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Planning Services
Horsham District Council

Our ref: LA/9337

Sent via email to:
neighbourhood.planning@horsham.gov.uk

07 April 2020

Dear Sirs,

Representation to the Ruspur Neighbourhood Development Plan Regulation 16 Consultation and Promotion of Land At 19 Gardeners Green, Ruspur, for residential development

We write on behalf of our client, Denton Homes, to make a representation to the Ruspur Neighbourhood Development Plan 2019-2031 (RNDP) Regulation 16 consultation that is being run by Horsham District Council. We also write to promote our client's site – Land At 19 Gardeners Green, Ruspur, RH12 4QY – for residential development. This letter is accompanied by a completed response form.

We previously submitted representations to promote Land At 19 Gardeners Green through the Regulation 14 Consultation. We set out in this representation why our client's site should be allocated for housing and why the Neighbourhood Plan as it stands does not meet the basic conditions.

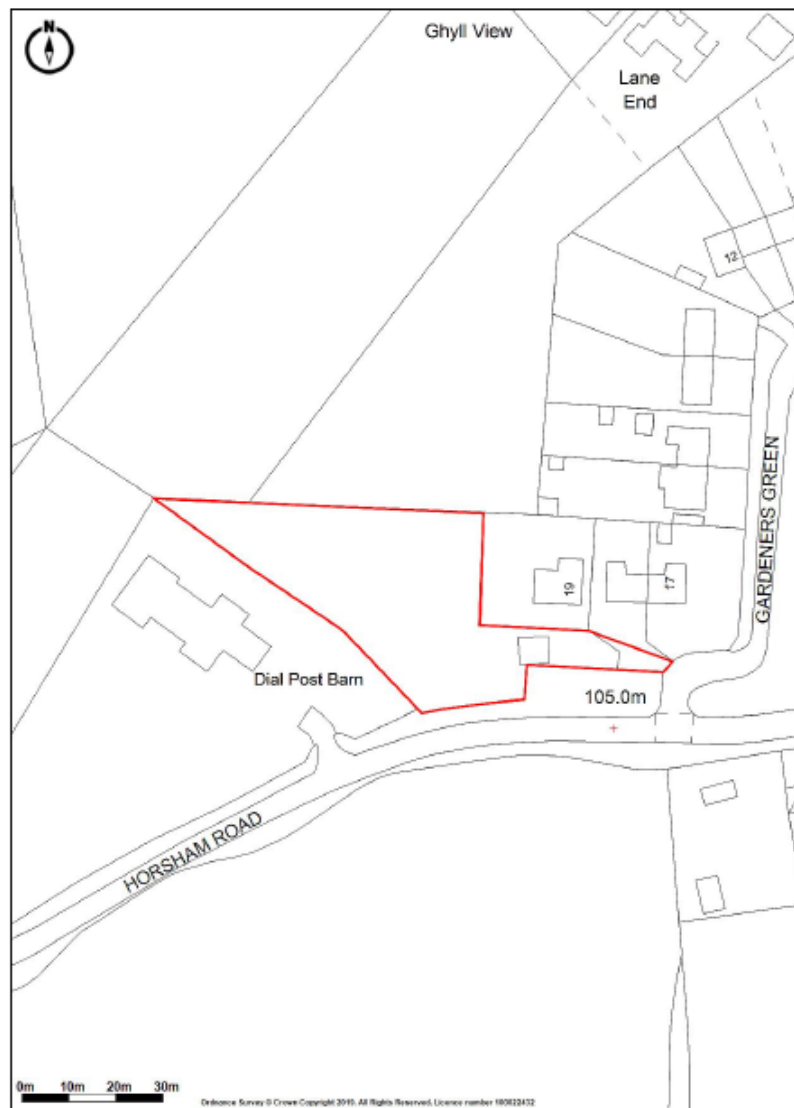
The structure of these representations is set out as follows:

- Background to Land At 19 Gardeners Green
- Review of the SHELAA 2019
- Review of Local Housing Need
- Review of the draft Neighbourhood Plan
- Review of the Basic Conditions Statement
- Conclusion



Background to Land At 19 Gardeners Green

Land At 19 Gardeners Green is at the southern end of Rusper Village. It is a small site of 0.19 hectares, which would be ideal for a discrete extension to the settlement to form a development of 4 to 6 dwellings. Our client is flexible as to what type of development could be appropriate and would be happy to work with the Parish Council to deliver a scheme which is appropriate to meet local needs, for example to provide homes for first time buyers or young families.



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Plotted Scale - 1:1250. Paper Size - A4

Figure 1: Location plan showing site boundary for Land At 19 Gardeners Green.

The location of the site can be seen in Figure 1 below. An indicative scheme for 4 units (as shown in Figure 2 below) would form a logical and sustainable extension to the existing development at Gardeners Green



which is easily accessible to the facilities of Rusper. It is a suitable infill plot, supported by Government guidance as set out within the NPPF. There are no environmental constraints that would prevent the site being successfully developed. The detailed design of any proposal would involve the incorporation of hedging or trees along the northern site boundary to reduce any potential landscape impacts. Sustainable drainage options will be considered as part of the detailed design stage. A suitable access to the scheme can be achieved.

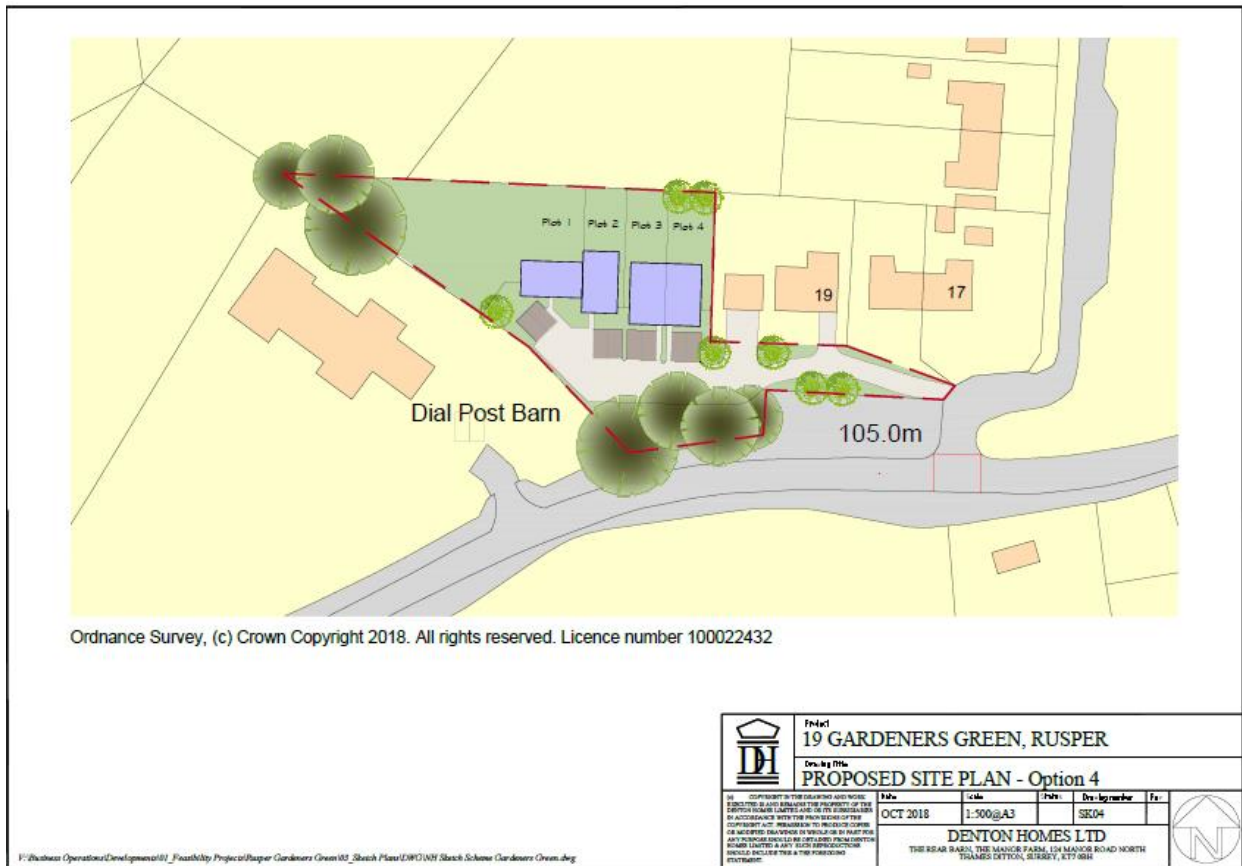


Figure 2: Site plan showing indicative layout for housing at Land At 19 Gardeners Green.

Review of the SHELAA 2019

The site was assessed in the SHELAA 2019 under reference SA786.

In relation to **site access**, the District Council considered that access could be provided to the site, subject to the removal of the existing outbuilding which sits to the south of the attached dwelling.



In relation to access to **services and facilities**, the District Council acknowledge the good level of services and facilities, include a primary school, public house, convenience store with Post Office, village hall, church, bi-weekly mobile library service and sports facilities.

In relation to **landscape**, the District Council consider the site to have a low-to-moderate capacity for small-scale housing development. The site is well enclosed adjacent the main road, therefore there would be minimal impact on views towards the countryside from the public highway

In relation to **biodiversity**, we can confirm that an appropriate ecological assessment would be undertaken and that any suitable protection, mitigation and biodiversity enhancement would be identified.

In relation to heritage the listed building at Dial Post Farmhouse is well screened from the site by dense vegetation and mature trees.

In relation to **environmental quality**, any concerns over noise from aircraft would be addressed by suitable noise mitigation measures.

The District Council concluded that the site would have a neutral impact and acknowledge that the site could deliver residential development for approximately 6 units. The limited quantum of development that could be achieved on the site means that it is appropriate for the site to come forward for allocation via the Ruser Neighbourhood Plan.

Review of Local Housing Need

The Neighbourhood Plan has to conform with the strategic policies of the Horsham Development Plan which consists of the Horsham District Planning Framework 2015-2031 (HDPF) (adopted in 2015). Whilst the District Council is preparing a new Local Plan, this has been delayed and is not now due to be adopted until late 2021. We have reviewed this timetable and consider it overly optimistic, given the early stage that the plan has reached and the level of housing that has to be allocated. Additionally, the Council has recently suggested delaying the Plan further via a request to Government.

Given that the current plan will soon be five years old, its housing figures will be out of date and there will be a new housing requirement which is based on the Government's standard methodology for calculating housing need. This will increase the housing numbers from 800 dwellings per annum to a minimum figure of approximately 975 dwellings per annum. Furthermore, there is a significant unmet



housing need in neighbouring areas and the District Council are considering having a housing target of at least 1,400 dwellings per annum.

Policy 15 of the HDPF establishes that at least 1,500 homes throughout the District should be allocated through Neighbourhood Planning. However, this version of the RNDP does not allocate any sites for housing.

In terms of identifying housing numbers, the Parish Council have decided that this version of the RNDP will deal with development management matters and will commit to an early review of the Plan to deal with the matter of housing growth. The reason for this is explained in paragraph 3.12 of the RNDP, which sets out that *'the potential amendments to the spatial strategy and the absence of a true indicative housing number means that it will be difficult for this Neighbourhood Plan to effectively anticipate its quantum of housing growth.'*

We disagree with this approach as it is negative and does not conform with the basic conditions, in particular part e), which requires a Neighbourhood Plan to be in general conformity with the strategic policies contained in the Development Plan. In this case, the RNDP fails to be in general conformity with Policy 15 of the RNDP.

The Parish Council needs to be working closely with Horsham DC on the important issue of housing numbers. Paragraph 66 of the NPPF (2019) is particularly relevant to this situation. This states that "Where it is not possible to provide a requirement figure for a neighbourhood area the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need (our emphasis), the population of the neighbourhood area and the most recently available planning strategy of the local planning authority".

Given this clear guidance in the NPPF, this matter should be a priority for the Neighbourhood Plan. It is not appropriate to delay the issue of housing allocation to a future plan. Horsham District Council has a duty to support the preparation of the Neighbourhood Plan and would be likely to be supportive of a proactive approach from the Parish Council in regard to housing numbers.



Review of the draft Neighbourhood Plan

The identification of a spatial strategy to address unmet housing need should be a priority objective of any Neighbourhood Plan. The Parish Council state that they are '*committed to reviewing any site allocations in 2021, when the LPR has reached a stage where a revised housing requirement for the District and any housing number that may be distributed to the Parish has been agreed*'. However, this a back to front approach which will not result in the necessary housing being delivered for some years to come. This delay is unnecessary. The District Council knows what their future housing requirement is now and could follow the approach set out in national policy to provide the Parish Council with a defensible housing number.

We note that the Parish Council is keen for the Neighbourhood Plan to have regard to the emerging Horsham Local Plan and sets out the importance of this in paragraph 3.9 of the NP. However, given that the emerging Local Plan has a high housing need to meet, the NP must also have regard to this issue and not ignore it.

We therefore urge the Parish Council to take this key opportunity to amend the RNDP in order to identify the housing need for the Parish. This should be followed by a subsequent Call for Sites and an assessment of the deliverability of sites. Finally, sites should be allocated in a revised RNDP. The only reasonable alternative to this approach is to delay the preparation of the RNDP until a housing need figure has been set in the Horsham Local Plan review. However, this presents risks to the Parish Council in terms of planning for housing delivery as the District's current lack of a five-year housing land supply means that the presumption in favour of sustainable development can now be applied and means the District Council losing its ability to control the locations of residential development. We therefore actively encourage the Council to seek to address its housing need in this version of the RNDP.

We now provide some comments on the various sections of the Neighbourhood Plan which are of the most relevance to our client's site at Gardeners Green.

Vision and Objectives

The objectives should address the most important planning issues facing Rusper and then seek to address them through planning policies. Unfortunately, housing is not mentioned within the objectives. Objective 3 should therefore be expanded and amended to better reflect planning terminology as follows (new text shown underlined, removed text shown as strikethrough):

- *foster and promote a thriving community with plentiful opportunities for people young and old for housing, education, ~~training and enjoyment~~ employment and leisure*



Whilst paragraph 5.3 (vi) does refer to housing, this is expressed negatively. We note, however, that some additional housing development may be permitted where it meets a specific housing need and as stated above, our client would be very happy to discuss these specific requirements further with you. Additionally, as our client's site is curtilage, outside an existing settlement boundary, it is considered previously developed land and any future development should maximise the use of this type of site.

Policy RUS1 – Spatial Plan

We note that the NP does not propose any changes to the Settlement Boundary which has been defined by the Horsham District Framework. However, some discrete amendments would be appropriate in terms of taking a positive approach to longer term planning. This could sensibly include Land At 19 Gardeners Green, which would enable a small amount of housing to come forward in a sustainable location. This would accord with the Horsham Development Framework which recognises that, in order to allow some communities to grow and thrive, it will be necessary for them to be able to expand beyond their current built form. The Development Framework goes on to state that this would be done by allocating sites in the Local Plan or in Neighbourhood Plans.

In terms of the other draft policies, we are generally supportive of these and propose a scheme which is of a high quality design which would make a positive contribution to the overall delivery of the Neighbourhood Plan.

We are surprised that there are no specific policies about the type of development which would be appropriate in Rusper in terms of the housing mix, type or tenure. We have seen that a housing needs assessment was carried out for Rusper. This researched a number of important issues such as the type and size of housing required, the tenure and the requirement for specialist housing. We note the conclusions of the HNA which include a need for entry level housing in the village. We also note that the current housing stock is dominated by larger houses and that there is a need for smaller, semi-detached dwellings.

The need for new housing for younger families wanting to move to the village is also raised within the conclusions of the HNA. We are disappointed that these conclusions have not been reflected within the policies of the emerging NP. Having gone to the effort of carrying out an HNA, it is inappropriate to ignore its conclusions. Policies on the future housing needs of the village in terms of the size and type of development should therefore be included in the next draft of the Neighbourhood Plan.



Review of the Basic Conditions Statement

The Basic Conditions Statement makes an assessment of the draft Neighbourhood Plan against the basic conditions, including:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan
- The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development (our emphasis)
- The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area) (our emphasis)
- The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations

We raise concerns as to whether Policy RUS1 (Spatial Plan) achieves sustainable development. The Basic Conditions Statement sets out (in Table B):

'The policy will have positive social effect by containing and managing the sustainable growth of the Parish settlements. The containment of the villages will ensure that their historic rural character, and the surrounding landscape, will be protected to avoid causing a negative environmental effect.'

However, as highlighted in the Review of Local Housing Need section of this letter, the Local Housing Need for Horsham District is expected to increase significantly. This means that sustainable locations such as Rusper cannot be exempt from housing growth. Although it is important to protect the historic rural character, this should not negate to take full advantage of sustainable locations for housing, such as at Land At 19 Gardeners Green. Therefore, the lack of any site allocations means that the spatial plan for the Parish is not seeking to address the significant social need to deliver much needed housing. As such, Policy RUS1 does not meet the basic condition relation to sustainable development.

The failure to meet all the basic conditions means that, as currently written, the Neighbourhood Plan should not be recommended to be made by the District Council. We therefore encourage the District Council to take a proactive approach by seeking to identify a housing requirement figure for the Parish and to identify appropriate housing sites through site allocations.



Conclusion

We do not feel that the Parish Council have been positive enough in the preparation of the Neighbourhood Plan and that this is a wasted opportunity. Whilst we agree that the Neighbourhood Plan needs to be in conformity with the existing Development Plan for the District, it must not ignore the emerging Development Plan, which will have to accommodate a higher housing number.

We do not believe that the draft Neighbourhood Plan meets the basic conditions, therefore it should not be recommended to be made as currently written. It would therefore be a more positive step for the Parish Council to include some small allocations, carefully planned to address the outcomes of the Housing Needs Assessment which forms an important part of the evidence base.

As set out above, we are promoting Land At 19 Gardeners Green for a small development which relates well to the existing built form of the village. We would be delighted to discuss this site further and to plan this scheme to help to deliver the Rasper Neighbourhood Plan.

We hope that these representations are helpful and look forward to engaging further with the Parish Council as the Neighbourhood Plan progresses.

Yours faithfully,

BELL CORNWELL LLP

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