

Comments on the Lingfield Neighbourhood Plan 2014-2033 (Regulation 14 Consultation Draft)

Tandridge District Council, June 2023



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This note sets out Tandridge District Council’s comments in relation to the Regulation 14 Consultation Draft of the Lingfield Neighbourhood Plan 2014-2033. The note is structured as follows:

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Comments made on the Limpsfield Neighbourhood Plan (LNP)	
by Tandridge District Council (TDC) before and during the Reg 14 Consultation.	

1. Overall Assessment

Lingfield Parish Council can be congratulated on the completion of the Reg 14 version of the Lingfield Parish Neighbourhood Plan. Drafting a Neighbourhood Plan is a huge and complex undertaking and takes dedication and resilience. Getting to this stage is a great achievement.

The plan is at an early stage. At present it has some fundamental issues particularly around its Green Belt allocations which do not follow guidance provided by the National Planning Policy Framework (NPPF, 2021) particularly Para 140 or the strategic policies of the Local Plan. Quite simply Neighbourhood Plans cannot allocate Green Belt sites in advance of the adopted Local Plan supporting this.

General conformity with the adopted Local Plan (Tandridge District Core Strategy 2008 and the Tandridge Local Plan Part 2 : Detailed Policies 2014) Local Plan has not been achieved as sites are allocated in the green belt. This means the plan does not currently meet the Basic Conditions Test.

There is also much scope for improvement which would make the plan acceptable and give it more effectiveness. Some opportunities to impact development in the village have been missed.

Issues have been raised within the community regarding the Regulation 14 consultation. It will be important that these concerns continue to be addressed as the plan moves forward.

Suggestions for the next steps to develop the Neighbourhood Plan have been suggested. These pieces of work would assist in the plan's preparation.

It is hoped that these comments are useful and provide a clear steer for the progression of the Lingfield Neighbourhood plan.

2. Significant Issues

The plan is not ready to go to Regulation 15 (Submission) having some significant issues, as detailed below.

Site Allocations

- **Allocating Green Belt** The allocation of Green Belt sites by the Neighbourhood Plan is not supported by the NPPF, 2021 at Para 140 or by Local Plan strategic policies. Quite simply the Neighbourhood Plan cannot allocate sites where the adopted Local Plan does not provide for this. This issue is explained in the AECOM Site Options and Assessment Report of April 2020 that accompanies the documents.

It is unclear from the Neighbourhood Plan whether the sites are intended to be allocated or whether these policies are just to be considered when a planning application is submitted. This needs clarifying and discussion. For the purposes of these comments, it is understood that the sites are allocations.

The Green Belt status of sites is not sufficiently addressed. In places the fact that the sites are in Green Belt appears to be added as an afterthought. Policies designating some of the Green Belt sites include a line that requires 'very special circumstances' to be found. This approach is insufficient. There is a lack of recognition of the process for allocating green belt sites undertaken in Local Plans. There is a lack of recognition of their value. Paragraphs 137 to 151 in the National Planning Policy Framework (NPPF, 2021) need considering.

- **Justification for Sites.** The plan would benefit from better justified choices. The reasons for going against the AECOM site recommendations, for example are particularly poorly justified. It is stated that this is the community's choice, but evidence of this choice has not been included.
- **Site Selection.** Notwithstanding the fact that the LNP cannot allocate Green Belt sites, it seems odd to choose two sites that were not supported by the AECOM Study. Choosing a site at a distance from the village and a site contaminated by waste dumping seems an odd choice. One is unsustainable – it's not easy to access the village and the other may well prove unviable given the costs of development given the contamination. The sites are not supported by Tandridge DC.
- **Policy rejecting a Local Plan Allocation.** Choosing a site not to be allocated is unusual. It is inappropriate to include a policy that is against one site (Star Fields) that is an emerging Local Plan allocation. However, Tandridge District Council no longer supports the allocation of Star Fields following discussions with the Inspector on the Local Plan which is at examination. It is likely that events on this site will overtake the NP here given that there is an appeal for the Star Fields site which is being considered at an Inquiry commencing in August 2023. Care needs to be taken not to undermine the Local Plan so that the NP can be supported by TDC and progressed. Tandridge District Council can give further advice on this policy as the situation evolves.
- **Longevity.** The plan would be better and longer lasting without its particular emphasis on a single site the Star Fields Site.

Planning Policy and Legislation

- Overlapping with other legislative areas (flooding, historic buildings, the use classes order, biodiversity, traffic signs etc.). The Parish Council/Steering group need to check that all references in the document are up to date and that current legislation is referenced where applicable.
- Too little consideration of planning issues. To have credence as a planning document there needs to be more emphasis on the planning issues. Designations like the High Weald AONB, issues like flooding and Green Belt are just not suitably addressed.
- A lack of consideration of Local Plan policies. A full assessment considering which policies add to, overlap with and contradict adopted and emerging local plan policies is recommended. The plan needs to be in general conformity with the adopted plan but the Parish Council should also test the NP against the emerging plan to ensure the longevity of policies given a shortened emerging plan is being considered and that the next plan is likely to have similar strategic policies in the main.
- Policies are written in an unusual way and should be redrafted. Instead of starting with lines like 'Development will be supported where' as is considered good practice many policies say the 'LNP (Lingfield Neighbourhood Plan) will support'. The LNP is the document and cannot support things.

Policy Gaps

- There are some gaps in the policies covered. Other topics to consider are affordable housing, housing need and green space allocation. CIL monies should be considered in more depth.
- A policy applying to any sites for housing that come forward in applications should be considered. Given that applications could come forward on any sites around the village this would cater for all eventualities.
- It is understood that some residents are assuming that by allocating or favouring sites that other sites will not be brought forward. This is unrealistic. Any developer with suitable land is at liberty to submit a planning application.
- As it stands the Neighbourhood Plan largely stands as a community stance on the various options for development.

Mistakes and Internal Inconsistencies

- The plan has significant mistakes – Star Fields is supported in one place and opposed in another for example.
- The plan seems to have internal conflicts – one policy says one thing whereas another gives a different line.
- Some policies are out of date – Changes to the Use Classes Order need to be considered for example.

- Some policies are unclear in their intentions – what is covered by the policy is in places particularly unclear.

Clarity

- Maps could be made more useful and legible. Using the same map base throughout could help achieve legibility.
- The plan needs to firm up what it means by certain things and ensure it follows standard definitions for planning terms. Some terms are vague - look at the definitions of mixed/affordable etc housing and previously developed land.
- It would be useful if earlier versions of the plan were kept available on the website so that it is easier to understand how the plan has developed and to see any changes since the plan was subjected to HRA screening and SEA assessment for example.

Consultation Issues

- Issues have been raised in the consultation period. In particular, there are accusations that some consultation letters were delayed and that some properties nearest the proposed sites did not receive timely consultation leaflets. As the plan is progressed it is important that these concerns are addressed. Rerunning Regulation 14 is advised as a possibility – and may be needed for other reasons too. To address these issues the Parish Council is advised to start to draft its Basic Conditions Statement and Consultation Statement soon.

3. Further advice on allocating Green Belt sites

Can the Lingfield Neighbourhood Plan allocate Green Belt sites given Para 140 of the NPPF2021?

The Neighbourhood plan seeks to allocate sites in the Green Belt which it cannot do in advance of support for this in the adopted Local Plan. This puts a significant part of the plan in conflict with The National Planning Policy Framework (NPPF).

Para 140 of the NPPF, 2021 states:

*'Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. **Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.***

The Site Options and Assessment commissioned by Lingfield PC undertaken by AECOM acknowledges this in these paragraphs, holding that the strategic policies have NOT established this need:

'The assessment has been undertaken in the context of the Green Belt which surrounds Lingfield and all of the sites assessed as part of this Assessment are within the Green Belt. Green Belt is a strategic constraint which can only be amended through a neighbourhood plan where strategic policies in a local plan have established a need for changes to the Green Belt. TDC has confirmed in emerging policy TLP03 that further changes to the Green Belt boundary will only take place for the South Godstone Garden Community. As such, the sites assessed within this assessment can only be allocated if they are released from the Green Belt by TDC in the future. An exception to this would be rural exception sites which can be brought forward for affordable housing if the site meets the emerging Local Plan rural exceptions policy.'

Tandridge DC considers that the adopted plan has not, in its strategic policies identified a need to change Green Belt boundaries. The emerging plan only considered releasing Green Belt land around Godstone. This means that this Neighbourhood Plan cannot allocate Green Belt sites.

This issue seems crucial in establishing whether the Neighbourhood Plan can allocate sites. It is an area which needs more consideration if the Parish Council wants to pursue this avenue and allocate sites. Perhaps too some legal guidance is needed here. Obviously, this assessment will depend on the status of the development plan.

Is the Neighbourhood Plan in conformity with the Local Plan given these allocations?

If, and only if, it is agreed that the Neighbourhood Plan can allocate sites then to meet the need to be in conformity with development plan policies we need to assess whether the NP policies *undermine* the LP policies. This test is considered by Landmark Chambers in its video on Neighbourhood Planning dated 2020 to be the best way of assessing conformity from an investigation of case law here. (This video has already been mentioned to the Parish Council).

Do the allocations *undermine* the Local Plan?

The most relevant policies to assess are in the adopted plan - CSP1 in the Core Strategy and DP10 in the Local Plan Part 2 Detailed Policies and in the emerging plan Policies TLP03 and TLP07.

The Adopted Core Strategy (Location of development) at Policy CSP 1 favours development on previously developed land, on land within the larger settlements, where there is a choice of transport mode and where travel to services is minimised. Lingfield in contrast is a Larger Rural Category 2 settlement where the policy states;

'There will be no village expansion by amending the boundaries of either the Larger Rural Settlements or Green Belt Settlements. All the settlement boundaries will be reviewed in the Site Allocations DPD and the accompanying Proposals Map. Development appropriate to the needs of rural communities will be permitted in the Larger Rural Settlements and Green Belt Settlements (the Category 2 settlements listed below) through infilling and on sites allocated for affordable housing.There will be no change in the Green Belt boundaries, unless it is not possible to find sufficient land within the existing built up areas and other settlements to deliver current and future housing allocations. Such changes will only take place at sustainable locations as set out in Policy CSP2 whilst having regard to the need to prevent built up areas from coalescing. Any changes will be made through a Site Allocations Development Plan Document and the accompanying Proposals Map.'

In the Local Plan Part 2 Detailed Policies policy DP10 Green Belt states.

A. The extent of the Green Belt is shown on the Policies Map. Only in exceptional circumstances will the Green Belt boundaries be altered, and this would be through a review of the Core Strategy and/or through a Site Allocations Development Plan Document.

B. Within the Green Belt, planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused. Proposals involving inappropriate development in the Green Belt will only be permitted where very special circumstances exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.

The emerging Local Plan (Our Local Plan : 2033) notes that changes to the Green Belt will only take place for the South Godstone Garden Community, and that development elsewhere in the Green Belt will need to demonstrate very special circumstances (Policy TLP03).

TLP03: Green Belt The extent of the Green Belt within the District is shown on the Policies Map. Further changes to the Green Belt boundary will only take place for the South Godstone Garden Community, within the Area of Search, identified in Chapter 33 of Our Local Plan: 2033 and through the preparation of an Area Action Plan. Within the Green Belt, planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused. Proposals involving inappropriate development in the Green Belt will only be permitted where very special circumstances exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm. Neighbourhood Plans will be prepared in recognition of the Green Belt policies of the National Planning Policy Framework.

TLP07 Semi-Rural Service settlements applies to three Tier 3 settlements – Godstone (proposed in the plan to be expanded and set in an amended Green Belt boundary, Lingfield and Smallfield. The policy provides for 533 homes across these settlements. Infilling and use of previously developed land are supported. This emerging Local Plan policy is wide ranging general policy. It does not provide support for altering Green Belt boundaries.

Overall, the adopted and emerging Local Plan policies do not provide for allocations around the Category 2/Tier 3 settlements and so the allocation of sites adjoining and near Lingfield would undermine the Local Plan strategy of allocating development to larger towns and to infill of Tier 3 towns.

Option as to how to deal with the Green Belt allocations issue

A possible option to take forward the preferences for sites would be to include a catch all policy that any new large schemes would be subject to. This could have:

- a list of criteria outlining where the village is likely to lend support (e.g. infrastructure, when there are pavements, etc).
- a list the sites 'particularly supported by the village'.

Such an approach, would effectively remove the 'allocations' yet give the village a chance to lend support to some developments whilst also ensuring that all applications coming forward are subject to the same wish list/criteria etc. If this path is supported, then writing a policy for consideration by TDC would be a useful starting point in revisiting the plan.

4. Detailed comments

Section in Plan	Comment
Cover	Add date made to final version.
Foreword	Nice summary of aims. It might be worth saying how these were derived. Did the aim to protect Star Fields come from a consultation? See comments on Star Fields.
Page 5, last para.	Comma on wrong line.
Page 8 /9	Great descriptions of area but it would be good to make photos link to text if possible. Is height of land significant?
Page 12	The first version of the NPPF came out in March 2012 not April.
Page 12	You should use the full formal name for the parts of the Tandridge Local Plan (LP).
Page 12, Conformity	<p>The NP needs to achieve general conformity with the adopted plan. This could be clearer. https://www.tandridge.gov.uk/Planning-and-building/Planning-strategies-and-policies/Current-and-adopted-planning-policies/Core-strategy. It's worth saying the Neighbourhood Plan (NP) will form part of the Development Plan (along with waste and minerals plans too!). I note you give the correct plan details later. Ideally the first mention should be the full title with dates.</p> <p>Good practice dictates that the Neighbourhood Plan should also complement the emerging Local Plan (See the Locality Roadmap Guidance on this). The Parish Council is advised to keep up to date on the examination of the Local Plan and to maintain a dialogue with Tandridge DC about the implications of this for the Neighbourhood plan.</p>
Start and end dates	The NP Steering Group should consider amending the start and end dates of the NP. While they often get linked to Local Plan dates when housing figures are involved it may be better with this plan to start and end it later. If it takes a couple of years to get made, then it will only have some 8 years to run. This depends a bit on the LP progress.
Steering Group	Include the Terms of Reference of the Steering Group in the supporting documentation to the NP at Reg 16.
Explain what you have done to ensure support.	In the consultation Statement I'd suggest you expand as fully as possible on the consultation steps you have undertaken. I'd suggest you explain how you have dealt with comments what changes you made because of them for example. It is easier to achieve ownership by locals if they understand the steps taken and the conclusions made.
Page 14	The LP is still at examination.
Page 16	<p>The Steering Group is responsible to the Parish Council (the Qualifying Body). The Parish Council is not a consultation body in this. I think this real or perceived separation does not help the plan gain support.</p> <p>Writing the Consultation Statement and Basic Conditions Statement should make this clearer to all involved and I have suggested this as a next step which I recognise you are taking on board. Do include the history as regards the status if the Steering Group and its relationship with the Parish Council.</p>
Page 16	Its 'general conformity'.
Page 16/17	Paragraph g reads as a dig against Tandridge DC. Not sure this really helps or adds to the document.

Section in Plan	Comment
Page 17	Evidence base Para h. Could you add publication dates here? I assume all are available still.
Greenbelt	There is oddly little mention of the Green Belt. This makes it feel that the planning knowledge is poor. Do have a look at Green Belt policies and how they impact here.
Page 19 Para 3	<p>Where do you consider 'the centre of Lingfield'. This paragraph and the next sound like a policy but are not. Ensure clarity here. If you want something it needs to be a policy and acceptable as one.</p> <p>Class A1 of the Use Classes Order was replaced in 2020. You need to ensure ALL references to the Use Classes Order are up to date. As you check the plan you need to ensure have not gone against the Use Classes Order in anything you require.</p> <p>I find the Lichfields Use Classes Order Guide particularly useful and easy to use. https://lichfields.uk/content/projects/use-classes-order-guide</p>
Page 20	Add SUDS here?
Page 20	Add planning agreements too.
Page 20	Check Surrey CC's car parking guidance requirements.
Page 22	Without knowing where the high ground is this is hard to interpret. Consider a heights/contour type map?
Maps	Plans should have North arrows, scales, clear keys and any OS licence needed. Sites should be identifiable at the planning application level. This makes it easier to tell where policies apply – when you come to use it to assess applications.
Map	Consider having one map with all sites on it – this would make the document easier to use.
Table 2 Housing densities	Not clear what stars mean? How did you assess your densities? Would be good to say where figures come from or how they are derived.
Policy CHP1 - Managing High Quality Housing in the Parish of Lingfield	<p>How much does this overlap with Local Plan policies? No need to repeat what's there. Have you done an exercise checking this for all the Neighbourhood Plan?</p> <p>This is a highly recommended next step. The development plan is considered as a whole so you need not repeat things elsewhere.</p> <p>Policies need to be in general conformity with the adopted plan but you may also want to consider how they relate to the emerging plan to future proof policies if the emerging plan is proceeded with in a shortened form.</p>
Protecting gateways etc	Missing full stop.
Page 25 Key Visual	Are the lines representing views pointing to the view? Explain this better.
Policy CHP2 Protecting character of village gateways, Green Belt boundaries and the views into and out of the built form	Are you sure you want to support all development on sites close to the village boundary unless they are covered by this policy?

Section in Plan	Comment
Policy CHP2	It is unclear why you are protecting Green Belt boundaries not Green Belt. More clarity needed here. Be clear in your aims and it will be more obvious.
Page 27 , 28	The Parish Council can only recommend inclusions for the list of Heritage Assets. What to say here should be clearer as the project looking at Heritage Assets is completed.
CHP3 - Managing Development in the Conservation Area	Much of this is already covered by the legislation Part 2 could conflict with earlier aim to ensure parking is not lost. Check there is no internal conflict re parking. The NP should say Conservation Area needs reappraising. Could have this as an aspirational idea. Aspirational ideas can be included at the rear.
Managing Flood Risk	See what others have done. You are straying into the realm of other authorities and need to ensure you do not overlap with Environment Agency issues etc. Possibly make aspirational.
Flooding policy approach	Not all development will impact on flooding – mobile phone masts, some change of use applications etc. It is not easy to achieve absolutely no surface run off... so think about roads on the boundaries etc. See how others have tackled this. In part 2 you might benefit from losing ‘permeable’ surfaces if they are replaced with better places for storing water. Permeable driveways do not need planning permission under the General Permitted Development Order (Class F) so this would be redundant in many cases. The NP is straying into other regimes here and this policy needs significant amending. This is not a Waste Local Plan but is covering waste disposal here. The NP will not meet the Basic Conditions Test if it strays into waste issues. An option would be to have aspirational policies or a design code to look at this.
Local Green Spaces	It is a pity the study did not include all spaces. Have all landowners been consulted and agreed inclusion? All must be mapped. Not sure why these are only included as ‘candidate’ sites? The Green Spaces need more consideration. Look at the Limpsfield NP. This is an area for some more work. It would be a great benefit to the parish to designate these.
Map 7	Hard to read.
Veteran trees	Trees in Conservation Areas can be considered to have TPOs. Passing these at TDC may not be something TDC will be able to deal with at present. Are you aware planning permissions can override TPOS? Again, look elsewhere to see what others have done here.
Green corridors	Surely much of the Green Belt is a big green corridor? The last paragraph re ensuring these areas are linked is again more aspirational/could be confused as a policy.
Policy ECC3 – Green Corridors	Rethink through the wording – not ALL developments can help give connectivity to ALL the corridors etc. Look at how to draft planning policies for this one. Is it ‘either’ or ‘or between paragraphs etc. Think of a variety of different developments and how you want it to apply. The aim is good but the wording needs refining.

Section in Plan	Comment
ECC4 Greening Our Streets	Investigate biodiversity net gain. This idea is already covered and changing.
ECC4	Consider adding hedges here if they are typical here.
ECC5 Avoiding overheating our buildings	In some instances, in winter, you want to use the sunlight to heat the building and avoid energy use.
ECC5	Need to be clear when this policy applies. In the planning legislation ‘major development’ usually means development involving the working of minerals and waste deposits, sites of ten or more houses or building space over 1000 metres or the development of sites over one hectare etc. See this link https://www.legislation.gov.uk/uksi/2010/2184/made .
ECC5	Some of the wording of this policy is clunky – esp. second para.
ECC6 Improving Energy Efficiency in Historic and Traditional Buildings	<p>Policies will apply when applications are submitted. This means that words like ‘encouraging’ are best avoided. Use ‘supported’.</p> <p>This policy runs the risk of going against listed building legislation which aims to safeguard historic buildings. Why does the policy only apply to historic and traditional buildings? Should modern buildings not have energy efficiency measures retrofitted?</p>
Policy ID1 – Provision of Additional Capacity for the Doctors’ Surgery and ID2 improving capacity at the local schools.	<p>This policy could mean you are supporting the delivery of sites i.e. housing) where it funds this provision or that you are supporting medical facilities. It is unclear what you are aiming to do and this needs clarification.</p> <p>Do not stray into non land use policies.</p> <p>It is best practice to only include things in plans which have a good chance of coming forward in the lifetime of the plan. It would be better to merge some policies under a ‘Community facilities policy’ and have a list of criteria against which any can be judged. This could address retention of pubs/village halls etc too.</p> <p>Parking space figures will also be judged against any standards provided by Surrey County Council/Tandridge DC.</p> <p>Some Parishes support Internet cafes/spaces for working.</p>
ID1 and ID2	Policies are best written with a ‘Development will be supported’ line rather than a ‘LNP will support’. This plan will be mostly used by developers and Tandridge DC when considering planning applications. See the locality guidance for further advice.
ID3 Assets of Community Values	Open spaces. Not sure how this overlaps with Green Spaces. Seems a convoluted approach. Have you consulted owners and users on this?
ID4 Pedestrian and cycle use	<p>See previous comments on policy wording. Why is access to the south particularly important?</p> <p>This policy is vague and needs tightening to be effective.</p>
ID5 Pedestrian Safety	This covers the preserve of others. You cannot require 20mph speed sign – this is for the Highway Authority.

Section in Plan	Comment
	Secured by Design – check if updated. Ensure policy allows for updated guidance. Talk to Surrey CC about this policy. Look at other policies and see what’s been considered acceptable.
Page 44	Bear in mind Use Classes changes may impact here.
LE1	Shopfronts – is this in line with Conservation Area Appraisal etc? Some changes could be permitted development. Does this overlap with other legislation and advice at all?
LE2 Change of use of buildings with a commercial frontage	This is already addressed by legislation and cannot be covered in the NP. Look at the Use Classes Order and see what changes need permission etc. The plan cannot rewrite the law. Need to be careful of using terms like commercial frontage too. This policy needs reworking.
LE3 Gun Pitt Road Car Park	Who owns this and are they supportive? If this is included as a policy, does it highlight the site as a potential development site?
LE4 Advertisements and Street Furniture	Again, there is specific law pertaining to advertisements. You need to ensure you are not covering things addressed by other legislation.
LE5 Fibre- Broadband availability	Not all development needs an internet connection so this should not apply in some cases. A new garage? A new barn? Stables? Etc. There is a pervasive assumption that development is just houses but it is not.
Page 54	The LNP cannot object or support something... it’s a plan not a body. This issue needs addressing throughout the plan.
Page 56 Internal consistency.	Star Fields is supported here whereas it is not supported in the remainder of the NP. This is an internal consistency error. The plan needs reading through as a whole document. (See comments on allocations too).
Site names	Ensure site names are consistent through the document. Different names are used in different places which makes it harder to use.
Are these allocations?	It is unclear whether the NP is allocating these sites or supporting their delivery through planning applications.
Housing	It is unclear why the LNP is identifying land for 353 homes. Why has this volume of housebuilding been chosen?
Site allocations	The sites included are ; <i>Lingfield House LNP 1 (AECOM study ref Site 11 - green) 128 homes – supported living.</i> <i>Land on Godstone Road LNP 2 (AECOM Site 14 - amber). Also called Garth Farm. 60-85 homes - affordable market housing, or a mixture of affordable and market value housing. Waste site. Japanese Knotweed.</i> <i>Land on Newchapel Road adjacent to village LNP 3 (AECOM site 3 – green) – mixed housing – 75 to 100 – long views to High Weald AONB</i> <i>Pitts Barn (submitted directly to LNP) LNP4 (AECOM site 15 – red, south west of Lingfield) Up to 40 a mix of market and affordable self-build/custom build dwellings</i> <i>Housing : 128 + 85 + 100 + 40 = 353 max</i>

Section in Plan	Comment
	<p><i>Star Fields LNP 5 AECOM site 2 – green, local plan allocation) LP allocation (not supported)</i></p> <p>Tandridge DC does not consider the NP can allocate sites in the Green Belt.</p> <p>Tandridge DC has not assessed the proposed sites at this stage given they cannot be allocated.</p>
Light up /glow in the dark paths	<p>Solar lit/glow in the dark paths would be insensitive in this countryside location. Look at dark skies and the impacts of lighting on insects too. Consider any impact on the High Weald Area of outstanding Natural Beauty.</p>
Definition of Brownfield land	<p>Only previously developed land can be considered brownfield. The plan needs to be amended to reflect this. It's not tracts of land around previously developed land.</p> <p>NPPF 2021 states;</p> <p>Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.</p>
Validation Requirements	<p>Do look at the validation requirements for planning applications at Tandridge DC as you are overlapping with some of these. (These requirements list what you need to submit with different applications).</p> <p>https://www.tandridge.gov.uk/Planning-and-building/Planning-applications-and-enforcement/Making-and-submitting-a-planning-application/What-you-need-to-submit-with-your-application.</p>
Add a broader development policy which applies to any sites coming forward.	<p>Consider adding a policy which any housing development would be judged against. Applications may well be received on sites other than those included to date. This is a missed opportunity. A general policy for any development can address many issues and prove very effective.</p>
Reconsulting on the next version of the plan – redoing Regulation 14.	<p>There have been issues sending out the consultation and there are accusations of bias in that some leaflets have not gone to those living nearest the proposed sites. Given the reworking of the plan that is needed to allow it to proceed successfully, to achieve ownership in the village and because of the accusations made, Tandridge DC has suggested that the Parish Council considers rerunning the Reg 14 consultation.</p> <p>This reduces the threat of a legal challenge. It should enhance ownership and lead to more chance of a successful referendum.</p>

Section in Plan	Comment
	<p>Frontloading work on Neighbourhood Plans means that Reg 16 and the examination become easier and does tend to serve to reduce the workload significantly overall.</p>
<p>Consistency in TDC responses</p>	<p>Looking at previous comments made by TDC it is clear that many of these comments reiterate comments others at TDC have made before. Making changes early in the process is much easier so it is highly recommended that the Council's comments are considered. To provide a clear audit trail of how comments have been addressed, previous versions of the plan could be put on your website.</p> <p>Appendices have been inserted into this document which provide the comments made on successive versions of the Neighbourhood Plan by Tandridge District Council before and during the Regulation 14 Consultation.</p>
<p>Housing Comments</p> <p><i>The remaining comments have been provided by our Housing Development Team.</i></p>	<p>We appreciate and support the vision of Lingfield which includes reference to meeting local housing needs and the second objective which references specifically affordable housing.</p> <p>We do however have concerns over some of the wording in the sites identified, and that it does not appear to meet our affordable housing policy requirements:</p> <p>Site Identification</p> <p>Lingfield House – there is no mention of affordable housing delivery on this site. The referred to withdrawn application for this site also did not include any affordable housing provision, although in our view it should trigger an affordable housing requirement in line with current policy.</p> <p>Garth Farm – we have already commented on this one at pre-app (below). This site could prove costly to redevelop with contamination, BNG and wider ecological reasons identified in the LNP this could all hit viability with an impact on AH delivery.</p> <p>This statement:</p> <p>There are several points relating to this:</p> <ul style="list-style-type: none"> • Reference to Housing Needs survey in 2018 – previous reference is 2015. Was there an update or is this incorrect? Either way, a five-year period would be considered out of date • Affordable market housing is not an NPPF definition of affordable housing. It could cover Starter Homes, First Homes, discounted market sale or shared ownership/equity loans etc – having this loose definition of 'affordable market housing' which is also used elsewhere in the plan is not helpful. It leaves the door open for developers to minimise their affordable housing contributions and to provide housing that we will not accept. The split between affordable housing tenures must be in line with our policies (see email)

Section in Plan	Comment
	<ul style="list-style-type: none"> • There is only mention of affordable market housing on this site – no affordable rented units – this is also contrary to our policy (see email) • It is not appropriate to have solely flats on a scheme for the affordable housing contribution, there is a great need for family sized accommodation, especially 3 bed houses for affordable rent. <p>Land to the SW of Lingfield – references ‘the required affordable housing contribution’ – a reference to TDCs current/replacement policy would be helpful.</p> <p>Pitts Barn – self build site including ‘a significant proportion of affordable self-build’ there is no explanation of how the affordable self-build will come forward, and whether it will truly be affordable. Self-build in itself with or without sweat equity is not affordable housing under the NPPF, and we will therefore not accept it as much. We have provided initial pre-app comments on this site (attached) where we have suggested a CLT that could deliver the affordable housing units, ensuring they are retained as affordable as well as respecting the ethos of this project. We are sceptical about the affordability of units on a scheme such as this if delivered ad hoc and we would require serviced land to be provided by the developer. This is a complex site for affordable housing delivery and in-depth discussion is needed with the developer. The LNP site allocation needs to reflect this, and we are happy to discuss options further with them.</p>
<p>Internal Email provided by Housing Development Team re Lingfield House 2022/548.</p>	<p>Lingfield House Internal Email Nicola Cresswell to Sean Scott re 2022/548 dated 24/06/2022</p> <p>The applicant is proposing a development of up to 128 independent living apartments and cottages with communal facilities and consulting rooms as part of a proposed integrated retirement community. The applicant submits that the scheme falls within Use Class C2 and as such is not expected to contribute towards an affordable housing provision. Use Class C2 (Residential Institutions) relates to the provision of residential accommodation and care to people in need of care. It includes hospitals, nursing homes, residential schools or training colleges. In contrast, the dwellings proposed can be used as independent dwellings where occupants will have their own front door and private facilities. The occupants are free to engage or not with the other facilities available, much like they would in any settlement, provided they meet the age restriction and purchase a mandatory 2 hours per week care. They will be liable for council tax in the same way as a C3 dwelling house and the dwellings count towards housing supply in the district, as a C3 dwelling house would too. It is therefore our expectation that this proposal should include up to 34% onsite affordable housing and in its current form does not meet the requirements of policy CSP4.</p> <p>Furthermore and notwithstanding the above, should the decision maker be satisfied that the description of the proposals meets the definition of Use Class</p>

Section in Plan	Comment
	<p>C2, this does not automatically preclude the requirement to provide affordable housing. Where residential units are capable of being independent dwellings, then they can be regarded as ‘dwellings’ even where there is an element of care provided. CSP4 does not differentiate between Use Classes and as such this proposal should trigger an affordable housing requirement either way.</p> <p>The application site is of sufficient size to accommodate onsite provision and Officers can provide the applicant with a suitable mix for onsite affordable housing, in line with the requirements of policy HS4A of the Housing Strategy.</p>
<p>Internal Email provided by Housing Development Team re Garth Farm housing</p>	<p>Pre-app 2022/170 Garth Farm, Godstone Road, Lingfield - Affordable Housing comments 4.8.22</p> <p>Comments for this application in relation to affordable housing provision (this is based purely on the plans as I cannot see any other information – please let me know if there is any additional documents that I should review).</p> <p>The proposed development is for 85 new homes. A policy compliant scheme means 29 of these are required to be affordable housing (34%). 75% of this number for affordable rent (22) and the remaining 25% for shared ownership (7).</p> <p>The mix for the affordable housing units should follow the guidelines below to meet known housing need:</p> <p>Affordable rent 10% 1 beds 45% 2 beds 45% 3 beds</p> <p>Shared Ownership 20% 1 beds 70% 2 beds 10% 3 beds</p> <p>We would welcome to opportunity to discuss the affordable housing provision in more detail.</p>
<p>Internal email provided by Housing Development Team re Pitts Barn (Rowlands Farm housing).</p>	<p>PA/2022/53 - Rowlands farm 31.3.22</p> <p>Is the applicant requesting a pre-app meeting on this one? If you are arranging one it would be useful for myself or Nicola to attend, given the below initial comments:</p>

Section in Plan	Comment
	<p>This scheme consists of 47 custom/self-built units. This result in a requirement for 34% affordable housing, equal to 16 units. Given the location and the desire for custom/self build, we think this site would be appropriate for a Community Land Trust and the affordable housing requirement would therefore be the serviced land required for this. The CLT approach can lend itself to the self-build element by incorporating this into its set up if it wishes; the 'sweat equity' of self-build functioning to increase the affordability of the units for individuals involved. The CLT would have to preserve the affordability of the units in perpetuity.</p> <p>Initial thoughts are that as CLTs can take some time to set up, the land would be held for the purpose by the council for a set amount of time and we would work with them to assist where possible. If after this set period of time a CLT was not in place to accept the land, then would either be built out by the District Council or a Housing Association.</p> <p>The applicant makes mention several times of the self-build model he is proposing as affordable housing, I would like to stress, it is not affordable housing either by the NPPF definitions or by values provided in build costs.</p> <p>We would welcome the opportunity to discuss this with the applicant in more detail.</p>

5. Recommended Tasks

To advance the plan and achieve a more effective plan the following tasks are recommended.

Although undertaking these tasks may seem onerous the front loading the effort on the plan is going to really help in the long run. It is far easier if changes are made sooner in this process.

This list of tasks should be read in conjunction with the Neighbourhood Planning Regulations and Guidance. It provides some methods for improving the Lingfield Neighbourhood Plan. These are the tasks that will help advance the Lingfield NP.

Task 1 Consider Whether to Redo the Regulation 14 Consultation

It is suggested that following the Regulation 14 Consultation and the analysis of comments received that Lingfield Parish Council considers making some significant changes to the plan using the tasks listed here as steps in that process. It is suggested that given the significance and scale of changes likely to be needed and accusations that the current regulation 14 has had issues regarding consultation the Parish Council considers amending the plan and reconsulting with a second Regulation 14 consultation period. This would enable revised policies to be subject to public comments and may mean locals feel more ownership of them. This may ease the process moving forward and help ensure that that the plan is supported.

The plan is more likely to proceed if the whole parish council is supportive. In discussions there is division within the parish council and there seems to be a separation between the parish council and the steering group. To go through Reg 16 and a referendum, there needs to be broad support for the plan. This will be difficult to achieve particularly given the aim to release Green Belt land for development. It is suggested that the Consultation Statement and Basic Conditions Statement are started as soon as possible to help tackle some of these issues. To garner support, it would help if locals could see better how the objectives were derived. Perhaps the Parish Council should be asking itself if the draft plan is the plan they want to see.

Task 2 See how the policies work in practice

An exercise where you 'play' parish council meetings with some 'pretend' planning applications is recommended. (They could be real ones – just pick some that are typical and work as an example). Choose three or four applications and see how the policies would apply to them. Are the policies clear? Do they apply in the right places. A range of different 'pretend' applications are advised, e.g., an extension to the side of a house, an application for two houses on land in the village, a new small business and a large development on the edge of town. Really dig deep into how policies could be made better. This single exercise is often the most useful in the process. It provides a better understanding of what the policies should and can do and what they lack. It might highlight gaps to fill too. This could be a useful team building exercise if done in good spirit. Or it could be set as 'homework'! (Consider these planning applications as if they were being determined. How useful are the policies? How easy are they to use? How do they overlap with Local Plan policies. How will planning officers find them to use?). This exercise really does help.

Consider moving some of your policies to an aspirational policies chapter at the end. Things like the wish to reduce traffic speeds can be included here. All the policies within the plan should be land use related and not cover subjects that are the responsibility of other bodies.

Task 3 Analyse responses

Analyse the Reg 14 consultation responses. The key questions to ask are:

- If there is sufficient support to proceed with the plan and if not, are there changes that would make it more acceptable?
- Consider if any policies/sites etc should be dropped from the plan. If so, is the plan sufficiently beneficial to justify continuing with it? (Some groups for example consider that spending the money on village facilities is a better use of resources than spending on a Neighbourhood Plan). Neighbourhood Plans are demanding on many and the Parish Council should assess if you still want to proceed.

Assuming the Parish Council still wishes to continue, consider making a table or database of the representations made so they are easier to analyse. Summarize representations if wanted but keep all original responses available for the Inspector. A simple Access database or Excel spreadsheet can be very useful at allowing you to sort and analyse the comments on different policies etc. It is suggested that Respondent/Representation is given a unique number and the reps are categorised according to subject/policy.

Task 4 Hold a Meeting

Hold a meeting to share these comments and discuss them more. Listen to what is being said. Consider data protection in this.

Assess and write down your aims in proceeding.

Task 5 Assess policies against the adopted and emerging local plans and legislation

It would be helpful to assess all the policies against the adopted and emerging plan. Is there any duplicating, conflicting, confusing or over complicating? Do the NP policies add to the existing policy framework?

The following table format is suggested. It will serve to highlight conflicts and areas for additional thought. In each square conclude whether policy:

- DUP Duplicates LP Policy
- SUP Supplements LP Policy
- DETR Detracts from (requires less than for examples or adds confusion) LP Policy
- CONF Conflicts with LP Policy

Each of the NP policies should also be compared against: waste / minerals Local Plan and legislation. This could be done as part of the matrix or as a separate exercise.

Although this may seem onerous, it will be invaluable and save time further down the line by highlight areas for amendment or further research.

Matrix for comparison						
	Local Plan Policy 1	Local Plan Policy 2	Etc	Waste /Minerals Local Plan conflicts?	Any possible legislative conflicts to check?	Any Legislative updates or changes to reflect?
NP Policy 1						
NP Policy 2						

Task 6 Assess policies for internal conflict.

It would also be worth doing the exercise above with the policies within the plan to see if any policies conflict with each other. This will help improve the robustness of the plan.

	NP Policy 1	NP Policy 2	NP Policy 3
NP Policy 1			
NP Policy 2			
NP Policy 3			Etc.

Task 7 Draft your Basic Conditions Statement and Consultation Statement.

This will highlight any areas which need tightening or possibly redoing.

Consider carefully if the Reg 14 consultation met the requirements. If it did then demonstrate this. This serves to reduce the risk to the plan –i.e. to avoid it being rejected on a procedural issue or be open to being challenged in the High Court.

Task 8 Review other Neighbourhood Plans

Have a look at some other Neighbourhood Plans and some Inspector’s reports on NPs. The Limpsfield NP may be good to look at. Look at the Locality advice. Get a feel for how policies are best worded. See if each policy is tightly written. Is it clear how and when it applies? Does it apply to the right things?

Task 9 Revisit policies

Revisit each policy and see if it can be improved. Does it do what it needs to do? Can it be made any clearer? Talk to the relevant people – the Minerals and Waste Local Plan Team leads, Highways at Surrey County Council, TDC Housing Development Team etc. See if they can suggest improvements and additions to your plan.

Think if there are policy gaps. Affordable housing and local green spaces are suggested as ones to consider in particular. CIL money needs thinking about? Could a policy be included suggesting how this might be used. What planning gain would the village most want to see? Have a quick look at other plans and see if that makes you think of more (though a simpler plan is often more effective so it is best not to go overboard!).

Task 10 Check plan through.

Check that amended policies do not conflict with LP policies or other legislation. Any updates needed?

Check SEA/HRA requirements and undertake if needed.

(If you would like advice on the next steps regarding SEA then Tandridge DC will need access to or to be given copies of the versions of the Neighbourhood Plan that were previously assessed for the SEA. It may be worth adding these to your website. Doing so shows the progress of the plan and how issues raised in comments and in the SEA have been addressed.)

Task 11 Rerun the Regulation 14 Consultation

Rerun the Regulation 14 consultation to achieve more ownership of the amended plan if heavily amended or if there are outstanding questions / concerns around the process followed for the previous round of consultation.

Key process points to follow:

- Give TDC sufficient warning it's coming in so staff resources can be allocated effectively.
- Start the consultation on a day that parish wide consultation can be undertaken – in a newspaper perhaps.
- Ensure your consultation database is ready to go a few weeks before any Reg14 consultation.
- Include TDC on your consultation database!
- Add the historic consultees now required and Active Travel (a newly required consultee).
- Ensure the Minerals and Waste team(s) , the Schools team and Highways team at Surrey CC are included in the database, especially if they have not been engaged in advance.

Task 12 - Reg 15 Consultation

If/when the NP is ready to go to Reg 15, the following key process points should be followed:

- Give TDC sufficient notice, so staff resources can be allocated effectively
- Note it is easier if consultation dates are not included on plans as this creates an issue if things need changing.

6 Appendices

These appendices provide a record of comment made to the Parish Council/Steering Group before the Regulation 14 Consultation. The appendices do not include SEA/HRA.

NB Many dates of documents 2019 to 2022 have not been recorded on files.

Appendix 1 - 3.6.19 Email Liz Lockwood (Lingfield PC) to Anna Cronin (TDC) 3.6.19

(Esp re HRA)

Appendix 2 - 2022 (Undated) – TDC Comments on Draft 2 of the Lingfield NP

Appendix 3 - 2022 (Summer) TDC Comments on Lingfield NP (Very similar to above comments on Draft 2)

Appendix 4 2022 (Summer) – Comments on Star Fields

Appendix 5 Significant emails from TDC to the Parish Council during Reg 14

Appendix 1

Email PC to TDC 3.6.19

Dear XXXX

Thanks for your email, your earlier one would not have received much information other than we were thinking of resuming work on the final stages!

The Lingfield Neighbourhood Plan (LNP) was subject to a hiatus awaiting progression of the Tandridge Local Plan. With the timings for this a little more formal, the LNP is hoping to finish the draft plan for approval by the Parish Council in the early part of next year to go out for Reg 14 consultation. We are in the process of obtaining funding and direct support from Locality to

Complete the SEA and Habitat regulations Assessment (I'm sure you'll say we need to do these)

Site options and assessments

Design codes

and from grant funding to undertake a character and heritage appraisal

and a health check at the end of all of these

The cost of the additional work is slightly beyond the funding in the current year's Locality grant allowance and the contact at Locality is looking to see if that can be brought forward to help speed the completion, which will bring the Reg 14 stage to the end of this year. We have instructed the AECOM team who did the Limpsfield NP to do the work on the strength of their work and this is why the Locality team are working to see if they can bring the next year's funding forward, otherwise we will need to wait until the parish precept is set for next year and obtain funding that way, completing Reg 14 by early/late April.

Best wishes

XXXXXX

Appendix 2

TDC Comments on Lingfield Reg 14 Draft version 2 (AC)

(This is the version on file but may not be the latest version given yellow shading).

[Not all evidence is shown here and what there is may be incomplete eg site selection](#)

[SEA needed.](#)

General

The cover states that your plan runs from 2014 – 2029. As we are already in 2022, and your plan still has a way to go before it is “made”, would it be sensible to alter the start date?

Consider numbering sub sections even if not every paragraph, as this makes it easier to navigate/comment. (Noted that this has been done in Section 2).

Maintain a Word version because this will be needed when Examiner’s recommended modifications need to be incorporated (in the expectation that there will be some).

Maps – recognise this is a rough draft, but remember to add North point, scale, key and title to each. Number each map or figure too.

Section 2 District Context – do you need to include so much information here and list all the policies – you will need to show in your Basic Conditions Statement how your NP policies relate to national and local policies.

Reference	Comment
Need to look at wording re Star Fields in Foreword	
Page 5, final para	Larger Rural Settlement and Green Belt are technical terms used for the first time here. Either use footnote to explain or add reference to a Glossary which does. All the places mentioned could helpfully be shown on a map.
Page 6, Second para final para	Add reference to flood map included later in document. Is Young Epilepsy the largest employer in Tandridge Parish, or Tandridge District?
Page 7, second para	Mention of county boundaries – again, it would be useful to show Surrey and Kent boundary respectively on a map to give context to this comment.
Page 9, bullet point	Words missing?

Page 10, first para	<p>“as submitted to Tandridge District Council” – you don’t need to say this, because what’s important is what was actually designated (ie the same area as submitted)</p> <p>“will carry significant weight.....” Once a NP is part of the development plan, decisions must be made in line with it unless material considerations dictate otherwise. You may wish to amend.</p>
Penultimate para	<p>You can include “management” policies ie non-land use policies, as long as you distinguish them from the land use policies. Many Parish Councils find this helpful.</p>
Page 11 bullet point	Text missing
Page 11 The National Context para 2	Amend tense – has been prepared, rather than will be?
Page 12 The Core Strategy	CSP 11 is listed twice Check that the policies listed are still relevant
Page 13 The Emerging Local Plan	Is this section more detailed than necessary? You could just say that the Local Plan is still in Examination and there is a considerable way to go before it will be adopted, so in recognition of etc etc
Page 13 The LNP Monitoring Period and Review	You could also mention that factors such as major changes in planning legislation may necessitate a review.
Page 13 Community Engagement	Good summary, remember that detail needs to set out in Consultation Statement to be submitted with NP.
Page 14 first para	Include the web link if you are referring readers to it.
Table	Review/amend – last event listed was in 2018!
Page 14 final para	<p>Some words the wrong way round ie the NP was not progressed pending the outcome of the Examination of the new Local Plan, not the other way round?</p> <p>Not sure what the point is of this para – it has never been necessary to wait for a new Local Plan before proceeding with a NP. The key point is that you must be in general conformity with the adopted Local Plan,</p>
Page 17 Objective 3	<p>Retail is now in Use Class E, along with other Commercial, Business and Service activities. The sentence on enhancement is not complete, and may not belong in this location.</p>
Page 18 Objective 5	Infrastructure is a planning issue – the NPPF has many references to planning for school places,

	community facilities etc. The difficulty is often around provision in step with development, and of course in influencing other bodies, such as SCC or NHS, that additional school or GP provision is needed and can be paid for.
Page 20	It's difficult to comment on the policy without sight of the two documents mentioned. Noted that you intend to include both as Appendices to the NP ie they will be part of the NP rather than evidence. Please note that if you wish plan users to be able to clearly discern whether sites lie within areas and sub areas, the maps will need to legible at a large scale and we would advise liaison with TDC regarding map layers at an early stage, as it can be difficult to sort out later on.
Page 21 Para 4 Policy	It is assumed that the Parish proposed the railway station in the recent SCC review of unlisted heritage assets, and therefore a recommendation on whether it should be added to the local list should shortly be available. Second para rather clunkily worded and could be streamlined.
Page 22 first policy, second para Policy on Conservation Area Appraisal	See comment above - what buildings were submitted? Outcome should soon be known. As it stands, this is not a policy which could be used in determining a planning application, it's more appropriate for an Implementation section in the NP.
Page 23 final para	Biodiversity net gain, Biodiversity Action Improvement Areas – more technical terms to explain
Page 24 Flood Risk Policy First clause	It may not be appropriate for all applications requiring planning permission to provide SUDs details eg an application for an advert, lighting. Check rest of wording with Viv and mention that TDC is preparing a Flooding SPD.
Page 25 first sentence	Query ref to Emerging Local Plan – do you need to say this when the NP in its own right can identify land as LGS ?

	<p>Noted that AECOM assessed the sites for compliance with LGS criteria, was this also done for the additional sites identified by community? If not, advise doing this as part of the evidence for the NP.</p> <p>Are the allotments statutory? If so, they are protected by separate legislation.</p>
<p>Page 26 Policy on LGS</p> <p>Green Corridors</p>	<p>Obviously this policy needs some work on wording.</p> <p>Agree that a labelled map showing these areas should be included.</p>
<p>Page 27 Policy Green Corridors</p> <p>Policy Greening Our Streets</p>	<p>Wording needs tidying (duplication in some places) and is a primary corridor different from other corridors? Does this policy apply to development which is nowhere near a corridor?</p> <p>Roof gardens, or green roofs?</p> <p>Rejig to put the historical material in the policy justification and include ref to fruit trees in the policy.</p>
<p>Page 28 Policy on Overheating</p>	<p>First sentence is justification not policy. Does the policy only apply to Major development?</p>
<p>Page 30 Policy on Doctor's Surgery second clause</p>	<p>Is it intended to support any development, no matter how large or unsuitable otherwise, if it guarantees to provide a bigger surgery (even if no doctors etc to staff it?)</p>
<p>Page 31 Policy on school places</p>	<p>See above – a similar comment applies here.</p>
<p>Page 31/32 Assets of Community Value</p>	<p>Is this more appropriate for an Implementation section in the NP? You could also have a land use policy regarding changes of use of these buildings. Any open spaced designated as LGS would need to be kept open in character.</p>
<p>Page 33 Access etc</p> <p>Para re CIL</p>	<p>First clause – reference to flood????</p> <p>You could potentially turn this list into an implementation policy for how the Parish Council will prioritise spend of any CIL</p>
<p>Page 34 First clause</p> <p>Clause 4</p>	<p>Not all developments will have access roads – domestic extensions, for example?</p> <p>Do you have any locations in mind? Can they be evidenced, listed in the policy or shown on a map?</p>
<p>Page 36 Change of use etc</p>	<p>Does this need a bit more explanation ie that CoU may require Prior Approval etc?</p>
<p>Page 37 Fibre Broadband</p>	<p>Policy needs rewrite. Will not be appropriate for all development. Query reference to “delivery” in housing.</p>
<p>Page 38 Housing Delivery and Sites section</p>	<p>Evidence will be very important here, both in establishing need for housing and the sites</p>

	<p>chosen eg a Housing Needs Survey is mentioned, the HELAA, the NP Call for Sites, all of which need to be available, and do not appear to be at present. It will be necessary to demonstrate that a robust site assessment process was followed – reference is made to an Appendix, a summary may be appropriate for the Appendix with the full assessment methodology and results set out in a separate evidence document. Reference is made in the text to viability – how was this assessed, for example? Has flooding been considered?</p>
Page 39	<p>The sites shown on the maps are not numbered, which makes text on page 40 hard to follow, and the text is confusing regarding the various consultations.</p>
Page 41 first para et seq	<p>Did AECOM assess all the sites, or were they filtered first? See comments above re need for robust methodology and evidence, and for this to be made available. What were the community consulted on? What kind of housing, how much etc etc? What is the relevance of the “potential development zone” ?</p>
The sites	<p>Little information provided, including on site size, density, etc etc. and no evidence readily available. This makes it hard to comment here. Do justify what you have put in the plan.</p>

Appendix 3

TDC Comments on Rough Draft of Lingfield NP

Noted that this is an early draft of the NP and thus comments are general and not based on a detailed reading of every individual policy. However, several important issues around SEA and evidence need to be considered at this stage before Reg 14 consultation if the process of the NP is not to be held up.

As indicated in screening by TDC in 2019, a Strategic Environmental Assessment will need to be carried out and consulted on alongside the draft NP, and eventually submitted with the Plan. There has been no contact with TDC on this matter since 2019 so we have no knowledge of whether this is in hand or whether the environmental assessment bodies have been consulted on the scope. The SEA should have been used to guide the consideration of “reasonable alternatives” as the NP was developed.

Evidence - this needs to be consistently referenced throughout the plan. At present the plan contains many generalisations rather than key conclusions based on evidence. The link Downloads | Lingfield Neighbourhood Plan [does not link to all evidence. In particular that relating to site assessment and selection is missing as is the Heritage and Character Assessment and the Design Code, assessment of Local Green Space etc.](#)

[It is noted that the intention is to include the Design Code as part of the NP. If it is intended for it to form part of the NP and to have full weight it should be consulted on at Reg 14 as part of the draft NP.](#)

It is unclear if the Heritage and Character Assessment is also to be a part of the NP, or simply evidence, but note that in either case if you wish plan users to be able to clearly discern whether sites lie within areas and sub areas, the maps will need to be legible at a large scale and we would advise liaison with TDC regarding map layers at an early stage, as it can be difficult to sort out later on. And see comment above if re Design Code if it is intended to form part of the NP.

Housing Delivery and Sites section - evidence will be very important here, both in establishing need for housing and the sites chosen eg a Housing Needs Survey is mentioned, the HELAA, the NP Call for Sites, all of which need to be available, and do not appear to be at present. It will be necessary to demonstrate that a robust site assessment process was followed – reference is made to an Appendix and a summary may be appropriate for the Appendix in the Plan as long as the full assessment methodology and results are set out in a separate evidence document. Reference is made in the text to viability – how was this assessed, for example?

The cover states that the plan runs from 2014 – 2029. As we are already in 2022, and the plan still has a way to go before it is “made”, would it be sensible to alter the start date?

Consider numbering sub sections even if not every paragraph, as this makes it easier to navigate/comment. (Noted that this has been done in Section 2).

Maintain a Word version because this will be needed when Examiner’s recommended modifications need to be incorporated (in the expectation that there will be some).

Maps – recognise this is a rough draft, but remember to add North point, scale, key and title to each. Number each map or figure too.

Many technical terms such as Green Belt, Biodiversity Net Gain, Larger Rural Settlement, affordable housing, NPPF etc would benefit from explanation, either through footnotes or a Glossary.

Generally in policies check that the requirements are reasonable and sensible – eg in Flood policy, it may not be appropriate for **all** applications requiring planning permission to provide SUDs details eg an application for an advert, lighting.

And for Policies on Doctors' Surgery, School Places - Is it intended to support any development, no matter how large or unsuitable otherwise, if it guarantees to provide a bigger surgery (even if there are no guarantees regarding staffing)?

Local Green Space - noted that AECOM assessed the sites for compliance with LGS criteria, was this also done for the additional sites identified by community? If not, advise doing this as part of the evidence for the NP. Ensure that all owners of potential LGS are consulted at Reg 14.

Sites – as stated above, no detailed comments on these as little information provided, including on site size, density, etc. and no evidence to hand. However it is noted that several draft policies reference specific current developer proposals – care needed as ownership of sites and specific proposals may change before the NP is adopted so it could be unwise to tie policy too closely to a specific proposal, and more robust to set out in policy in more general terms what is required.

Appendix 4

Comments on Star Fields Proposal 2022/685 in relation to Lingfield Neighbourhood Plan

(Summer 2022, by AC)

Lingfield parish was designated as a Neighbourhood Plan area in 2014. At the time of writing (11th July 2022) the NP has not reached the first stage of formal consultation at Reg 14.

Over the last couple of years work stalled for a variety of reasons including the delay over the outcome of the Local Plan, and Covid. Lingfield was not unique within the district in this.

However, the NP Group, as made clear in an email from Ian Jones in April 2022, are hoping to carry out Reg 14 consultation (6 weeks) in the second half of summer 2022. Details of statutory consultees have been supplied to Mr Jones and Cllr Lockwood to assist, and as yet we have no further indications of when the Reg 14 consultation is expected to take place.

TDC will comment at Reg 14 stage, and again when the NP is submitted for Examination (Reg15) at which point TDC carries out a formal consultation under Reg 16.

The NP carried out an informal community consultation on their draft NP on 18th June. Cllr Lockwood forwarded a “rough draft” copy of the NP as it stood at that time to various officers at TDC, and a high level response was sent in early July. This pointed out the need to provide an SEA, as screened for in 2019, and robust evidence, including for site selection, but did not comment in detail on the content of the plan as this was understood to be a rough draft/work in progress.

The rough draft NP allocates four sites for housing, including one entirely for self build, and contains a specific policy for Star Fields stating that development of this site is not supported. The supporting text specifically references the Woolbro proposal, is critical of TDC’s allocation of the site in the Local Plan, and states that the community do not support development of the site. Reference is made to a Site Selection Assessment for the NP supporting this approach, but this document has not been made available to date. The text also states that the overall site selection is provisional pending the results of the next consultation – it’s not clear whether this refers to Reg 14 or note.

(Please contact Anna if you want to see the pdf rough draft NP)

The NPPF in para 48 refers to the weight which can be given to an emerging plan, in this case a Neighbourhood Plan. However, as explained above, as yet the draft NP has not reached Reg 14.

It is noted that Woolbro’s Statement of Community Involvement submitted with the application does not mention either the Parish Council or the NP Group.

Appendix 5

Emails sent to the Parish Council/Steering Group during the Reg 14 Consultation period

Steering Group Formation

On the 18.5.23 TDC sent you this email about Steering Group formation.

Hi XXXX

I wanted to come back to you on your comment that the Steering Group leads on the Neighbourhood Plan until the formal Reg 16 Stage.

The Parish Council is responsible for the Plan at every stage.

The Parish Council can if it chooses establish a steering group - an advisory committee or sub-committee which I understand Lingfield has done. Do tell me if this is not the case.

This is provided for by section 102(4) of the Local Government Act 1972. Local people not necessarily parish councillors can be appointed to the Steering Group. The members of the group then have voting rights under section 13(3), (4)(e) or (4)(h) of the Local Government and Housing Act 1989. The terms of reference for a steering group or other body should be published and the minutes of meetings made available to the public.

I hope this clarifies it but come back to me if not.

Emma

Concerns re consultation and recommended references.

On the 25.5.23 I sent you this email which may be useful to repeat here ;

Hi All

I am concerned to hear that some consultation documents did not go out as needed to allow for the full 6 weeks of consultation. Is this correct?

I can see online that there is some accusation that leaflets have been given out avoiding areas close to the proposed allocations. Have you taken steps to inform everyone potentially impacted about the consultation? Were consultees all given the full six weeks?

To support taking the Neighbourhood Plan through Regulation 16 Tandridge DC needs to be convinced that the necessary steps have all been taken satisfactorily. Likewise you will wish to ensure that work done on the plan is not wasted. You would not want to see the plan fail or be challenged because of accidental omissions etc.

If there have been issues then I would suggest that you allow this consultation to run its course but once comments have been made and addressed you undertake a second Regulation 14 consultation. There is obviously some feeling that consultation has been poor and to build ownership you may well be better off doing this in the long run. While this delays the process now it would likely mean that the Regulation 16 and examination stages of the plan go more smoothly. If only a few consultees have been missed then you could write to them offering an extension of time. I have not seen this before but if it is done openly and carefully I would hope that this would be considered a pragmatic approach by any Inspector. There is an element of risk in this approach.

I also think you need to be able to clearly set out the details of the Steering Group's formation and its relationship with the Parish Council etc. The Parish Council is delegating work to the Steering Group. (This is provided for by section 102(4) of the Local Government Act 1972. The members of the group then have voting rights under section 13(3), (4)(e) or (4)(h) of the Local Government and Housing Act 1989. The terms of reference for a steering group or other body should be published and the minutes of meetings made available to the public).

May I suggest you use the time you are on consultation (often a lull waiting for comments to come in!) to look at the requirements for consultations, the steering group etc. I would very much suggest you start working on your Consultation Statement and Basic Conditions Statement now to highlight any gaps. I think you need to reassure yourselves that the consultation has been done as required or to take steps to deal with this if it has not. At worst you will need another Reg 14 round, at best you will know the plan's production has gone through all the necessary hoops!

To this ends some useful links are given below. I recognise you will be aware of many of them!

I hope this all helps.

Emma

Recommended links ;

Setting up a NPSG written by South Oxfordshire DC – attached. Great overview.

The Neighbourhood Planning Regs <https://www.legislation.gov.uk/uksi/2012/637/contents/made>

The government's NP guidance <https://www.gov.uk/guidance/neighbourhood-planning--2>

The locality website especially <https://neighbourhoodplanning.org/toolkits-and-guidance/engaging-with-your-community-in-a-meaningful-way/>

Terms of reference from Locality <https://neighbourhoodplanning.org/toolkits-and-guidance/write-terms-reference-neighbourhood-plans/>

There are various Declarations of Interest Forms and documents online that might provide a template if you wished to include this.

Planning Aid's advice on Basic Conditions Statements.

NPIERs Planning Guidance <https://neighbourhoodplanning.org/toolkits-and-guidance/write-terms-reference-neighbourhood-plans/>

Email to Parish Council 14.6.23

Hi both

I have received more concerns about not receiving leaflets and the bias that these are not being given to those closest to the proposed sites.

I am recommending these people respond to the consultation so these comments can be considered alongside other representations.

Increasingly I think that your Consultation Statement should be done soon so we can work out if the steps you have taken to consult meet the relevant requirements. I would also advise that you try to be as transparent as possible moving forward. I would reiterate my comments on rerunning Reg 14 too.

I will retain a copy of this letter and it may be appended to our consultation responses in due course.

Emma