

REG 16 Response from Wealden District Council with Parish Council/Steering Group comments in red

WDC mostly repeat their Reg 14 comments (albeit in a different order) as responded to in the Consultation Statement but some additional comments are added mainly in response to the amendments made to the NNDP but also to add comments about each view on the list of Key Views and the buildings on the list of NDHAs which they omitted to provide at Reg 14 stage.

General

Many of our comments raised at the Regulation 14 consultation have been addressed in the current iteration. However, there remain areas of concern around the methodology and assessment of the Key Views and non-designated heritage assets, and some of the proposed designations in the Local Green Space Policy.

Structure

We made comments at the Regulation 14 Stage regarding the length of the contents pages and the structure of the document, namely that some of the chapter titles and groupings could work better and that some of the chapters could be combined. The contents page has now been condensed. However, all the chapter numbers have been removed which makes it quite difficult to navigate and to differentiate between chapters and sub-headings. For ease of use by all users **we suggest for the chapter numbers to be added.** Not essential

It is also noted that the **policy boxes** are different colours. We would suggest for them **to all be one colour** to make it easier for them to be identified. WHY is it easier?

Justification for each policy

We commented at the Regulation 14 stage that the justification for **each policy needs to include any background document relevant to the policy that provides support/justification** for the policy's inclusion. However, this has not been carried out. Sometimes the policies just list the community questionnaire results when there is other evidence available. For example;

- Policy N4 Dark Night Skies does not refer to the dark sky readings carried out.
- Policy N5 Key Views does not refer to the Key Views Assessment in Appendix E.
- Policy N7 Local Green Spaces does not refer to the Local Green Space Report.
- Policy N9 Built Heritage does not refer to Appendix C.
- Policy N10 Design does not refer to the Character Assessment or the Ninfield

AGREE that these should have been included – it was an oversight

Design Guide.

Again, we consider that it would be useful to all users of the neighbourhood plan for this to be added. Added to what? Suggest add to justification for policy N10

The Plan:

Foreword

In paragraph 3 it refers to the Wealden Five Year Housing Land Supply Statement April 2021. However, the Council stated in our Regulation 14 comments, this is not the most up to date document or figure. The Five-Year Housing Land Supply Statement of 1st April 2022 calculates a housing requirement for Wealden of 1,212 dwellings per annum. This figure has been updated and the most recent unpublished figure is 1,200 dwellings. (this was published by WDC on 15 December 2023 in their 'Five Year Land Supply Statement – as of 1st April 2023'). Also, the HDT measurement was 82% in 2021, not 83% as is stated. (agree). The HDT figure for 2022 has not been published by government yet. (but the above document estimates it as 78%).

In paragraph 5, it states that the allocations from the 2019 withdrawn plan are being implemented. This is misleading and factually incorrect. Why? It would be correct to say that 'Many of the sites proposed for allocation as part of the withdrawn 2019 Local Plan have now come forward prior to a new Local Plan being in place'. The fact is that both the major sites that were proposed in the 2019 LP for allocation in Ninfield have been granted permission, albeit outline in one case, and in the other case nearly all the houses have been completed.

In paragraph 8, it is unclear where the district figure of 6.3 years has come from (a simple calculation of total housing land supply in Wealden divided by 1,212 annual requirement) and as we outline above, the most recent published housing requirement figure for Wealden is 1,212 dwellings per annum (dpa) and the current unpublished (now published) figure is 1,200 dpa. (the 6.3 years is now 6.8 years, 8,132 total housing land supply divided by 1,200 pa requirement).

Most of the parish is in the Low Weald (as erroneously defined in the WLP 1998 and WCS 2013, contrary to the National Character Areas, the ESCC Landscape Study and the WDC Design Guide), outside of the AONB and in terms of our future growth strategy, we have to consider constraints across the whole district, and it is unlikely growth will be proportionate to settlement size. In consideration that the Ninfield Neighbourhood Plan will form part of the Wealden Development Plan if 'made' (adopted), then this paragraph is misleading and should either be updated to reflect the true position or removed.

In paragraph 9 it states that 'the position is much too uncertain for the Ninfield NDP to include housing allocations'. This is untrue. Neighbourhood Plans can allocate if they wish to do so, no matter the current position of a local plan. Can only allocate sites for new housing on the basis of obtaining a housing figure from the District Planning Authority – which on the basis of past experience during the period of preparing the NDP, the PC felt they would be likely to wish to contest at a future Local Plan examination – therefore allocations in Ninfield seemed impractical and inappropriate. The last sentence of paragraph 9 is derogatory (owing to the fiasco of the withdrawn 2019 Local Plan and WDC's decisions to permit all the large housing developments in that Plan, paying scant regard to important local planning issues regarded locally as important) in consideration that the plan will form part of the development plan for Wealden and could be drafted more positively. Only if WDC had not already permitted such a large amount of new housing in such a short space of time and had made much greater progress in preparing a new Local Plan.

Introduction

Paragraph 10 refers to the Sustainability Appraisal Scoping Report of 2020 but there

has since been a consultation on a revised Draft Sustainability Appraisal Scoping Report which ran between 26th June 2023 and 7th August 2023. **This is so recent as to be too late to mention it in NDP docs.**

Policy N1: Sustainable Location of Development

Wording of the Policy

At the Regulation 14 stage, the Council commented that the last part of the first sentence 'minimise loss of countryside its biodiversity' did not make sense. The word biodiversity has been removed however it is still not clear what 'minimise the loss of countryside' means. Is it referring to density **(NO)** i.e. ensuring land take is minimised or is it referring to restricting development? **(YES)** This should be further clarified in order for the policy to be applied correctly.

In the second paragraph it states that within the development boundary development will, in principle, be supported 'subject to the other policies of this neighbourhood plan' It will also be subject to policies in the adopted Local plan also. Should this say 'Development Plan' instead?

At the Regulation 14 stage, the Council suggested that the second part of this policy needs to justify what type of development is in principle acceptable outside the development boundary, either by listing each circumstance or referring to which part of the NPPF and Wealden Local Plan it should comply with. This has not been carried out. As it is currently drafted this part of the policy provides nothing above the current policy framework that already exists.

The Council also queried the use of the phrase 'needs a countryside location', as this may unduly restrict sustainable development in such rural locations. It is also not clear how this would be defined.

Recommendation: Wording of the policy needs to be considered or updated.

The first paragraph or supporting text needs further explanation as to what is meant by loss of countryside.

In the second paragraph replace Neighbourhood Plan with Development Plan.

Either remove paragraph 3 of the policy or remove the phrase 'needs a countryside location in terms of' and change 'meeting' to 'meets' at paragraph 3 of the policy and add further detail.

Ensure that the NPPF references in the justification also cover the sections that relate to rural economic development (e.g. paragraphs 84 and 85).

Policy N2: Renewable Energy

Recommendation: Remove the word renewable that has already been crossed out.

Remove 'to their setting having regard to its character and sensitivity' and replace with 'having regard to landscape character, sensitivity and the setting of the landscape'. **Agree**

Policy N3: Flood Risk and Drainage

Wording of the policy

Does ground test mean infiltration test? If so, the wording could be changed to reflect this. Apart from this, we have no further comments to make on this policy.

Recommendation: Replace 'ground test' with 'infiltration test'. **Agree**

Policy N4: Protect and Enhance Dark Night Skies

No comment. Our comments made at the Regulation 14 stage have been addressed.

Landscape Character Areas within Ninfield Parish Section.

The Council commented upon the Landscape Character Areas at the Regulation 14 stage, stating that this is repeating what is in the Design Guide and the Landscape Study. It is considered that the plan could be made more succinct by removing them and simply referring to the other documents. This has not been carried out. **Because disagreed for reasons already stated.**

Policy N5: Key Views and Appendix E.

Wording of the Policy

The policy now refers to the Policies Maps but does not state where this is within the NDP (appendix G?). Figure 6 above the policy wording appears to be a clearer map but is not referred to at all. It is also mapped at appendix E, which is mentioned within the policy. **Agree**

At the Regulation 14 consultation the Council suggested changes to the wording of this policy, some of which have been carried out but not all. At Regulation 14 we suggested the policy needs to be more specific and explain where the landscape character of a key view is defined e.g. 'development proposals which would result in an adverse impact on the landscape character of a key view as defined in the Ninfield Key Views Assessment will not be supported'. Whilst a sentence has been added in at the start of the policy that refers to the Key Views Assessment, the policy still does not refer to where the landscape character of the key views is defined. It is still considered that within the policy, it is necessary to be explicit as to where the landscape character is defined so that applicants and decision makers are able to understand whether a scheme would have a negative impact upon it. **Landscape character of each view is defined in Appendix E Key Views Assessment, as well as in Landscape Report (and its summary in NDP).**

In our Regulation 14 comments we also suggested changing the wording and using term either 'adverse' or 'negative' in the last sentence, but both have been used when they have the same meaning. **Agree should be 'adverse' not both.**

Recommendation: Remove reference to the policies map and replace with Figure 6 – Map of Key Views. **Agree**

Second sentence- a word needs to be added into the policy text "Where development proposals are acceptable in principle within these Key Views, these development (**unnecessary word**) should be sited, designed and landscaped to be in harmony with and conserve the characteristic features and visual quality of the landscape'.

The policy itself could be rephrased to provide clarification about where landscape character is defined and removing the duplication highlighted above e.g. 'development proposals which would result in an adverse or negative impact on the landscape character or visual quality of a Key View as defined in the Ninfield Key Views Assessment will not be supported'. **Agree**

General Points

It is considered by the Council that the methodology behind the assessment of views in Appendix E needs further explanation. **Why?** For example, how were the views nominated and whether the residents were involved in this? **How could this be carried out other than identification by steering group and resident consultation under Regs 14 and 16?** Also, it states

that there were views that were considered, but that did not meet the criteria; we would still expect to see the assessment of these views. It is still unclear who carried out the assessment. In Appendix E, there is a heading 'the criteria for the identification of key views'. Two criteria have been identified that are below.

1. That the views should be public rather than private views; and
2. The views need to make a recognisable contribution to the local sense of place and its distinctiveness.

It is still not clear how these criteria were arrived at. There has been an attempt at defining potential indicators of value underneath, but they are not very defined. For example, it states 'potential indicators' and 'they could include'. It is considered that criteria on 2a-d could be broken down further to create a system for scoring the views and defining the thresholds for determining what is a key or significant view. Within the description of each view, it should be clear how the view meets the criteria. Therefore, the criteria and thresholds for meeting the criteria need to be clear and definite from the outset.

As commented upon at the Regulation 14 consultation, it is very difficult for the Council to comment on each individual view and whether it meets the threshold for being deemed a key view when there is no explanation of what the thresholds are, i.e. what makes a key view as opposed to just a view. There is a clear differentiation in the importance of the different views, but this is not picked up in the analysis apart from one reference to the most important views being panoramic but then this is not explained further. An example of an assessment of views with a rating system is in the Assessment of Important Views in Pebworth Parish where views were assessed and only those that were deemed special or exceptional were carried forward to the neighbourhood plan.

A scoring system or explanation of the thresholds required to meet the criteria that define a key view would have allowed only the key views to be taken forward. We did state at the Regulation 14 stage that we would be happy to consider the proposed key views further when the information is available to us, ahead of your Regulation 16 stage, however this has not been provided.

Despite the issues with the methodology, we have briefly commented on each of the views below.

V1 Stunning panoramic views towards the South Downs.

V2 Very similar to view 1 Different viewpoint and direction. **Dissimilar, as viewpoint and direction of view are both quite different from V1.**

V3 Very similar to views 1 and 2. Same viewpoint as V2 but different direction and shows more of South Downs than V1. **Dissimilar, as viewpoint and direction of view are both quite different from V1 and V2.**

V4 This view needs further justification against the criteria as to why this is a key view. At the moment because of our comments above in regards to the methodology, it is difficult for us to reach a firm conclusion as to whether this is a key view. **The justification should be expanded to state that this View shows the ridge-top setting of the village and the distinctive topography of ridges and slopes as well as the setting of Church Wood within its valley.** The justification states that 'it warrants protection from development, hence its inclusion in a proposed LGS'. This is not a reason for designation as a LGS or as a key view and should be removed. **Agree should remove this last sentence.**

V5 Shows an undulating view, but not a long ranging or panoramic view. No historic value but does show ridge top village. This view needs further justification against the criteria as to why this is a key view. At the moment because of our comments above as regards the methodology, it is difficult for

us to reach a firm conclusion as to whether this is a key view. Because it clearly shows the ridge-top setting of the village and the distinctive topography of ridges and slopes and the setting of Church Wood within its valley. The slopes are steeper than merely 'undulating'. Perhaps the explanatory comments for V4 and V5 need to state that the ridge-top setting is fundamental to the distinctive character of Ninfield and that is why these are key views.

V6 Perhaps a better view than V5, showing the ridge top village. Shows an undulating view but not a long ranging or panoramic view. This view needs further justification against the criteria as to why this is a key view. At the moment because of our comments above as regards the methodology, it is difficult for us to reach a firm conclusion as to whether this is a key view. It shows a longer view than V5 from a totally different viewpoint and looking in a completely different direction, showing the open high ground that is a feature on the edge of the village ridge and Church Wood within its valley.

V7 Panoramic views to the South Downs and the sea. Shows the undulating landscape. The slopes in this little side valley are very much steeper than just 'undulating'.

V8 Difficult to access from a public location. Only limited views from public verge. Not difficult to access, just needs a very short walk along very wide grass verge at west end of village to see this particularly impressive panorama from top of Standard Hill – but not visible from vehicles on A269.

Map could be bigger to allow road and property names to be read.

V9 Would query why this view was chosen when there are others from this viewpoint, which are panoramic. The other views are over the Levels are in Wartling, not Ninfield parish. This view needs further justification against the criteria as to why this is a key view. Because it clearly shows the distinctive landscape of the Levels and their relationship to the wooded slopes, plus the earthwork feature of Castle Croft. At the moment because of our comments above as regards the methodology, it is difficult for us to reach a firm conclusion as to whether this is a key view. The landscape is totally different from the rest of Ninfield and distinctive in its own right.

V10 Views over the AONB landscape.

V11 Panoramic view over AONB landscape. Map could be bigger to allow road and property names to be read.

V12 Shows the ridge top setting of the village in the landscape.

V13 Similar to V12. But different direction.

V14 The view is across two proposed Local Green Spaces. Whilst there is an historic element, is this view comparable to others in the parish? Do not understand this comment – do WDC mean it is not a panorama?. This view needs further justification against the criteria as to why this is a key view. At the moment because of our comments above as regards the methodology, it is difficult for us to reach a firm conclusion as to whether this is a key view. Perhaps explanation should state that these pine trees are a key feature of the main road running through the village. Last sentence about development needs to be omitted based on WDC's comments on V4.

V15 The heritage assets are largely obscured by trees. Text refers to greater visibility of the listed buildings in winter. Does this meet the threshold of a key view? This view needs further justification against the criteria as to why this is a key view. At the moment because of our comments above as regards the methodology, it is difficult for us to reach a firm conclusion as to whether this is a key view. Justification seems adequately explained but last sentence about development needs to be omitted based on WDC's comments on V4.

V16 There are views to ridgetop development, but only a glimpse and quite a short view. Equestrian uses and associated paraphernalia dominate. This view meets some of the criteria and indicators of value listed, however, we are unable to comment further given the issues raised in regards to the methodology. Overall we would question whether this is a keyview. Agree this is a relatively short view but it can be appreciated by a large number of residents from the very well-used

Church Path and clearly enables appreciation of the distinctive topography of a small, steep-sided little valley.

V17 View across the valley. It is notable that this view is across a SHELAA site (this shouldn't have any bearing). Would be difficult for pedestrians to access this view as no formal footpath along the road. Drivers would only get a fleeting view as they pass the gateway and gap in hedge. There are sufficient gaps in the hedge for people in vehicles to appreciate this view, plus for pedestrians walking along the grass verge. About 50m SW, the roadside hedge has been removed, enabling appreciation of this view from a slightly different angle. In the justification it states that the view warrants protection from unsympathetic development. This is not a reason for designation as a key view and should be removed from the justification/description. Agree remove this sentence. This view needs further justification against the criteria as to why this is a key view. Add to justification that it shows the ridge-top setting of the village and the distinctive topography of ridges and slopes, some steep. At the moment because of our comments above as regards the methodology, it is difficult for us to reach a firm conclusion as to whether this is a key view.

V18 Not dissimilar view to V17. It is from a different less frequented viewpoint on a footpath and extends to High St in distance. It has a different direction and wider angle than V17 extending further northwards and eastwards. This view needs further justification against the criteria as to why this is a key view. Because it shows the ridge-top setting of the village and the distinctive topography of ridges and slopes and includes the setting of Church Wood within its valley and the churchyard trees. It encompasses a much wider angle of view than V4 and V5. At the moment because of our comments above as regards the methodology, it is difficult for us to reach a firm conclusion as to whether this is a key view.

V19 Panoramic views to the South Downs. Across the undulating landscape of the S part of the parish.

Policy N6: Areas of Locally Valued Landscape and Landscape Study

Wording of the Policy

The policy refers to the Policies Map but does not explain where this can be found.

We assume that this relates to Appendix G, but this is not clear within the policy.

This should be made clear for the reader. The Policies Map probably ought to be in the main plan rather than the appendix.

The final paragraph of the policy refers to the protection of key views, yet the draft NDP already has a separate policy covering this that is identified here. We suggest either amalgamating the two policies or ensuring that N5 and N6 align in what you are seeking to achieve at a minimum. For example, N5 talks to adverse or negative impacts, whilst N6 talks about safeguarding key views 'from detracting by obtrusive or incongruous development'. May have a valid point but N6 is more general than N5.

The final paragraph also states 'shall be harmonious and minimise the effect of development on the landscape'. Further clarity could be added to this sentence.

Recommendation: Add in where the Policies Map can be found at the first sentence.

Address the 'key views' matter as above in the final paragraph.

Amend the last sentence to 'The details of siting, design, materials and landscaping (including tree and hedge planting) should aim to minimise the impact of development on the landscape'. The word harmonious is not required.

Landscape Study

The chapter numbers have been removed since the Regulation 14 stage, which makes the contents page more difficult to navigate.

The NP Landscape Study identifies five local Landscape Character Areas plus the ridge top village itself (page 19). The proposed character areas recognise the AONB boundary and the broad location of the Pevensey Levels. Somewhere in the study, perhaps in section 3 (Landscape Character Areas within the Parish of Ninfield), it also needs to justify why the Character Area boundaries have been drawn as they are, as this does not correlate with our studies, the previous or the most recent study. We also identified this at the Regulation 14 stage. **The reason is stated in the Reg 14 NDP Consultation Report – the WDC Studies are more generalised whereas the Ninfield Study looks in detail at the landscape at local level. In any case, the WDC studies do not align with the ESCC Landscape Study which puts the valley of the Catsfield / Watermill Stream in a different area to the rest of Ninfield parish.**

The study needs to relate the proposed character areas to those in the 2022 Landscape Character Assessment, which is the most up-to-date evidence base. On page 11, it needs to explain the context of how the character areas relate/ sit within the district level landscape character assessment. At the moment it states ‘attempts to fill gaps’ but there are no gaps, the study just goes into more detail than the district level assessment and this needs to be explained. **Do not understand this comment.**

Landscape Value

The NP Landscape Study sets out clearly that there are distinct differences in landscape value in the rest of the Parish (outside of the Pevensey Levels and High Weald AONB), with those areas adjacent to the AONB being of more value than the more southern areas of the parish. This is re-iterated in the supporting text of the plan (paragraphs 75-78). The policy seeks additional protection for those areas adjacent to the High Weald AONB in the Moorhall Stream Valley and the Watermill Stream Valley as a ‘transition zone’.

The Low Plateau to the south of Ninfield and the built-up area of the settlement are not identified as a valued landscape in the NP. Of the Low Plateau, the NP Landscape Study concludes (amongst other things) that it has more regular reorganised fields, less wooded areas, greater numbers of sporadic houses and more prominent pylons. The evidence base has set out the reasons for differentiating the landscape value of different areas of the parish at a local level. In seeking to designate LVLs, Wealden District Council identified that the Parish Council should consider whether the Watermill Stream Valley /Catfield valley is of equal value to the Moorhall Stream Valley. This has not been stated within the plan.

The proposed Locally Valued Landscape Designation (LVL) boundaries do not entirely map onto the local landscape character area boundaries as set out in the supporting Landscape Study but includes the Moorhall Stream Valley, Wallers Haven Levels and Catsfield / Watermill Stream Valley (except a small area to the south-east of Pipes Wood). At Regulation 14 we suggested that the precise boundaries should be reviewed to ensure they are justified as the plan making process develops. For example, part of the SHELAA site reference 165/3170 has also been included. This SHELAA site is a larger field on a less pronounced slope and it is worth considering if this falls into the wider characterisation of the Watermill Stream Valley as a heavily wood area, with steep sided valley or smaller irregular ancient field. They have not been reviewed between Regulation 14 and 16. Our concerns relate to the application of this policy and whether the inclusion of such large areas of land are justified. The Areas of Locally Valued Landscape cover an

extensive area. Is it right that such an extensive area is identified and is it justified on landscape grounds. (but extent not dissimilar to ALVL in Hellingly NDP). Ultimately, it will be for the examiner of the NDP to determine if the Areas of Valued Landscape are sufficiently justified as such.

Policy N7 Local Green Spaces and Local Green Space Report

Wording of the Policy

Previously, at the Regulation 14 stage, policy N7 stated that 'development requiring planning permission will not be permitted unless there are very special circumstances in line with national policy or where the development will enhance and not compromise their primary function as Local Green Spaces'. At the Regulation 14 consultation stage, the Council commented that the policy needed to be more specific as to what national policy it is referring to (e.g. the NPPF policy for greenbelts). However, the Regulation 16 NDP wording still fails to define what the 'very special circumstances' are, and this leaves it open to interpretation.

Recommendation

The Council considers that it is necessary to reference paragraph 103 of the NPPF (either in the policy itself or as part of the supporting text) that confirms that policies for managing development within a Local Green Space should be consistent with those of the Green Belt. Agree

General Points

It is noted that some of our previous comments have been taken on board in this version of the plan, notably the omission of Combe Wood and 20 Acre Field as proposed Local Green Spaces (they were deleted prior to Reg 14 stage). However, the Council still makes the following comments on specific Local Green Space Designations.

No. Local Green Space

Comments

LG3 Church Wood Church Field and Church Path

The proposed Local Green Space is designated as Ancient Woodland and therefore already has protection through national policy. No additional benefit would be gained from LGS designation.

Note: In the analysis, the Church Wood is referred to as a Local Nature Reserve (LNR) but according to our mapping system it is not an LNR or a Local Wildlife Site (LWS) but is Ancient Woodland and a Priority Habitat.

The site contributes to the setting of Ninfield and the nearby listed building (the church) and offers wider ranging views across the levels to the South Downs with a PROW network allowing public access. As such, there is an arguable case that the site meets

some of the criteria for LGS as set out in para 102(b) of the NPPF.

However, the site is also an extensive tract of land and is therefore unlikely to meet the strict definition for a LGS as set out in the NPPF. The site has been refused planning permission for 70 homes under reference (WD/2020/1166/MAJ). National Guidance on LGS note that 'blanket designation of open countryside adjacent to settlements will not be appropriate'. Part of the justification for the designation appears to be based on the threat of possible future housing development. It is important that LGS designations should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.

There is little to distinguish the adjacent agricultural fields from the proposed LGS and the site reads as part of a wider landscape rather than a particular self contained site. The boundaries appear to have been drawn with reference to potential housing site boundary rather than an obvious area of particular local significance. For the reasons outlined, it is not considered to meet the strict definition of a LGS in the NPPF.

All this is responded to in the Consultation Statement. Additionally, the fields forming the northern and northeastern part of this LGS were the subject of application WD/2020/1166 for residential development. That application was refused not only because of unacceptable harm to the landscape but also because of unacceptable loss of habitat of farmland birds, an ecological survey having identified evidence of red and amber listed priority species (kestrel, linnet, song thrush, starling, stock dove, and dunnock). This provides evidence to support the special value of the site (both fields and wood) to the community for nature conservation reasons as well as landscape beauty.

LG6 a, b and c

Roadside verges Appear to all be designated for their contribution to biodiversity and natural beauty. The sites are not formally designated as wildlife sites. Therefore, they are not likely to meet the high bar for LGS designations set out in the NPPF.

The LGS report needs to be more specific as to why particular verges are worthy of designation. It is considered that some of the verges are of good quality but others have either been altered substantially (due to new development) or are of lower quality and should be removed as they do not meet the high bar for designation.

6a- The analysis needs to justify each reason for designation i.e. history is mentioned as a reason within Table 4 of the Local Green Space report but no explanation is given as to why this is a reason for its designation.

6b- There may be a case for designating a much

smaller area around the junction of Standard Hill and Combe Lane around the vicinity of the seat and post box, as this forms an attractive entrance to the village, but further justification would be required. Again, history is mentioned as a reason within Table 4 of the Local Green Space report, but no explanation is given as to why this is a reason for its designation.

6c- The Ingrams Farm development has impacted on the verges in this location and there seems little in this area to merit its designation as an LGS.

LG7 Proposed Recreation Area behind Sparke Garden, Manchester Road

Local Green Space designations will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation.

There has been a planning permission for up to 80 (net) dwellings that is largely constructed behind Manchester Road, which sets aside this land as public space. As the land is proposed to be designated as an LGS, it will be difficult to demonstrate it is demonstrably special to the local community for recreation when it has not been used or developed as Local Green Space open space yet. The land is currently overgrown and there is no public access to this space at this stage.

The assessment also states that this space is important to the local community because of its beauty but there is little evidence of this on the ground. It is overgrown with no noticeable biodiversity interest at present. Given the above, it is considered by the Council that it is premature to designate this land as an LGS.

Green Space Report

It should be noted that for table 3 of this document, the original reference of the allotments is incorrect. According to table 1 **it should be GS 15. AGREE**

There is a clear methodology within the document, and it is clear how the potential Local Green Spaces have been identified and where the criteria have come from for the assessment. Whilst we may disagree with some of the sites proposed / outputs from using the methodology, as outlined above, we have no further comment on the methodology itself.

Policy N8: Biodiversity (including Green and Blue Infrastructure or GBI)

No comment. Our comments made at the Regulation 14 stage have been addressed.

Built Character Areas Text- pages 55-57

In our Regulation 14 comments, we stated that large parts of this text can be found

in the Design Guide and/or Character Assessment and suggested removing it from the main plan document, adding a link to the other documents, in order to make the plan more succinct. However, this text still remains.

Paragraph 107 lists the proposed character areas but at the end of each description there are proposed suggestions for what would/should be allowed/supported in each area. In our Regulation 14 comments, we suggested moving these to the guidelines within the design guide, with appropriate justification; however, they have not been moved.

Policy N9: Built Heritage and Appendix C

Regulation 14 Comments

At the Regulation 14 stage, the Council stated that given all the comments we had made we could not currently agree to the local list as it stood until the Steering Group responded to the points made regarding the criteria used and the process followed and provided a thorough justification of why each building being proposed to put on the list merits inclusion. We would then be able to assess if we were in agreement with the list. We added that this should happen prior to the Regulation 16 consultation. However, this has not happened.

We also commented that the methodology required further consideration and further work in order for it to be a suitable methodology. Whilst an attempt has been made in paragraph 113 of the plan, it could be clearer as to how buildings were nominated, if there was any community involvement, how the assessment was carried out etc.

Significance

Policy N9 states that: Proposals involving the non-designated heritage assets listed in this NP shall be assessed having regard to the scale of any harm or loss when balanced against the significance of the heritage asset concerned whether it be an area, building or feature'. It continues: 'Development proposals affecting these nondesignated heritage assets will be supported if they sustain or enhance their fabric, appearance, character and setting and better reveal their significance'.

The key issue is that the significance of the non-designated heritage assets has not been provided / set out in sufficient depth on each individual basis in Appendix C; therefore, it will be difficult to determine harm, or how the significance can be better revealed. Significance is more than a description of the architectural features of a building. We would like to refer to the HE publication Local Heritage Listing Advice Note.7, and in particular paragraphs 10-12 inclusive, copied for convenience below:

Significance and heritage assets

10 Significance, referred to above, is a guiding principle of heritage-related planning policy, of relevance to all forms of heritage asset across the continuum of designated to non-designated. The NPPF defines it as 'the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic'. It may derive 'not only from a heritage asset's physical presence, but also from its setting'. Conservation is the process of maintaining and managing change to heritage assets in a way that sustains and, where appropriate, enhances their significance.

11 Heritage interests as defined in the PPG can inform the development of

the criteria which are important in providing a sound basis for a local heritage list (see Part 2, Section 2, below):

- o Archaeological interest: 'There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.'
- o Architectural and artistic interest: 'These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.'
- o Historic interest: 'An interest in past lives and events (including prehistoric). Heritage assets can illustrate or be associated with them.'

Heritage assets with historic interest not only provide a material record of our nation's history but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.'

12 Historic England Advice Note 12: Statements of Heritage Significance gives further information on the assessment of significance in applications for planning permission. The more information that can be provided about the significance of the asset and the reasons for its inclusion on the local list, the more effective its identification as a locally listed heritage asset will be.

Criteria

Appendix C sets out the criteria for the inclusion of buildings and constructed features and it is considered by the Council there are several issues with these criteria as described below:

- Criteria A - Age: it is arguable that all the identified NDHA's should meet this criteria as set out in the Appendix as this is a clear basis for setting out the significance of an identified asset considering its age and rarity. **Unclear what this comment means.** Then consideration of alterations to architectural character could be considered etc.
- Criteria B - Rarity: To be judged against the understanding of the local heritage of the area.
- Criteria C – Aesthetic interest – accepted.
- Criteria D – Group Value: there is a clear issue with this criteria that sets out that assets 'may not be significant on their own'. Group value is looking at a series of identified heritage assets and the criteria would be an addition to potentially A and C set out above, but not something that could be considered on its own as it would arguably allow any building or structure to be added, notwithstanding it has no particular significance itself as an asset. **Criteria A already states that D is an additional requirement where the building's age is post 1844. Accept this could be made clearer.**
- Criteria E – Archaeological – accepted.
- Criterion F, G, H and I – suggest combining, but there are alternative means of identifying assets of community value which may be more appropriate than the attempt to include on a list of non-designated heritage assets, especially if criteria A is not met.

The quality threshold for each Criteria is not adequately set out. For example, how would a building meet the threshold for being considered rare? **Impractical to set a threshold.** Paragraph 43 of the HE Advice No. 7 sets out the following: Regardless of the means by which candidate assets are identified, as a minimum, nominations need to

be backed by information of sufficient detail and accuracy to demonstrate that they meet the requirements set by the selection criteria and by national planning policy. It is also noted that the criteria are for buildings and constructed features – arguably the inclusion of the granite setts and church path should be included in the understanding of wider landscaping and development of the green spaces in the village covered by other policies and does not neatly fit into the criteria for building or constructed features. **Equally arguable that they are constructed/built features.**

Local Heritage Areas (LHAs)

The Council does not agree fully with the identification of the LHAs. Having had the opportunity to walk through and experience each of the identified areas, we would suggest that, apart from Lower Street and perhaps around the Church, the other LHAs relate more to the Group Value (Criteria D) above, than a specific historic area. **Strongly disagree.** There are areas of substantial built environment that are included in the LHAs **(disagree that they are substantial – they are more tightly drawn than many Conservation Areas)** and not identified as being non-designated heritage assets and this dilutes the appreciation of the heritage and evolution of any LHA and its significance.

Arguably, it may be possible to add the area around Manchester Road and the junction with the main street as a LHA, but this should be restricted to a much smaller area around the junction. There is certainly no appreciation of the character of the High Street/Manchester Road LHA as set out in the Appendix as there are two very distinct sets of building groups – those being along Manchester Road, and those along High Street. **Disagree, the description makes it clear that they are different but describes how they are each worthy of protection in their own right. It would be non-sensical to have 2 LHAs when they abut each other and linked by a twitten.** Therefore, removal of the LHA and use of the Criteria D for non-designated heritage assets would be more appropriate for the Manchester Road LHA. **Disagree – and unclear whether WDC agree with the High St as an LHA?**

Turning to the Church Lane LHA, it is not really appropriate to include the modern development to the southern end **(disagree as these have a fundamental effect on the setting of the grade I church)** – the church, Sunnyside House and School House do have a distinct group value, but there is no coherence in the wider area drawn. The Lower Street LHA is more appreciable as a distinct area of development within Ninfield with a cohesive character and it is agreed that this is an appropriate area to identify, however, there does not appear to be justification for the inclusion of Springfields and White Cottage which do not have visual inclusivity into this area. **Disagree as this end of Church Path with its adjacent buildings has a distinctive and historic character that is integral to the Lower Street LHA.**

These comments are notwithstanding any individual buildings/structures identified in the further comments below.

Paragraph 114 of the plan has been added since the Regulation 14 stage and appears to be stating that these LHAs are non-designated heritage assets in their own right (there was previously no reference in the main Plan as to what these areas signified). We consider that this needs to be explained further and justification provided for their designation and for the extent of these areas given our comments above. This paragraph also needs to be expanded to clarify what this designation signifies for an applicant for planning permission. What is the significance of the LHAs? This needs to be clearly explained in detail. For example, Neighbourhood Plans do not have the power to affect permitted development rights, but presumably applicants within these LHA areas will be expected to demonstrate how the proposals sustain and enhance the local distinctiveness of the historic built environment. The policy needs to be clear when it is referring to individual NDHAs or LHAs and what the policy is trying to control? As is currently drafted this has not

been achieved and we consider that this must be made clear. Disagree – consider it is already clear enough.

List of buildings and structures

NOTE: on page 29 of Appendix, the titles 'Little Park' and 'Little Park Lodge' are under the wrong photos

On page 23, 'Reading Room' is under the wrong photo.

Turning to the specific list of buildings or structures, the majority could meet criteria for non-designated heritage assets, but their significance must be identified – not just a description of their architectural character or aesthetic interest. Each one clearly identifies which criteria are met, to expand on this would result in unnecessary repetition that would produce a level of detail out of all proportion to the 'toothless' LHA designation. It is interesting to note that some buildings that would meet criteria A have been dismissed as they do not sit within a group of buildings. (yes, criteria A states that this will apply to post 1844 buildings) There appears to be no consistent application of the criteria, notwithstanding our comments on the contents of the criteria above. Disagree. If a building merits inclusion, there is no overall criteria that it should have to be part of a group to be included within the local list. Have WDC read criteria A???

We have issues with the inclusion of the following buildings/structures and consider that these do not warrant inclusion, based on the evidence provided and the current criteria:

- Blacksmith's Inn, The Green – this does not meet the main criteria A, B and C above Dates from 1934 but it is highly significant for criteria I (social importance) and also D (as a building that contributes to group of historic buildings around junction).
- Springfields, Church Path – lacks architectural interest and merit through considerable alteration. It has been extended sympathetically and its original fabric still exists. It contributes to heritage value of this section of Church Path and is considered to meet A and D.
- Sadlers, Lower St – has been considerably altered which has affected its architectural interest. It meets criteria A as a pre-1844 building still retaining its structural integrity/historic form and character despite very recent replacement of white weatherboarding with upvc imitation. Arguably it could also satisfy the rarity criteria B owing to the limited number of surviving weatherboarded cottages in Ninfield.
- White Cottage, Lower St – unclear how this meets the criteria. Agree its inclusion under A is marginal but on balance, with its adjacent glasshouse dating from early 1900s, is the sole survivor of the market gardening business historically significant to the local economy. If deleted, the site should still be included in the Lower St LHA.
- The Forge, Hooe Rd - has been considerably altered which has affected its architectural interest. It is pre-1840 and the sole remaining example in the parish of an historic forge thus meeting A and I and also has aesthetic interest and group value with adj Newhouse Farmhouse. It does not appear excessively altered.

- London House, Manchester Rd - has been considerably altered which has affected its architectural interest. Acknowledged that it has been altered but it is the sole remaining example of a c19th shop in the parish and contributes to group value with listed buildings obliquely opposite. Thus is considered to meet D and I as well as A.

More work will be required to justify the Memorial Hall, Bexhill Rd, against the criteria.

Why? It is significant under criteria G, H and I because of its historic military and community use and thereby also meets A.

The following buildings have either been dismissed or not identified in the Appendix. Should these have been assessed using a consistent approach and against a revised criteria, they may have been included within the plan. They do not meet the criteria, although a couple are marginal. They are mainly more recent buildings and are of lesser merit (much less in many cases) than those already identified.

- Merlin Cottage/ Bloemfontain, Lower St Semi-detached dating from 1897-1908. Adjoin Sadlers Cottage rather than being part of a row of similar dwellings. Accept exclusion is borderline under A and D but the flat-roofed two-storey extension on the south side is prominent and detracts from the streetscene.
- Stocks House, The Green Dates from 1908-1929, probably 1910s, unspoilt example of its period but forms part of row of 1930s dwellings to east rather than relating to c18th Prospect House to west. For these reasons, on balance, consider inclusion not warranted.
- Three Winds & Fairfield, Bexhill Rd 1908-1929 in ribbon of 1930s dwellings and not distinctive. Do not meet criteria A or any other criteria.
- Windy Ridge, Ninfield Rd 1908-1929, not distinctive. Does not meet criteria A or any other criteria.
- Sussex Barn ? cannot identify this building.
- Tudor Court, Ninfield Rd 1908-1929 quite distinctive mock-Tudor house with 'Arts and Crafts' influence. Not part of a group and, on balance, not considered to meet the criteria.
- Staplehurst, Bexhill Rd 1897-1908, not distinctive and not part of group. Does not meet criteria A or any other criteria.
- Brook Cottage and Little Cottage, Peartree Lane 1844-1873 but too dispersed to form a group and too altered in one case, so not considered to meet the criteria.
- Holly Cottage, Bexhill Rd 1844-1873. Not part of a group and significantly altered. Does not meet criteria A or any other criteria.
- Russell Cottage, Hooe Rd original pre-1844 thus potentially within criteria A but so greatly extended and altered as to have lost its historic character.
- Red House, Hooe Rd 1908-1929. Large unspoilt red-brick house but not part of group. Does not meet criteria A or any other criteria.

- Belton Cottages, Hooe Rd 1873-1897 and not part of group. Do not meet criteria A or any other criteria.
- Tanyard Cottage, Hooe Rd post 1929. Does not meet any criteria.
- North Cottage Hooe Rd, c1950 postwar total reconstruction after bomb damage
- The Bungalow Hooe Rd, 1844-1873 and not part of group. Does not meet criteria A or any other criteria.
- Whitehouse Farm, Hooe Rd 1844-1873 and, although near the former pre-1844 workhouse, does not relate to it. Not part of a group and does not meet criteria A or any other criteria.
- Avalon, Marl pits Lane 1858-1873 Good unaltered example of its period but not part of group. Does not meet criteria A or any other criteria.
- Marl pits Lodge 1858-1873 Significantly altered and extended (including with uncharacteristic flintwork) and not part of group. Does not meet criteria A or any other criteria.
- 1 & 2 Stone Cottages, Standard Hill 1873-1897 and not part of group. Does not meet criteria A or any other criteria.
- The Old Stables at Church Barn Farm, Church Lane 1873-1897 and in group of modern buildings. Does not meet criteria A or any other criteria.
- Lisheen, Coombe Lane post 1929, adjoining a 1930s-1950s cul-de-sac of bungalows. Although a good example of its period with rustic features (eg. open eaves) it is clearly insufficiently historic or distinctive as to meet any of the criteria.

Mapping

From using the map for our site visits, we note that the map of each LHA is quite small and difficult to read. Disagree – the maps seem clear enough to identify the boundaries of the areas and the individual buildings. Only the Local Heritage Areas are shown on the maps which means that a large number of the proposed non designated heritage assets (those outside the LHAs) are not shown. We would expect to see a map or a series of maps showing the whole parish with all the identified NDHAs identified on a map within the submission document – not just those within the LHAs. Agree is desirable - but not essential as they are clearly identified by road name and also by sub-area within the parish.

Village Character Assessment and Heritage.

Since the Regulation 14 consultation, an introduction has been added which has addressed some of our concerns but not all. It is considered by the Council that it still does not identify what the purpose of the assessment is or what are the benefits of having one. It was a means of enabling members of the steering group, in the initial stages of the NDP preparation process, to study the village in detail. This enabled them to identify, recognise and appreciate the character and significance of its various sub-areas and individual buildings. We previously suggested that after the analysis of the character areas, there could

be a section on what can be drawn out of the assessment and how these feed into the design guide and policies, thus linking the different documents together. However, this has not taken place. As a result, whilst this is a detailed document, its purpose is unclear, and it could do more to support the plan as well as aid decision making.

Policy N10: Design

Wording of the policy

Criteria a) The policy seeks to refer to and cover Key Views (Policy N5) when there is a separate views policy in the plan. Policy requirements for clear views should be consistent and clear and preferably set out in one policy not several. **It is consistent.**
Criteria e) This part of the policy is not strictly necessary as this just covers all other policies in the Neighbourhood Plan. The plan would be read as a 'whole'.
It is noted that this policy gives little scope for contemporary architecture.

Recommendation:

Criteria a) Remove the second sentence.

Criteria e) Remove the criteria in its entirety. **Disagree but not critical.**

Housing Growth Context

Paragraph 122, bullet point 2 states that:

'There is housebuilding land already committed in Ninfield Parish to last until 2040 based on a simple 'pro-rata' apportionment of the 'standard methodology' figures'. The Council has to consider the district as a whole and consider other constraints in all our settlements. The growth strategy in the Local Plan is determined by a number of factors e.g. sustainability, AONB, Ashdown Forest, Pevensey Levels Flood Risk, infrastructure etc. as well as land availability. Some settlements have very limited opportunities for growth. Growth will not be evenly spread across the district or distributed to parishes on a proportionate basis. **True but there is still a need to concentrate development in towns, not in villages.**

Also, you refer to a current housing need figure being 1,212 dpa. As discussed above, the current housing needs figure is now 1,200 dpa.

Housing in the Countryside

Paragraph 130 states that:

'It was a cornerstone of planning policy in this country from its inception in 1947 that the countryside should be protected for its own sake'.

This needs further clarification. **Why? the text already states that the NPPF has changed this.** There is a presumption against development in certain circumstances that conflict with designations or constraints (see paragraph 11, footnote 7 of the NPPF), but not all development.

Policy N11- Housing Mix and Space Standards

Wording of the policy

As stated at the Regulation 14 Consultation, it would be helpful to have a table that followed the exact housing mix reported in the district Council's LHNA, rather than combining totals for either smaller or larger dwellings, in order to be clear on the exact percentage the Neighbourhood Plan requires. **Disagree that it should be so prescriptive - Ninfield is in the Hastings/Rother HMA – there is no sudden change in housing demand along the Wealden/Rother boundary.** A degree of flexibility has been added to this policy following our

Regulation 14 comments. We suggested that the policy outline potential reasons why this housing mix might not be met by applicants (e.g. site characteristics, topography, character of the area etc). This has been added, but it is not clear what the second part of the sentence refers to 'and to the evidence of need current at the time of the proposal taking account of the local mix and turnover of properties'. The Council considers the LHNA to be the most up to date evidence of need.

We previously commented on the sentence 'all new residential development should meet the Government nationally described space standards.' There is no evidence on this for Ninfield Parish in terms of either viability, or examples of schemes that have not met the nationally described space standards in the parish. **Is there any evidence that they have met the national standard?** Recommendation: Finish the second paragraph of the policy after the term 'surroundings.'

Adjust the terminology on space standards from 'should' to 'support'. The Council is working on a policy of this nature in its emerging Local Plan, so this evidence will be gathered on a district basis.

Policy N12- Communications

No comment.

Policy N13- Local Employment

NOTE: Although not raised by ESCC or WDC, the text (para 159) should have stated that the Tarmac site is a safeguarded concrete facility and a small part also a safeguarded waste site (as also is Rusty's Reclamation) in the Waste and Minerals Local Plan for East Sussex (including the Waste and Minerals Sites Plan Feb 2017). It consequently appears inappropriate and unnecessary for it to be protected as an employment site in the NNDP and ought to be removed from the map of employment sites in the NNDP.

Wording of the Policy

The Council previously commented at the Regulation 14 stage that there is a specific omission on this policy in that it does not talk to 'new' employment uses within Ninfield Village, but rather just the retention of business/commercial land uses. In principle, the existing statutory development plan would support new commercial floorspace within the existing development boundary (subject to other policies in the Development Plan), and potentially outside the development boundary in exceptional cases (i.e. as part of an existing commercial/industrial estate). The Neighbourhood Plan remains silent on new employment sites. **The NDP refers to lack of demand for new business sites in Ninfield – implying that policy provision for additional sites is unjustified – in any case, if the policy provides for additional sites it might become a reason for requiring a formal sustainability or habitats assessment.**

In terms of sui generis employment generating uses, the first part of the policy only includes fuel stations and public houses/drinking establishments. It is not clear why these particular sui generis uses have been singled out **(because they are the only significant ones currently existing)**. Should other sui generis employment generating uses also be included within the policy (i.e. car sales, takeaways, car repair garages etc.)? Overall, Sui generis uses cover a wide range of different uses. In our view, there is a query whether sui generis uses should be included within the policy based on the evidence we have in the Employment and Economic Study which considers only B2, B8 and E(G) and the 'use' coverage of sui generis in general.

The second part of the policy states that: 'The loss of existing premises in employment related use will not be supported...'. This does not confirm the type of

employment use that would be retained. **Because the main object of the policy is to protect 'employment' rather than any specific type of employment – the latter is too prescriptive.**

Recommendation: At present, the second part of this policy does not define 'employment related use' and reads as all employment uses should be retained (i.e. B2, B8, E and Sui Generis). We are not convinced that sui generis uses should be included in this retention policy as per our comments above and there is limited evidence for this. It may result in unintended consequences by its inclusion in the policy. Our own evidence for justification of retaining employment uses can be used (see the Employment and Economic Study – Eastbourne and Wealden 2022), given the substantial demand for it in the wider district, but this only relates to light industrial/offices (Use Class E (G)), general industrial (Use Class B2) and Distribution/Warehousing (Use Class B8), not Sui Generis uses.

Policy N14- Sustainable Rural Business

Wording of the policy

The supporting text does not explain what a sustainable rural business is. It does not explain what use classes are covered by the term 'rural business' or 'other countryside-based business' and is open to interpretation. This also applies in criteria a of the policy where it states 'promotes recreation in the countryside' but gives no definition of what this includes.

Criteria b- this part of the policy still does not explain what buildings are appropriate for conversion. Since the Regulation 14 stage, there has been an addition which states 'both in terms of location and construction' but this does not explain what location is suitable or what construction is suitable for conversion. Almost all buildings are capable of conversion subject to cost/viability.

Recommendation: The supporting text needs to explain what a sustainable rural business is and perhaps give examples. The terms 'rural business', 'other countryside-based business', 'location' and 'construction' used in the policy need to be defined either within the policy or the supporting text to ensure that this policy can be applied correctly. **Other NDPs don't always define these – it allows for some degree of flexibility of interpretation. Impractical to define these terms exactly.**

Policy N15- Infrastructure

Wording of the policy

As we stated at the Regulation 14 consultation, the list of infrastructure projects in this policy serves no purpose. The neighbourhood plan will have no direct control over the provision of these. Although these could form a community aspiration that could be set out separately in the plan.

The second sentence should define the level and scale of development where this is required (i.e. major development). It is considered unreasonable to expect this on smaller sites.

Recommendation: Consider moving the list of infrastructure projects to the list of community aspirations.

Change the term 'new development' to 'new major development' in the second sentence of the policy. **These comments may be justified.**

Policy N16- Community Facilities

Wording of the policy

We suggested at the Regulation 14 stage that the first paragraph only needs to

identify those buildings identified as community facilities as the second paragraph lists the circumstances as to when a loss (which presumably includes a change of use) will be supported.

Recommendation: Clarification is needed in the supporting text as to how these community facilities have been identified.

The first paragraph is altered to just identify the community facilities.

Consideration should be given to condensing this policy.

Policy N17- Safer and More Sustainable Travel

Paragraph 190-191- there may be scope for the works, but very little budget.

Replacing stiles with gates and gaps is now national policy. Permissive paths are aspirational but difficult to achieve.

Wording of the Policy

Criteria 4: The law only requires for us to consider existing rights of way. New routes are aspirational.

Recommendation: Consider moving point 4 to community aspirations as it covers work across the parish, rather than just a particular site. **Unjustified**

Policy N18- Parking

No comment

Delivery Plan

Paragraph 220- The figure of 25% is missing from the start of the paragraph. **Agree**

Appendix D

There is some duplication between this list and the community aspirations. It needs to be clarified what the difference is between the two lists. **Agree**