

Ticehurst Neighbourhood Plan 2018-2028

Response to Independent Examiner's questions (dated 18 Feb 2019)

Reg 16 Comments

Thank you for giving us the opportunity to suggest revisions based on comments received on Reg 16.

1. Redraft of policy R2 as suggested by Rother in Reg 16:

“Development should sustain the integrity of the different communities in the parish by maintaining the Green Gaps, as defined on the Proposals Map, between them:

- 1) Land between Ticehurst and Flimwell (Map 5)
- 2) Land between Ticehurst and Three Legged Cross (Map 6)
- 3) Land between Ticehurst and Wallcrouch (Map 7)
- 4) Land between Ticehurst and Stonegate (Maps 8 and 9)

Within these gaps, development will be carefully controlled and only be permitted in exceptional circumstances. Any development must be unobtrusive and not detract from the openness of the area, unless it is essential to meet necessary utility infrastructure needs and no alternative feasible site is available.”

We support this revision which should meet some of the points you raised on Green Gaps.

We would add the following to R2:

“Our Green Gap policy is intended to be complementary to any of the adjacent parishes' neighbourhood plans.”

2. Redraft of policy H5 to strengthen the consultation between developers and parish.

Add as H5 (1):

“Developers are required to consult and take note of the views of the local community prior to the development of their planning applications.”

Renumber the original points H5 (1) – (3) as H5 (2) – (4).

3. Reference to a Habitat Regulations Assessment

The need for a Habitat Regulations Assessment screening opinion came very late in our work (as a result of the “Sweetman” ruling). The screening opinion from Rother DC (9 Oct 2018) is attached (document 1). This references their HRA dated September 2018 which confirms that our plan (along with other Rother NPs) does not have an adverse effect on key sites.

We included a reference the full HRA in our evidence base but have nothing in the plan. Please advise on whether something should be added and where.

We have reviewed all comments and objections in Reg 16 and have no further suggested revisions.

Ticehurst Neighbourhood Plan 2018-2028

Local Green Space

We attach the letter and maps sent to the owners of Green Spaces before Reg 14, together with a list of these owners and their addresses (documents 2-6).

This list shows that we decided to withdraw three green spaces (two in Stonegate – one an allotment area and one a cricket field - and one in Ticehurst – an allotment area) following the objections of the owners. Another was covered by the S.106 agreement on Banky Field.

The Rother DC Estates team objected to the inclusion of T5, as they felt it would be suitable for some houses. However, the Parish Council felt that the area was an important break in the houses on Farthing Hill - it gives a more rural feel to a heavily built area and is used as a play area.

ESCC objected to the inclusion of the primary school playing fields (T6 and S2), on the grounds that they were covered by other legislation. We discussed this with Locality who did not agree with this interpretation, and we decided to leave them in.

We received an objection from the owner of T7. As a result we did an environmental survey (included in our evidence base) and wrote to the owner explaining why we wanted to retain it as a green space.

Green Gaps

Rother DC has, in Reg 16, suggested new wording for R2. We support this revision.

1. The Parish Council believe it is very important that the three villages maintain their own identities. The green gaps are a more specific policy than the general Rother policies of restricting development in the countryside, because there are houses in the green gaps and it can be argued that they are not countryside. There has recently been a planning application in the Flimwell-Ticehurst gap to build 9 houses on a disused chicken farm (this was refused by RDC).
2. Our intention is not to resist **all** development, and we would accept residential extensions or ancillary buildings associated with existing developed sites. We believe the Rother new wording would cover this.
2. We are less certain about replacement buildings – these should meet our design guidelines and the Rother amendment of R2.
3. It is our intention to retain as undeveloped any open fields. But these green gaps do not consist only of open fields - the High Weald has farmsteads and other buildings scattered throughout. This makes it more difficult to control development, hence our policy to maintain the green gaps.
4. Agricultural buildings are covered by policy E3.
5. With regard to H1 (3), we believe that the Rother wording would ensure that R2 took precedence over the presumption in favour of development.
6. We have discussed our Green Gaps policy with Etchingham NP, who have a neighbourhood plan in progress but have not yet reached Reg 14. They have a draft policy, FEC2 Countryside Protection (document 7 attached), which covers this area and fully support our green gap between Ticehurst and Stonegate:

Ticehurst Neighbourhood Plan 2018-2028

“As Acting Secretary of the Etchingham Neighbourhood Development Plan Steering Group I am writing to confirm support for the Ticehurst Neighbourhood Development Plan in general and with specific support for Maintaining Green Gaps, Policy R2: 4.13 as this specifically involves Etchingham and is in accordance with the Etchingham Neighbourhood Plan Policy FEC2 - 5.1.2: *“No ribbon development between villages should be allowed.”*”

Paulette Barton - Clerk & RFO to Etchingham Parish Council & Acting Secretary to the Etchingham Neighbourhood Development Plan Steering Group

Singehurst

The following gives a brief history of planning on the Singehurst site.

1. 2007 - The landowners first contacted Rother DC. They wanted to build 3 eco homes. RDC said that they would welcome not 3 but 33 houses on the site. Various visits were made by their officers who said that the land was entirely suitable since it was basically scrub and did not have any particular features. They agreed it was well screened by the trees to safeguard the AONB and, provided they used the same entrance from the road, RDC could see no problems.
2. 2007 - Jan 2017 - Ticehurst Parish Council was in overall agreement that the site was suitable for housing.
3. 2013 - The landowners received a formal letter from RDC asking if the site could be added to their forward projection for housing sites and it was subsequently included within the SHLAA. The landowners worked with their own architect in liaison with RDC, and then engaged Rydon Homes for the formal planning.
4. Rydon approached RDC with their outline scheme but were told that the site was to be earmarked for commercial properties, to ensure Ticehurst's ability to provide jobs in the area. Ticehurst PC opposed this because they felt that more commercial property was not required in the parish.
5. 2015 - Rydon drew up plans for housing that were considered at the Ticehurst Village Assembly and subsequently submitted for planning approval. RDC then completely changed their point of view, stating that the site should not be allowed within the AONB, even though they had never raised this issue before.

The RDC officers had previously been in total agreement that the trees and woodland at the back of the site screened the area completely, even seeing the site as suitable for a commercial purpose. The fact that the site was in an AONB had been talked about from the outset.

6. 2015 - Rydon submitted a planning application to build 16 houses. This was refused on the grounds that RDC had sufficient supply of housing, both in Ticehurst and in the whole of Rother; that the design of the development was suburban; and that it would have a detrimental impact on the AONB.
7. Jan 2017 - Appeal by RDC following a new report from the AONB. The site was no longer considered 'a little piece of scrubland', the AONB now thought it to be part of a medieval farmstead set along an ancient drove way. This also influenced the PC as represented by

Ticehurst Neighbourhood Plan 2018-2028

the Chair of the TNP Steering Group (who was also a PC member). His influence persuaded the TNP steering group to exclude Singehurst as a possible site during the call for sites process.

8. March 2017 - The Chair of the TNP Steering Group resigned due to disagreements on the sites to be allocated. A new Chair took over and the call for sites process was reconsidered. Singehurst was reinstated.
9. 4th April 2017 - this decision was ratified by the PC.
10. May 2017 - The Inspector on balance disallowed the appeal. His main reasons were: the site was at that time outside the village envelope; the proposed houses could be seen from the original Grade II listed farmhouse and were also in the sight line of the listed cottages opposite (which housed farm workers at Singehurst, originally when it was a working farm); there was no pressing need for more houses in Ticehurst; and on balance there would be a detrimental effect on the AONB.
11. June 2017 - Following the Appeal rejection, the number of houses was reduced to 10, in accordance with the TNP requirements. The Parish Council would like to see a more natural expansion of homes surrounding agricultural buildings, to ensure the village maintains its special character. These should be carefully designed to mirror and complement the barn-like structures of the house and the neighbours, being set out to ensure that they are not seen from the farmhouse or are in the sight line of the cottages. It should meet the design guidance in the TNP. The landowners (who have lived in the unlisted buildings adjacent to the site for the past sixteen years) intend to provide high-quality housing as opposed to maximising their financial return.

Rydon Homes are confident that they can match the owners' aspirations and design a scheme for ten dwellings which follows the policies of the TNP, both specific and generic.

We have held comprehensive discussions with all parties during the regulation 14 and 16 phases and there were few objections to the plans. The Parish Council believes that the current plans fulfil the requirements of the TNP policies. In our NP survey, parishioners were clear that they preferred smaller sites (10 to 20 houses), rather than the larger ones which had already been given planning permission (Banky Field – 40, Hillbury Field – 30 and Corner Farm – 25). This development will also conform to the 2018 NPPF, which states that 10% of housing should be on sites of less than 1 hectare (the Singehurst site is just over a hectare).

Historic England support the application (A Byrne's response to Reg 16) and say that they are "content that the neighbourhood plan will provide an adequate framework for the protection and enhancement of the historic environment of the parish through the application of its policies for protecting the character of the AONB and wider landscape (Policy R1), and the design and conservation policies (H5 and H6)". Further, with regard to the allocation of Singehurst, they say that "any impacts on setting of the listed Grade II group of cottages...adjacent to the site boundary can be managed by the application of the above policies and those in the Rother Core Strategy."

Ticehurst Parish Council has concluded through the NP process that it would support a small scale development at Singehurst. We chose to allocate this site in the neighbourhood plan after the Appeal process, having understood both the history and the comments of the AONB, Rother DC and the Inspector. The landowners and the builders have taken on board all that has been said and are committed to a high quality design for this small site. Our

Ticehurst Neighbourhood Plan 2018-2028

neighbourhood plan, as well as giving general design guidance, gives site-specific guidance for all allocations including Singehurst. The drawing of the site layout at appeal is attached, together with the latest one produced for discussion with RDC (documents 8 and 9). These show how the design has evolved to take account of the appeal inspector's concerns and the guidance within the neighbourhood plan.

We believe that Singehurst can be a development with imagination, something of which the village can be proud.

Final Matters

As the Qualifying Body for the Ticehurst Neighbourhood Plan, Ticehurst Parish Council are ready to provide any further information that the Examiner requires.

Ticehurst Parish Council

5th March 2019

Attachments

1. Ticehurst NP – HRA Screening Opinion
2. Letter to Green Space Owners
3. Ticehurst Green Spaces map
4. Flimwell Green Spaces map
5. Stonegate Green Spaces map
6. Green Space owners' addresses
7. Etchingham policies on the countryside
8. Singehurst appeal layout (16 units 2015)
9. Singehurst post-appeal layout (13 units 2017)