

Bramber Neighbourhood Development Plan

Responses to Independent Examiner's Clarification Note

Prepared by the Bramber Neighbourhood Plan Steering Group

15 July 2020

This note has been prepared by the Steering Group for the Bramber Neighbourhood Development Plan (BNDP), on behalf of and agreed with Bramber Parish Council. We are grateful for the opportunity to provide further clarification on the points raised below.

Aim B1

I can see the approach that the Parish Council has adopted in Section 5 of the Plan. However, Aim B1 reads more as a process matter than as a non-land use matter which the Parish Council will pursue to consolidate the wider approach taken in the Plan (as is the case with Aims B2-B5). As such I am minded to reposition Aim B1 as supporting text in Section 11 of the Plan. I am also minded to recommend that the 'early review' of a made neighbourhood plan begins within six months of the adoption of the emerging Local Plan. Does the Parish Council have any observations on these propositions?

Aim B1 and its supporting text was placed at this point, near the start of the document, to provide readers with the context of how housing provision has been considered in the plan. The Steering Group took a proactive approach to housing, following on from the findings of the local housing needs assessment, and in the context of the Horsham District Planning Framework (in particular Policy 15). Two sites were put forward via a Local Call for Sites process, but were both assessed as unsuitable. We were keen to share the process followed and also to make clear that the intention is to review the BNDP once the Local Plan is adopted.

We are content to move the Aim B1 to Section 11 and with the suggestion to undertake the review within six months of Local Plan adoption.

Policy B4

Is the first part of the policy necessary as it largely repeats the relevant policy in the South Downs Local Plan?

If it is considered necessary, should the policy apply only within that part of the neighbourhood area within the National Park Authority? In general terms to what extent has the Parish Council assessed the added value of this policy over and above the requirements of the Building Regulations?

In light of the location of the parish, set predominantly within the National Park, we are keen to ensure the highest levels of sustainable design in any future development across the whole parish. This was something that was encouraged by the South Downs National Park Authority (SDNPA) and is reiterated in their response to our Regulation 14 Pre-Submission Version Neighbourhood Plan. The SDNPA recommended we consider Policy SD48 (Climate Change and Sustainable Use of Resources) of the South Downs Local Plan (SDLP) to inform the provision of minimum standards and measurable within the BNDP Policy B4. The SDLP received an RTPI award for environmental excellence and

therefore we consider it to provide a benchmark that we would like to see achieved across our whole parish, which is why it is not considered to be a repetition, rather an expansion to cover the whole neighbourhood plan area.

We would therefore consider that Section 1 of the policy should apply to the entire parish, which we appreciate may require the removal of the reference to the SDLP. If this is not possible, we would prefer it to remain in place for that part of the parish that sits within the SDNP.

In terms of added value, we note the government commitment to achieving net zero emissions by 2050 and that the Committee for Climate Change suggest that to achieve this, a 36% reduction in UK emissions is required from 2016 to 2030, with approximately a 20% cut in emissions required from the buildings sector as a whole.

The revised Planning Policy Guidance on Climate Change, published in March 2019, suggests that local planning authorities:

- Can set energy performance standards for new housing or the adaptation of buildings to provide dwellings that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes.
- Are not restricted or limited in setting energy performance standards above the building regulations for non-housing developments.

We are aware that such requirements are now included in a number of adopted local plans, including Bedford, Brighton and Hove, Cambridge and the SDNPA. We would like to reflect this in our own plan. Whilst we are a neighbourhood plan, this commitment would mirror the SDLP and synchronise with the Strategic Policy 37 of the emerging Local Plan Review. We do not consider this latter point a duplication, as the Local Plan Review is not yet adopted and therefore this requirement would come into effect in the interim period, until superseded by the Local Plan.

Water consumption - The Environment Agency has identified that all of South East England is an area of serious water stress. It is therefore imperative that water resources are managed efficiently. The target of 110 litres per day is equivalent to that proposed as an optional requirement of the Housing Standards Review which corresponds with Code Level 4 in relation to water efficiency. We note that Southern Water's response recommends encouraging even higher sustainable water use, in line with their Target 100 l/p/d by 2040, and we therefore welcome their suggestion for an amendment to Policy B4 to that effect. This approach is in keeping with the emerging Horsham Local Plan which contains a chapter on Climate Change and Flooding. It identifies a series of issues relating to water usage that need to be addressed in the district, including: *"Development will place increased pressure on water resources. Changing weather conditions as a result of climate change (such as hotter summers) may also increase demand for water."* The corresponding draft Strategic Policy 37 (Climate Change) states that "All major development must demonstrate how it has been designed to adapt to the impacts of climate change and reduce vulnerability, particularly in terms of flood risk, water supply and changes to the District's landscape". The approach taken in the Neighbourhood Plan is therefore considered to be in synchronicity with this.

The BREEAM is a widely recognised, accredited, independent method for assessing environmental performance of non-residential buildings. Until superseded by nationally prescribed standards, the BREEAM standards for non-residential and multi-residential buildings by nationally recognised certification bodies may also be accepted.

Policy B7

With regards to the Clays Field proposed local green space how has the Parish Council assessed the extent to which it is local in scale and not an extensive tract of land? Appendix C suggests that revisited this issue during the plan-making process. What caused this to take place? What is the source of the Parish Council's contention about the visibility of the boundaries of the proposed local green space from within the site being a determining factor in its assessment as being 'local in scale'?

The Clays Field proposed local green space is approximately 7.9 ha in size. It has consistently been raised by the community (both Bramber residents and also Steyning Residents) as being of particular value to them as an open space used for informal recreation. It has also played a historic role in the development of the two settlements, particularly in terms of retaining their individuality, as set out in the supporting evidence for the neighbourhood plan:

"The site has an historical connection to Bramber Castle (Grade I listed and SAM) by way of Castle Lane, as a medieval route, and the field, which would have originally been part of the setting of the Castle at the time it was constructed. The field would have served as part of the (originally defensive) boundary between Bramber and neighbouring settlements, a role it still plays today. Glimpses of Bramber Castle are visible from part of the site most notably during the winter months when the trees bounding the A283 have dropped their leaves. The centre of the site is 324m from the centre of the SAM. As noted in the Victoria County History chapter on Bramber, Castle Lane leads directly from the castle to this area of Steyning and reinforces the idea that Castle Lane is a medieval routeway laid out as the principal thoroughfare between Bramber and that portion of Steyning within Bramber borough"

(extract from the Local Green Space assessment for Clays Field).

In addition to the historical significance of the field, Policy 27 (Settlement Coalescence) of the HDPF underlines the need to ensure that settlements retain their unique identity and that the undeveloped nature of the landscape between towns and villages will be retained. In particular, there is a reference in the policy to the need to restrict development along key road corridors, which is particularly relevant here given the A283 goes south into the National Park at this point. Policy 2 (Strategic Development) of the HDPF makes reference to "Manage development around the edges of existing settlements in order to prevent the merging of settlements and to protect the rural character and landscape", which again is felt to be relevant in relation to the proposed Local Green Space designations in the Bramber Neighbourhood Plan.

In terms of size of the space, initially it was considered that it might be considered too large to designate, but this was largely down to the inexperience of the group and the lack of guidance on exactly what constitutes 'local in scale'. Further research by the Environment Working Group revealed the following broad guidance on this, including:

National Planning Practice Guidance: How big can a Local Green Space be? There are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed. However, paragraph 100 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.

Paragraph: 015 Reference ID: 37-015-20140306

Revision date: 06 03 2014

Open Spaces Society (<https://www.oss.org.uk/wp-content/uploads/2016/04/C20-Local-Green-Space-Designation.pdf>): The criteria may differ between settlements depending on their physical size and population. The areas would normally be fairly self-contained with clearly-defined edges. Blanket designation of open countryside adjacent to settlements will not be appropriate. There is a no minimum size limit for LGS.

Locality Local Green Spaces Toolkit: Consideration of whether the green space is local in character and not an extensive tract of land suggests spaces within a locality rather than, for example, extensive green areas in the countryside around a settlement.

A consideration of sizes of spaces included in other, recently made Neighbourhood Plans reveals that similarly-sized and larger spaces have been designated elsewhere.

The Steering Group considers that the "nature of the location" will affect the definition of 'extensive'. An urban parish, for instance, would generally have much less green space than a rural one (here, green space includes farmland and woodland as well as all types of grassland). Therefore, both the type of location and its size in relation to the total need to be considered. Clays Field is about 7.9 ha in size, which makes it about 1.1% of the total area of the parish. In comparison, the houses and gardens along The Street occupy about 20.6 acres while those in Maudlin and Clays Hill, etc. add about another 52.1 acres - in other words, the houses and gardens of Bramber occupy about 72.7 acres or about 4.1% of the parish. This certainly goes to show how rural we are and also how small Clays Field is compared to the "unoccupied" part of the parish.

Clays Field is self-contained and has visible, easily identifiable boundaries. It is located within the community – bordered on all sides by the two settlements of Bramber and Steyning – and feels very much an integral part of the community. A public footpath across the site physically connects it to the wider surrounds and the footpath network beyond. It is not considered to be a green area located in the wider countryside, although it clearly contributes to the broader network of green infrastructure.

The field has evolved historically as a separating factor between the two settlements and has connections with Bramber Castle, having provided the setting for this. This provides evidence of meeting the 'demonstrably special' criteria within the NPPF and we are pleased that Historic England has reinforced this point in their response and endorsed the proposed designation. This (and the recreation point described below) provides evidence to address the SDNPA's response at Regulation 14, which supported the proposed designation, subject to it being demonstrably special:

"Officers note the Protection and maintenance of Local Green Spaces policy designation for Clays Field, and have the following comments. This designation is not within the SDNP but relates to the wider landscape character and setting. The site could offer potential benefits as it stands by offering an important gap between Bramber and Steyning, by conserving the characteristic pattern and contributes positively towards the setting of the National Park.

It also positively contributes to the setting of the Grade I listed Bramber Castle. The visual links provided by the open space contribute significantly to the sense of place for locals and their perceived connection with the Downs and by virtue the National Park.

The key policy question for this draft designation, is for the qualifying body to decide if this open space is demonstrably special."

Despite being privately owned, it has been used by the local communities for informal recreation for many decades. It is widely thought that the previous owner put a covenant on the field, setting out this community purpose for longevity, although we have been unable to locate such a document. One of the previous owner's sons did attend the Bramber Parish Council Meeting in October 2016, however, where he expressed full support for keeping Clay's Field open for use by the residents and assured those present that it would remain so. Indeed there are signs to this effect on the field today. The minutes of that public meeting, along with an image of one of the signs, are contained at the end of this letter.

As mentioned, the field is treasured by the communities of both Bramber and neighbouring Steyning and this policy received a great deal of support locally. This has been demonstrated in the Consultation Statement, which sets out the findings of the numerous events and activities that took place during the development of the Plan. The importance of Clays Field was consistently raised during these activities.

The Examiner will note that the Pre-Submission (Regulation 14) NDP contained only this one proposed site. In their response at Regulation 14, DHM Stallard, representing the owner of the site, raised an important query about why green areas neighbouring Clays Field had not also been proposed for designation. The reason for this was because, compared to the other green spaces, Clays Field is well-used locally and has clearly-defined edges, hence is more identifiable to the local community. The neighbouring fields had not been raised in the engagement to date. The Steering Group, however, undertook an additional review of the neighbouring spaces and concluded that Heathens' Burial Corner also met the criteria and, in fact, contributed to the demonstrably special features of Clays Field, notably the historic setting. The owner of this site supported this.

Policy B9

How was the work undertaken to establish the locally significant views? How is the policy intended to be applied through the development management process? In particular does the Parish Council anticipate that the policy would apply throughout the shaded arcs of the identified locally significant views (as shown on Figure 7.4)?

The Environment Working Group were excited by the fact that the neighbourhood plan could conserve locally significant views. Given the historic and rural nature of Bramber, this was felt to be a valuable factor to include in the neighbourhood plan.

Following on from the local engagement work that had been undertaken for the original SWAB group, the Bramber Neighbourhood Plan Steering Group established an Environment Work group to explore this feedback in more detail as well as bringing expertise and local knowledge from the membership of that group. In a parish like Bramber, where so many views could be considered important, the group spent much time drawing up a list of potential candidates, which were consulted on with local residents at the various events that took place in the village.

We noted the comments received from Historic England at Regulation 14, highlighting the need for greater clarity on *“why and how these views contribute to the significance of these heritage assets as well as allowing appreciation of heritage assets and the wider historic environment. Making reference to the need to protect or enhance the conservation area or heritage assets in the policy could help to give it additional weight.”*

Further information was provided in the Regulation 16 Submission Version and we are pleased that this has been recognised by Historic England in their most recent response.

When considering planning applications against this policy, we would anticipate that where the proposed development would have an impact on any identified key view (i.e. the shaded area, to the extent of the parish boundary), the planning application concerned should be accompanied by a landscape and visual impact assessment that is proportionate to the scale of the development proposed. Any such development proposals will only be supported where appropriate mitigation measures are incorporated within their design.

Policy B10

The first two parts of the policy are land use based, Part 3 appears to relate specifically to a specific highway improvement. Is this assumption correct? If so, I am minded to relocate it within the wider Plan to form an additional Aim. Does the Parish Council have any observations on this proposition?

Yes, this is correct and the group would be content to relocate this as an Aim, as suggested. It should be noted, however, that this is an important issue locally, as it represents an important link between Bramber and Steyning settlements, and the group would not wish to see it diminished.

Section 11

It is encouraging that the Parish Council sees the need for this element of the Plan. I am minded to add a new paragraph 11.3 to address the issues highlighted above in Aim B1.

We are content with this suggestion.

Comments on other representations received

Our comments on the representations received at Regulation 16 are as follows:

Natural England – No comments

Waverley Borough Council – No comments

Surrey County Council – No comments

Southern Water

- Policy B4 (Energy Efficiency and Design): We would welcome this amendment to the policy, further strengthening the desire to reduce water consumption.
- Policy B7 (Protection and Maintenance of Local Green Spaces): We agree that this would be a helpful addition to the policy text.
- Proposed new policy: We consider that this is adequately covered by Policy 39 of the HDPF and SD44 of the SDLP.

Resident

- Site 2 (Land south of Kingsmead Close): The group has carefully and proactively considered the potential for site allocations in the parish. As described in the Housing Report and the Consultation Statement, the group commissioned a local housing needs assessment, which confirmed the unconstrained number of houses needed over lifespan of the plan and the type of housing this might comprise, to meet local need. A Local Call for Sites was issued and two sites were put forward for consideration. Both were assessed using the methodology and criteria endorsed by both HDC and the SNDPA and neither were found to be suitable for development. The reasons for this are provided in the site assessment form.

The comments relating to Site 2, Land south of Kingsmead site, which is queried in this particular response, are not considered to change the outcome of the assessment. The response from the SDNPA to the Regulation 16 consultation includes a link to their most recent consideration of the site (October 2019), which also sets out these numerous concerns.

The BNDP commits to an early review, at which point additional sites may be put forward for consideration, and these would be assessed at that time.

Highways England

- The respondent has asked for the inclusion of a requirement for any housing development proposal to provide a Transport Assessment/Statement and a note that a proportionate contribution towards SRN improvements may be required to deliver all the development in the Horsham Local Plan due to the cumulative impacts of individual developments. We have no objection to this, which we consider could be included in Policy B3 (Design of Development), Clause (i).

Horsham District Council

We are content with the majority of the suggestions made and would like to make further comments on the following:

- Footnote 10, page 18: The link should be: https://85412a7e-8988-4286-967f-b281f2a0bf2c.filesusr.com/ugd/964dee_a150efc03bd74766838baa64afcfd9c.pdf
- Para 6.11 seeks clarity on the difference between a 'character area' and a 'local character area'. We consider that these are in fact the same, and therefore would retain the word 'character area' and delete the word 'local character area'.
- Para 6.12: We are referring to the full suite of design documents in this paragraph, as outlined in the paragraphs preceding it, and any future updates to these. (Building for Life, Bramber Neighbourhood Plan Design Guidelines). The National Design Guidelines, published in late 2019, would also be relevant here).
- Policy B4 (Energy Efficiency and Design): We refer to our answer in response to the Examiner's specific question about this policy.
- Policy B6 (Green Infrastructure): The group is really keen to protect the green infrastructure network within the parish and its connectivity to the networks beyond. The 'other green spaces' on the map refer to open, accessible green spaces that were considered for designation as Local Green Space, but assessed as not meeting the criteria. Nevertheless

they were identified as contributing to the setting of the village, hence their inclusion on this map.

- Figure 8.1 – The map does show both the boundary and the village centre, but these are difficult to distinguish and could be improved.

South Downs National Park Authority

We are content with the majority of the suggestions made and would like to make further comments on the following:

- Policy B3 (i) – We refer to our response above, related to the comment received from Highways England.
- Policy B5 – we support this addition suggested.
- Policy B10 – We refer to our response to the Examiner’s specific questions.
- B11, Figure 8.3 and para 8.9, para 8.10 – Whilst the group remain committed to encouraging access to the countryside, we appreciate the views of the SDNPA and are content to remove these references here.
- Site 2 (Land south of Kingsmead) – We welcome this additional planning history reference (October 2019), which we consider would be a helpful addition to the site assessment.

DMH Stallard

We have engaged DMH Stallard throughout the development of the plan and appreciate their input into the process. We have considered all the material provided by them in great detail and consider that we have justified our thinking in terms of both the suitability of the site allocation and the proposed designation of the Local Green Space. We do not consider the site proposed to be suitable for development, for the reasons provided in the Housing Report. Additionally, we have assessed the site against the Local Green Space criteria and consider these to be fully met.

We have the following comments on the material submitted at Regulation 16:

- Ref 9 DMH Stallard (Part V) (redacted), Landscape Statement: Paras 2.14 and 3.123 state that despite the site being located close to Bramber Castle, there is no intervisibility. We would query this as on a clear autumn day, the top of the castle is visible from the top of the field.
- Ref 9 DMH Stallard (Part V) (redacted), Landscape Statement: Para 2.124 states that “the roads are significant landscape detractors which lessen tranquillity to the south and east of the Site”. We would query this point as the site is heavily planted in this area with trees and hedgerows, which do act as a barrier. The original intent behind this planting was to create such a barrier against sound.
- Scale and nature of the proposed site: We remain concerned about the lack of detail presented about the proposed scale and nature of the site. This was a concern expressed by us in the Consultation Statement (paras 2.44 to 2.47), where proposals were changed but often without detail to illustrate this. We note that within two of the documents presented by DMH Stallard at the Regulation 16 consultation, there are site diagrams: one within the Heritage Appraisal (Ref 9 DMH Stallard (Part VII) (redacted), p.12) and one within Appendix 1 Viewpoints 1 to 17 Baseline (Ref 9 DMH Stallard (Part VI) (redacted), p.3). Both diagrams show different scales of proposed area to be developed, which illustrates the lack of clarity about the proposals.

Historic England

We welcome the feedback from Historic England and acknowledge their suggestions. We are particularly pleased that they have given their support to the proposed Local Green Space designations.

WSCC

We would like to clarify that the list of projects included in Section 12 represent priorities for the community that might be delivered through, for instance, parish precept, developer contributions, or other sources of funding received by the parish.

We are grateful for the opportunity to provide further clarification on this questions and points.

Roger Potter

Chair of the Bramber Neighbourhood Plan Steering Group

Meeting minutes of Bramber Parish Council, 26 October 2016

Meeting Minutes

Wednesday 26 October 2016

at Bramber & Beeding Village Hall

PRESENT:

Councillors R.Potter (Chair), N.Mills, M.Tilley, M.Croker, N.Stubbs, J.Goddard, Mrs M. Goddard, Mrs D.Goodall and the clerk.

IN ATTENDANCE:

District Councillor David Coldwell, Neighbourhood Warden Michael Pearce and 1 resident

1.APOLOGIES FOR ABSENCE:

Apologies had been received from County Councillor David Barling.

2. MINUTES

The minutes of the last meeting held on 14th September 2016 were read and proposed by Councillor Croker, seconded by Councillor Tilley, approved and signed.

The Chairman and Councillor Mrs Goddard will send an updated list of vulnerable people in the parish to Michael Pearce so that the lists agree.

Action: R.P. and M.G.

3. OPEN FORUM

Mr Aidan Aikman introduced himself to the council and said that he was attending the meeting on behalf of his mother and himself. He explained that his father had wanted Clays Field to remain an open space and that both he and his mother were fully supportive of this view. They both wished the council to know that they were fully supportive of the council's opposition to planning applications and of the Neighbourhood Plan including it as a Green Space. Mrs Aikman has always encouraged the use of the field as a community facility and has been concerned about the recent hostility which has arisen. Mr Aikman assured council members that the field would remain an open space. Both the Chairman and Vice Chairman thanked him for attending the meeting and for his support.

Signs welcoming public access into Clays Field

