

Dear All,

These questions are probably mostly for the qualifying body, but I am also interested in the views of the LPA of course, and question 1 is probably for them to answer. The questions I have now are as follows:

1. The Environment Agency commented at Reg16 that the wording for Ancient Woodland needs strengthened “to follow Rother DC policy EN17”. I can’t find a policy EN17 in any of the policy documents – including the emerging plan? Can you assist with what may be referred to here please?
2. Policy CF1 on Community Facilities needs to be specific on the facilities to be protected, and it has listed them. However the term “but not limited to” is too vague, would a reference to any future facility be useful here instead? Please let me know if there is any other existing facility that should be specified at this point.
3. The same policy CF1 includes ‘the recreational ground’. I assume this is the Recreational Ground that is to be designated a Local Green Space? If so, the protection in policy CF1 being less strong and including reference to future ‘dual use’, the Recreational Ground should not be included in it. There is a potential conflict that makes policy regarding that Local Green Space less clear. Questions 4 and 5 also refer to policy about recreational facilities, and you may like to consider clarifying for me your preferred approach to recreation in the Plan generally.
4. Policy CF2 refers to ‘recreational open space’. I am not clear what these are? Presumably the Recreational Ground LGS, and anything else? The policy actually seems to be mostly concerned with footpaths and informal recreation: would this be sensible to reference in the policy title?
5. The wording of Policy CF3 is not very clear to me. The reference to ‘existing facilities’ would be relevant to the Recreational Ground, but not any of the other proposed designations I’d have thought. The protection is meant to be of an equivalent level as green belt, and offering prior approval to development rather than dealing with any future proposal with regard to its usefulness or otherwise to the reasons for the designation seems to me to be all that needs to be said. I would therefore propose that for clarity the words ‘remain of a similar scale and bulk as existing facilities’ be removed. Your view on this would be appreciated.
6. The Proposals Map shows a potential diversion of a footpath, which is a highways matter not a land-use planning issue. If however what was intended was an additional link to the footpath network rather than a path diversion that would be a land-use proposal. Can you clarify what was intended here please.
7. The Ministerial Statement of March 2015 has banned use of technical standards in neighbourhood plans apart from the floorspace standards and Building for Life. Building for Life was design guidance rather than technical

standards, and of course it is promoted in the NPPF 2019 version. However Policy CB1 is requiring that all buildings be built to the higher than basic accessibility standards of the building regs, and this seems to be to be an undifferentiated application of a technical standard. I consider use of this technical standard permissible in neighbourhood plans where it is requiring homes to be suited to older and less mobile people specifically, but my understanding here is that you wish the standard to be applied in any new home. Again comments welcome.

I understand you may well need a bit of time for the above, but I'd hope you were able to respond by the 22nd March. Please let me know if you need more time than that.

Best wishes

Liz

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