

## **Burwash Neighbourhood Development Plan**

### **Examiner's Clarification Note**

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

#### ***Initial Comments***

The Plan provides a clear vision for the neighbourhood area. It develops a series of distinctive policies which get to the heart of the character and the appearance of the neighbourhood area and its location within the High Weald AONB.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of various high-quality photographs.

The package of supporting documents is both comprehensive and helpful.

#### ***Points for Clarification***

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council. There are also separate questions for the District Council and a combined request for information from the Parish Council and the District Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to ensure that the Plan meets the basic conditions.

I set out specific clarification points below in the order in which they appear in the submitted Plan.

#### ***Questions for the Parish Council***

##### ***Policy GP01***

There appears to be a tension between the opening part of the policy (which applies to all development) and the application of the six criteria.

Should the policy be caveated so that it would be applied proportionately to the scale/nature/location of proposed developments?

##### ***Policy GP02***

Were any specific views identified as part of the Plan's preparation?

If not, could this policy be incorporated into Policy GP01?

##### ***Policy GP04***

Is the Parish Council's decision to leave the settlement boundaries unchanged from the 2006 Local Plan a direct consequence of its decision not to allocate any sites for development in the neighbourhood plan?

In the circumstances of the grant of outline planning permission for the land to the west of Strand Meadow on what basis has the Plan decided not to include this site within the settlement boundary for Burwash?

*Policy GP05*

This policy sets out a good local approach towards ensuring high quality and distinctive design.

However, should it be caveated so that it would be applied proportionately to the scale/nature/location of proposed developments?

*Policy GP06*

I am minded to recommend that the policy is associated with a map showing the open spaces.

Does the Parish Council have any comments on this proposition?

*Policy GP07*

To what standard should the open space be provided?

Will the requirements of the second part of the policy always be practicable?

In any event is the policy needed given the Plan's wider approach to new development?

*Policy GP08*

Should the policy be caveated so that it would be applied proportionately to the scale/nature/location of proposed developments?

*Policy HO01*

Are any size thresholds intended?

Is the policy intended to apply in reverse such that proposals which did not provide the required tenure and mix would not be supported?

*Policy HO02*

Plainly the policy addresses an important issue. However, does it add any distinctive parish value to existing development plan policies?

*Policy EN03*

As I read the policy it has a focus on the maintenance of footpaths rather than their protection from development.

I am minded to recommend a modification to the policy so that its focus shifts to one whereby development should avoid any unacceptable impact on footpaths and/or incorporate them sensitively into new proposals.

Does the Parish Council have any comments on this proposition?

*Policy EN05*

Does the policy add any distinctive parish value to existing development plan policies?

*Policy EN06*

The policy reads as a process matter (the submission of a landscape scheme) rather than as a planning policy.

I am minded to modify the approach so that it sets out a policy approach towards the landscape.

Does the Parish Council have any comments on this proposition?

*Policy IN01*

Should the policy be caveated so that it is applied proportionately to the scale/nature/location of proposed developments?

*Policy IN02*

I saw the importance of on-street parking in Burwash High Street. However, does the policy add any distinctive parish value to existing development plan policies?

*Policy IN03*

Does 'isolated' mean outside settlement boundaries?

Could the policy have unintended consequences and conflict with national and local planning policies?

Could the policy be better presented as one which sets out different policy requirements for proposed development within and outside the defined settlement boundaries?

*Policy IN04*

Does the policy add any distinctive parish value to existing development plan policies?

*General question*

Does the Parish Council have any comments on the District Council's view that the Plan period should begin in 2019?

*General questions on the delivery on new housing*

I can see the approach which the Parish Council has undertaken on this matter and its conclusions in paragraphs 64/65 of the Plan.

In this context to what extent was the six or more homes criterion applied by the District Council (in paragraph 7.55 of the Core Strategy) relevant in its decision not to allocate any housing sites in the submitted Plan?

Has any work been undertaken to establish a Community Land Trust as identified in paragraph 65?

Does the Parish Council have any observations on the District Council's comment about the applicability of Policy OVE1 of the Development and Site Allocations Local Plan in the neighbourhood area given that the submitted Plan has decided not to allocate sites which would deliver the strategic target for Burwash village in the Core Strategy?

***Questions for Rother District Council***

What is the current progress on work on the replacement Local Plan beyond that included in the Local Development Scheme? Is there a target date for its adoption?

Please can the District Council advise me if it determines the current reserved matters planning application on land to the west of Strand Meadow (RR/2020/1822/RM) whilst the examination of the neighbourhood plan is taking place?

### ***Request for a statement of common ground***

Please can the District Council and the Parish Council provide me with an agreed factual statement on the delivery of new housing both generally in the neighbourhood area and specifically within Burwash village (irrespective of the number of homes involved) from 2014-2019 and from 2019 to date.

### ***Representations***

Does the Parish Council wish to comment on any of the representations made to the Plan?

In particular does it wish to comment on the representations from:

- Rother District Council;
- The Nutrition Centre;
- Mr Simon Bowyer (Plan2Develop);
- Park Lane Homes (Town & Country Planning Solutions); and
- The High Weald AONB Partnership?

### ***Protocol for responses***

I would be grateful for responses and the information requested by 8 March 2021. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Burwash Neighbourhood Development Plan.

18 February 2021