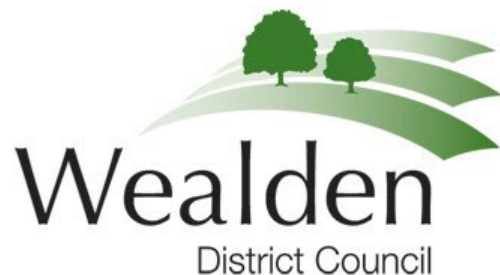


WEALDEN DISTRICT COUNCIL CONSULTATION

Wadhurst Neighbourhood Plan Regulation 16 Consultation

Consultation Response Form

Consultation Period
5 June 2023 – 17 July 2023



Introduction

Wealden District Council is publishing the Wadhurst Neighbourhood Plan for consultation in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The purpose of this consultation response form is for you to make your comments on the draft Wadhurst Neighbourhood Plan.

Under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended), we are required to undertake a six-week consultation on the Neighbourhood Plan. This will be the last opportunity to comment on the Plan before it is submitted for independent examination. The consultation on the Wadhurst Neighbourhood Plan is open between **9am on 5 June 2023 and 5pm on 17 July 2023**.

The documents submitted by Wadhurst Parish Council include:

- Wadhurst Neighbourhood Plan 2016-2039. Submission Plan (April 2023).
- Wadhurst Neighbourhood Plan 2016-2039 Appendix A- Identifying Green Gaps.
- Wadhurst Neighbourhood Plan 2016-2039 Appendix B- Wadhurst Design Code (March 2023).
- Wadhurst Neighbourhood Plan 2016-2039 Basic Conditions Statement (April 2023).
- Wadhurst Neighbourhood Plan 2016-2039 Consultation Statement (April 2023).
- Wadhurst Neighbourhood Plan Pre-submission Stage Sustainability Appraisal (November 2022).
- Strategic Environmental Assessment (SEA) Screening Opinion Wadhurst Neighbourhood Plan and Wadhurst Design Code (Pre-Regulation 14) (October 2022)
- Habitats Regulations Assessment (HRA) Screening Report Wadhurst Neighbourhood Plan (Pre-Regulation 14) (October 2022)
- Map identifying the area to which the proposed neighbourhood development plan relates.
- List of evidence base documents
- The Future - What Parishioners Want.
- Wadhurst Neighbourhood Plan - Community Aspirations.

Viewing the Neighbourhood Plan

The Neighbourhood Plan and the supporting documents are available to view on the following website;

<https://consult.wealden.gov.uk/kse>

Printed copies of the Neighbourhood Plan and the supporting documents can be viewed at the following locations:

- Carillon Cottage, High Street, Wadhurst, TN5 6AA (Open Monday to Saturday 9:30am - 12:30pm)
- Piccolo Café, High Street, Wadhurst, TN5 6AJ (Open Monday to Saturday 9am- 4pm, Thursday to Saturday - 5.30pm-9pm)
- Jempsons Supermarket, High Street, Wadhurst, TN5 6AJ (Open Monday to Saturday 7am to 9pm)
- Wadhurst Library, High Street, Wadhurst, TN5 6AP (Open Monday 2pm- 4.30pm, Wednesday 10am-1pm, Friday 2pm- 4.30pm, Saturday 10am-1pm)
- Wealden District Council, Council Offices, Vicarage Lane, Hailsham, BN27 2AX (Monday, Tuesday, Thursday, Friday 8.30am-5pm, Wednesday 9am - 5pm).

How to Comment on the Neighbourhood Plan

- By post: print and complete this form and send it to Planning Policy, Wealden District Council, Vicarage Lane, Hailsham, BN27 2AX
- By email: complete this form and send it to Nplans@wealden.gov.uk

You can make comments on any of the information submitted for the consultation. Please make it clear which document you are commenting upon alongside the paragraph/page number. Your comments should address whether the Neighbourhood Plan meets the basic conditions. These are outlined in the Regulation 16 Guidance Notes.

Queries.

If you have any queries relating to the consultation or submitting your comments, please contact the Planning Policy Team on (01892 602008) or email Nplans@wealden.gov.uk

If you or somebody you know, would like this form in large print, braille, audio tape/CD or in another language, please let us know.

1. Personal Details

For any comments to be considered you must at least provide your name and address (this can be an email address). Representations cannot be treated in confidence and copies of all representations, along with your name or organisation, will be made publicly available on the Council's website (in due course) and sent to the Examiner. However, the Council will not publish your personal contact information such as telephone numbers, email or private addresses. By submitting your views you confirm your consent to the above and that you accept full responsibility for your comments.

Personal Details	Answer
Title	Mrs
First Name	Polly
Last Name	Canning
Job Title and Organisation (if relevant)	Kember Loudon Williams
Address	Ridgers Barn, Bunny Lane, Eridge Kent
Postcode	TN3 9HA
Contact telephone number	
Email address	
Interest in the area (for example are you a resident, business owner or do you work in the proposed neighbourhood area)	Acting on behalf of Mr Stephen Durnford, who owns land to the east of Wadhurst - including Primmers Field which is specifically referenced in the draft Plan.

2. Comments on the Neighbourhood Plan

Please use the space below to tell us your comments on the Neighbourhood Plan. It would be helpful if you can provide reasons and evidence for your comments. Please use additional sheets if necessary.

We have fundamental concerns that the draft Neighbourhood Plan is preventing sustainable development from coming forward, particularly in relation to:

- The designation of Primmers Field as a Green Gap - under Policy WAD1;
- The protection and safeguarding of certain views, specifically those across Primmers Field - under Policy WAD15; and
- Policy WAD5: Conserving Heritage Assets which sets out that any non-listed entries on the Historic Environment Record should be considered as non-designated heritage assets.

Please refer to the enclosed letter, dated 17th July 2023, setting out why the Regulation 16 version of the Neighbourhood Plan does not meet the basic conditions test.

We have also attached to this letter (Appendix 1) a copy of our formal submission on the Regulation 14 iteration of the Plan. We wish for these to be considered alongside our representations.

3. Examination Participation (please tick if appropriate)



I would like to attend the examination in public, should it be deemed necessary by the appointed examiner.

4. Notification of Adoption (please tick if appropriate)



I would like to be notified of the local planning authority's decision on the adoption of the Wadhurst Neighbourhood Plan (under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012(as amended)

Data Protection Statement

Wealden District Council is committed to ensuring that your privacy is protected and will only use and store your personal data in line with the UK General Data Protection Regulation 2021 and Data Protection Act 2018. We are required to collect and hold your personal information as part of the consultation process in formulating the Neighbourhood Plan. All comments will be publicly available and identifiable by name and (where applicable) organisation. We will not disclose your personal data to any third parties, unless we need to do so to provide a service to you or we are legally required to do so. We may share your personal data with other Council departments in order to provide the service you have requested.

Our Privacy Policy sets out how we collect, use and securely hold your data and can be viewed at: <https://www.wealden.gov.uk/transparency-spending-andperformance/data-protection/privacy-policy/> and our planning policy privacy notice at: <https://www.wealden.gov.uk/transparency-spending-and-performance/data-protection/privacy-policy/>

Signature	Polly Canning MRTPI	17.07.23 Date
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Please print name if submitting electronically

My Ref: 18/147

Planning Policy
Wealden District Council
Vicarage Lane
Hailsham
BN27 2AX

By Email: Nplans@wealden.gov.uk

17th July 2023

Dear Sir or Madam,

Wadhurst Neighbourhood Plan Regulation 16 Consultation

Please accept this submission as formal representations to the Regulation 16 version of the Wadhurst Neighbourhood Plan. These submissions have been prepared on behalf of Mr Stephen Durnford, who owns land to the east of Wadhurst – including ‘Primmers Field’ which is specifically referenced in the draft Plan.

Please note that previous representations have been lodged against the Neighbourhood Plan - in July 2021 on the Regulation 14 version of the Plan and in December 2022 on the Phase 2 Regulation 14 iteration of the Plan. A copy of our formal submissions are attached for ease of reference at **Appendix 1** and should be considered alongside these representations. On both occasions, we expressed fundamental concerns with the Neighbourhood Plan preventing sustainable development from coming forward, particularly in relation to:

- The designation of Primmers Field as a Green Gap - under Policy WAD1; and
- The requirement to protect and safeguard certain views, specifically those across Primmers Field - under Policy WAD15

We also wish to also take this opportunity to raise concerns about Policy WAD5: Conserving Heritage Assets and specifically Paragraph 6.29 which sets out that any non-listed entries on the Historic Environment Record should be considered as non-designated heritage assets and subject to Policy WAD5. This directly contradicts advice contained in National Planning Practice Guidance and therefore fails a ‘basic conditions’ test.



Primmers Field Green Gap Designation GG5

Appendix A, titled ‘Green Gap Justification’ explains at Paragraph A17 that the Primmers Green field was identified by the Steering Group as a candidate for green gap designation *“to protect against coalescence between Primmers Green and Wadhurst village – and into the AONB”*.

The need to protect and enhance the AONB is a valid and laudable objective but there are already long-standing planning policies at the national and local level in place to ensure that this landscape is protected. We therefore question the justification for a Green Gap designation on the basis of ‘protecting the AONB’. Existing levels of protection are demonstrably sufficient to protect the area with the need to prescribe further restrictions.

With regards to the point about protection against coalescence between Primmers Green and Wadhurst village, there is already continuous development along the northern edge of Cousley Wood Road linking Wadhurst and Primmers Green. The distinction between Primmers Green and Wadhurst village is therefore already eroded, with a link having already been established. The draft designation serves no role in preventing coalescence, therefore and should be removed.

The justification for the Green Gap is expanded in the individual assessment for the site, as set out in Appendix A of the draft Plan. An extract from this individual assessment is provided at Figure 1 below.

Justification / demonstrably special to the local community? How?

Designation will protect against coalescence development between Primmers Green and Wadhurst. This is the last green gap between Primmers Green Lane and Wadhurst with views of the steeple of St Peter and St Paul Church (Grade 2 listed). The major green field on entry to Wadhurst village from Lamberhurst.

Figure 1: Extract from page 21 of Appendix A

With regards to the reference about the steeple, it’s important to remember that the church has a tall spire which is visible from a wide area, not just from Primmers Field. These views of the steeple are not exclusive to the site and should not be given as a qualifying reason for designating the land as a Green Gap.

With regards to the reference about Primmers Field being “*a major green field on entry to Wadhurst village and Lamberhurst*”, this is going to be the case with any site located on a settlements edge, situated on a road coming in and out of a town. It should not be justification for a Green Gap designation.

The Council’s response to the Phase 2 Regulation version of the Plan, dated 21st December 2022, is noticeably very critical of the use of the use of Green Gaps across the board. An extract from Page 5 of their response letter is provided below which states:

It is concerning that the potential purpose of these designations appears not to be preventing coalescence of settlements (as stated) but rather, in some instances, constraining available sites from coming forward for development and indirectly influencing the future strategic allocation of housing in the Parish. There is a significant risk that this approach would not meet the basic conditions.

The above feedback from Senior Officers at the Council fully aligns with our concerns and the comments previously raised in our consultation responses relating to the Regulation 14 version of the Neighbourhood Plan (as set out in Appendix 1) i.e. that the Green Gap designation serves no purpose and should be removed.

The Steering Group can only propose a Green Gap, if it meets the Basic Conditions. In this case the Green Gap designation demonstrably fails two of the basic condition tests: 1) Compliance with national policy and advice; and 2) contribution to the achievement of sustainable development.

The National Planning Practice Guidance (PPG) is clear at Paragraph 009 Reference ID: 41-009-20190509 that a draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan. There are no strategic policies contained within the District development plan relating to green gaps and coalescence. We question therefore how an additional designation for Green Gaps is in line with the Council’s strategic local policies.

Furthermore, the NPPF seeks to significantly boost the supply of homes and is supportive of promoting sustainable and accessible development where it is needed (Paragraph 60). We have serious reservations that the Green Gap designation is being used to constrain available and sustainable sites such as the Primmers Field site from coming forward for development.

The housing shortfall across the District is significant and persistent. Other than breaching settlement boundaries generally across the District, there are no other mechanisms by which the Council can obtain a five year housing land supply. In other words, with no up to date Plan (and no satisfactory progress on Local Plan preparation), speculative planning applications outside of the settlement boundary in Wadhurst are coming forward. Whilst this understandably is causing concern with local residents, it doesn't mean that sustainable sites such as the Primmers Field site, which immediately abut existing built-up area boundaries, should be faced with a Green Gap designation. This is inconsistent with achieving sustainable development and does not accord with the positive approach to growth requirement by the NPPF.

Policy WAD15: Protection of Distinctive and Highly Valued Views

We object to Policy WAD15 and the protection of the following particularly valued views:

- View 2a – Primmers Field
- View 2b – Primmers Field
- View 3 – Field southwest of Primmers Field From Ben Greig's Garage forecourt
- View 5b – View across Primmers Green

The photo showing the view of 2a on Page 4 of Appendix D is not an authentic view. It may have been taken through the hedge or by entering private land. Below is a screenshot of the view from Google Earth of what members of the public can see from the footpath running along Cousley Wood Road.



Figure 1: Google Earth Shot (August 2021)

In acknowledgement that the image overleaf was taken in the summer, we have also provided a photograph, below, taken in the winter (February 2020) for comparison purposes.



Figure 2: Photograph taken by EDP (February 2022)

Again, it is clear that even in the winter, the roadside vegetation (i.e. the boundary hedgerow) is thick and dominating, making it very hard to have good view across Primmers Field. You either have to be really tall, sitting on a double decker bus or live in one of the private houses opposite to benefit from seeing the views across the field.

It is unclear who nominated the views of particular value, but it feels totally disingenuous to include this view in the Neighbourhood Plan.

With regards to View 2b, a photograph of this view is noticeably absent from the draft plan. How can the Plan nominate a valued view and ask for comments from the local community when a photograph of this view hasn't even been provided?

Appendix D suggests that views 2a and 2b have been chosen on the basis of their views of the church steeple. But, as explained above, such views of the steeple are not exclusive to this location. Being a tall structure, the spire is widely visible across Wadhurst.

Coulsey Wood Road is a busy access road running between Wadhurst and Lamberhurst and users of this road (either by car or on foot) are travelling to a destination, such as work, shopping or recreational places. The public are not going along this road to take in the views of either 2a or 2b and we ask therefore that these 'valued views' are therefore removed immediately from the Plan.

In the case of View 3 no physical attribute elevating the view's importance is given beyond simply being a view "across open rolling High Weald Countryside". Furthermore, this is not a view freely accessible to the generally public. It is only when you're on the forecourt (which is privately owned) when you can see the view and so we question the justification for the inclusion in the plan.

Views 5a and 5b are not on any public footpaths. This is private land and there are no established rights of way. Furthermore, the justification given in Appendix D as to why these views need extra protection is confusing. This is because the description/justification on page 7 Appendix B covers both views – but in reality, they are completely different. View 5a looks over Bewl. View 5b doesn't – instead it looks over Primmers Field.

We have very real and genuine concerns that the above-mentioned views have been chosen to constrain housing development. The PPG is clear at Paragraph 036 Reference ID: 41-036-20190509 that "*A neighbourhood plan must be in general conformity with, and plan positively to support, the strategic policies of the development plan*".

Constraining available and sustainable sites from coming forward for development will indirectly influence future strategic allocations of housing in the Parish. This is contrary to national guidance and will not contribute to the achievement of sustainable development. As a result the above mentioned views do not meet the basic conditions test and should be removed from the Plan.

Policy WAD5 and Non-Designated Heritage Assets

The Planning Practice Guidance (PPG) for the Historic Environment is clear that decisions to identify non-designed heritage assets **must be based on sound evidence** (Paragraph 040 Reference ID: 18a-040-20190723).

Draft Policy WAD5A: Conserving Heritage Assets, identifies two non-designated heritage assets. However, the draft Policy then implies that additional non designated heritage assets can be identified at any time.

Furthermore, the supporting text to this Policy, at Paragraph 6.28 states:

“The Historic Environment Record provides a useful starting point, as it contains details of heritage assets in the Parish, some of which are not nationally listed. The record should be consulted by prospective developers and the non-listed entries on this record should be considered non-designated heritage assets and therefore be subject to Policy WAD5”.

Essentially, this paragraph states that anything included on the HER list that is not a listed building is automatically going to be a non-designated heritage asset in the Wadhurst Neighbourhood Plan – which is deeply concerning.

The fact that a building holds a record on a local HER list should not be the sole determining factor for including a building onto a heritage list. Indeed, Historic England Advice Note 7 (Second Edition): Local Heritage Listing: Identifying and Conserving Local Heritage (2021) states at Paragraph 61 that:

“The inclusion of a site or structure in an HER does not itself identify it as a non-designated heritage asset: inclusion merely records valuable information about it, and does not reflect the planning judgement needed to determine whether it does in fact have a degree of heritage significance which merits consideration in planning decisions”.

An exercise of planning judgement is therefore required when identifying non-designated heritage assets. This exercise of planning judgement needs to be evidenced in the Plan and the selection process for needs to be properly documented.

Paragraph: 040 of the PPG, Reference ID: 18a-040-20190723 states:

“Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets”.

A list will therefore need to be prepared explaining why each and every individual building, monument, site, place, area or landscape that the Steering Group wish to designate as a non-designated heritage asset has been selected and a map showing the location of each asset will need to be provided.

In other words, any decisions providing additional protection needs to be evidence based and recorded in accordance with requirements set out by the Government (in the above-mentioned paragraphs of the PPGs). Without doing this, the Plan will fail the basic conditions test.

Conclusions

In conclusion, to meet the basic conditions test the plan should:

- Remove Green Gap 5 Primmers Field designation from Policy WAD1;
- Remove Views 2a, 2b, 3 and 5b from the list of views in Policy WAD15 that require extra protection;
- Redraft Policy WAD5 to provide clear and up to date information on any identified non-designated heritage assets

We hope you have found these representations are helpful and constructive. If you have any questions, please do not hesitate to contact me.

Yours sincerely

POLLY CANNING

Polly Canning MRTPI

Associate Director
Kember Loudon Williams

Encl.

Appendix 1: Representations on Regulation 14 iteration of the Neighbourhood Plan (dated 30th July 2021) and representations on the Phase 2 Regulation 14 iteration of the Neighbourhood Plan (dated 21st December 2022).

APPENDIX 1

My Ref: 18/147

Wadhurst Neighbourhood Plan Steering Group
By Email: wadhurstnpp@gmail.com

30th July 2021

Dear Sir or Madam,

Regulation 14 of the Wadhurst Neighbourhood Plan

We write, on behalf of our client Mr Stephen Durnford, in response to the consultation exercise on the Regulation 14 version of the Wadhurst Neighbourhood Plan. Mr Durnford owns land to the east of Wadhurst and has recently submitted an outline application for up to 21 houses to the south of Cousley Wood Road in Sparrows Green.

Basic Conditions

A neighbourhood plan sits within a framework of statutory planning and development documents. The neighbourhood plan will need to be in general conformity with strategic local policies and have regard to national policies and guidance. The neighbourhood plan also needs to contribute to the achievement of sustainable development. These are basic conditions that a neighbourhood plan must meet.

The National Planning Practice Guidance (the NPPG) provides clarity (Paragraph: 009 Reference ID: 41: 009-20190509) as to what general conformity means in circumstance where a neighbourhood plan is coming forward before an up-to-date local plan and states:

“Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development”.



In the case of Wealden District Council (WDC), where the local plan is out of date, the neighbourhood plan therefore has a duty to consider emerging local plan policies and up to date housing needs evidence. Without this consideration it will fail the basic conditions test and the neighbourhood Plan cannot be made.

Relevant emerging WDC local plan policies and up to date housing needs evidence include:

- The WDC Local Plan Direction of Travel Consultation (November 2020) which set out the key challenges the district faces in terms of housing delivery.
- The results from the Housing Delivery Test (HDT) published on 19th January 2021 which show that WDC is falling short of its housing requirements with an HDT measurement of 83%.
- The Council's Five-Year Housing Land Supply Statement (December 2020) which confirms that the Council cannot demonstrate that it has a five-year housing land supply position as of 1st April 2020.
- The Wealden District Housing Action Plan (June 2021) which identifies the reasons for under-delivery, explores ways to reduce the risk of further under-delivery and sets out measures to improve levels of delivery (and specifically mentions neighbourhood Plans as being key documents which can help in the delivery of new housing).
- The Council's up-to-date housing requirement figure – conducted under the 'standard method' which equates to 1,225 dwelling per annum.

All the above-mentioned documents make it very clear that the Council needs to **significantly** increase the supply of new homes over the coming years.

Aims and Objectives of the Neighbourhood Plan

It is therefore surprising that the Regulation 14 version of the plan (as currently drafted) makes basically no allowance for any new housing development in Wadhurst. Not only this, but it also appears to be actively discouraging any new housing (other than the development of brownfield land). We have serious concerns about this approach given the District Council's requirement to significantly increasing the number of homes coming forward in the District.

Section 4 of the neighbourhood plan deals with the Vision, Aims and Objectives of the Plan. There is no reference to any need for more housing in Wadhurst. Instead, key objectives are to “*limit future traffic-generating major housing development*” (page 26) and to protect the environment and HWAONB by “*maintaining Green Gaps and amenity space*” and “*restricting building on green farming fields/AONB*”. (page 28).

The need to protect and enhance the AONB is a valid and laudable objective but it is important to remember that 53% of District lies within the High Weald AONB and that there are other large settlements, not just Wadhurst, that are affected and are wholly within this designation - such as Crowborough and Heathfield. Difficult decisions will need to be made as to where development should take place across the District and so it is entirely inappropriate to have unique and blanket ban on any development just in Wadhurst.

Instead, in order for the neighbourhood plan to be realistic and deliverable there needs to be an understanding of the wider context and more specifically the District level requirement to deliver at least 1,225 a year.

Wadhurst is one of the largest settlements in the District, it is a sustainable location with a range of jobs, services and facilities. There are good schools and it also benefits from having a main line train station providing direct access to London and Hasting. Wadhurst, like the neighbouring settlements of Crowborough and Heathfield should also be required to accommodate a certain level of growth. It's a balancing exercise and at the heart of any development for housing, consideration should be given on whether or not the location is sustainable.

It is also important to remember that development in the High Weald AONB doesn't have to give way to “*unsightly large housing estates on the periphery of the communities, which is incompatible with the HWAONB landscape*” (as suggested in para 5.1.6 – Page 32 – of the Plan). Proposed development within, or affecting the setting of the High Weald, is subject to statutory duties and national planning policy in order to ensure that it is located and designed in a way that reflects their status as landscapes of the highest quality. **It is therefore important that the above-mentioned quote on page 32 is deleted from the Plan. It is misleading and not appropriate.**

The National Planning Policy Framework (NPPF) – July 2021 - deals with development in AONBs, with paragraph 177 in particular setting out a number of considerations that should apply when deciding whether permission should be granted for major development.

The neighbourhood plan appears to be defining major development in the AONB as 10 or more houses (page 28). In actual fact, there is no threshold of when a scale of development in an AONB may be regarded as major with footnote 60 to paragraph 177 of the National Planning Policy Framework saying that ‘major development’ is *“a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined”*.

It is perfectly possible therefore that developments of more than 10 units will not be classed as ‘major development’ in the AONB. Such a decision is a matter of planning judgement to be decided by the decision maker and the local context. Looking at other recent examples in the High Weald AONB, it is telling to note that in Mid Sussex where the District Council are at the advanced stage of preparing a Site Allocations DPD, the Council are arguing that 6 sites in the AONB should be allocated for housing. All of these sites are larger than 10 units (the largest being 70 units) and all of them are being deemed by the Council not to be “not major development” in the AONB.

In the case of our client’s scheme, which is currently being determined by WDC to the south of Cousley Wood Road (for up to 21 units), it is our assertion that the site should similarly not be classed as “major development”. It is a small housing scheme when taking into account the existing settlement size of Wadhurst and is very well located in relation to nearby facilities and public transport link. Furthermore, the design has taken a landscaped led approach from the very start of the process. Such sites should be supported and encouraged, especially as it would also have the added benefit of providing 7 affordable dwellings.

Instead of blocking development, the neighbourhood plan should be required to play a part in assisting in the delivering of this shortage of homes. Otherwise it would conflict with the deliverance of any new Local Plan, it would fail to accord with national policy advice, and it would not contribute to sustainable development.

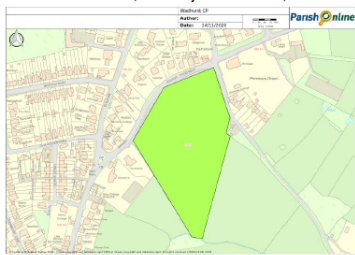
Local Green Spaces (Policy PEN5), Green Gaps (Policy PEN3) and Distinctive and Highly Valued View (Policy PEN4),

The Regulation 14 version of the Pan is proposing to designate 28 sites/views as either Local Green Spaces or Green Gaps or Distinctive and Highly Valued Views. We question the justification for the extent of restrictions being placed on the landscape and set out our position that there is insufficient evidence to support such an approach.

Firstly, existing levels of protection are already in place for sites in the countryside and for sites in the AONB in the form of statutory duties and national planning policy. These existing levels of protection are considered sufficient to protect the area without the need to prescribe further restrictions.

Secondly, it has not gone unnoticed that a number of the sites identified in Green Gap Policy PEN 3 have also been put forward in the Council's Strategic Housing and Economic Land Availability Assessment. Should all these sites be prevented from future development then any opportunity to meaningfully address the shortfall in housing in Wadhurst will disappear.

In particular, the rationale for this Green Gap 5 – Primmers Field is lacking evidence and is flawed. An appraisal of the site, taken from Appendix A "Local Green Spaces, Green Gaps and Distinctive and Highly Valued Views" is provided below.

GG5 Primmers Field, Cousley Wood Road, Primmers Green (near junction of Primmers Green Lane)	
	
Size	1.2 ha
Site description	Currently a sheep field with an extensively used informal footpath running across the field.
Known allocations, protection status or designations?	None
Proposed Local Plan Allocation?	None
Planning history - any existing planning permissions?	None (but on the Wealden SHELAA 2020 - Call for Sites)
Is it near the community it would serve?	Yes
Is the site local in character and not an extensive tract of land?	Yes
Justification / demonstrably special to the local community? How?	Designation will protect against coalescence development between Primmers Green and Wadhurst. This is the last green gap between Primmers Green Lane and Wadhurst with views of the steeple of St Peter and St Paul Church (Grade 2 listed). The major green field on entry to Wadhurst village from Lamberhurst.

The site appraisal suggests that the field is extensively used as a footpath which is wrong. This is private land and there are no established rights of way on the land. The nearby gate in Primmer Green has a very clear 'Keep Out' sign. Mr Durnford has not given permission for anyone to access this field or any of his other adjacent land, it is only accessible to grazier via a license.

The justification given for the designation for Green Gap 5 is that it “*will protect against coalescence development between Primmers Green and Wadhurst*”. But it is important to note that there is already development along the northern edge of Cousley Wood Road linking Wadhurst and Primmers Green. The link has already been made. Alternatively, if the coalescence point is about the link with Wadhurst Village, then the field does not provide a physical link to the Village to the south in any event. There is much more land beyond and as such the subject site would not have any meaningful effect in preventing coalescence.

The scheme that is currently being determined by the Council is immediately adjacent to existing residential development. Only the northern part of the field is being developed with the rest of the land being left open. Furthermore, it is important to remember that this field and is well connected to local facilities and services as well as public transport. Therefore, a residential development of this site would be highly sustainable.

The neighbourhood plan can only propose a Green Gap, if it meets the Basic Conditions, and is in general compliance with the emerging Local Plan. The Primmers Field Green Gap fails to contribute to the achievement of sustainable development, and we ask that it is removed from the Plan.

Similarly, we also ask whether there is a valid reason for Policy PEN4: Protection of Views other than simply to restrict future development proposals? The majority of the Parish enjoys beautiful views. It is not clear why these views should be given extra protection through the neighbourhood plan process.

We have specific concerns in relation to Views 2a & 2b (Primmers Green Field) and View 3 (Field next to Primmers South). Why are these views considered distinctive and highly valued? With regards to Views 2a & 2b, you cannot actually see the church spire from the road or any other public vantage viewpoint due to the existing hedge restricting the view. It is only on the first floor of the private properties along Cousley Wood Road where you can appreciate the view.

Similarly, what can you see from view 3? If you are lucky you might be able to catch a glimpsed view of the landscape through the garage when you're walking or driving past the garage. But there is nowhere to sit and appreciate this view.

Therefore, there is insufficient evidence to support the inclusion of Policy PEN4: Protection of Views. It is not meeting the Basic Conditions and as such we ask that it is removed from the Plan.

Conclusion

The neighbourhood plan appears to be restricting development to such a degree that it undermines the national and district wide requirement to deliver a significant number of new homes. As currently drafted, it is not therefore in general conformity with strategic policy and national policy and a complete overhaul is required.

Yours sincerely

POLLY CANNING

Polly Canning MRTPI

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My Ref: 18/147

Neighbourhood Plan Steering Group
Wadhurst Parish Council
The Pavillion
Sparrows Green Recreation Ground
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Wadhurst
TN5 6TW

By Post and by Email: clerk@wadhurst-pc.gov.uk

21st December 2022

Dear Sir or Madam,

Phase 2 Regulation 14 of the Wadhurst Neighbourhood Plan (2016 to 2036)

We write, on behalf of our client Mr Stephen Durnford, in response to the consultation exercise on the Phase 2 Regulation 14 version of the Wadhurst Neighbourhood Plan. Mr Durnford owns land to the east of Wadhurst and has submitted an application for 15 dwellings on land to the south of Cousley Wood Road (LPA Ref: WD/2022/1610/MAO).

We have already made representations on the earlier draft of the Neighbourhood Plan, indicating a number of concerns with two policies in particular:

- The policy relating to the protection of Green Gaps; and
- The policy relating to the protection of views.

The Phase 2 Regulation version of the Plan does not appear to have addressed our concerns therefore our objection to the Plan remains.

Green Gaps

In particular, we continue to raise an objection to the designation of Primmers Field, Cousley Wood Road, Primmers Green (GG5) as a 'Green Gap'.



In our previous representation we highlighted the clear overlap between the Green Gap designations and potential housing sites and suggested that the designation was clearly being used to constrain available sites from coming forward for development.

We note that the District Council shared this view and their response on the Regulation 14 of the Plan, dated 11th August 2021, raised a specific objection to the proposed Green Gap designations set out in the draft plan and stated:

“It is worrying that the purposes of these designations appears not to be preventing coalescence of settlements (as stated) but rather, in some instances, constraining available sites from coming forward for development and indirectly influencing the future strategic allocation of housing in the Parish. This approach would not meet the basic conditions”.

It is disappointing therefore that all 9 Green Gaps have remained in the Neighbourhood Plan despite our earlier comments and the clear objection from the District Council.

Appendix A of the Draft Neighbourhood Plan attempts to justify the use of Green Gaps and provides the methodology for assessing them, yet it fails to provide a balanced consideration of harm and benefits. Much of the reasoning seems to be simply seeking to protect land for its own sake.

As stated previously, such an approach runs the risk of preventing sustainable development from coming forward and fails to meet the basic conditions.

With regards to Primmers Field (GG5) the justification given for the Green Gap designation is set out on page 21 as follows:

<p>Justification / demonstrably special to the local community? How?</p>	<p>Designation will protect against coalescence development between Primmers Green and Wadhurst. This is the last green gap between Primmers Green Lane and Wadhurst with views of the steeple of St Peter and St Paul Church (Grade 2 listed). The major green field on entry to Wadhurst village from Lamberhurst.</p>
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With regards to the point about protection against coalescence between Wadhurst and Primmers Green, there is already development along the northern edge of Cousley Wood Road linking Wadhurst and Primmers Green. The link has already been made.

The northern part of the field is surrounded on all three sides of developments. Due to the quantum of surrounding residential built form, the land has the appearance of a settlement edge character. The comment about this being “the last green gap” and “a major green field on entry”, is unnecessary because this is going to be the case with any settlement edge character site located on a peripheral road coming in and out of the town. Accordingly, this reasoning should not be justification of a Green Gap designation. .

Finally, with regards to the views, glimpses of the spire can be seen from the field but are intermittently obscured by intervening planted boundaries. Furthermore, it’s important to remember that the church has a tall spire which is visible from a wide area, not just from Primmers Field. In other words, these distant views of the spire are not exclusive to the site and should not, therefore, be given as a qualifying reason for designating the land as a Green Gap.

We have said all along that existing levels of protection are already in place for sites in the countryside and for sites in the AONB in the form of statutory duties and national planning policy. These existing levels of protection are considered sufficient to protect the area without the need to prescribe further restrictions and Green Gap designations.

The neighbourhood plan can only propose a Green Gap, if it meets the Basic Conditions, and is in general compliance with the emerging Local Plan. The Primmers Field Green Gap fails to contribute to the achievement of sustainable development, and we ask that it is removed from the Plan.

Protection of Views

We continue to object to ‘Policy WAD15: Protection of Distinctive and Highly Valued Views’ and the protection in particular of the following “locally significant views: :

- View 2a and 2b from Cousley Wood Road/Primmers Green Lane junction southeast across Primmers Fields; and
- View 3 from Ben Grieg’s Garage forecourt.

Identifying important views is a subjective issue. Appendix D of the Draft Neighbourhood Plan provides an explanation as to why these views are considered particularly valued.

In the case of View 2a and 2b, the suggestion is that it is the view of the spire that is the critical factor. But, as explained above, such views of the spire are not exclusive to this location. Being a tall structure, the spire is widely visible across Wadhurst.

In the case of View 3, no physical attribute elevating the view's importance is given beyond simply being a nice view "across open rolling AONB High Weald Countryside". Furthermore, this is not a view freely accessible to the generally public. It is only when you're on the forecourt (which is privately owned) when you can see the view.

We remain of the view, therefore, there is insufficient evidence to support the inclusion of the above mentioned 'locally significant views' and we ask that these designations are removed from the Plan.

Conclusion

Once again, we have real concerns about the above-mentioned designations (Green Gaps and Protected Views) which are being used to act as barriers to discourage new development in Wadhurst. Such an approach does not provide a positive Framework for growth. It does not conform with national policy and guidance and in its current form does not contribute to the achievement of sustainable development. As such we have significant concerns in respect of the compliance of the draft Neighbourhood Plan with meeting the 'basic conditions'.

We hope you have found these representations helpful and constructive. If you have any questions, please do not hesitate to contact me.

Yours sincerely

POLLY CANNING

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Associate Director
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