

# LAMBERHURST NEIGHBOURHOOD DEVELOPMENT PLAN

## REVIEW OF PLANNING POLICIES REQUIRING DISCUSSION WITH TWBC

Policy and key points raised	Recommended amendments for discussion with TWBC  Existing policy with suggested additions and deletions
<p><b>Policy L2 - Development in the High Weald AONB</b></p> <p>The Examiner queries whether every applicant must demonstrate that their development proposal meets all the criteria, or only those relevant?</p> <p>One respondent to the Regulation 15 consultation refers to the need to avoid development ridge-top locations which have a visual impact over a wide area</p>	<p>Development in the parish will only be permitted where it conserves and enhances the landscape and has regard to the High Weald AONB Management Plan 2019-2024 or subsequent iterations of the plan. In particular any development must demonstrate <b>that it has had regard to relevant parts of the following AONB objectives and :</b></p> <ul style="list-style-type: none"> <li>▪ takes opportunities to restore the natural function of watercourses to improve water quality; prevent flooding and enhance wetland habitats;</li> <li>▪ respects the settlement pattern of the parish <b>and its landscape setting (including avoidance of ridge top locations causing significant visual impact)</b> , and uses local materials that enhance the appearance of development and help to reconnect occupiers with the landscape;</li> <li>▪ relates well to historic route ways and does not divert them from their original course or damage their rural character by loss of banks, hedgerows, verges or other important features;</li> <li>▪ does not result in the material loss or degradation of ancient woodland or historic features within it and, where appropriate will contribute to its ongoing management;</li> <li>▪ conserves and enhances the ecology of fields, trees and hedgerows; retains and reinstates historic field boundaries; and directs development away from medieval or earlier fields, especially where these form coherent field systems with other medieval features.</li> <li>▪ Any landscape plants should follow the planting recommendations scheme for native plants (No Leylandii and Laurel should be permitted to be planted)</li> <li>▪ A full sustainable drainage approach should be included within all new development such that the drainage system provides surface water quality control, water quality protection, biodiversity enhancement and amenity provision</li> </ul> <p><b>Development proposals should also have regard to the High Weald Housing Design Guide (November 2019) and the High Weald AONB Guidance on the Selection and Use of Colour in new development (September 2017)</b></p>

<p><b>D1-Design</b></p> <p>TWBC suggest amending policy to refer more to site context /prevailing character than to requirement for low density development.</p> <p>This is because some parts of the historic core of Lamberhurst will be higher density and low density development there may not be in keeping with existing character</p>	<p><b>(First part of policy only)</b></p> <p>All new development should reinforce the local character and distinctiveness of this part of the Kentish High Weald, which is derived from:</p> <ul style="list-style-type: none"> <li>• higher density development in the historic core of Lamberhurst village</li> <li>• beyond it, lower density development set in landscaped grounds with soft boundary treatments, which help to integrate it into the High Weald landscape</li> <li>• scale, layout and design which respects and complements its surrounding area and reflects the cultural heritage of the area</li> <li>• use of traditional building materials particularly brick, clay tiles, sandstone, weatherboarding</li> <li>• attention to detailed design, with discreet siting of service features such as ducts, meter boxes, and bin stores</li> <li>• take into consideration the value and importance of PRoW network</li> </ul>
<p><b>D4-Dark skies</b></p> <p>TWBC suggest” discussion or review with TWBC to add to policy or cross reference to TWBC policy in some way “</p>	<p>New developments should not detract from the unlit environment of the Parish <b>outside Lamberhurst’s Limits to Built Development (policy H1) and at A21 junctions in accordance with TWBC Local Plan policy EN8.</b></p> <p>In order to preserve dark skies over the parish, external lighting in new development will only be permitted where:</p> <ul style="list-style-type: none"> <li>▪ the lighting is necessary for operational, safety or security reasons</li> <li>▪ any light spillage beyond the application site is eliminated, or reduced by measures such as timing and proximity controls, orientation, screening, shielding or glazing <ul style="list-style-type: none"> <li>▪ there is no adverse impact on nearby residential properties ,wildlife, local heritage assets or the wider landscape</li> </ul> </li> <li>▪ should meet the dark skies lighting standard by the Institute of Lighting Professionals</li> </ul>

<p><b>C1-Community assets</b></p> <p>TWBC has an emerging policy ED12 relating to retention of local facilities and services within defined Neighbourhood and Village Centres</p> <p>The current NDP policy C1 seeks that developments enhance the viability and community value of existing facilities and is silent about when proposals maintain /retain this. It would assist decision making if this is clarified.</p> <p>Assume that proposals that maintain or retain viability of community assets ( rather than enhance viability ) will have a neutral impact and so not weigh positively in the planning balance on this point in a particular planning application.</p> <p>It would also be beneficial to clearly set out whether the requirements of the policy relate to the whole parish or whether more applicable within the village centre of Lamberhurst, for example</p> <p>Applies to whole parish ( a number of community assets are located outside the village)</p>	<p>Development proposals that enhance the viability and community value of our existing facilities will be supported, providing they accord with the other policies of the LNDP. Proposals resulting in the loss or diminution of these facilities will not be supported unless it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>a. facilities of equivalent or better standard to serve the parish will be provided at a suitable location and will be secured through an appropriate planning mechanism</li> <li>b. there has been a sustained effort to find another public, voluntary or commercial body to operate the facility as demonstrated through it being marketed for a period of at least two years by an appropriate agent, at a time when the site is available, or available shortly.</li> <li>c. the facility is no longer required and there will be no adverse impact on the social and community life of the village.</li> </ol>
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<p><b>H5-Replacement dwellings</b></p> <p>TWBC has an emerging policy on replacement dwellings outside the LBD. This sets out specified criteria to be satisfied: the LNDP policy is more restrictive and appears to rule out many such proposals in principle and neither does it say whether this applies within or outside the LBD.</p> <p>In addition , permitted development rights are such ( including the new ability to add an additional storey to the property) that it is possible a building would end up much larger than would normally be allowed</p> <p><b>Criteria (a) does allow for the extensive ( and expanding) permitted development rights available to householders</b></p> <p>The Examiner states “this is a most unusual policy that seeks to prevent homeowners wishing to demolish and rebuild their homes, except in cases where there is some heritage interest. Can the Parish Council please provide evidence as to why such a policy is justified, as a matter of planning principle , say if an owner aspired to a more energy efficient house or one that makes better use of the site “</p>	<p>Replacement of existing dwellings <b>outside the Limits to Built Development( see policy H1)</b> should only be permitted where the existing building has established and continuing residential use rights <del>and the current building is unstable or uneconomic to repair</del>. All other policies set out in this plan will apply and in addition the following criteria must be met:</p> <p>a. the replacement building does not exceed the total volume of the original building, plus any additional volume that could be generated using the maximum limits imposed for extensions under the Town &amp; Country Planning (General Permitted Development) Order 2015 (as amended)</p> <p>b. the location of the replacement building coincides, in whole or part, with the position of the original building unless an alternative location within the existing curtilage of the property would reduce the visual impact of the building <b>from areas to which the public have access</b>, or facilitate the necessary realignment of a public highway.</p> <p>c. <b>The proposed replacement dwelling offers a demonstrable improvement over the design and sustainability ( lower energy, water or waste ) of the existing building to be demolished</b></p>
<p><b>H3-Allocating affordable housing</b></p> <p>The Examiner has reservations as to whether a planning policy can be used to dictate who will be allocated affordable housing , as that is normally a matter for the Housing authority (TWBC) , apart from on Rural Exception Sites</p>	<p>New affordable housing provided by the LNDP will initially be subject to a local connection. All new affordable housing in Lamberhurst provided by the Plan will initially be subject to a local connection, meaning that people with a strong local connection to the Parish, and whose needs are not met by the open market, will be first to be offered the tenancy or shared ownership of the new homes provided. In this context a strong local connection means an applicant(s):</p> <ul style="list-style-type: none"> <li>▪ who has lived in the Parish for 5 of the last 8 years and is currently resident here, or</li> <li>▪ who has lived in the Parish for at least 5 years and whose parents or children are currently living in the Parish and have at least 10 years continuous residency here</li> </ul>
<p><b>H6-Conversion of dwellings</b></p> <p>The Examiner seeks clarification as to whether reference in the first paragraph to an asset of community value , refers to</p>	<p>Proposals for the conversion of existing properties to alternative uses will be supported where:</p>

<p>a building which is registered as an ACV with the Borough Council ( a designation that lasts three years unless renewed) or is it referring to buildings covered by policy C1</p> <p>TWBC state that part of the policy seeks to resist the loss of employment .However , there will be instances where there may be a wish to support such a use (e.g. an employment use that causes noise or disturbance to neighbouring amenity )</p> <p>The NPPF allows for conversions of existing buildings</p>	<ol style="list-style-type: none"> <li>1. The proposed conversion will not adversely affect the character of the building as a result of works to adapt or extend the building</li> <li>2. It does not result in the loss of employment , <b>except where the new use would overcome any harm to local amenity ( such as noise or disturbance) arising from the existing employment use</b></li> <li>3. <b>It does not result in the loss of</b> an asset of community value (see <b>covered by NDP</b> policy C1) or loss of amenity to the surrounding area through changes to local character or significant increases in traffic generation or pressure for on-street parking spaces.</li> <li>3. The proposed use would not increase flood risk, either in itself or to neighbouring properties, in a vulnerable location. (See Policy L5.) The Parish Council will monitor applications for changes of use to buildings in Lamberhurst to ensure that a balance is maintained between residential, commercial and community uses</li> </ol>										
<p><b>D7-Non designated heritage assets</b></p> <p>The Examiner queries whether it wishes the NDP to designate all the 11 local heritage assets as non-designated heritage assets, or whether these are better incorporated in policy D6-Historic Environment</p> <p><b>Not all in conservation areas , so better in policy D6 (Historic Environment) rather than D7 ( Conservation Areas )</b></p>	<p>.</p>										
<p><b>D8 Parking</b></p> <p>The Neighbourhood Plan group acknowledges the comments that have been made but would like to address the chronic parking problem that exists in the village centre where 37% of the properties have no off street parking provision and pavement parking is prevalent. Most properties have two or more cars that are needed for travel to work and development over the last 25 years have failed to address this. Additionally there are no public cars other than those owned by the public houses to accommodate the many visitors the village attracts.</p>	<p><b>D8 Parking</b></p> <p>All new developments should meet a minimum parking standard at a ratio of one car space per bedroom. Parking within new residential development should be designed so it is conveniently located and overlooked from the development, avoiding informal parking that undermines the quality of the street environment. Parking should be unobtrusive, with garages set back from the building line. Street trees should be used to soften the visual impact of parked cars, particularly on the street.</p> <p><b>Lamberhurst Parish</b>  <b>Parking Standard Definition</b>  <b>MINIMUM</b></p> <table border="0"> <tr> <td><b>1 Bed Flat</b></td> <td><b>1</b></td> </tr> <tr> <td><b>1 Bed House</b></td> <td><b>1</b></td> </tr> <tr> <td><b>2 Bed Flat</b></td> <td><b>2</b></td> </tr> <tr> <td><b>2 Bed House</b></td> <td><b>2</b></td> </tr> <tr> <td><b>3 Bed Flat</b></td> <td><b>3</b></td> </tr> </table>	<b>1 Bed Flat</b>	<b>1</b>	<b>1 Bed House</b>	<b>1</b>	<b>2 Bed Flat</b>	<b>2</b>	<b>2 Bed House</b>	<b>2</b>	<b>3 Bed Flat</b>	<b>3</b>
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3 Bed House 3

4+ Bed Flat 4

4+ Bed House 4

Additional Visitor Parking 0.2 per unit

Garages will not be defined as a parking space and the number of bedrooms will be defined by how a developer markets the property.