

**To which part of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) as set out in the Development Strategy Topic Paper Addendum does this representation relate?**

7.1 Land north of Birchfield Grove Hawkhurst

**Which part of the plan does your comment relate?**

Policy

**What is the reference number?**

AL/HA 5

**Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:**

Yes No

**Legally Compliant** Not Selected Selected

**Sound** Not Selected Selected

**Please give details of why you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 - 2038)(as set out in the Development Strategy Topic Paper Addendum) are not legally compliant or are unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) (as set out in the Development Strategy Topic Paper Addendum) please also use this box to set out your comments.**

In my opinion, one of the main reasons that makes the New Local Plan and the revised Birchfield Grove allocation **NOT** legally compliant is their statement that one of the ‘exceptional circumstances’ is that there will be ‘significant Biodiversity Net Gain (BNG).’ **There will categorically be not.** Natural England (statutory advisor for nature) has confirmed that the Birchfield Grove site comprises ‘wood pasture and parkland’ which is a priority habitat in the UK due to its threatened status. Does the Council’s Landscape & Biodiversity Officer have Natural England’s written confirmation that the pasture is not irreplaceable habitat?

It is also a material consideration in planning. The 22/02664 application has failed to identify this habitat, and as such significantly underestimated the baseline biodiversity value of the site. They have therefore failed to mitigate/compensate the loss of ‘wood pasture and parkland’ because of the proposed development. The current proposals on site will lead to a significant deficit of biodiversity and no chance of delivering BNG, let alone the 10% gain in line with TWBC’s emerging policy EN 9.

Birchfield Grove is totally inappropriate to provide access to 70 houses, a medical centre & a 50-bay car park. It is too narrow, winding and restrictive for emergency vehicles. To turn right out of Birchfield Grove into Rye Road (the direction that most will require) is a nightmare whether traffic is flowing or gridlocked - a serious accident waiting to happen. All the time there ARE alternative sites for a medical centre, in spite of the Doctors' attempts to block them.

**Please set out what modification(s) you consider necessary to the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) Incorporating the Proposed Changes set out in the Development Strategy Topic Paper Addendum, legally compliant or sound, having regard to the Matter you have identified at Section 5 (above) where this relates to legal compliance or**

**soundness. You will need to say why this modification will make the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

DELETE all changes to policy AL/HA 5 and allow whole site to remain as unspoilt pasture within the AONB

**Please use this box for any other comments you wish to make.**

**Planning Application 22/02664/HYBRID**

I still strongly object to the above Planning Application and am amazed the Council allowed this to go ahead with residents so overwhelmingly against it.

- 1) AONB once destroyed is gone forever.
- 2) The medical centre will create more local traffic, as most of the patients currently using Wish Valley, who now walk, will in future drive.
- 3) There are other suitable sites for the medical centre available.
- 4) The dark sky policy, which was part of the original Agreement when Birchfield Grove was developed, will not hold good with the medical centre and car park.
- 5) The Council asked the village residents for comments, but after more than 200 opposing the Application and only 7 for (including 2 Doctors who it is suspected may have financial reasons), the Council still approved the proposed development!
- 6) There are other factors which throw deep suspicion on the decision to grant approval. At the Planning Committee Meeting a Councillor was silenced when he referred to the fact that if the proposal was rejected, it would cost the Council considerable extra money to defend that decision. His comments did not appear in the Minutes.
- 7) Councillor Ellen Neville was barred from voting on a technicality, because it was known she objected to the proposal.

It appears highly likely the decision to approve the Planning Application was made prior to the Planning Committee Meeting.

**If your representation is seeking a modification, do you consider it necessary to participate at the examination hearings stage when it resumes?**

No, I do not wish to participate at the examination hearings