

## Rother District Council

**Report to:** Cabinet

**Date:** 11 January 2021

**Title:** Battle Civil Parish 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):** North Battle, Netherfield & Whatlington, South Battle & Telham

**Purpose of Report:** To present the Council's representations made for the Regulation 16 Consultation on the Battle Parish Neighbourhood Plan.

**Decision Type:** Non-Key

### Officer

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

- 1) the main body of this report and the representations set out at Appendix 1 be submitted, together with supporting material, for consideration by the Examiner in relation to the submitted Battle Civil Parish 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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## Introduction

1. The Battle Civil Parish Neighbourhood Plan (BCPNP) has been prepared by Battle Town Council following designation of the parish as a Neighbourhood Area in 2015. It is currently the subject of a statutory public consultation ending on 29 January 2021 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.

## Analysis

3. 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/battle-neighbourhood-plan/>.

The submitted documents are:

- Battle Civil Parish Neighbourhood Plan 2019-2028
- Basic Conditions Statement
- Battle Civil Parish Design Guidelines
- Battle Civil Parish Character Appraisal
- Strategic Environmental Assessment
- Consultation Statement
- Consultation Statement Appendix 1 – Communications Strategy
- Consultation Statement Appendix II – Questionnaire Survey
- Consultation Statement Appendix III- -Photographs
- Consultation Statement Appendix IV – Resources and Literature

4. The Neighbourhood Plan contains 23 planning policies and additional community aspirations which are as follows:

List of BCPNP Planning Policies

*Housing and Development*

- HD1 Development Boundaries
- HD2 Site Allocations
- HD3 Housing Mix
- HD4 Quality of Design
- HD5 Protection of Landscape Character
- HD6 Local Connection
- HD7 Integration of New Housing
- HD8 Protection of the Green Gaps Between Settlements
- HD9 Town Centre Boundary

*Infrastructure*

- IN1 Traffic mitigation
- IN2 Maintain and improve existing infrastructure
- IN3 Parking and new development
- IN4 Pedestrian provision and safety

*Environment*

- EN1 Local Green Space Designations
- EN2 Conservation of the natural environment, ecosystems and biodiversity
- EN3 The High Weald AONB and Countryside Protection
- EN4 Historic Environment
- EN5 Locally important historic buildings, other structures and other non-designated heritage assets

*Economy and Tourism*

- ET1 Tourism and Local Economy
- ET2 Sustaining local retail and encouraging employment opportunities
- ET3 Developer Contributions
- ET4 Protection of Assets of Community Value
- ET5 Community leisure and cultural facilities

## Community Aspirations

Ambition 1 - Battle and the hamlet of Telham: To reduce road traffic congestion both local and through traffic, especially at peak times

AMBITION 2 – Battle and the hamlet of Telham: To improve footways and pedestrian safety

AMBITION 3 – Battle, Netherfield and the hamlet of Telham: To protect and encourage wildlife, flora and fauna within the Civil Parish.

AMBITION 4 – Battle and the hamlet of Telham: To monitor for adequate provision of Community Facilities and Amenities

AMBITION 5 – Battle and the hamlet of Telham: To protect the Town's History and Buildings

AMBITION 6 – Battle, Netherfield and the hamlet of Telham: To improve local public transport

AMBITION 7 - Netherfield: To reduce local congestion and improve footways

AMBITION 8 - Netherfield: To improve car parking

AMBITION 9 - Netherfield: To ensure adequate provision of Community Facilities

AMBITION 10 - Netherfield: To improve infrastructure and utilities

AMBITION 11 – Battle, the hamlet of Telham and Netherfield: To encourage a diverse mixture of dwellings.

5. The Neighbourhood Plan relates to the period 2019-2028 in line with the end date of the Core Strategy.

### **General conformity and other 'basic conditions' requirements**

6. 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.'*

7. 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.
8. 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. The BCPNP was submitted to RDC for a pre-submission review. The Steering Group responded to many of the comments made, resulting in a much-reduced number of comments made at the Regulation 16 consultation and we welcome this approach.

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

9. The BCPNP includes policies relevant to both Battle and Netherfield and as such relevant strategic spatial policies from the Core Strategy relate to both Battle and the Rural Areas. 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:
- (iii) Identify suitable sites in accordance with the following spatial distribution:*
- (b) Provide for some development in Battle and Rye that helps maintain their small market town roles and is consistent with their respective environmental constraints and settings*
  - (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.*
10. The spatial strategy is elaborated upon for Rural Areas, including Netherfield, 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.*
11. The objectives for Battle are listed in policy BA1: Policy Framework for Battle, which sets out the approach to development in Battle as follows:
- (i) Maintain the essential physical form, local distinctiveness, character and setting of the town, particularly in and adjacent to the Conservation Area;*
  - (ii) Implement the ESCC Battle Local Area Transport Strategy, particularly measures that minimise the demand for cross-town vehicular traffic; and*

- improve pedestrian and cycle access to services/ facilities from new and existing development;*
- (iii) Provide for 475-500 net additional dwellings in Battle over the Plan period 2011-2028, by developing new housing via opportunities both within the development boundary, and modest peripheral expansion opportunities that respects the setting of Battle within the High Weald AONB and supports community facilities;*
  - (iv) Enable new local employment opportunities by providing for at least 10,000 sq m of employment floorspace within the town centre, adjacent to Station Approach, at sites on Marley Lane and at other sites as necessary (including by assessing the potential for mixed use with housing development);*
  - (v) Enable growth in sustainable tourism by allowing the development of new tourist accommodation, particularly by the conversion and extension of suitable properties closely related to the town centre;*
  - (vi) Maintain a vibrant and distinctive town centre and encouraging additional restaurants, cafes and/or retail service establishments as well as seeking opportunities for increased convenience shopping floorspace of some 1,000 sq m sales area within or adjacent to the town centre, as well as facilitating some additional comparison shopping floorspace;*
  - (vii) Implement improvements to the provision of open space, sport and recreation facilities, in accordance with adopted standards and strategies;*
  - (viii) Ensure that new development does not put pressure on local infrastructure, and that it makes appropriate contribution to community and other infrastructure;*
  - (ix) Seek opportunities for habitat creation, restoration and enhancement, particularly in identified Biodiversity Opportunity Areas to the east and west of the town.*

12. BA1 sets out that Battle must provide for 475-500 net additional dwellings over the Plan period 2011-2028. 48 additional dwellings are to be identified in Netherfield as set out in table 12 of policy RA1. As at 1<sup>st</sup> April 2019, the residual number for Battle is 18, once the developments of the Blackfriars, Tollgates and Lillybank sites and other smaller developments are accounted for. The equivalent residual number for Netherfield is 23 as of April 1 2019.

13. In addition to Policies OSS1, RA1BA1, 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**

### General

14. The policies and supporting text of the BCPNP have been crafted to positively support development which is demonstrated throughout the document and

welcomed by RDC. The housing site allocations meet the residual targets for both Battle and Netherfield.

#### Retail and employment policies

15. It is appreciated that the policy for the retail and employment element, ET2, is worded to accommodate future development, however the outstanding target figures of 1,000sq m of retail and 10,000sq m of employment floorspace set when the neighbourhood area was designated in 2015, have not been allocated within the Neighbourhood Plan, and this causes some concern.
16. The supporting document *Battle CP Call for Sites for Retail and Employment 2020* confuses the issue by highlighting potential sites but these are not taken forward within the Neighbourhood Plan as allocations.
17. Discussions between the Neighbourhood Plan Steering Group and the RDC Property Estates and Regeneration Manager regarding retail development in Battle have been on-going. The Property Estates and Regeneration Manager has confirmed to the Steering Group that as the freehold owner of the site where Jempsons convenience store is located, the District Council would be open to the suggestion of a potential Jempsons' expansion, and it was hoped that the relevant policy ET2 would reflect this support with an allocation of 1000sq m to meet the retail requirement. The policy would then wholly be in conformity with Core Strategy BA1 Policy Framework for Battle which sets out the requirement for 1000sq m 'within or adjacent to the town centre'.
18. The District Council would not wish the BCPNP to fail on this point and therefore it is considered that policy could be reworded to include reference to the outstanding requirement for retail floorspace and its suitability in this locality without the need for a specific allocation, wording such as '*It is the intention to support the retention of existing retail outlets within the town centre boundary and further support the provision of the outstanding target for additional convenience goods floorspace primarily at the market square site.*' would ensure conformity.
19. The employment floorspace requirement for Battle Parish is set out in BA1 for 10,000sq m, with 9,358sq m being allocated in existing permissions and the DaSA allocation at Marley Lane, plus the extant Rutherfords allocation of 2,700sq m which will continue to be carried forward from the 2006 Local Plan Policy EM4, leaving a residual requirement for 642sq m. Again, the supporting document identifies potential employment sites, and the SG has been in discussion with RDC officers about these allocations, however the residual requirement has not been met in the BCNP. It is appreciated that the policy is positively worded, but the omission of the employment allocations potentially leaves the parish open to speculative development, which should be avoided. The continued 'saving' of the extant Rutherfords policy from the 2006 Local Plan assists to protect the parish from large scale speculative employment land development.

## Housing Mix

20. There are some concerns regarding the wording of HD3 Housing Mix, which were highlighted at the Regulation 14 consultation and again at the pre-submission review, but these have not been addressed in the Plan. The wording of the policy relating to 'a proportion of affordable housing and shared ownership flats' could be seen to undermine the strategic policy DHG1 - Affordable Housing. Shared ownership is affordable housing as defined in national policy and the term 'a proportion' conflicts with the local plan policy. The policy also implies that shared ownership units must be flats, which may not be appropriate in all cases and would preclude all development without flats. It is unclear why single level dwellings are specified, and sheltered accommodation provision is expected as part of the policy. The wording of Policy HD3 may make it difficult for decision makers to interpret as it conflicts with the respective strategic policies in the Local Plan. It is considered that wording such as this could undermine the strength of the Plan. However, these elements described above could be resolved with some careful rewording of the policy.

## Matters outside the remit of planning policy

21. There are policies in the Plan which attempt to deal with matters outside the remit of planning policy, the precise comments are in the appendix below. Officer's recommended at Regulation 14 that these policies were deleted or amended, and these comments still stand. HD6 Local Connection sets out criteria for selecting occupiers and tenants for affordable housing which are not applied via the planning process. Policy ET3 Developer Contributions is unnecessary in its current edit, we have recommended that the wording of the policy and the intentions should be re-visited. The policy cannot operate in the way it is set out in the Plan, however it could sit comfortably in the aspirations section of the Plan where a list of projects and objectives could be identified and advanced for funding by CIL monies or negotiation via S106 Obligations.
22. The same applies to policy ET4 Protection of Community Assets, which would also be better placed in the aspirations section of the Plan. The procedures for registering Assets of Community Value are not via the planning system.

## **Environmental/Sustainability Implications**

23. Neighbourhood plans must contribute to the achievement of sustainable development in order to meet the Basic Conditions. Through the Examination process, the appointed independent Examiner, will conclude whether the BCPNP meets the Basic Conditions and has followed the proper legal process required of a Neighbourhood Plan and whether it should proceed to a referendum.
24. The BCPNP is also accompanied by a Strategic Environmental Assessment of the plans and policies. The Examiner will consider this document alongside the evidence base supporting the submitted BCPNP.

25. Once the BCPNP has been through the Examination process, a subsequent report will be presented to a future Cabinet meeting. That report will detail the findings of the Examiners Report, the response to the findings and the requisite recommendation/s.

## Conclusion

26. The BCPNP is well structured and well-presented with a strong evidence base. A clear commitment from the Steering Group to represent the views of the parish residents is evident from the development of the Plan after extensive community consultation. We are pleased to see the positive stance towards development and the BCPNP is a document that can largely be used effectively by a decision maker, however there are certain recommendations made at Regulation 14 and beyond have not been taken into account, such as those set out in paragraph 20 above for example, which may make it difficult for decision makers to interpret as it conflicts with the respective strategic policies in the Local Plan. It is considered that current wording used could undermine the strength of the Plan.

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

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Appendices:	Appendix 1 – RDC Representations
Relevant Previous Minutes:	None
Background Papers:	Battle Civil Parish Neighbourhood Plan 2019-2028
Reference Documents:	Basic Conditions Statement Battle Civil Parish Design Guidelines Battle Civil Parish Character Appraisal Strategic Environmental Assessment Consultation Statement Consultation Statement Appendix I – Communications Strategy Consultation Statement Appendix II – Questionnaire Survey Consultation Statement Appendix III – Photographs Consultation Statement Appendix IV – Resources and Literature

## Rother District Council Representations

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

The Battle Parish Neighbourhood Plan is a well-researched document. The structure of the Plan is clear and well formatted, making it easy to navigate and use in decision making. The maps are clear and well placed and the photos illustrate well the identity of the parish. More photos could have been used throughout the document as the parish has a wealth of photogenic locations, although it is appreciated that the supporting document the Battle Civil Parish Design Guidelines is fully illustrated with images of many aspects of the parish.

Each policy is presented alongside the community objective it supports, the local policy it is in conformity with and the key evidence base that can be found in appendices and elsewhere online, creating a user-friendly document. The policy intent section offers helpful supporting text for each policy. The consultation statement demonstrates the community consultation process and how the Plan has developed accordingly. It is clear that the Plan has progressed since the Regulation 14 consultation, taking into account the comments from the community and statutory bodies.

### 2. **HD1 Development Boundaries**

No specific comments.

### 3. **HD2 Site Allocations**

Officers recommended at the Regulation 14 stage that site BA32a Glengorse which is proposed to be allocated for 20 dwellings is only suitable for 15 dwellings. A layout diagram, taking into account the substantial tree and hedged field boundaries, and the realities of a street network, indicates that circa 15 would be a more realistic number for this site. This recommendation still stands and it should be noted that amending the site capacity to 15 does not impact on the BCPNP's ability to meet the outstanding housing target. Other comments made at Regulation 14 have been taken into account.

### 4. **HD3 Housing mix**

Comments made at Regulation 14 and the pre-submission review still stand. This policy must take account of strategic policies - Core Strategy Policy LHN1 Achieving Mixed and Balanced Communities and DaSA Policy DHG1 Affordable Housing. The wording of this policy relating to 'a proportion of affordable housing and shared ownership flats' could be seen to undermine the strategic policy DHG1 (affordable housing). Shared ownership is affordable housing as defined in national policy and the term 'a proportion' conflicts with Policy DHG1. The wording is vague and difficult for developers to ascertain the more detailed requirements that it is trying to achieve and undermines the strategic policy LHN1 in the Core Strategy. The policy implies that shared ownership units need to be flats which may not be appropriate in all cases - this would preclude developments without flats. It is unclear why single level dwellings (bungalows) are specified and sheltered accommodation provision is expected as part of the policy. These elements could be resolved with some careful rewording of the policy wording.

- 5. HD4 Quality of Design**  
No specific comments.
- 6. HD5 Protection of Landscape Character**  
Officers advised at Regulation 14 that the first line of the policy line should be proceeded with 'When appropriate' to avoid this policy being applied to developments of all sizes, which would be unviable in many cases. The final sentence of the policy would be better placed in the supporting text.
- 7. HD6 Local Connection**  
Officers recommended in the pre-submission review that this policy is deleted. There are various issues relating to affordable housing and to the criteria for selecting occupiers and tenants, which are not applied via the planning process. The requirements outlined in this policy are inappropriate and it is within the planning policy remit to be legally applied. Similar policies put forward in other Neighbourhood Plans in the district when examined have had these policies removed by the Examiner.
- 8. HD7 Integration of New Housing**  
No specific comments.
- 9. HD8 Protection of the Green Gaps between Settlements**  
No specific comments.
- 10. HD9 Town Centre Boundary**  
The inclusion of this policy in the Submission Plan and the policy statement within HD9 that supports the refurbishment of existing retail premises within the Town Centre area is welcomed. Rother District Council is the freehold owner of the principal food retail outlet in Battle, and during the production of the Neighbourhood Plan, the Estates Department of the Council has communicated its position to the steering group of the BCNP that it would be open to discuss proposals to consolidate and enhance the commercial offer in this location.  
  
It would be clearer for the reader if the term 'town centre' was used consistently in place of the term 'main shopping area' considering the policy context. It is not clear why the amalgamation of existing ground floor retail space is resisted and what evidence there is to support this position. Similarly, it is not clear what is meant by development of 'small scale dwellings' being supported and whether this refers to upper floors of building or all floors. The supporting text should refer to Core Strategy policy BA1 Battle Policy Framework to underline its conformity.
- 11. IN1 Traffic Mitigation**  
No specific comments.
- 12. IN2 Maintain and Improve Existing Infrastructure**  
Officers commented at Regulation 14 that the requirements of this policy are a little vague, particularly as many works elements relating to utilities and highways are permitted development. This policy would be better placed in the aspirations section and discussions can take place with the appropriate agencies concerning highways, telecommunications, utilities etc.

- 13. IN3 Parking and New Development**  
Officers commented at Regulation 14 that the policy does not expand on the East Sussex County Council parking standards and as such to avoid duplication of the development Plan recommended that this policy is deleted. This position still stands.
- 14. IN4 Pedestrian Provision and Safety**  
Suggested changes made by Officer's at the Regulation 14 stage have been integrated into the policy and this is welcomed. It is further recommended that the line 'The Neighbourhood Plan will, where appropriate, require proposals to' is amended to 'Where appropriate, proposals will be required to'.
- 15. Policy EN1: Local Green Space Designations**  
No specific comments.
- 16. Policy EN2: Conservation of the Natural Environment, Ecosystems and Biodiversity**  
Comments made at the pre-submission plan review stage have largely been taken on board and this is welcomed.
- 17. Policy EN3: The High Weald AONB and Countryside Protection**  
Officers commented at the pre-submission review that this policy will have a disproportionate impact for small development applications. It is unlikely that this could be enforced for smaller applications e.g. an extension being refused for not using local materials. Minor re-wording to the policy such as '*Where appropriate, development must demonstrate that it will*' would overcome this concern.
- 18. Policy EN4: Historic Environment**  
No specific comments.
- 19. EN5 Locally Important Historic Buildings, Other Structures and Other Non-Designated Heritage Assets**  
No specific comments.
- 20. ET1 Tourism and Local Economy**  
Please note that only the Bannatyne Spa Hotel is located in Rother District, the Bannatynes Health Club is within the Hastings administrative boundary. As such, only the Spa Hotel should be listed in the policy.
- 21. ET2 Sustaining Local Retail and Encouraging Employment Opportunities**  
Officers stated during the Regulation 14 consultation, that the employment and retail targets agreed at the neighbourhood area designation have not been included for allocation. The supporting document *Battle CP Call for Sites for Retail and Employment 2020* highlights that there are employment sites which are suitable but they have not been allocated. The Rutherfords employment site will continue to be carried forward from the 2006 Local Plan Policy EM4 (some 2.700sq m of the requirement). Once planning permissions and completions have been taken into account the residual figure (from the 10,000sq m target) is 642 sq m of employment space. It is appreciated that the policy is positively worded, but the omission of the employment allocations potentially leaves the parish open to speculative development, which should be avoided. The continued 'saving' of the extant Rutherfords policy from the 2006 Local Plan

assists to protect the parish from large scale speculative employment land development.

It is noted and welcomed the statements within Policy ET2 supporting the retention of retail spaces within the defined Battle town centre.

The commentary accompanying policy ET2 does not make a recommendation regarding the allocation of land for identified target set out in Policy BA1 of the Core Strategy for additional retail space. The District Council considers that the Council-owned site at Market Square where the Jempsons convenience store is located offers the most appropriate location for any expansion of convenience retail capacity in Battle and we believe that it would be appropriate to allocate this site for this purpose. However, the District Council would not wish the BCPNP to fail on this point and therefore it is considered that policy could be reworded to include reference to the outstanding requirement for retail floorspace and its suitability in this locality without the need for a specific allocation, wording such as *'It is the intention to support the retention of existing retail outlets within the town centre boundary and further support the provision of the outstanding target for additional convenience goods floorspace primarily at the market square site.'* would ensure conformity.

## **22. ET3 Developer Contributions**

Officer comments made for this policy at the Regulation 14 stage have not been taken on board.

At Regulation 14 Officer's commented that:

*The wording of this policy and its intentions need to be rethought. CIL will be collected on new eligible residential development and 25% of monies collected will be forwarded to BTC if the Neighbourhood Plan is made. (15% if the NP is not made). BTC is free to spend these funds on whatever infrastructure projects it chooses within the Parish. S106 contributions where appropriate and relevant to the development will be negotiated on a site by site basis for elements such as affordable housing, highway works, greenspace, local community facilities etc. S106 funds and/or works or facilities are negotiated whereas CIL monies are collected. The policy cannot operate in the way that it is set out in the draft plan. The Policy might be better placed in the aspirations section of the plan where a list of projects and objectives could be identified and advanced for funding by CIL monies or negotiation via S106 Obligations. It is noted that a Health Centre within Netherfield is an objective.*

It is recommended that this policy is omitted from the BCNP as its intentions are impossible through the planning system. As stated in our Regulation 14 comments above, the collection and distribution of distribution of CIL monies is not managed through planning policy, however this intention could be placed in the aspirations section.

## **23. ET4 Protection of Community Assets**

Officers recommended at Regulation 14 to move this policy to the community aspirations section. The procedures for registering Assets of Community Value are not via the planning system as such it is outside the scope of planning to implement the intention set out in the policy wording.

**24. ET5 Community Leisure and Cultural Facilities**

Comments made at the Regulation 14 stage have not been taken into account when developing this policy, including the criteria and the wording of the policy. The objective of the policy is not clear and it is recommended that the policy in its current wording is omitted.

**25. Strategic Environmental Assessment**

Officer comments made the Regulation 14 stage have been taken into account and no further comments are made at this time.

**26. Battle Civil Parish Design Guidelines**

The objectives of the Design Guidelines are to provide design guidance which will influence development coming forward in the parish, and masterplanning which draws on the design guidance, and gives strategic recommendations on how best to accommodate the Blackfriars site. Generally, the Design Guide is a thoughtful and well-set out document, containing much good and useful advice, particularly in Chapter 3 Design Guidelines.

Specific comments are made below, referenced by pages in the document:

p.6 – This sets out that the masterplanning work focusses on the Blackfriars site. While this is undoubtedly the biggest of the allocated sites, it is important that the design guide is promoted as having wider use (there are other allocated sites, plus speculative sites may come forward as applications). Under the ‘Design’ paragraph, the text might better read ‘The design guidelines are intended to inform the design of all new housing development proposals in the parish’ – and omit the Blackfriars reference, but leave this in the ‘Masterplanning’ paragraph. The ‘Design’ paragraph might also usefully reference the High Weald AONB Housing Design Guide – perhaps suggesting that this be read alongside it.

p.12 – It would be useful if the introduction here (in ‘Local Character Analysis’) included reference to the adopted Battle Conservation Area Appraisal, explaining for example that this section develops the character analysis contained in that Appraisal.

p.38/39 (paving materials/street furniture) - This might also make useful reference to the need to conserve and repair characterful historic paving materials, streetlighting and other street furniture within the NP area, in works to the Highway or by utilities companies. It might also be useful to include here a reference to the Rother Public Realm Strategic Framework. This section is fairly ‘urban’ based, appearing to relate more to the context of Battle Town; the NP covers a wider area of Battle Parish, and we feel that more comment should be made of the differing character, particularly of public realm, in the rural areas within the NP area.

p.42 – The ‘Permeable Pavement’ text and imagery doesn’t seem to relate well to the previous advice about Battle context and character and it is questioned whether there are there any better examples? It is debatable whether the second, third and fifth bullet points are relevant for Battle examples; it may be better to delete those three.

p.43 – This all seems fairly generic, and doesn’t relate to Battle character – it is questioned whether there local images that could be used to better explain this

section? Examples are very urban and it is considered that there are better examples of well-designed bin storage.

p.44 (solar roof panels) – The advice set out here is concerning, and contrary to advice in the High Weald AONB Housing Design Guide for new buildings, which seeks a fabric-first approach to building sustainability, that is maximising the performance of the components and materials that make up the building fabric itself before considering the use of ‘add-on’ equipment that may impact adversely on the appearance of buildings, particularly in long landscape views. A similar approach is advocated by Historic England with regard to retrofitting on historic buildings. It is requested the text be amended here to reflect the High Weald Design Guide for new buildings, and Historic England advice for historic buildings.

p.50 Applying the Guidelines – it is suggested that this section is renamed ‘Masterplanning example – Applying the Guidelines’. This will better relate to how this section is introduced on p.6. The name change also helps make clear that this is just one example of applying the guidelines, and that they will also apply to other sites.