

Proposed Policies editing, following
Examiners Final Report
- version 1.1



1. Introduction

- 1.1. This document has been prepared by the Steering Group, following receipt of the Examiners Final report, with the objectives of:
- Undertaking a detailed analysis of the Examiner's recommendations for Policy editing, so that the SG fully understood the details and to put it in a position to brief the P&T Committee.
 - Providing a reference document for P&T Committee Members showing all Local Planning Policies that would be included in the Referendum version of the NP.
- 1.2. It should be noted that during our earlier comments about the NP, the SG resisted making editorial changes to the Policies. However now, given the Examiners proposals, we additionally strongly suggest that the Policy Titles are edited to ensure consistent use of Capital Letters, as follows:

HD1	Development Boundaries
HD2	Site Allocations
HD3	Housing Mix
HD4 **	Quality of Design
HD5	Protection of Landscape Character
HD6	Integration of New Housing
HD7	Protection of the Green Gap
HD8	Town Centre Boundary
IN1	Traffic Mitigation
IN2	Maintain and Improve Existing Infrastructure
IN3	Parking and New Development
IN4	Pedestrian Provision and Safety
EN1	Local Green Space Designations
EN2	Conservation of the Natural Environment, Ecosystems & Biodiversity
EN3	The High Weald AONB and Countryside Protection
EN4 *	Historic Environment
EN5 *	Locally Important Historic buildings, other Structures and other Non-designated Heritage Assets
ET1	Tourism and Local Economy
ET2	Community Facilities
ET3	Community Leisure and Cultural Facilities

On the following pages, each Policy is shown on its own, without its associated additional Conformity clauses and Policy Intent, which may be found in the full Plan.

...continued

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NOTE:

1. Yellow highlighting indicates changed words within the Policy
2. Minor grammar edits are included
3. There were multiple occurrences of the word “which” not preceded by a comma – these have been corrected.

Policy HD1: Development Boundaries

The Plan designates Development Boundaries for Battle and Netherfield as shown on **Maps 1 and 2** in APPENDIX C of the Battle CP NP, for the purpose of identifying policies, which relate to the acceptability, or otherwise of development proposals falling within or outside the development boundary, as set out within the development plan.

Commented [A1]: DELETED: The entire Parish of Battle is located within the High Weald AONB where all development should conserve and enhance the natural beauty of the AONB. Any development outside the Development Boundaries will be regarded as lying within the countryside to which RDC Core Strategy Policies OSS2, RA2, RA3 and EN1 relate. Development will only be permitted in the AONB countryside where it complies with RDC Core Strategy policies and relevant policies in the Battle CP NP.

Policy HD2: Site Allocations

The Neighbourhood Plan **allocates** the following sites for residential development:

Netherfield

- NE NS102 (part of NE06) White House Poultry Farm: **approximately** 23 dwellings
- NE05a and NE05r Swallow Barn off B2096: **approximately** 10 dwellings

Battle and the hamlet of Telham

- BA31a Glengorse: **approximately** 15 dwellings
- BA36a Land at Caldbec House, Caldbec Hill: **approximately** 5 dwellings
- BA11 Blackfriars: **approximately** 220 dwellings

The Plan designates these sites for housing development as shown on the Proposals maps, Refer to APPENDIX C to the Plan: **Maps 3 and 4a and 4b.**

Any sites that are allocated in Battle Civil Parish will be subject to compliance with other relevant policies in the development plan **and the following criteria:**

1. the provision of a range of house types in accordance with Policy HD3 of this Plan;
2. the provision of appropriate landscaping and accessible green space within the site;
3. an Ecological Impact Assessment (EclA) in line with best practice and Natural England's standing advice;
4. a minimum of 10% biodiversity net gain in the form of on-site or off-site enhancements;
5. the provision of appropriate vehicular and pedestrian access into the site and where appropriate links to the footpath and cycle network;

Commented [A2]: DELETED: The housing requirement for Battle up to 2028 is 475 dwellings in Battle and 48 dwellings in Netherfield, as allocated by Rother District Council Core Strategy 2014. This includes the housing requirement that will be met by the Blackfriars site (BA11), Tollgates & Lillybank developments and other smaller developments given Planning Permission since 2011. The outstanding number of dwellings for Battle is 18 (assuming 220 dwellings at Blackfriars) and for Netherfield it is 23 as of 1st April 2019. New housing development will be required to ensure that local infrastructure is provided and/or improved in relation to the size and scale of the development proposed. This requirement will apply to all infrastructure, and with particular attention to education provision, flood prevention (fluvial and surface water) and car parking/congestion in the Parish.

Commented [A4]: We agree to change from up to 20 to approximately 15 dwellings
66. I have noted the view of the District Council that the capacity of the Glengorse site was more likely to be closer to 15 rather than 20. Whilst the Town Council now would accept that lower figure, I have been offered no evidence to how the District Council reached its view that 15 would be a more appropriate number and again the form and mix of the development could affect the capacity. My recommendation still allows a degree of flexibility in the site's ability to deliver new homes.

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6. where appropriate the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by Rother District Council;
7. the layout is planned to ensure future access to existing water and/or wastewater infrastructure for maintenance and upsizing purposes; and
8. the provision of the necessary infrastructure required, as a result of the development, to make it acceptable, with special attention to education provision and flood prevention (fluvial and pluvial).

Policy HD3: Housing Mix

Housing developments will be expected to deliver a range of house types, including affordable housing in accordance with the requirements set by Policy DHG1 of the Development and Site Allocations Local Plan, which may include shared ownership homes. Housing developments will also be encouraged, where appropriate, to include an element of single level dwellings and, where practicable, sheltered accommodation to meet the needs of the elderly and people with disabilities, thus enabling them to remain independent and within the community for as long as is possible.

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Policy HD4: Quality of Design

Proposals for all development must plan positively for the achievement of high quality and inclusive design, at the same time demonstrating they have sought to conserve local distinctiveness and the aesthetic qualities of traditional rural settlements and buildings found in the conservation areas and their setting. Applications, which propose sympathetic designs that reflect the connections between people and places with regard to the existing density, scale, massing, landscape and biodiversity considerations will be supported. Innovative design will be supported where it is proposed in accordance with the Battle CP Design Guidelines and the High Weald Housing Design Guide. Applications must give priority to the use of local vernacular building materials. The Battle CP Design Guidelines (see ANNEXE 1 to the Plan) and the High Weald Housing Design Guide will become a mandatory sources for the local planning authority to assess the impact of the planning proposals.

Commented [BM5]: If as we see later a "Schedule" is only first letter capitalised, why is "ANNEXE" fully capitalised?

Commented [BM6]: NOTE: edit to plural

Policy HD5: Protection of Landscape Character

Development proposals, which have the potential to have an impact on the landscape should be informed by landscape and visual assessment to identify site characteristics and views, which may be affected and to inform required landscape mitigation. The design of new landscape features should happen at an early stage in the design process to ensure they are well integrated into new developments. New development proposals

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should consider and correctly interpret the landscape character of their location to produce the most appropriate locally distinctive design solution for the development supported from a biodiversity perspective. Landscape schemes should therefore:

1. integrate new development sympathetically with its surroundings;
2. enhance the setting of new buildings;
3. create a high-quality environment in, which to live and work;
4. promote quality landscape schemes, which are sensitive to the locality and provide local distinctiveness; and
5. species chosen for landscape schemes should be native and of local provenance where possible.

Developers will be expected to submit a landscape led masterplan to accompany all major development proposals and particularly those in sensitive locations, in the Green Gap. Landscaping schemes should seek to retain natural and seminatural habitats. The long-term management of soft landscape features should be secured.

(The definition of major development is defined by the Government as a housing development of 10 or more dwellings or a site area of more than 0.5 hectares.)

Commented [BM7]: Edited to singular

Policy HD6: Integration of New Housing

Proposals for new housing must ensure that the new homes are visually integrated with their surroundings.

Commented [A8]: Note deletion of Policy HD6 – Local Connection. Renumbering of this and following policies.

Commented [A9]: DELETED: This requirement will apply to all infrastructure, and with particular attention to flood prevention (fluvial and surface water) and car parking/congestion in the Parish.

Policy HD7: Protection of Green Gap

The Plan designates the area identified in APPENDIX D as a Green Gap where development will only be supported if it maintains the openness of the area.

Commented [A10]: DELETED: Policy HD8: Protection of the Green Gaps between Settlements

The Plan designates the areas identified in APPENDIX D as Green Gaps within the High Weald AONB in order to protect the separation of Battle from surrounding villages so that their individual characters are protected. Within these designed Green Gaps:

GG01 Battle north, east of A2100
GG02 Battle north-east, Whatlington Road
GG03 Battle east, Marley Lane
GG04 Telham, A2100 and Telham Lane
development will be carefully controlled. Developments will only be supported where they are unobtrusive and do not detract from the openness of the area having regard to the particular objectives of the Gaps:
1. To maintain the separate identity and distinctiveness between settlements;
2. To maintain the strategic settlement pattern; and
3. To prevent the coalescence of settlements.
Enhancement of the Gaps through effective landscape management which strengthens and reinforces their significance as protected landscape areas will be supported.

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Commented [BM11]: Elsewhere "of the Plan" is used – consistency?

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Policy HD8: Town Centre Boundary

The Plan designates the Battle Town Centre Boundary as shown on Map 6 in APPENDIX C of the Battle CP NP, to retain and enhance existing town centre uses.

Shopping and related commercial development in Classes E(a-f) as introduced on 1st Sep 2020 shall be focussed within Battle town centre.

Within the main shopping area, as defined on Map 6, the loss of existing ground floor retail space will be resisted and proposals will be supported for the introduction of new shops

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and refurbishment of existing premises, subject to suitable layout and design details. Shop fronts and lighting in the Conservation Area must be in-keeping with the character of the conservation area as described in the Character Appraisal report. Whenever the opportunity permits there is a requirement to maintain and restore historic shop fronts, which make a positive contribution to the area's character.

Where planning permission is required new housing developments will not be supported within the defined Town Centre Boundary unless they conform to the Battle CP Design Guidelines and the High Weald Housing Design Guide and are situated behind the High Street frontage or are located above ground floor level (apart from the entrance).

Commented [BM12]: Inserted definite article for readability

Commented [BM13]: Added, although instruction does not explicitly say "add".

Policy IN1: Traffic Mitigation

Applications for all new development that will generate a significant increase in traffic must provide a Transport Assessment and demonstrate how the proposed development are required to improve, or at least maintain traffic calming measures and not be detrimental to existing safety measures. Applications must also show what additional measures are required to be taken to reduce the impact of traffic movements generated by the new development.

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Policy IN2: Maintain and Improve Existing Infrastructure

Where planning permission is required, new and/or improved infrastructure, including utility infrastructure, will be encouraged and supported in order to meet the identified needs of the Parish, subject to the following criteria:

1. the proposal would not have significant harmful impacts on the amenities of surrounding residents and other activities;
2. the proposal would not have significant harmful impacts on the surrounding local environment; and
3. the proposal would not have significant impacts on the local road network.

Policy IN3: Parking and New Development

Car Parking should where possible be accommodated within the curtilage of the dwelling in the form of a garage and/or parking space and should be in accordance with East Sussex County Council Parking Standards for Development, which seek to provide an appropriate level. Development proposals will be supported only if they include the appropriate level of off-street parking consistent with the current East Sussex County Council Parking Standards. Proposed developments not meeting the

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ESCC Parking Standards for adequate off-street parking will only be supported where they make provision for equivalent off-street parking nearby.

Policy IN4: Pedestrian Provision and Safety

All new housing developments must provide safe pedestrian access to link up with existing footway networks, **for example** ensuring that residents can walk safely to public transport services, schools and other key community services, including retail and medical facilities. **The Plan supports** highways or other transport improvements that facilitate safe access for pedestrians and cyclists through and between all parts of the community, and the footpath linkages between settlements.

The Neighbourhood Plan will, where appropriate, require proposals to:

1. provide safe links connected to the existing network for cycling and walking between the railway station, the town centre, and all the Battle schools, with due regard to the needs of all users including those with mobility issues; and
2. provide links for future developments of the cycling and walking network, to provide safe off-road routes (e.g. Battle Schools Greenway) and extend access to the public transport nodes.

Policy EN1: Local Green Space Designations

The Plan designates the locations described in Schedule 1 and shown on Maps 4 and 5 (Refer to APPENDIX C to the Plan) as **Local Green Spaces** under the Neighbourhood Plan in accordance with paragraph 100 of the NPPF 2019. Proposals for any development on the land will not be supported other than in very special circumstances or if it is essential to meet necessary utility infrastructure needs and no alternative feasible site is **available**.

Commented [BM14]: Examiner wants reference to Analysis to be in Conformity list of references

Commented [A15]: DELETED: There will be a presumption against development on these sites under the Neighbourhood Plan.
DELETED: The Battle Local Green Space Designations Analysis document (see Schedule 1) will be used as a reference.

Policy EN2: Conservation of the Natural Environment, Ecosystems and Biodiversity

Planning proposals will not be supported where development would result in an unacceptable loss, or damage to, hedges, ditches, verges, trees and green spaces during or as a result of development unless the benefits of the proposed development outweigh the amenity value of the trees or hedgerows in question. Development proposals must also be designed to retain well-established features of the environment, and ecosystem, provide net gains for biodiversity, including hedges, ditches, verges, trees and green spaces of good arboricultural and/or amenity wherever possible together with the habitats

alongside them including ponds and green corridors. Proposals should protect Local Wildlife Sites and protected and notable species and habitats including town dwelling species. Where possible, development proposals should incorporate swift bricks or install swift boxes into building designs to support the vulnerable swift population of Battle town.

The Battle Character Appraisal (ANNEXE 2) will be used as a reference to assess the impact of the proposals.

Policy EN3: The High Weald AONB and Countryside Protection

Development within the High Weald Area of Outstanding Natural Beauty (AONB) will only be supported where it conserves and enhances the natural beauty of the parish and has regard to the High Weald AONB Management Plan. In particular, **where relevant to the proposal or its location**, development must demonstrate that it will:

1. take opportunities to restore the natural function of all watercourses to improve water quality, to prevent flooding and enhance wetland habitats;
2. reflect the settlement pattern of the neighbourhood, use local materials that enhance the appearance of the development and support woodland management;
3. relate well to historic route ways such as ancient droveways and not divert them from their original course or damage their rural character by loss of banks, hedgerows, verges or other important features;
4. not result in the loss or degradation of Ancient Woodland or historic features within it and, where appropriate will contribute to its on-going management; and
5. conserve and enhance the ecology and productivity of fields, trees and hedgerows, retain and reinstate historic field boundaries, and direct development away from medieval or earlier fields, especially where these form coherent field systems with other medieval features.

Policy EN4: Historic Environment

Heritage assets in the Parish and their settings, including designated heritages such as listed buildings, Battle Conservation Area, the designated Battlefield, Scheduled Ancient Monuments, **a listed park and garden** (including Battle Abbey, Romano-British iron working site in Beauport Park, Bowl barrow in Petley Wood) will be preserved and enhanced for their historic significance, including the contribution made by their settings and their importance to local distinctiveness, character and sense of **place**.

Policy EN5: Locally Important Historic Buildings, other Structures and other Non-designated Heritage Assets

Commented [A16]: DELETED: In addition, the following will be similarly protected: Non-designated local heritage assets and assets of archaeological significance listed in the East Sussex Heritage Environment Record, a listed park and garden, the historic public realm.

A listed park and garden should be reinstated as it is recorded by Historic England. This is a suggested amendment. Furthermore, these protections will be afforded to sensitive ecology and landscape designations

Commented [A17]: Heritage assets shown on **Map 8** and listed in **Schedule 2** or otherwise identified by the local planning authority as non-designated heritage assets together with other key buildings, or structures or other heritage assets which are of substantial local architectural and historic significance and contribute to the Parish distinctiveness, will be conserved in a manner appropriate to their significance. Development proposals will be expected to retain and enhance the local distinctiveness of such buildings and structures and their setting. The Battle CP Character Appraisal (ANNEXE 2) will be used as a reference to assess the impact of the proposals. The local heritage list from Battle Town Council will be used to assess the impact of affected proposals including any contribution made by their setting.

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The heritage assets set out in Schedule 2 and illustrated in Map 8 are identified as non-designated heritage assets, which are of substantial local architectural and historic significance and contribute to the Parish distinctiveness. Proposals affecting such assets will be assessed based on the scale of any loss or harm set against the significance of the asset.

Commented [BM18]: Examiner says: The use of the Battle CP Character Appraisal to assess the impact is not a statement of policy and should be moved to the supporting text.

Policy ET1: Tourism and Local Economy

Small scale and appropriate tourism development in the Civil Parish of Battle will be encouraged where:

1. it will help sustain the local economy and help assist local businesses to remain viable;
2. it is in keeping with the character of the area and the amenities of neighbouring properties and minimises visual impact through sensitive siting and design
3. it minimises the impact of the proposal on the wider character of the High Weald AONB landscape and
4. it will not cause or exacerbate any severe traffic problems and will promote sustainable transport.

There will be a presumption against the loss of the following tourism sites and facilities:

White Hart (Netherfield),
Kings Head (Mount Street, Battle),
The Bull (High Street, Battle),
Abbey Hotel (High Street, Battle),
The Chequers (Upper Lake, Battle),
The Railway (Lower Lake, Battle),
Black Horse (Telham)
Almonry and gardens (High Street, Battle)
Battle Museum of Local History (High Street, Battle)
Battle Abbey and grounds
John the Baptist Church (Netherfield),
Battle Baptist Church (Mount Street, Battle),
Our Lady Immaculate and Saint Michael (Mount Street, Battle),
St. Mary the Virgin (Upper Lake, Battle),
Battle Church of the Ascension (Telham)
Beauport Park Golf and Country Club
Bannatyne Spa Hotel
1066 Country Walk (As shown on Ordnance Survey map: Explorer124),
1066 Malfosse Walk (ISBN 978-1-903099-05-6),
Children's Trail*,
Country Trail*,

Commented [BM19]: SG considered need for defining the list as being "sites"

Heritage Trail*,
Battle Sculpture Trail*

[Emmanuel Centre/Methodist Church \(Harrier Lane\)](#)

[Memorial Hall \(High Street Battle\)](#)

* See www.visit1066country.com/things-to-do/battle-heritage-trails-p1732511

~~In pursuit of encouraging tourism and the local economy Battle Town Council is actively seeking World Heritage status for the town and this would have a significant potential impact employment, retail and hospitality.~~

Commented [A20]: Suggested additions, carefully considered by SG for sites of equal relevance and importance as others already listed.

Commented [BM21]: It seems the Examiner was against this paragraph in clause 117

Commented [A22R21]: As per paragraph 117 move to supporting text- presumably "Policy Intent 5.4.1

Policy ET2: Community Facilities

Proposals that will enhance the viability and/or community value of any property, which is included in the list set out in Schedule 4, will normally be supported. Proposals that result in the loss of such a property or in significant harm to its community value will be resisted, unless it can clearly be demonstrated the continuing operation of the property is no longer economically viable. This would mean the site has been marketed at a reasonable price for at least a year for that and any other suitable employment or service trade uses and no interest in acquisition has been expressed.

Commented [A23]: Retitled from Policy ET4 – Protection of Assets of Community Value to Policy ET2: Community Facilities

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Commented [A24]: DELETE: Bannatyne Health Club from Schedule 4

Commented [BM25]: Clause needed to make a sensible Policy statement, surely?

Commented [A26]: DELETED: The proposed Assets of Community Value are listed in Schedule 4.
DELETED FROM SCHEDULE 4: Bannatyne Health Club

Policy ET3: Community Leisure and Cultural Facilities

Proposals to sustain or extend the viable use of existing community leisure and cultural facilities (See Schedule 5) and the development of new facilities will normally be supported if they comply with other policies in this Neighbourhood Plan. In particular, the Plan will encourage and support the provision of dual use facilities for schools and for the community if any such development proposals are likely to be brought forward. Development proposals must consider and where appropriate alleviate the adverse impact of any development on existing community and cultural facilities. The continued investment in the community facilities of the Civil Parish, which will include the use of CIL receipts to upgrade and maintain these where appropriate to meet the identified needs of the community will be supported.

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Revisions / Versions:	
Date	Item
2021-05-29	First draft for SG ONLY consideration v0.1
2021-05-30	Second draft for SG ONLY consideration v0.2
2021-05-31	Third draft fully populated with re-drafted Policies according to Examiners proposal's – v0.3
2021-06-01	Comments added by AR and addition of Policy ET4 – now ET2 Community Facilities - v0.4
2021-06-02	Document “branched” following SG agreement - repurposed and re-titled as “Proposed Policies editing, following Examiners Final Report” – V1.0
2021-06-02	Comments added to ET2 by AR – now v1.1

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