

Hurst Green Village Hall
Station Road, Hurst Green
East Sussex
TN19 7PL

14th February 2025

Response to the Examiner's Initial Comments

Dear Mr Slater,

The Parish Council were grateful for your visit to the parish on the 20th January 2025, and for the receipt of your document, outlining your questions to the Council in relation to our neighbourhood plan, which we received on the 23rd January 2025.

Please find enclosed the Council's responses to your questions. For reading ease, we have included a copy of your question above each of our responses.

The Council are happy to expand further on our responses.

Janet Ellis

Clerk to the Council

clerk@hurstgreen-pc.gov.uk

14.02.2025

CC:

Parish Councillors

Neighbourhood Plan Steering Group members

Rother District Council (including Hurst Green Ward District Councillors)

Parish Council website

8) I would like to offer the Parish Council the opportunity to comment on the representations that were submitted to the plan as part of the Regulation 16 consultation. I do not expect a response to every comment made, just those that the Parish Council feels that it wishes to respond to or comment upon.

The Parish Council are grateful for the opportunity to comment on the representations that were submitted during the Regulation 16 consultation. At the time of receipt of the examiner's request, the Council had not been provided with a copy of these representations. These were subsequently placed into the public domain by the District Council and provided to the Parish Council on the 24th of January 2025.

The Council is grateful to the organisations and individuals who responded, and in accordance with the Examiner's request to not respond to every comment, the Parish Council has chosen to comment (see separate letter) on the following representations: HGNP/R16/2024/2, HGNP/R16/2024/4, HGNP/R16/2024/5, HGNP/R16/2024/9, HGNP/R16/2024/12, HGNP/R16/2024/14, HGNP/R16/2024/15, HGNP/R16/2024/16, HGNP/R16/2024/17.

13) I am therefore inviting Mr Skinner to submit any additional written representations that he wishes to make. I am requesting Rother District Council to write to Mr Skinner, with a copy of this Initial Comments document and give him a 3 week period in which to submit them to me, via Rother District Council. I would like that response to be copied to the Parish Council and offer it a similar 3- week period to submit any comments on Mr Skinner's submissions. In order to allow me to understand the time frames I would ask the District Council to copy me in on the relevant correspondence and also can both the District Council and the Parish Council place the relevant correspondence on their respective websites.

The Parish Council understands that Rother District Council has written to Mr Skinner and provided him with a 3-week period to submit any additional written representations he wishes to submit. In line with the examiner's timetable set out in Question 13, we assume that our response to Mr Skinner's representation will not be required by 14th February 2025. Instead, we understand that we will have no later than six weeks from the time the District Council contacts Mr Skinner—3 weeks for him to submit his response, which we understand has been requested by Friday 14th February, followed by 3 weeks for the Parish Council to provide a response to the examiner on any additional representation that Mr Skinner provides. To ensure the public are informed, we confirm that we will also publish his and the Council's response on our website.

14) Does the District Council and/or the Parish Council have a view on whether the development boundary at the western edge of the parish should be closed off, along the line of the parish boundary?

Policy HG1 – Location of Development

The Hurst Green development boundary currently extends into the neighbouring parish of Etchingam, and reflects the existing built form and development pattern. This boundary has been in place for some time, last published by the District Council in 2006. Properties within this area have been occupied under the valid assumption that they are within an established development boundary.

The Parish Council is mindful that any suggestion to revise the existing development boundary to align with the existing parish boundary, would remove a number of properties from being within a development boundary and would reclassify them as being in the countryside for planning purposes. This change could be perceived as unfair to these residents and property owners, as it may affect their property values and future development opportunities. Such a reclassification may also lead to successful legal challenges, as it may be viewed as an arbitrary change that adversely affects existing residents without clear justification. This was identified by the Steering Group during resident feedback from its public exhibition in 2022, where residents were asked whether they agreed with the changing of the development boundary to reflect the parish boundary.

We are mindful that Neighbourhood Plans can influence development patterns and may have indirect effects on neighbouring areas, however we acknowledge that they do not have the authority to directly regulate land use or development outside their designated area, however we are assuming, that given the built form, that as present, Etchingam Parish Council and the District Council will consult with the Parish Council on any development proposals within our development boundary, but located within Etchingam Parish.

In conclusion, the Parish Council believes that the existing development boundary, which extends into Etchingam parish, should remain unchanged. This approach respects the historical development patterns and ensures fairness to existing residents and property owners.

15) In terms of the emphasis of the policy, can the Parish Council explain why development that accords with the development plan policy covering appropriate development in the countryside, should only be supported in exceptional circumstances?

Policy HG1 – Location of Development

The Parish Council acknowledges the examiner's question regarding the use of "exceptional circumstances" in Policy HG1 to control development outside the defined development boundary.

The inclusion of this wording reflects the Parish Council's intent to emphasise the sensitivity of the High Weald, and the importance of protecting this nationally designated landscape from unnecessary or inappropriate development. The phrase "exceptional circumstances" was introduced to ensure that development outside the boundary is permitted only in cases where its contribution outweighs any potential impacts on the landscape, character, and identity of the area.

The Council recognises that the NPPF and Rother Local Plan already contain provisions for appropriate development in the countryside, such as agricultural use, rural diversification, and small-scale tourism. However, given the draft policies of the new Rother Local Plan, which are clearer, we believe that additional scrutiny is necessary to ensure that even compliant developments do not undermine the unique qualities of this sensitive landscape ahead of the new Rother Local Plan. The use of "exceptional circumstances" reflects this need for caution rather than imposing arbitrary barriers.

We do not believe this wording conflicts with broader countryside policies, as it is applied to reflect the High Weald National Landscape's importance, which aligns with the emphasis in the NPPF on giving "great weight" to the conservation of such designated landscapes. That said, if the examiner has identified a conflict with other policies or a potential inconsistency in interpretation, the Parish Council would welcome recommendations to refine the wording while retaining the strong protections intended by this policy.

In summary, the Council is mindful that the phrase "exceptional circumstances" has particular meaning in planning terms (in relation to green belt land) and would be minded to therefore remove this phrase, however as outlined above, we would like to retain the "strictly controlled" wording to reflect that Hurst Green is located in the High Weald National Landscape.

16) What would be the Parish Council's position in terms of the redevelopment of redundant brownfield sites on land outside of the development boundary? This is something that appears to be supported in paragraph 89 of the NPPF.

Policy HG1 – Location of Development

The Parish Council acknowledges the examiner's reference to paragraph 89 of the National Planning Policy Framework (NPPF). In considering the redevelopment of a theoretical redundant brownfield site outside of the established development boundary, the Parish Council maintains a cautious stance. Not least because as of 1st October 2024, there are no brownfield sites within the parish of Hurst Green on the District Council's Brownfield Land Register.

The Council is mindful that historically applicants have in our view, on occasion, disingenuously self-classified land within the parish as brownfield, with a view to encouraging a favourable planning outcome. So while the Council acknowledges the utilisation of brownfield land is generally encouraged to preserve greenfield sites and support sustainable development, the unique characteristics of rural 'brownfield' locations necessitate careful evaluation, and the Council have sought to make this clear in our proposed policies, outlining where the Council will support development outside of the defined development boundary.

The Council considers that there are not many developable areas outside the development boundary, as demonstrated in the District Council's and our own call for sites process, that could be developed to meet the NPPF paragraph 89 requirements. Our parish area is constrained by the High Weald National Landscape, with the area north of Hurst Green village being bounded largely by ancient woodland, while the topography south of the village is deeply sloping, and there are few footpaths / rural roads connecting to the already limited key services, which themselves are rather spread across the village and in nearby settlements.

The Council notes that historically, larger brownfield sites in rural areas often comprise former agricultural or industrial land, and that these sites may lack infrastructure and services, and by their location, be less well-suited for access to facilities and essential services, rendering these sites less suitable for housing projects. This does not mean however, that the Council are averse to the conversion of redundant farm buildings, or to new small scale development to support tourism, or for another identified reason for development in the countryside. The Council notes that as an example, our Clause B (iii) strongly supports conversion of redundant farm buildings outside of the development boundary.

The Council acknowledges that the Campaign to Protect Rural England (CPRE) has highlighted that not all brownfield sites are appropriate for development, particularly those in rural settings where location and accessibility issues prevail. Given these considerations, the Parish Council is mindful of a position that would at best, advocate for a case-by-case assessment of proposals involving the redevelopment of redundant brownfield sites outside the development boundary, and to ensure these align with local planning policies, and in the case of schemes of multiple dwellings,

contribute positively to the community, and uphold the principles of sustainable development without adversely affecting the rural character of the area.

17. Can the Parish Council clarify the end date of the plan as the SEA refers to the plan period extending to 2042. I assume that position has changed during the plan making progress, probably due to local plan uncertainty.

Policy HG2: Housing Strategy

The Parish Council, at the request of the District Council following our regulation 14 consultation, and the precedent set by the examination of the Peasmarsh Neighbourhood Plan, have amended the date of our plan to reflect the current local plan period, which runs up to 2028.

18) On my site visit, I saw that the Foundry Close development was approaching completion, but work had not commenced on any of the other sites which are shown in Figure 4.1. Can the District Council confirm whether all necessary pre – commencement conditions have been submitted so there is no impediment to work commencing. There are situations where planning permissions do not get implemented and lapse or alternatively developers wish to promote alternative schemes. Can the Parish Council, as well as the District Council, comment on whether there is merit in the neighbourhood plan continuing to allocate the other allocation sites apart from Foundry Close and should their capacity be included within this policy?

Policy HG2: Housing Strategy

The Parish Council acknowledges the examiner's observations regarding the progress of allocated sites and the question of whether it is appropriate for the Neighbourhood Plan to continue allocating sites with existing planning permissions.

The Council believes that policies in the Neighbourhood Plan should focus on forward-looking allocations that align with the strategic vision for Hurst Green, rather than including sites with planning permission that are already approved and progressing towards implementation. Including such sites could create confusion among residents during the referendum, potentially leading some to mistakenly believe that these permissions might be revoked if the Plan is unsuccessful. This misunderstanding could undermine confidence in the Neighbourhood Plan and its broader objectives.

The Parish Council has actively maintained communication with developers of approved sites to ensure progress aligns with expectations and to address any community concerns:

HG22 (London Road South): The developers recently confirmed in writing that their pre-commencement archaeological surveys are taking place. They expressed confidence that the site will move forward without delay, and this information has been shared with residents.

HG6 (London Road North): On a recent site visit to Foundry Close, Councillors were informed by Greymoor Homes that they had acquired the permission for this site from Woolridge Developments. They plan to start construction immediately after completing their current project at Foundry Close this spring and intend to build the site as per the approved planning permission without seeking any changes to the allocated provisions.

The Parish Council is therefore confident that these sites are progressing and have limited risk of remaining undeveloped. Unlike examples in neighbouring parishes, where planning permissions have lapsed or remained dormant, the sites in Hurst Green have consistently involved local landowners and developers with strong connections to the community. These local stakeholders responded positively to the Parish Council's call for sites and are demonstrating clear intent to fulfill their commitments. The Council believes this localised ownership and commitment significantly reduce the risk of delay or alternative schemes being pursued.

Despite our comments above, the Council do feel there would be merit in including these allocations in the plan, and have supplied post Regulation 14 draft versions of these policies (see our response to question 40) that existed in the plan drafts, up until planning permissions were granted by the District Council.

19) This and other policies refer to the Hurst Green Aims and Vision. Can I be provided with a copy of that document and can the Parish Council illustrate to me how an applicant might demonstrate how their development met these aspirations?

Policy HG4: Character of Development

The Hurst Green Aims and Vision are well-known by the local community. These were originally developed using feedback collected from resident surveys and public engagement events and were further prioritised during follow-up events and electronic surveys. Every household in the parish has received a printed copy of the document, accompanied by a further consultation and feedback form. As a result, the Parish Council considers these Aims and Vision to be a well-rounded and accurate reflection of the community's aspirations, playing a central role in shaping the Neighbourhood Plan.

The Aims and Vision can also be accessed directly via *The Vision* and *The Aims* sections on our website, and are hyperlinked within the Neighbourhood Plan document for easy reference. Alternatively, residents and interested parties can download the full document in a single file here: Hurst Green Vision for 2030 https://hurstgreen2030.uk/wp-content/uploads/2024/04/HGNP-Vision-for-2030-v18_web_version.pdf

The Parish Council strongly encourages applicants, especially those unfamiliar with the area, to familiarise themselves with these community priorities. For example, the Vision and Aims have already inspired the schemes of two successful planning

applications, such as the recently approved developments for 26 homes and 28 homes in Hurst Green. These schemes incorporated key community-focused elements, including a community orchard in one development and a village green in the other, both of which the Parish Council believe were influenced by the Aims and Vision. This demonstrates how a clear understanding of the Parish's aspirations can result in designs that align with community values and enhance their integration into the village landscape, and how an applicant can demonstrate how they are contributing positively to the community's aspirations.

20) In the light of this and the requirements of the next policy, Policy HG5, is it really necessary for applicants to be expected to reference all the following documents in addition to the Hurst Green Design Code?: • the High Weald Management Plan, the High Weald Housing Design Guide, the Rother District Council Key Design Principles, National Design Guide, HAAP, Secured by Design, The RTPI Dementia and Town Planning Guidance and the, Building for a Healthy Life

Policy HG4: Character of Development

The Parish Council acknowledges the examiner's question and appreciates the importance of streamlining requirements where possible. However, we firmly believe it is appropriate and necessary for applicants, particularly those proposing schemes of more than one house, to reference the listed documents in addition to the Hurst Green Design Code. This is vital given the sensitivity of Hurst Green's location within an important national landscape and the lasting impact of any new development.

Planning decisions for housing schemes have long-term consequences on the character of the environment and the community. Once built, houses are a permanent fixture, and poorly designed developments can detract from the area's aesthetic, ecological, and cultural value. In contrast, thoughtful design enhances these attributes, contributing to a place that people cherish for generations. For these reasons, it is essential to prioritise high-quality design and planning, enabling our community to thrive, without missing opportunities of the past, for example by prioritising vehicles over pedestrians, or by building houses that are not accessible to all.

Referencing the documents listed ensures that developments meet the high standards necessary for protecting and enhancing the environment in a National Landscape (formally called an Area of Outstanding Natural Beauty). Each document addresses distinct and crucial aspects of planning and design:

High Weald Management Plan & High Weald Housing Design Guide: Specific to this nationally important landscape, ensuring developments respect the historic and natural character of the High Weald.

Rother District Council Key Design Principles & National Design Guide: Provide overarching frameworks for good design at both local and national levels, ensuring cohesion with planning policies.

HAAPI (Housing our Ageing Population Panel for Innovation) & RTPI Dementia and Town Planning Guidance: Encourage designs that address changing demographics, enabling inclusivity, accessibility, and suitability for all life stages.

Secured by Design: Ensures developments prioritize safety and crime prevention through design measures.

Building for a Healthy Life: Promotes principles for developments that enhance physical and mental well-being through green spaces, walkability, and quality of the built environment.

Applicants proposing developments in such a sensitive area must recognize the opportunities and responsibilities inherent in their proposals. While significant profit may be derived from such schemes, this comes with the expectation that developments demonstrate exceptional standards of design, sustainability, and community benefit.

Far from creating unnecessary bureaucracy, requiring reference to these documents ensures a comprehensive, well-rounded approach to planning that aligns with the area's unique characteristics and needs. The Parish Council is committed to protecting the heritage, environment, and character of Hurst Green and views adherence to these policies and guidance as integral to achieving that goal.

In summary, if the examiner is minded to propose limiting the materials quoted in the policy, our preference would be for the Hurst Green Design Codes and the High Weald Design Guidance to be retained as we feel these are the most relevant.

21) Is it the Parish Council's expectations that non designated heritage assets should be given the same level of protection as designated heritage assets, or should the policy requirements in terms of locally listed buildings reflect the approach set out in paragraph 209 of the NPPF?

Policy HG4: Character of Development

The Parish Council acknowledges the distinction made in national policy between designated and non-designated heritage assets. Designated heritage assets, such as listed buildings and scheduled monuments, are afforded a higher level of protection due to their recognised national significance. Non-designated heritage assets, while not meeting the criteria for national designation, hold local importance and contribute to the character and historical narrative of our area.

In line with paragraph 203 of the NPPF, the Parish Council believes that non-designated heritage assets should not automatically be afforded the same level of protection as designated ones. However, their local significance warrants careful consideration in planning decisions. The Council advocates for a balanced approach, where the impact of proposed developments on non-designated heritage assets is thoughtfully assessed. This includes evaluating the scale of any potential harm or loss against the asset's significance.

The Council would propose a revision to the policy which could separate out Designated Heritage Assets and the Non-Designated Heritage Assets into two clauses:

Clause 1 - Designated Heritage Assets: Development proposals affecting designated heritage assets, either directly or indirectly, should conserve or enhance the significance of the asset and those elements of the setting that contribute to the significance. This could include, where appropriate, the delivery of development that will make a positive contribution to, or better reveal the significance of, the heritage asset, or reflect and enhance local character and distinctiveness with specific focus on the prevailing styles of design and use of materials in a local area. These details should be explained in a Heritage Statement. Development proposals should demonstrate that they have considered the potential impact on above and below ground archaeological deposits. Where a scheme has a potential impact on archaeological remains (below or above the ground) a Heritage Statement or similar should be prepared to address how archaeological deposits will be safeguarded.

Clause 2 - Non-Designated Heritage Assets: Proposals affecting the non-designated heritage assets will be determined based on national planning policy.

By adopting this approach, the Parish Council view is that locally important heritage assets will be respected and preserved, while also allowing for sustainable development that contributes to the community's growth and well-being.

24) Can the District Council advise in what circumstances will its environmental health officers be requiring properties to incorporate triple glazing?

Policy HG5: Design of Development

The Parish Council recognises the importance of the examiner's question in relation to triple glazing, particularly given the proximity of many homes in our parish to the A21, A268, and the A229. While the question is directed at the District Council, we feel it is important to provide our perspective.

Considering the significant road noise pollution generated by the A21, A268, and the A229, the Parish Council strongly supports the use of enhanced glazing solutions, including triple glazing, in any new development or major refurbishment near the A21, A268, and the A229. Triple glazing offers well-documented benefits, including reducing noise pollution, improving energy efficiency, and enhancing indoor comfort.

While Environmental Health Officers may not explicitly mandate triple glazing in every instance, we wish to urge developers to proactively consider its incorporation. This aligns with the broader goals of improving residential living standards and minimizing the environmental impact of new housing.

The Parish Council encourages Rother District Council to prioritise the consideration of triple glazing requirements in locations close to major roads, such as the A21, as part of their guidance and recommendations. This approach would support both the health and well-being of residents and the wider sustainability objectives for the parish. Particularly as we believe the introduction of the Future Homes Standard in 2025 may influence building practices, potentially making triple glazing more common due to its role in achieving better energy efficiency and lower heat transfer.

If examiner is minded to remove, the Council would want the opportunity to integrate a reference to triple glazing into the supporting text - setting out not only the noise point, but also the insulatory effect they have, which will help towards ensuring more sustainable homes (and homes that can more easily install e.g. heat pumps, which rely on well-insulated homes).

Overall the matter of triple glazing is also mentioned in HG6, which relates to sustainable design, where it may be better placed.

25) Would the Parish Council consider that all that is necessary is for the infrastructure such as ducting to be in place to allow a broadband provider to deliver superfast broadband rather than a requirement that the premises be served by broadband, which is a matter of choice by the customer?

Policy HG5: Design of Development

The Parish Council acknowledges the examiner's inquiry regarding the necessity of requiring new premises to be served by full fibre broadband, as opposed to merely ensuring the infrastructure is in place. We firmly believe that in today's digital age, full fibre broadband connectivity is as essential as traditional utilities like electricity and water.

Recent legislative developments underscore the importance of comprehensive full fibre broadband connectivity in new homes. The Building etc. (Amendment) (England) (No. 2) Regulations 2022, effective from 26 December 2022, mandate that developers install gigabit-ready infrastructure and gigabit-capable connections during the construction of new homes in England. This legislation aligns with the government's target for gigabit full fibre broadband to be available to 85% of the UK by 2025 and nationwide by 2030, as well as the phasing out of outdated analogue connectivity provided by copper.

Drawing a parallel with other essential services, it is standard practice for new homes to be connected to electricity and water networks prior to occupancy. Requiring homeowners to arrange their own physical connections for such utilities would be considered unacceptable. Similarly, in our increasingly digital society, full fibre broadband should be treated with the same level of importance. From a practical standpoint, having developers ensure that premises are fully prepared, with ducting and fibre cable connected to the broadband infrastructure, rather than just providing ducting, streamlines the process for residents and service providers alike. For instance, Openreach offers programs to install Fibre to the Premises (FTTP) for free in developments with more than 19 plots, highlighting the feasibility and benefits of full connectivity from the outset. Likewise a developer could arrange for connectivity with another core infrastructure operator, such as Gigaclear, Trooli or Virgin. If the fibre cable was installed in addition to the ducting, this would allow other infrastructure operators to use the same ducting in the future.

In conclusion, the Parish Council is minded that the fibre cable is the core infrastructure, and any service provider can use this, depending on the customer's choice. Analogous to an electricity supply, when a customer has a new electricity supplier, the supplier doesn't come in and replace the electricity supply cables. The Parish Council therefore strongly advocates for this policy that supports the Government's "*Universal Service Obligation*", and requires new premises to be fully connected to full fibre broadband services upon construction. This approach ensures that residents and businesses have immediate access to essential digital infrastructure, aligns with current legislation, and reflects the modern imperative of low latency, stable and reliable internet connectivity. We also note that this policy would also potentially benefit residents adjacent to any new development.

The Parish Council would support a recommendation to replace the word “broadband” with “full fibre broadband”, to make this clearer throughout the policy.

26) Should the EA's requirements for buffer zones be incorporated in criteria (v111) which according to their Reg 16 comments, sets a buffer at normally 8 metres between the top of the bank of a main river and the development?

Policy HG5: Design of Development "The Parish Council notes the examiner's question regarding the potential incorporation of the Environment Agency's (EA) requirements for buffer zones into criteria (viii). However, we would like to clarify that the EA's Regulation 16 response stated, "*We have no bespoke comments to make as the allocated sites are in locations with no constraints within our remit.*"

As such, we understand that the Environment Agency does not see the need for specific requirements for buffer zones for the sites allocated within our Neighbourhood Plan. Nevertheless, the Parish Council fully supports and acknowledges the importance of adhering to national and local environmental regulations, including those set by the EA, in all relevant circumstances.

If the examiner feels additional clarification or wording would enhance the policy, the Parish Council would welcome his recommendations to ensure the Plan remains clear and consistent with guidance, however we are unclear as to where the main river and development referenced in the examiner's question is.

27) Is the policy requirement for at least one pavement, compatible with the advice set out in Manual for Streets and is there a contradiction between criteria(x) which refers to limited use of shared spaces and Policy HG18 -criteria c) which states that the use of shared surfaces will not be supported. The Manual for Streets is quoted in the Hurst Green Design Code under reference HGNP.DC.2.1 "Streets should be designed as places, not primarily as vehicle movement routes to create a sense of enclosure"

Policy HG5: Design of Development

The Parish Council acknowledges that The Manual for Streets (MfS) offers valuable advice and guidance on street design, encouraging shared spaces and pedestrian-friendly environments. However, it is important to note that MfS is not prescriptive and allows for flexibility depending on the context. The Parish Council is clear in its view that the needs of the Hurst Green community require a more defined approach in its policy. Rural locations such as Hurst Green, where traffic patterns, road design and lighting, and safety considerations differ from urban areas, and are not adequately served by the broad principles of MfS. Indeed, while MfS advocates shared spaces for some urban settings, it specifically acknowledges that such designs may not be suitable for all contexts. Likewise as indicated in a Reg 16 response, Active Travel England's current guidance states that shared services 'may be appropriate in new residential developments'. In rural areas like Hurst Green, where roads serve more local functions and differ significantly from typical urban layouts (e.g., smaller street widths, different traffic dynamics), dedicated pavements are essential. The Parish Council's Policy is designed to address these local characteristics, ensuring safety, accessibility, and well-being for all residents.

The inclusion of the policy requirement for at least one pavement per road is specifically aimed at ensuring the safety and accessibility of the village's streets. This policy reflects the local context, as it addresses issues specific to Hurst Green.

Key justifications for the at least one pavement part of policy HG5, include:

Safety: Pavements provide dedicated spaces for pedestrians, minimising the risk of accidents caused by shared spaces where pedestrians and vehicles move alongside each other. In rural areas like Hurst Green, the provision of pavements is crucial to ensure pedestrian safety, particular of toddlers, children, and teenagers, who may not be as aware of the dangers when using a shared surfaces with vehicles, many of which now make limited, to no noise, given the move to electric battery powered vehicles.

Accessibility: A dedicated pavement ensures safer movement for all, including people with disabilities or those with prams or bicycles. Accessibility for all members of the community is a key aspect that the policy aims to address. Without proper pedestrian infrastructure, shared surface areas, clogged with on street parking, can become inaccessible for certain individuals, limiting participation and inclusion in the community.

Community Well-being: Having dedicated pedestrian infrastructure not only improves safety but also promotes walking over driving, contributing to better health outcomes, lower emissions, and a stronger sense of community. A pavement encourages active living and greater engagement with the environment.

In conclusion, the policy requiring at least one pavement per road is not in conflict with the Manual for Streets but rather acknowledges that the guidelines need to be adapted to suit the specific needs of rural areas. This approach ensures that the safety of residents is paramount, which is why the Parish Council stands firmly behind this requirement for the village of Hurst Green. We would welcome the examiner's recommendations, while emphasising the importance of retaining the pavement requirement in our policy, as the Council do appreciate that there is conflict between HG5 and HG18. The Council is minded to suggest the removal of the references to shared surfaces from policy HG18, and to retain the clause in HG5.

28) I note that this is a policy that seeks to encourage, rather than requiring, measures to reduce energy consumption. Many of the policy's requirements, such as the thermal performance of building materials, energy efficiency measures, electric car charging on new buildings are already covered by the Building Regulations.

Policy HG6: Energy Efficiency and Design

The Parish Council recognises the examiner's observation regarding a possible overlap between the measures encouraged in Policy HG6 and existing requirements within Building Regulations. However, we strongly believe that this policy provides a necessary and complementary framework for sustainable development, distinct from the technical specifications defined in Building Regulations.

Building Regulations are primarily designed to set the minimum technical standards for construction, ensuring safety, durability, and basic energy efficiency requirements. These regulations are subject to change over time, often in response to national priorities or technological advances. While compliance with Building Regulations is mandatory, their focus is not necessarily aligned with local planning priorities or the specific needs of individual communities such as Hurst Green.

In contrast, Policy HG6 operates at the conceptual and planning stage of development, offering clarity and guidance to applicants and planners regarding the community's aspirations for energy efficiency, climate resilience, and high-quality design. It aligns these aspirations with the broader strategic vision of the Neighbourhood Plan while respecting the principles of good planning, conservation, and the character of the High Weald National Landscape. Specifically, Policy HG6 provides:

Planning Guidance for Proposals: By highlighting community-supported measures such as renewable energy integration, EV charging, and thermally efficient materials, the policy ensures that applicants consider these principles early in the design stage. This leads to well-integrated, sustainable designs that meet local objectives rather than retrofitting features to meet only minimum standards.

A Forward-Looking Framework: The policy encourages planning measures that reflect evolving standards and emerging best practices. Building Regulations, while rigorous, often lag behind the ambitions of communities for advanced sustainability and innovative design. Policy HG6 provides aspirational goals that planners and applicants can reference for exemplary schemes or community-scale projects, which Building Regulations alone cannot inspire.

Support for Local Decision-Making: Including this policy equips decision-makers with a tool to evaluate developments holistically, ensuring that energy efficiency aligns with landscape and community character considerations, especially within the High Weald National Landscape.

Flexibility for Planners vs. Specifics for Developers/Builders: Policy HG6 focuses on guiding conceptual decisions regarding the siting, scale, and inclusion of sustainable

features. It is complementary to Building Regulations, which address the specifics of how energy-efficient and safe construction is achieved. This distinction makes the policy relevant to planning assessments, where building regulation compliance may not yet be evident.

We urge that Policy HG6 be retained as a vital planning policy. It provides high-level guidance aligned with local needs and aspirations and complements rather than duplicates Building Regulations. Without such policies, there is a risk that developments could meet only baseline technical standards without contributing meaningfully to Hurst Green's broader vision for sustainable growth and environmental stewardship. By retaining the policy, the Neighbourhood Plan underscores the importance of integrating sustainability principles into planning approvals while relying on Building Regulations to implement specific construction details later in the process.

In summary, this policy seeks to take a non-prescriptive approach (in line with Written Ministerial Statement (December 2023) (Local Energy Efficiency Standards)) to measures and standards designed to enable developments to adapt to, and mitigate, the impacts of predicted climate change. In some cases these seek to go beyond the minimum requirements of building regulations, which we cannot stipulate, but we can encourage. It accords with Section 14 of the NPPF. The Council notes that clause viii (Providing the infrastructure for adequate, future-proofed electric vehicle charging points for each dwelling, where new parking provision is expected to be made) is now a national requirement, and therefore would be comfortable with this clause being removed from the policy.

29) Can the Parish Council illustrate how a proposal would be expected to demonstrate how it would reduce fuel poverty levels, as required by criteria (vii)?

Policy HG6: Energy Efficiency and Design

The Parish Council appreciates the examiner's question regarding how proposals can demonstrate contributions to reducing fuel poverty, as outlined in criterion (vii) of Policy HG6: Energy Efficiency and Design. Addressing fuel poverty is a critical component of delivering sustainable, inclusive development that benefits all residents, particularly in rural communities where energy costs can be disproportionately high.

Proposals would be expected to provide evidence that they contribute to reducing fuel poverty by incorporating design features, technologies, and practices that lower energy consumption and reduce household energy costs. Specific ways in which proposals could demonstrate this include:

Enhanced Energy Efficiency Measures: Proposals should outline how they go beyond baseline Building Regulations in reducing energy usage, such as through: High-performing insulation (including wall, loft, and floor insulation), Use of triple glazing to enhance thermal efficiency, Installation of airtight building envelopes to reduce heat loss. These measures directly lower heating and cooling demands, reducing energy bills for future residents.

Incorporation of Renewable Energy: Proposals that include on-site renewable energy generation, such as solar panels or heat pumps, can help residents produce their own energy and reduce dependency on fossil fuels. Evidence could be provided through: An energy performance assessment showing reduced energy costs; Demonstrations of projected household savings on utility bills; Use of Affordable, Sustainable Heating Systems; Installation of cost-efficient and sustainable systems such as: Low-energy electric heating with smart controls, Ground or air-source heat pumps that require less expensive energy inputs. Applications could include calculations comparing costs to conventional systems, illustrating savings for households over time.

Support for Community Energy Initiatives: Larger developments could contribute to shared renewable energy schemes or provide infrastructure for district heating systems, which can reduce costs when shared among multiple dwellings. For example: Proposing connections to existing or planned community energy networks. Sharing evidence from other successful implementations of such initiatives.

Designing with Affordability in Mind: Smaller, well-insulated homes designed to be inherently energy-efficient and affordable are more accessible to residents at risk of fuel poverty. Proposals could include a mix of dwelling sizes or provide specific evidence that housing is designed to be low-cost to run.

Future-Proofing for Energy Costs: Provision of additional electric vehicle charging infrastructure, connections for smart home technologies, and energy-efficient

appliances helps ensure households can keep costs low and adapt to emerging energy-saving opportunities.

Monitoring and Evidence of Impact, applicants could demonstrate their contribution to reducing fuel poverty through: SAP ratings (Standard Assessment Procedure): Showing improved energy performance compared to standard practices. Energy bills analysis: Projected savings based on development design and systems included; Reference to best practices: Evidence from similar developments addressing fuel poverty elsewhere.

In summary, the Parish Council recognises that addressing fuel poverty is a critical aspect of sustainable development. While policy HG6 sets high aspirations, we believe these are achievable with a forward-looking approach that aligns energy efficiency with affordability. Retaining this criterion ensures that developments contribute to a healthier, more equitable future for the Hurst Green community, and we request its inclusion remain an integral part of the Neighbourhood Plan. The Council feels that the key to improving energy efficiency is to lower costs. If the examiner may consider that the clauses collectively seek to do this, hence the Parish Council would be comfortable with either the fuel poverty point being integrated into the beginning of Clause A (as opposed to a clause of its own), or this topic could be discussed in the policy's supporting text, which some evidence around why it's important to tackle (e.g.

<https://www.theaccessgroup.com/en-gb/blog/hsc-fuel-poverty-what-is-it-and-how-can-it-be-tackled/>) and demonstration that parts of the parish are e.g. lower income/older less insulated/energy efficient homes.

30) Can the Parish Council clarify that the requirements in (i) to (vi) are aimed at the works that are proposed within the public realm, rather than adjoining development? It appears that most works are likely to be within the public highway and will be covered by highway legislation and will not need planning permission.

Policy HG7: Enhancing the Public Realm

The Parish Council confirms that the requirements set out in Policy HG7, criteria (i) to (vi), are intended to apply to any development works, recognising that contributions to enhancing the public realm can occur on a wide variety of land, not solely within the public highway. Improvements to the public realm can and should be considered for any land or property visible from publicly accessible areas, such as roads, pavements, or public rights of way.

We believe it is incorrect to assume that only works proposed within, or on land owned by, the public highway could meaningfully contribute to enhancing the public realm. The Parish Council's position is that all developments should give due consideration to how they can positively impact the wider public realm, even if their primary location is outside highway-controlled land. This expectation aligns with the community's aspirations and reflects the vision of a more cohesive and visually attractive Hurst Green.

Improving the public realm is particularly important in Hurst Green given its challenges, including the dominance of the A21 and A265. Many residents feel that the village, in its current state, suffers aesthetically when compared to neighbouring settlements. As such, this policy represents a key priority for the Parish Council and embodies the wishes of the community, as evidenced during the consultation process.

The policy seeks to establish a clear framework to ensure that future developments proactively address the public realm in their proposals. Existing site allocations and permissions within the Neighbourhood Plan already demonstrate this principle in action, with enhancements such as a village green, a community orchard, and woodland improvements being incorporated as integral parts of these schemes. These contributions, agreed through positive engagement with site promoters, developers and the community during the production of the draft Plan, highlight the value of including public realm considerations as a planning policy requirement.

Without this policy, developers may not prioritise public realm improvements in their proposals. Conversations with the community, site promoters, and a wide range of stakeholders, throughout the drafting process reinforced the Parish Council's belief that such provisions are necessary to ensure these enhancements remain a core consideration for future developments. Whilst there are many funding options available to the Parish Council, we do feel that improvements made in relation to this policy, could be brought forward through developer contributions, directing funds to public realm improvements - in addition to work that a development proposal could impact itself directly. The policy also makes a case for developments to consider how they are connecting their development to the public realm, and the clauses in

the policy provide guidance as to how this might be achieved in the Hurst Green setting - to improve the scheme itself, but also its impact on what exists already.

In summary, the Parish Council believes the policy as written is appropriate and justified. However, if the examiner feels that additional clarification or refinement of the policy wording is needed to align with relevant legislation or planning frameworks, we would welcome specific recommendations.

31) Does the District Council have a view as to whether the policy requirements set out in B) are still required now that the biodiversity net gain provisions initiated by the Environment Act are now fully in place? My understanding is that Planning Practice Guidance is such policies are no longer required.

Policy HG10: Green Infrastructure

The Parish Council agrees that the reference to this could be removed, as this is now addressed within national legislation.

32) Can the Parish Council clarify whether the school playing field is available outside of school hours for the use of the community? I am unclear as to why it would be considered demonstrably special by the local community.

Policy HG11: Local Green Space

Hurst Green's school playing field, located within the current development boundary, is of significant importance to the local community and the Parish Council believe it qualifies for protection as an LGS for the following reasons:

The village's only ever school has been present on this site since 1862. For over 150 years, the playing field has served generations of local children, making it a cherished part of the community's heritage. This field is a space imbued with fond memories for residents, especially those who grew up in the area. Its longevity and contribution to the community's cultural fabric cannot be overstated.

The NPPF specifies a number of criteria for LGS designation: proximity to the community it serves, demonstrable local significance, and whether the space is local in character and not an extensive tract of land. The school playing field meets all of these criteria. Furthermore, we highlight two cases where school playing fields were successfully designated as LGS:

Histon & Impington Neighbourhood Plan (Cambridgeshire): The Infants School Field was designated an LGS, with justification emphasising its importance to village identity and wellbeing. This mirrors the role of the school playing field in our parish.

Brighton & Hove Local Green Space Assessment: St. Christopher's School playing field was proposed as an LGS based on its community importance, and contribution to urban green infrastructure. This underscores the role school fields can play in maintaining green spaces in built-up areas.

Feedback from residents during the Neighbourhood Plan consultation process revealed strong local support for the playing field protection as a green space. It was frequently mentioned in surveys and workshops, demonstrating its widespread appreciation and importance to the community.

Without formal protection, there is a real danger that all or part of the playing field could be lost to development, especially as pressure for land in and around villages increases. This is a documented concern nationally, where school playing fields face encroachment. Designation as an LGS ensures this space remains available for current and future generations.

By including this designation within the Neighbourhood Plan, we aim to preserve a resource that is demonstrably special to the community while promoting recreational opportunities in line with NPPF policy.

33) I am uncertain whether an applicant or indeed a decision maker would know whether their proposal affects a view that is enjoyed by the general public, without the neighbourhood plan actually identifying these views. This would be the trigger for a landscape and visual impact assessment. Would the matter be better left to landscape protection policies covering the High Weald National Landscape/ AONB?

Policy HG12: Protection of Locally Important Views

In relation to clause A and B, the Parish Council believes the identification of the included locally significant view is important, and is addressed effectively through the clear map included in Policy HG12. The map highlights the specific area to be considered impacted, providing both applicants and decision-makers with the necessary information to determine if a proposal affects the view. If a development is visible from the protected view, it is considered to impact it. This clarity helps avoid ambiguity and ensures that proposals can be evaluated against the clearly identified area. The inclusion of this view ensures that the plan is in line with the community's expectations and the importance of protecting these views for the local people, both in terms of landscape and wellbeing.

The Parish Council, Steering Group and members of the community worked hard to identify views that we believed were worthy of protection and inclusion in the Neighbourhood Plan. During this process, it was clear that while there are a great number of views visible from many vantage points in the parish, that given the uniqueness of the included view across the only lowlands meadows in the parish from PRow 33, we feel that keeping this protection within the Neighbourhood Plan, rather than relying on broader national policies, offers clearer, more localised control. This will assist in providing better direction to developers, as they can directly assess the impacts against the mapped view.

For example, if dormer windows are placed above the treeline, the view back towards the village would be affected. This kind of impact would be visible from the identified view, which, as mentioned, is the only extended publicly accessible view in the parish that does not feature any built development, making it highly significant.

In relation to Clause C ("Development proposals beyond these views should identify and, where possible, sensitively integrate views across the High Weald, in particular where these can be enjoyed by the general public"), which relates to broader views beyond the ones specifically mapped. The Parish Council would be comfortable with leaving this to the landscape protection policies covering the High Weald National Landscape may be best, and therefore removing clause C, whilst retaining clauses A and B.

In conclusion, by using the clear definitions in the policy, we can ensure that all parties – including applicants, decision-makers, and the Parish Council – can confidently assess any impact on views. This approach makes the process transparent and ensures these views are given the protection they deserve."

34) Does the Parish Council have a view that the policy wording should confirm the location of the Village Hub to the position as shown in Figures 15.1- 15.3?

Policy HG13: A Green Village Hub for Hurst Green

The Parish Council agrees that including a map to confirm the location of the "Green Village Hub," as indicated in the policy, would be beneficial for clarity and consistency.

Although the regulation 14 version of the plan included such a map, it was not carried forward into the submission version, as during this time, the Council had returned a building that it had a long lease on (and was originally part of the village hub concept) to its private owner. However, the Council fully supports the inclusion of a map highlighting the land now defined together as the "Green Village Hub." This map should specifically show the areas included, as outlined in the policy wording: the village hall, the public car park, the children's park, and any publicly owned land in the immediate vicinity. Such a map would help provide a visual reference to ensure that the location of the "Green Village Hub" is clearly understood and aligned with the policy intentions. In addition, the Parish Council would appreciate the opportunity to submit updated 'all policies maps' (as shown in figure 15.1, 15.2, and 15.3), with the village hub boundary clearly and consistently defined.

35) I note that the policy is expecting that start up business space should be located in close proximity to public transport – is that expected to be close to the bus stops in London Road and Station Road or be within walking distance of Etchingham railway station? Is that requirement consistent with the Secretary of State's position set out in paragraph 89 of the NPPF?

Policy HG17: Supporting local employment opportunities

The Parish Council acknowledges that the policy refers to "proposals to provide start-up business space – including office/workshop space" but recognises that such spaces could support a variety of business types. While the Parish Council supports the flexibility of this policy, we are keen to ensure that any proposed start-up spaces are accessible to residents of Hurst Green village, given the growing evidence of homeworking and the desire to reduce reliance on cars for short-distance travel.

We are mindful that with neighbouring parishes business start-up / flexible office units have been established, but in some cases, they are only accessible by vehicle or, at best, by cycle during favourable weather conditions. We want to ensure that, in line with our objectives of sustainable development, such future spaces within Hurst Green are well-connected to the village to encourage more sustainable transport options (e.g., walking and cycling) and reduce local car usage where possible.

This is particularly important considering increasing concerns about traffic and air quality in the parish.

In general the Council feels that the location of any business space should depend on the nature of the business and its associated accessibility requirements. For instance, if the proposed business is intended for businesses requiring substantial vehicle access (such as a farm machinery dealership, caravan retailer, or heavy haulage firm) and with a wider customer base, then proximity to walking infrastructure and public transport may not be as critical.

On the other hand, for businesses where children or vulnerable users may be involved, such as childcare services or a nursery, proximity to pavements or pedestrian-friendly routes is crucial to ensure the safety of children walking there. In these cases, we would expect the business to be within walking distance of the surrounding residential areas, enabling children and parents to safely reach the location without relying on cars. Likewise, for any new office-based businesses, we believe that proximity to a bus stop or a walkable distance from the railway station would be most suitable.

The Council's aim is to strike a balance between promoting local businesses and supporting accessibility, while considering the rural context and recognising that each business type will have different infrastructure needs. Thus, we believe that the policy can be flexible based on the nature of the business and its impact on local transport and infrastructure. In each case, we anticipate a solution that is sustainable and suited to our local area rather than a one-size-fits-all approach.

To make the policy more flexible, the Council are minded to suggest that the wording of Clause C could be amended to "will be supported, provided that.." to "will be supported, and in particular where.."

This approach would ensure that the provision of start-up spaces meets the Parish's objectives for local economic growth while maintaining the character of the rural environment and ensuring that infrastructure demands are realistic and proportionate to the development. We welcome any further guidance or refinements from the examiner on how the policy wording might be refined to more explicitly highlight the need for accessible start-up business spaces that are integrated into the local community, and to consider how best to balance these accessibility requirements with the variety of businesses we wish to support.

36) Can the Parish Council expand on what it is expecting to be shown to demonstrate that facilities will cater for children – is that looking to encourage workplace nurseries or similar childcare facilities? Similarly, what are the expectations in terms of meeting the requirements for those with disabilities, beyond usual access requirements?

Policy HG17: Supporting local employment opportunities

The Parish Council recognises that individuals with disabilities in rural areas, such as Hurst Green, face significant challenges due to limited public transport, inadequate infrastructure, and a lack of accessible facilities, and those with children, without their

own transport. These barriers can lead to social exclusion and reduced opportunities for residents. Research indicates that people in rural settings often experience increased isolation due to these obstacles.

To address these issues, the Council proposes that developers need to consider the incorporation of accessible facilities and services within new business developments. This includes ensuring that all business premises are designed to be fully accessible, providing options that accommodate individuals with mobility challenges, and offering services tailored to the needs of disabled residents. Such measures are essential to promote inclusivity and equal opportunities for all community members.

Regarding the provision of start-up business spaces, the Council recognises the importance of supporting local entrepreneurs, especially those who are parents. Integrating childcare facilities within business spaces can significantly enhance work-life balance and encourage entrepreneurship. For instance, coworking spaces with on-site childcare have been successful in various regions, offering parents the flexibility to manage both professional and childcare responsibilities effectively.

However, it is important to note that while there are legal requirements for businesses to make reasonable adjustments for accessibility under the Equality Act 2010, there is no specific legal obligation for businesses to provide childcare facilities. This lack of a legal mandate can lead to inconsistencies in the provision of such services. Businesses may not prioritise these adjustments, potentially disadvantaging employees and entrepreneurs who require childcare support.

A business would demonstrate compliance with this policy by ensuring that their premises are designed with accessibility in mind, taking into account the specific needs of individuals with disabilities in our rural area. For example, this may include features such as covered parking for mobility scooters. The provision of childcare facilities would be proportionate and relevant to the scale and type of business. For example, a start-up business space designed for small businesses or entrepreneurs could incorporate an after-school childcare facility for parents working on-site, allowing them to balance professional and familial responsibilities. This would be an appropriate and practical adjustment, offering a flexible, inclusive workspace while adhering to the principle of proportionality in meeting the needs of business owners and employees.

The Council aims to set a standard that goes beyond mere legal compliance, ensuring that new business developments seek to proactively address the needs of disabled individuals and parents. By incorporating accessible facilities and childcare services where appropriate, developers can contribute to the economic vitality of the parish while addressing the specific needs of the community.

The flexibility suggested in our response to question 35, would make the policy more flexible and the Parish Council are minded to suggest that the wording of Clause C could be amended to "will be supported, provided that.." to "will be supported, and in particular where.."

In summary, the Parish Council advocates for the inclusion of accessible facilities for individuals with disabilities and the integration of childcare services within start-up business spaces in new developments. These initiatives are vital for promoting inclusivity, supporting local entrepreneurship, and enhancing the overall well-being of the community.

37) Is there a duplication between the requirements in D. and those set out in Policy HG5 (vi)?

Policy HG17: Supporting local employment opportunities

The Parish Council acknowledges the examiner's query regarding potential duplication between Policy HG17, Point D, and Policy HG5(vi).

Within Policy HG17: Supporting Local Employment Opportunities, Point D specifies: "All new residential, commercial, and community properties within the Neighbourhood Plan area should be served by (or be ready for) a superfast broadband (fibre-optic) connection, unless it can be demonstrated through consultation with providers that this would not be either possible, practical, or economically viable." This criterion emphasises the provision of digital infrastructure to support economic activity, local businesses, and flexible home working opportunities across all types of new development. It directly relates to ensuring properties in Hurst Green are future-proofed to support modern employment patterns and connectivity requirements.

While within Policy HG5: Design of Development, Criterion vi, states that "All new properties within the Parish should be served by a superfast broadband (such as full-fibre) connection unless it can be demonstrated that this would not be possible, practical, or economically viable. Where this is not possible, adequate ducting should be provided to enable fibre-to-premises connection at a later date." This applies broadly to residential, commercial, and community developments, with a specific focus on the infrastructure's physical and technical implementation rather than its broader impact on employment or economic outcomes.

The Parish Council believes there is a strong need for the reference in both. HG17, Point D is employment-focused and emphasises the importance of superfast broadband in enabling and expanding local economic activity. Its inclusion within a policy designed to foster local employment opportunities ensures that this infrastructure is aligned with supporting the flexible and evolving nature of modern workplaces.

On the other hand, HG5(vi) is a general design policy applicable to all new development, ensuring that modern connectivity standards are met, but without the specific emphasis on supporting local employment or businesses.

The Parish Council's intent is that Policy HG17 ensures that connectivity is embedded within the employment strategy of the Neighbourhood Plan, recognising the importance of infrastructure as a foundational requirement for both traditional and

home working environments. While Policy HG5 includes broadband provision as part of its overarching approach to good design and sustainable living.

The Parish Council believes the two policies complement each other without unnecessary duplication. Policy HG5 ensures connectivity as a baseline standard for all developments, while Policy HG17 focuses on connectivity as a key enabler of employment and local business activity. However, we do agree that the policies would be clearer if the clause regarding broadband (fibre-optic) connection was retained in HG5 (as it relates to all development), and was removed from HG17.

38) Can I clarify with the Parish Council whether its expectation is that residential extensions to properties which create additional bedrooms should be expected to provide additional car parking spaces?

Policy HG20: Residential Parking Provision

Parking is at a premium within Hurst Green village, and any increase in bedrooms through loft conversions, extensions, or similar developments has the potential to intensify the already limited parking provision in some parts of the village.

The Parish Council's expectation is that residential extensions to properties which create additional bedrooms should generally be required to demonstrate that the proposal will not have a detrimental impact on local car parking provision. The Council notes that within the draft regulation 18 Rother Local Plan, there is a clause HOU16 (extensions, alterations and outbuildings), and we would see this as adding additional local detail to this policy.

The Parish Council recognises that some properties may already have sufficient off-street parking capacity to accommodate the increased demand generated by additional bedrooms, or that the required purpose at the time of application may be to support an individual who may not require a car, for example to accommodate an elderly relative. In such cases, it may be appropriate to conclude that no further parking provision is required. However, garages should not be counted as part of this provision, as they are often too small for modern cars and are frequently used for storage or other purposes rather than parking.

Extensions should not be considered solely in isolation but assessed based on their potential cumulative impact on parking availability within the village. To ensure fairness and consistency, the parking calculator outlined in the East Sussex Guidance for Parking at New Residential Development provides an objective measure to determine whether additional off-street parking is necessary.

This approach seeks to balance the needs of homeowners expanding their properties with the broader need to safeguard the village's infrastructure, ensuring parking issues do not worsen for the wider community. By doing so, we can help maintain the safety, functionality, and character of Hurst Green.

39) Can the District Council comment on whether it is normal development management practice for highway consultants to seek to agree with the Highway Authority – which I assume will be National Highways in the case of junctions with the A21, which junctions need to be considered in the context of a particular development within a Transport Assessment. I am conscious that a policy requirement which lists all the junctions set out could lead to unnecessary and expensive highway modelling.

Policy HG21: Highway capacity at key road junctions

The Parish Council firmly believes that it is entirely relevant for development proposals to consider the cumulative impact on all the junctions identified in Policy HG21, especially given the interconnected nature of these junctions. During peak periods, the roads and junctions in the parish, particularly along the A21 corridor, experience significant traffic volume and congestion. A prime example is at the Coopers Corner junction, where turning right from the A229 onto the A21 becomes almost impossible due to heavy traffic. As a result, traffic wishing to turn right often diverts turning left to come back on itself, taking a detour through the village using the A265 junction, creating further complications. This demonstrates how the junctions operate together, and failing to consider their cumulative impact can lead to congestion spreading to other junctions and the surrounding road network.

The Council acknowledges that National Highways, alongside Tunbridge Wells Borough Council, East Sussex County Council, Kent County Council, and Rother District Council, all require detailed road modelling for developments that may impact this part of the strategic road network. Given that Hurst Green sits along the A21, part of the UK's key transportation network connecting the south coast to London and the M25, the potential for cumulative and significant impact on the surrounding junctions cannot be understated. It is a standard practice for highway consultants to work with the relevant highway authorities to identify which junctions should be considered in a Transport Assessment, with National Highways specifically involved for junctions with the A21. Moreover, various development authorities have previously requested significant road modelling in the area to assess potential impacts.

The concern regarding unnecessary and expensive modelling is understandable, but in the case of Hurst Green, it is not an undue burden. The request for highway modelling aligns with the planning practices of multiple local authorities and is essential for maintaining road safety and efficiency in a particularly high-risk and congested area. There are recent past instances where applicants, lacking such full assessments, have had their planning applications delayed because the relevant highway authorities have insisted on such modelling. By specifying the relevant junctions in Policy HG21, the Parish Council aims to clarify and streamline this process, making it transparent and consistent. This should, in turn, reduce delays and prevent unnecessary back-and-forth with planning applications by ensuring that all relevant transport impacts are thoroughly assessed from the outset.

Therefore, while the modelling of highway impacts can sometimes seem costly, in this context, it is both prudent and necessary, given the strategic importance of the

road network through Hurst Green and the often complex nature of traffic movements at key junctions.

The policy seeks to ensure that development proposals fully assess both their potential impact and their cumulative impact on the key roads and junctions in the parish that already experience congestion problems and actively seek ways to mitigate such issues. The Parish Council considers that this takes a positive approach to this matter and has regard to Section 13 of the NPPF. It is intended to be a local interpretation of that part of national policy taking account of local pressures and issues.

That said, the Council are mindful that the initial part of the policy largely describes the information to be provided rather than operating as a land use policy, and that this initial wording of the policy could be moved to the supporting text and replaced with paragraph similar to: "Development proposals must ensure that they have no unacceptable impact on the following locations: then list junctions. Such proposals should demonstrate how pedestrian safety will be maximised and the impacts of queuing cars minimised - for instance demonstrating, where relevant, how the proposal will enhance the walking and cycling routes as set out in Policy HG19. Proposals to address such impacts will be strongly supported.

40) If I were to be minded to recommend the inclusion of the housing sites which have planning permission, but which have not been implemented and are shown on the Policies Map, would the Parish Council wish me to draw upon the policy and supporting text from the Regulation 14 version of the plan or would it like to offer alternative wording for my consideration?

The Parish Council believes that policies within the Neighbourhood Plan should be forward-looking, aligning with the strategic vision for Hurst Green, as outlined in our response to Question 18. The Council's view is that policies should focus on proposed allocations that support the future development of the parish, rather than including sites that already have planning permission and are progressing towards implementation. Including these sites with existing planning permission in the Neighbourhood Plan could lead to confusion among residents during the referendum process. There is a risk that some may mistakenly believe that such permissions could be revoked if the Neighbourhood Plan is not adopted. This potential misunderstanding could undermine public confidence in the Plan and detract from its broader objectives.

However, should the Examiner be minded to recommend the inclusion of these sites with planning permission, we would prefer that the updated policies, as refined following the Regulation 14 consultation process, be referenced. These reflect the most current thinking for these sites:

The updated policies following the Regulation 14 consultation are as follows:

POLICY HGSA2: SITE ALLOCATION – LAND OPPOSITE HURST GREEN SCHOOL (HG22/43)

A. The site is allocated for residential development with an estimated capacity of 28 dwellings. These homes shall provide a mix of unit size and a mix of tenure in line with Policy HG2.

B. Proposals which meet the following criteria will be supported:

Design

i. The proposal should be subject to a Stage 2 detailed landscape assessment, taking into account national and local countryside policy and a Visual Impact Assessment.

ii. The design of any new buildings on the site will be required to demonstrate how it relates to the local character and is appropriate to its rural location. Guidance is provided in the High Weald National Landscape Management Plan, Hurst Green Design Codes, detailed in Policy HG4, and in the High Weald Housing Design Guide.

iii. A car parking strategy should be agreed at the outset with an aim of reducing landscape and visual impacts (specifically avoiding glint and glare impacts for views back in from the High Weald to the south). Car parking in driveways and on the road is more visually intrusive and suburbanisation than discreetly located and easily accessible block parking. The former should be avoided with a preference for the latter wherever possible.

iv. The southern extreme of the site should provide an enhanced gateway into Hurst Green Village.

Landscape and heritage

v. The existing boundary planting should be strengthened with indigenous species and a high percentage of evergreens where screening of views is required.

vi. A publicly accessible Village Green space of at least 800m² must be provided; this should be located at the most sensitive part of the site, to minimise impacts on views and the setting of the heritage asset.

vii. The path of the historic treeline running diagonally north-east to south-west across the western half of the site must be retained and replanted.

viii. Provision of information board at the village green which document the site's former history, landscape setting and village green amenity.

ix. Provision of benches within the village green.

Biodiversity net gain

x. The constraints of the water main and the need to protect PRoW HG29 offer opportunities for new green spines through the Site which could enhance the Green Infrastructure.

Access

xi. Dwellings within the site must be accessible by a separate pedestrian access (i.e. pavement) as opposed to a shared surface (road/pavement).

xii. The main vehicular access to the site could be from A21 London Road.

xiii. Provision must be made for a community car park, incorporating a school drop off/collection point.

- xiv. Provision should be made for a new crossing point across the A21 London Road.
- xv. The Public Right of Way HG29 must be enhanced and incorporated into the design and layout to improve cycle and pedestrian connections to the existing public green space at Stage Field in Silver Hill.

Conformity reference: Neighbourhood Plan Objectives: 1; Core Strategy: RA1, OSS2, OSS3, OSS4, RA2, RA3, EN1, EN2, EN5; DaSa: DEN1, DEN2, DEN4, DEN5, DIM2; NPPF: 7, 8, 28, 29, 61-65, 68, 69, 78, 79, 80, 105, 106, 107, 126 to 134, 199, 120, 121, 176, 197

POLICY HGSA3: SITE ALLOCATION: FIELD OPPOSITE THE LODGE, LONDON ROAD (HG6)

- A. The site is allocated for residential development with an estimated capacity of 26 dwellings. These homes shall provide a mix of unit size and a mix of tenure in line with Policy HG2.
- B. Proposals which meet the following criteria will be supported:

Design

- i. The proposal should be subject to a Stage 2 detailed landscape assessment, taking into account national and local countryside policy and a Visual Impact Assessment.
- ii. The design of any new buildings on the site will be required to demonstrate how it relates to the local character and is appropriate to its rural location. Guidance is provided in the High Weald National Landscape Management Plan, Hurst Green Design Codes, detailed in Policy HG4, and the High Weald Design Guide.
- iii. Open space is to be provided in the setting of the Grade II Listed Hawthorne Cottage and other listed buildings.
- iv. Provision of community green spaces (allotments, community orchard, or gardens) within the site boundary.

Landscape and heritage

- v. The higher parts of the site are less suitable for development and should be retained for accessible open space. No housing must be located on this portion of the site.
- vi. A minimum 15m buffer is to be provided between the ancient woodland and proposed development.
- vii. All planting must be indigenous species that blend with the retained existing habitats with a consideration to increase the percentage of evergreen species where views may need to be screened all year round.
- viii. Provision of a public information board at the village green which documents the site's former history, landscape setting and amenity.

Biodiversity net gain

- ix. A village pond should be provided, which could serve as an attenuation pond.
- x. Benches must be provided within the public green space.
- xi. Green corridors are to be provided throughout the site, linking the natural features: ancient woodland, the pond, green spaces.

Access

- xii. Dwellings within the site must be accessible by a separate pedestrian access (i.e. pavement) as opposed to a shared surface (road/pavement).
- xiii. The main vehicular access to the site could be from A21 London Road.
- xiv. Links to PRoW HG6 (Historic Routeway) and the wider greenspace network must form an integral part of the site access.
- xv. The provision of publicly accessible car parking to serve the village church.

Conformity reference: Neighbourhood Plan Objectives: 1; Core Strategy: RA1, OSS2, OSS3, OSS4, RA2, RA3, EN1, EN2, EN5, TR3, TR4; DaSa: DEN1, DEN2, DEN4, DEN5, DIM2, DHG12; NPPF: 7, 8, 28, 29, 61-65, 68, 69, 78, 79, 80, 105, 106, 107, 126 to 134, 199, 120, 121, 176, 197.

41) I note that the latest version of the plan no longer allocates the site at Burgh Hill- site HG11: Cooks Field. Can the Parish Council explain, in terms of the site's planning merits, what has changed to persuade the Parish Council to remove it from the plan. I did note, in paragraph 5.9 of the plan, that one reason was that the site would not deliver any benefit to the community, which is a key objective of the plan. I would draw the Parish Council's attention to the legal requirements set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010, which are repeated in paragraph 57 of the NPPF, "that planning obligations must only be sought where they meet all the following tests: • Necessary to make the development acceptable in planning terms • Directly related to the development and • Fairly and reasonably related in scale and kind to the development"

The Parish Council believes that our decision to remove the HG11 site from the Neighbourhood Plan was in the best interests of the overall plan and its chances of success at referendum, following the refusal of planning permission by Rother District Council.

The evidence and strategic objectives of the Neighbourhood Plan have remained intact, the Parish Council agrees that the specific reference to community benefit in paragraph 5.9 does not reflect the activities that informed our decision. We suggest that this specific statement in paragraph 5.9 should be deleted.

It is important to note that the removal of the Burgh Hill, Cooks Field (HG11) site does not affect the Neighbourhood Plan's ability to meet the parish's housing requirements. The plan still provides for 74 out of the 75 homes required, ensuring that it remains in line with the housing needs of the parish.

We note that the site promoter has been given the opportunity to provide further representation.

44) The timescales of the offer to Mr Skinner to submit further representations in respect of Cooks Field and the Parish Council's response should be in line with the arrangements which I set out in paragraph 13 of this report.

As per the Parish Council's response to question 13.

45) I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan's and District Council's respective websites.

The Parish Council placed the examiner's note on our website on the day of receipt, 23rd January 2025.