question is made as to whether this policy is enforceable as much outside lighting will not require planning permission. The policy should be clearer as to when the criteria would apply. There are no other dark skies policies in 'made' neighbourhood plans in Rother District. In Lewes District, Seaford and Ditchling, Westmeston and Streat Neighbourhood Plans contain policies which refer to the protection of dark skies, as the parishes are partly located in the South Downs National Park. The SDNP is designated as an International Dark Sky Reserve and this provides the background evidence the policies require. The AONB has not been given a dark skies designation and therefore further evidence is required to support this policy.

- 16. Policy EN05 Historic Landscape Environment**  
This policy repeats local/national policy. It would read better if it was positively worded, with criteria setting out what would be supported.
- 17. Policy EN06 Integration of Landscaping**  
No comments.
- 18. Policy IN01 Pedestrian Safety**  
The policy suggests all development will be supported if it meets the criteria of this pedestrian safety policy, which is unlikely to be its intent. It is unclear whether the intent is to have all criteria complied with. It is also muddled between DDA requirements and highways improvements.
- 19. Policy IN02 Parking**  
This policy repeats the East Sussex County Council parking standards which all planning applications must already take into account. It is recommended that the policy is deleted.
- 20. Policy IN03 Supporting Businesses**  
It is not clear what is meant by 'isolated' sites and how this policy sits with the development boundary policy (GP04) where development outside development boundaries will not be supported. This creates an internal conflict within the BNP. It also infers that proposals for development of new or existing businesses which are not isolated will not be supported and this is unlikely to be the intention of the policy.
- 21. Policy IN04 Retention of Business Premises**  
The policy repeats local/national policy and is therefore unnecessary.
- 22. Parish Council Rolling Plan**  
This section is set out like the minutes of a Parish Council meeting and is not suitable for a development document in this format. It will become quickly outdated and it is unclear in many cases what the aspiration is. It might be more useful and relevant if fewer aspirations under each heading are selected and expanded on with more detail. Rye NDP has a good example of a community aspirations section for proposals which do not concern land use.