

Rudgwick Neighbourhood Development Plan 2020-2031

**A report to Horsham District Council on the
Rudgwick Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by Horsham District Council in December 2020 to carry out the independent examination of the Rudgwick Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 21 December 2020.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its local character. In this context it includes a series of design and environmental policies. It proposes the designation of a package of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Rudgwick Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
16 March 2021

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Rudgwick Neighbourhood Development Plan 2020-2031 (the 'Plan').
- 1.2 The Plan has been submitted to Horsham District Council (HDC) by Rudgwick Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on safeguarding the local environment and ensuring good design standards.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by HDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both HDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the Submission Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Rudgwick Design Statement;
- the Housing Matters paper;
- the Community Matters paper;
- the Local Green Spaces Assessment;
- the representations made to the Plan;
- the Parish Council's responses to my Clarification Note;
- the adopted Horsham District Planning Framework 2015;
- The Queen (on behalf of Lochailort Investments Ltd) and Mendip District Council [2020] EWCA Civ 1259;
- the National Planning Policy Framework (2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 21 December 2020. I looked at its overall character and appearance and at those areas affected by the Plan in particular. I maintained the social distancing requirements that were in place at that time during the day in the neighbourhood area. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised HDC of this decision once I had received the responses to the Clarification Note.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement sets out the mechanisms that were used to engage the community and statutory bodies in the plan-making process. An initial pre-submission consultation took place between December 2019 and February 2020. Following an initial assessment of the responses to that exercise the Parish Council engaged professional advice to assist with the necessary revisions to the emerging Plan. The Steering Group then set about preparing the necessary evidence and reconsidered the plan. The submitted Consultation Statement provides specific details about the consultation process that took place on the resulting pre-submission version of the Plan (May to July 2020).
- 4.3 The Statement is particularly helpful in the way in which it captures the key issues in a proportionate way and which is then underpinned by more detailed appendices. Section 3 of the Statement is particularly effective in the way in which it identifies the main issues which were raised and assessed during the initial stages of the Plan's preparation.
- 4.4 The Statement sets out details about range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the first public meeting (June 2016);
 - the second public meeting (December 2016);
 - the development of a dedicated section on the Parish Council's web-page;
 - the use of Facebook and Twitter to raise awareness;
 - the updates in the annual parish report;
 - the regular articles in the Rudgwick Magazine; and
 - the holding of consultation meetings with stakeholders.
- 4.5 I am satisfied that the engagement process was both proportionate and robust. It sought to engage in a balanced way with local residents, statutory bodies, local businesses and potential developers.
- 4.6 Appendix 27 of the Statement provides a summary of the comments received on the pre-submission version of the Plan (may to June 2020) and the Parish Council's responses to the comments. This helps to identify the principal changes that worked their way through into the submission version of the Plan.

- 4.7 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.8 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. HDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.9 Consultation on the submitted plan was undertaken by HDC that ended on 20 November 2020. This exercise generated comments from a range of organisations as follows:
- Sport England
 - Marine Management Organisation
 - Natural England
 - Waverley Borough Council
 - Surrey County Council
 - Welbeck Land
 - Southern Water
 - Environment Agency
 - West Sussex County Council
 - Horsham District Council
 - Historic England
 - Highways England
- 4.10 The submitted Plan also generated representations from five local residents.
- 4.11 I have taken account of all the representations received. Where it is appropriate to do so, I refer to particular representations in my assessment of the policies in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Rudgwick. It has an irregular shape and includes the settlements of Rudgwick, Bucks Green, Cox Green, Rowhook, The Haven, and Tisman's Common. Rudgwick is the largest community in the Parish. The wider parish is located in open countryside six miles to the west of Horsham. In 2011 its population was 2722 persons living in 1123 homes. It was designated as a neighbourhood area on 28 June 2016.
- 5.2 The principal settlement in the neighbourhood area is Rudgwick itself. It is a linear village based on Church Street (B2128). It includes services such as primary school, medical centre and shops. Its historic core is located at the northern end of the village and is focused around Holy Trinity Church and the Kings Head PH. It is a designated Conservation Area. Bucks Green is located to the immediate south of Rudgwick on either side of the A281. It includes the Village Hall and the playing fields.
- 5.3 The remainder of the neighbourhood area is predominantly rural in character and much of its area is in agricultural use. The various hamlets sit comfortably within this wider landscape.

Development Plan

- 5.4 The development plan covering the neighbourhood plan area is the Horsham District Planning Framework (HDPF). The HDPF was adopted in 2015 and covers the period up to 2031. It sets out to bring forward new growth that is proportionate to the size of the various settlements in the District. Policy 2 (Strategic Development) focuses development in and around Horsham itself together with other strategic development in Southwater and Billingshurst. Elsewhere it proposes an appropriate scale of development which would retain the overall settlement pattern in the District. Policy 3 establishes a settlement hierarchy. Within this context Rudgwick/Bucks Green is identified as a 'medium village' (the third category in the hierarchy). All of the other settlements in the neighbourhood area fall into the 'unclassified settlements' category in the hierarchy.
- 5.5 Policy 4 of the HDPF supports the expansion of settlements subject to various criteria being met. Policy 15 (Housing Provision) sets the scene for the strategic delivery of new housing. Beyond Horsham, Southwater and Billingshurst it identifies that 1500 homes should be delivered collectively across the District through neighbourhood development plans in accordance with the settlement hierarchy.
- 5.6 In addition to the policies set out above the following policies in the HDPF have been particularly important in influencing and underpinning the various policies in the submitted Plan:

Policy 7	Economic Development
Policy 9	Employment Development

Policy 16	Meeting Local Housing Needs
Policy 26	Countryside Protection
Policy 27	Settlement Coalescence
Policy 32	Quality of New Development
Policy 43	Community Facilities, Leisure and Recreation

- 5.7 HDC is now well-advanced in terms of its preparation of a new Local Plan. A draft Regulation 18 Local Plan was published for consultation between February and March 2020. It is anticipated that the Plan will be submitted for examination in Autumn/Winter of 2021 and with adoption in Autumn/Winter 2022. In process terms this Plan is not at a stage at which it can have any significance in the examination of the submitted neighbourhood plan. Nevertheless, HDC has helpfully provided advice to qualifying bodies on how it anticipates that the emerging Plan will have a bearing on the well-developed neighbourhood planning agenda in the District. The two councils have agreed that HDC will address strategic housing matters in the parish within the context of the emerging Local Plan. The submitted Plan has been prepared within this context.
- 5.8 The submitted Plan has been prepared correctly and properly within this current adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is also clear that the submitted Plan adds value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 21 December 2020. I maintained the social distancing measures in force at that time. I drove into the neighbourhood area along the A24/A29/A281 from the north. This gave me an initial impression of its setting and character in general terms. It also highlighted its connection to the strategic road system and to Horsham to the east.
- 5.10 I looked initially at Rowhook. I saw its open, spacious and rural character and its interesting collection of historic vernacular buildings.
- 5.11 I then looked at Rudgwick village centre. I saw its wider importance in the parish and its range of retail and commercial services. I saw the distinction between the southern end of Church Street and the historic core of the village to the north based around Holy Trinity Church and The Kings Head PH. Whilst I was in the village, I took the opportunity to look at the various proposed local green spaces in this part of the parish. I saw the distinction between the natural green space at Foxholes Woods and the more open green spaces (Summerfold and Churchman's Meadow).
- 5.12 I then looked at Lynwick Street. I saw its various contrasts –, the low-density houses at its northern end, the Brickworks industrial site and the isolated vernacular dwellings at its southern end.

- 5.13 Thereafter I drove to Bucks Green. I saw its arrangement around the A281 Guildford Road. In particular I saw the significance of the Village Hall, and the playing fields.
- 5.14 I then drove to Tisman's Common. I saw its dispersed settlement pattern and its functional relationship with the surrounding countryside.
- 5.15 I then drove to The Haven. I saw that its character was very different to that of Rudgwick and Bucks Green. In doing so I saw the more concentrated grouping of dwellings at the junction of Haven Road and Naldretts Lane and the attractive roadside local green spaces.
- 5.16 I finished my visit by driving to the south to Five Oaks/Buckman Corner. This helped to understand the way in which the neighbourhood area related to the wider landscape to the south and the east.

6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, comprehensive and informative document. The wider Statement is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in 2019. This approach is reflected in the submitted Basic Conditions Statement.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Rudgwick Neighbourhood Plan:

- a plan-led system– in this case the relationship between the neighbourhood plan and the adopted Horsham District Planning Framework;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a

golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a vision for the future of the neighbourhood area. In particular, it includes a series of policies to safeguard and enhance its character. In addition, it proposes the designation of local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for employment development and telecommunications installations (Policies RNP10 and 11). In the social role, it includes policies on sports facilities (Policy RNP14), allotments (Policy RNP15) and local green spaces (Policy RNP16). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on building materials (Policy RNP6), architectural design (Policy RNP7) and on street scene matters (Policy RNP9). The Parish Council has undertaken its own assessment of the way the Plan contributes towards sustainable development in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in Horsham District in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the incorporation of the recommended modifications in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations - Sustainability Appraisal/SEA

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement HDC issued a 'standard' screening for all neighbourhood plans within the District. It comments that if a neighbourhood plan is allocating sites for development then it could have a significant environmental impact and a strategic environmental assessment (SEA) would be required. The Rudgwick Neighbourhood Plan does not allocate sites. In this context it has been confirmed by HDC that SEA is not required.

European Legislation and Habitat Regulations - Habitats Regulations Assessment

- 6.16 The Parish Council commissioned a Habitats Regulations Assessment (HRA) of the Plan (January 2020). It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.17 The HRA report is both thorough and comprehensive. It takes appropriate account of the significance of European sites which were assessed as part of the preparation of the HDPF. In particular it assesses the extent to which the policies in the submitted Plan would have any direct or indirect impacts on the Arun Valley SAC/SPA/RAMSAR, the Mens SAC or the Ashdown Forest SAC that cannot be avoided by the application of the policies in the HDPF. It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has

been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text and the Aims of the Plan.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1-3)

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The Introduction provides helpful information about the context of the Plan. It identifies the Plan period, when the neighbourhood area was designated and the neighbourhood area itself (in the excellent Figure 1). It provides an introduction to the basic conditions and the local planning policy context.
- 7.10 Section 2 comments about the neighbourhood area and a range of matters which have influenced the preparation of the Plan. In particular it addresses the following matters:
- the history of the neighbourhood area;
 - its current settlement pattern;
 - its local demography; and
 - the availability and importance of local infrastructure

A key strength of the Plan is the way in which the issues in Sections 2 filter into the Plan's policies.

- 7.11 Section 3 comments about the Plan's Vision and Objectives. It is well-constructed. The Vision provides an interesting backwards look from 2031. The Vision is supported by eight distinctive objectives.
- 7.12 Thereafter the remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy RNP1 Spatial Strategy

- 7.13 The policy sets out a broad approach to development in the parish. It has four related elements as follows:
- offering general support for sustainable development (Policy RNP1.1);
 - ensuring the concentration of new development in built up areas (Policy RNP 1.1);
 - requiring that new development should avoid the coalescence of existing settlements (Policy RNP1.2); and
 - the importance of maintaining the identity of the various settlement's identity and responding positively to the settlement pattern in the parish (Policy RNP1.2).
- 7.14 In general terms the policy takes a positive approach which overlaps with national and local policies. The spatial strategy will assist significantly in promoting sustainable development which is distinctive to the character of the individual settlements.
- 7.15 The supporting text helpfully identifies the six separate settlements in the parish and provides a description of their characteristics. This helps to provide a context to several elements of the policy.
- 7.16 The footnote associated with the first part of the policy refers the reader to the definition of the 'built up areas' It draws reference to the HDPF. In the clarification note I sought advice from the Parish Council about the appropriateness of the submitted Plan including a map showing the various defined built-up area boundaries and the location of the other settlements to consolidate and explain the policy. This was a matter raised by HDC in its representation to the Plan. In its response the Parish Council commented:

'Rudgwick (incorporating adjoining Cox Green) and Bucks Green are the only settlements with defined built-up area boundaries in the Plan Area, as is shown in detail on the Horsham Local Plan Inset Map 121. The suggested map would duplicate these boundaries in the neighbourhood plan and the Steering Group have deliberately not done this to avoid mapping in the neighbourhood plan becoming out of date. This is particularly relevant as Horsham District Council (HDC) are currently reviewing the built-up area boundaries for the new Local Plan for the area, with proposed amendments to the Rudgwick boundary having been published during the Regulation 18 Draft Local Plan consultation held last year. The new Local Plan is expected to reach examination in late 2021/early 2022. At this time, it is therefore unclear whether

the boundaries will change but there is a risk that should the existing boundaries be included within the Neighbourhood Plan they may swiftly become out of date, conflicting with the HDC Local Plan as early as 2022'

- 7.17 I have considered all the information on this matter very carefully. On the one hand, and as the Parish Council correctly comments, HDC is currently reviewing its Local Plan. This may result in changes to the existing built-up area boundary for Rudgwick/Cox Green/Bucks Green (as currently shown in Inset Map 12 in the HDPF). Moreover, there is no need for a neighbourhood plan to duplicate information in the development plan, particularly where its policies are consistent with the development plan approach. On the other hand, the approach in the submitted neighbourhood plan inherently requires the reader to refer to a separate document to understand the policy.
- 7.18 On the balance of the evidence I recommend that the approach in the policy is modified by the inclusion of a separate element of the Policies Map which shows the location of the six settlements and the details of the built-up area boundary for Rudgwick/Bucks Green (as shown on Policies Map 12 of the HDPF). This will achieve the clarity required by the NPPF.
- 7.19 The second part of the policy helpfully comments about the settlement pattern in the parish and the importance of development within each settlement maintaining its distinctive character. In general terms it meets the basic conditions. I recommend a modification to Policy RNP1.2 a) to remedy its lack of clarity on the coalescence issue.

Replace Policy RNP 1.1 with:

'Proposals for sustainable development will be supported. Outside of defined built up areas (as shown on the Policies Map) new residential development will only be supported on allocated sites or where they would accord with the residential exception policies in the development plan'

Replace Policy RNP 1.2 a) with:

'maintain the settlement pattern in the parish and avoid the coalescence of the individual settlements'

Include an additional map within the Policies maps to show the location of the six settlements in the parish and the extent of the built-up area boundary for Rudgwick/Bucks Green as shown on Inset Map 12 of the HDPF.

Housing-related policies

- 7.20 The Plan includes four related policies which comment on the details of housing development as follows:
- RNP2 Housing Mix;
 - RNP3 Affordable Housing;
 - RNP4 Homes for Older People; and
 - RNP5 Housing Density

7.21 I comment on the four policies separately. Where it is appropriate and necessary to do so I will refer to the other policies in my assessment of each policy. Plainly the four policies have a cumulative ability to affect the design, layout, viability and deliverability of proposed housing developments.

Policy RNP2 Housing Mix

7.22 This policy sets out very specific policy guidance on the mix of houses on new developments. In general terms the supporting text comments about the overprovision of larger houses and the under-provision of small houses in the parish. In general terms the policy seeks to rectify the existing imbalance that exists within Rudgwick's housing stock to ensure that local housing provision aligns with the strategic aspirations of the HDPF.

7.23 Paragraphs 5.3 and 5.4 of the Plan helpfully set out the background and the evidence base to this matter. In particular the policy approach draws on the Housing Matters background paper. That paper builds on the earlier commissioned Housing Needs Assessment (HNA) produced in 2017. Table 8 of the HNA provides interesting comparison figures of the size of dwellings in the neighbourhood area/Horsham District/England respectively (rounded to the nearest figure) as follows:

- 1 bed 7%/11%/12%
- 2 bed 13%/24%/28%
- 3 bed 39%/38%/41%
- 4 bed 27%/21%/14%
- 5+ bed 14%/7%/5%

These figures highlight the significantly higher number of larger houses in the parish.

7.24 The neighbourhood plan policy sets out a housing mix approach which would apply to all housing development on the following basis – 4-bedroom houses 10% 3-bedroom houses 40% and 1- or 2-bedroom houses 50%. The second part of the policy provides for a degree of flexibility for larger houses in certain circumstances.

7.25 Policy 16 of the HDPF provides a context to the neighbourhood plan policy. That policy seeks to achieve a mix of housing sizes, types and tenures to meet the district's housing needs as identified in the Strategic Housing Market Assessment (SHMA) in order to create sustainable and balanced communities, including a need to meet the housing needs of an increasing elderly population. On the housing mix issue the policy comments as follows:

- new development should provide a mix of housing sizes, types and tenures to meet the needs of the communities as evidenced in the latest Strategic Housing Market Assessment; and
- that the appropriate mix of different housing types and sizes for each site will depend upon the established character and density of the neighbourhood and the viability of the scheme.

7.26 HDC makes a series of comments on the submitted policy. In general terms it suggests that the housing mix should be clearly supported by evidence. It also expresses concern about the complicated format of the second part of the policy and the way in which the exceptional circumstances test would apply. Similar comments were also made by Welbeck Land. In its case it raised the issue of the potential impact of the policy on the viability of new developments.

7.27 I sought advice from the Parish Council on its wider approach to this matter in general, and the applicability of the policy to sites of 10 or less dwellings. In its comprehensive response the Parish Council commented:

'This has been given much thought during the preparation of the Plan to ensure that it can be applied to sites of less than 10 homes and achieve the policy objective to redress the imbalance of Rudgwick's housing stock. Also, RNP2.2 allows some flexibility for the lower numbers (1-4) if characteristics of the site and/or viability dictate that a single larger home can be justified.

The approach also avoids a 'cliff edge' change that would occur with a specific site threshold. The plan also includes a table after paragraph 5.5 which shows how RNP2.1 and RNP2.2 should be delivered. As the Housing Matters paper shows, historically most applications that come forward within the Plan Area are for a low number of units and therefore it is considered crucial that this policy applies to those smaller sites, otherwise the policy objective will be undermined. There are many examples in the parish where small sites have exclusively delivered large 4- or 5-bedroom homes.

When preparing the plan, it was recognised that strictly applying the housing mix set out in RNP2.1 had the potential to severely hamper those who wish to build their own homes in the Plan Area, or deliver small infill developments which may require a higher value unit to assist with viability. Bearing in mind the importance of smaller sites in Rudgwick meeting the policy objective, RNP2.2 has been formulated to allow a degree of flexibility to allow a larger dwelling on these sites should it be appropriate and also deliver the medium/small units required to meet local need and assist with balancing the housing stock'

7.28 I have considered this matter very carefully. On the one hand the policy has been underpinned by a significant amount of detailed analysis and addresses a clear affordability issue in the parish. On the other hand, the policy has a prescriptive and a mathematical basis which may not always apply well to the development of smaller sites.

7.29 The approach in paragraphs 1.7 and 1.8 of the Housing Matters background paper comments about the way in which the Parish Council and HDC have agreed to address strategic growth issues in the parish. In this context Policy RNP2 will initially apply to the development of smaller sites before the emerging Local Plan is adopted.

7.30 Tables 2 and 4 of the Housing Matters Paper provide the context and evidence for the housing mix as proposed in the policy. The former identifies the comparison between the housing mix anticipated in the HDPF and the type of houses delivered in the parish. It shows significantly less 1- and 2-bedroom houses being delivered than the HDPF

mix. It also shows that the opposite is the case for four or more-bedroom houses. The latter shows the proposed housing mix throughout the remainder of the Plan period to correct the mix and bring it back to the housing mix levels as included in the HDPF. It is these levels which are translated into Policy RNP2.1. In effect the policy approach proposed is a levelling-out mechanism within the HDPF period.

- 7.31 Plainly the local housing stock has a significant skew towards larger houses. However, I am not satisfied that the prescriptive approach as set out in the policy is either fully evidence-based or capable of delivery through the development management process.
- 7.32 On the evidence base issue the Parish Council has clearly captured the existing situation. However, the levelling out mechanism proposed is very blunt. In addition, the Housing Matters paper does not directly address the impact of such an approach on development viability other than to draw attention to the financial differences between greenfield and brownfield site developments. Whilst Policy RNP2.2 seeks to address viability issues it does so within the context of Policy RNP2.1 and the mathematical formula approach in the table within paragraph 5.5 of the Plan. In addition, the approach in the policy takes no account of the second part of Policy 16 of the HDPF which requires that new developments take account of the established character and density of the neighbourhood in which it is located. This would create a set of circumstances where the resulting development would not be in general conformity with a strategic policy in the development plan.
- 7.33 On the practicability issue the policy does not directly address the size, nature and location of the proposed development site. Plainly there will be a range of judgements to be taken on this issue to ensure that the scale and density of the resulting new development takes account of the density and layout of any adjoining premises. This matter is addressed more generally in Policy RNP5.1. Policy RNP5.2 provides for a degree of flexibility for developments where the density is higher than that of the immediate surroundings where it has come forward as a consequence of this policy. In addition, the very prescriptive breakdown between smaller houses in the table does not directly relate to information in the HNA about people looking for smaller homes (2- or 3-bedroom houses) with the flexibility to have spare rooms to use for home-working.
- 7.34 Taking account of all these issues I recommend that the policy is recast so that it takes on a more general approach which:
- draws general attention to the housing needs in the parish;
 - supports the development of smaller houses;
 - provides specific guidance for the development of larger dwellings on both smaller and larger sites; and
 - provides a connection to the character of the immediate location of the development site concerned.
- 7.35 I also recommend consequential modifications to the supporting text.

Replace Policies RNP 2.1 and RNP 2.2 with:

‘Policy RNP2.1

Proposals for new housing development should deliver homes which address local housing needs in the parish as set out in the Housing Matters Paper and the Housing Needs Analysis. Proposals for the development of 1, 2 or 3-bedroom houses which comply with the spatial strategy of the Plan (Policy RNP1.1) will be particularly supported.

Policy RNP2.2

Proposals for four-bedroom houses (or larger houses) on developments of less than ten houses should demonstrate the way in which they complement the development of smaller homes on the site and, where appropriate, contribute towards overall development viability.

Proposals for four-bedroom houses (or larger houses) on developments of ten or more houses should be subservient to the overall development of smaller houses and demonstrate the way in which they address the housing needs of the parish.

Policy RNP2.3

Irrespective of the number and the mix of houses, proposals for new development should respond positively to the established character and density of its immediate locality’

Replace paragraph 5.5 and the associated table with:

‘Policy RNP 2.1 comments about the Plan’s general support for housing development which would address the housing needs in the parish and deliver smaller houses. Policy RNP 2.2 comments about the Plan’s approach towards the development of larger houses. It does so both in relation to sites of less than ten dwellings and for larger sites. The approach in the policy acknowledges that different development sites will present different issues. The policy also identifies the importance of new housing developments respecting the character and the density of its immediate surroundings. The policy approach will need to be considered in the round with Policy RNP5 which comments on development densities. That policy provides a degree of flexibility for developments to be supported where the housing mix concerned may result in a density which exceeds that of the homes in the immediate locality of the site concerned. Plainly this will involve a judgement by Horsham District Council on a case-by-case basis.’

Policy RNP3 Affordable Housing

- 7.36 This policy addresses affordable housing. It has three related elements. The first requires that major sites provide affordable housing on site to local plan standards. The second requires that 10% of any affordable housing provided should be for

affordable home ownership. The third element comments that the affordable home mix/tenure split should reflect local needs.

- 7.37 The policy follows on from detailed work undertaken in Section 2 of the Housing Matters paper.
- 7.38 Policy 16 of the HDPF provides a context to the neighbourhood plan policy. In particular it sets the Council's thresholds and targets for affordable housing. The overall housing tenure target is to provide 70% of the total as social/affordable rented properties and 30% as intermediate/shared ownership properties. However, the tenure split on each site is intended to be determined in the light of up-to-date information, particularly on local need and supply. The policy expects that affordable housing will be delivered as units built on development sites, and will normally be in conjunction with registered housing providers. The details of the policy comment that all residential developments of five dwellings or more will be expected to include a proportion of affordable homes in accordance with the following thresholds and targets:
- on sites providing fifteen or more dwellings, or on sites over 0.5 hectares, the Council will require 35% of dwellings to be affordable.
 - on sites providing between five and fourteen dwellings 20% of dwellings should be affordable or where on-site provision is not achievable a financial contribution equivalent to the cost of the developer of providing the units on site.
- 7.39 The approach included in the Neighbourhood Plan policy is entirely appropriate in a general sense. I sought commentary from the Parish Council on the extent to which it added any distinctive value to existing local planning policies. I was advised about the existing arrangements in the District and the way in which they had been implemented in the Parish.
- 7.40 Taking account of all the information I recommend the deletion of the first two parts of the policy. The first part largely repeats existing local policy on this matter. In addition, its approach towards the delivery of all affordable housing on the development site concerned departs from the approach in the HDPF without any evidence-based justification. The proposed approach in the neighbourhood plan is inflexible and has the ability to frustrate otherwise acceptable proposals which would deliver affordable housing elsewhere in the parish. The second part repeats national policy in Paragraph 64 of the NPPF. I also recommend that the third part of the policy is modified so that it has the clarity required by the NPPF. Otherwise, it meets the basic conditions.
- 7.41 I also recommend consequential modifications to the supporting text.

Delete Policies RNP 3.1 and 3.2

Replace Policy RNP 3.3 with:

‘Policy RNP3:

The tenure split and mix of affordable homes on major residential development should provide affordable housing in accordance with local housing needs in the Parish’

Replace paragraph 5.10 with:

‘Policy RNP3 provides guidance on the delivery of affordable housing in the parish. It should be read in association with the District Council’s policies in the Horsham District Planning Framework in general (and Policy 16 in particular) and the Planning Obligations Supplementary Planning Document (September 2017)’

Policy RNP4 Homes for Older people

7.42 This policy addresses the housing needs of older people. It has four related components as follows:

- there should be no net loss of bungalows (Policy RNP4.1);
- setting out general support for the development of bungalows (Policy RNP4.2);
- major developments should include at least 15% of dwellings as bungalows or open market sheltered/retirement homes (Policy RNP4.3); and
- all new homes should meet the requirements of Part M4.2 of the Building Regulations (RNP4.4).

7.43 In general terms I am satisfied that the first two elements of the policy meet the basic conditions. I recommend a detailed modification to the wording of the first part of the policy to ensure that it has the clarity required by the NPPF. I also recommend the deletion of the latter element of the second part of the policy as it justifies the policy rather than acts as a policy in its own right.

7.44 The third part of the policy requires that major developments should include at least 15% of dwellings as bungalows or open market sheltered/retirement homes. Both HDC and Welbeck Land query the evidence which has underpinned this element of the policy. In this context I sought clarification from the Parish Council. It commented that:

‘There is clear demand for such accommodation, as demonstrated in the Housing Needs Assessment 2017 and Housing Needs Assessment Review and Update (2019). A key recommendation was that a proportion of new homes should be bungalows. Whilst it is difficult to quantify, there is a clear need/demand for such units as set out in more detail in Housing Matters paper - Section 3. As a result, and rather than ignore the very clear evidence, it was considered that 15% was a sensible percentage that allowed some provision but was not too onerous’

7.45 I have considered this matter very carefully. On the one hand it is clear that bungalows would assist in meeting local housing needs. On the other hand, the matter is not underpinned by any robust evidence. In particular no evidence has been provided in respect of the potential impact of the proposed approach on development viability.

- 7.46 Nevertheless, there would be merit in setting out general support for the delivery of open-market sheltered and retirement accommodation in the neighbourhood area to address the issues set out in paragraph 5.15 of the Plan. In these circumstances I recommend a modification to the third part of the policy. It deletes the prescriptive approach towards the development of bungalows and replaces it with a more general approach towards open-market sheltered and retirement accommodation. The general support for bungalows in Policy RNP4.2 remains unaffected by this recommended modification.
- 7.47 The fourth part of the policy comments that new homes should meet the requirements of Part M4.2 of the Building Regulations. The Parish Council's intention is to ensure that all new homes are capable of adapting to residents need throughout their lifetime. I sought clarification from the Parish Council on any evidence to justify the prescriptive approach to a matter which is optional in the Building Regulations. It commented that:
- 'The need is even more so in Rudgwick where there has been a considerable increase in older residents in recent years which is set to continue, as shown in the 2017 HNA evidence. In view of this evidence regarding age structure and future households, which clearly impacts on the type of housing to be provided and also bearing in mind the Public Sector Equality Duty as well as the general view that planning policies should enable people to continue to live in their home as far as is practicable, then it follows that the norm should be for all new homes, regardless of tenure, to meet the optional Building Regulation for accessible and adaptable homes. Whilst a whole plan viability study has not been undertaken, the impact on development viability across the Plan Area of a 100% requirement for M4(2): accessible and adaptable dwellings, is relatively limited, particularly as it will become more common across the country over time'*
- 7.48 I can understand the circumstances which have caused the Parish Council to include a policy of this nature. Nevertheless, it is not supported by any detailed evidence. Building to the optional standards of the Building Regulations M4(2) has design and cost implications. As part of the preparation of the Plan the Parish Council has not assessed viability impacts of introducing this requirement, in accordance with section 56-007-20150327 of Planning Practice Guidance. In any event regulation M4(2) is an optional enhancement of regulation M4(1) which already provides facilities for the longer-term use of dwellings concerned.
- 7.49 In the circumstances I recommend that the policy is replaced with one which offers general support for the development of houses to the higher standards.

In Policy RNP4.1 replace 'must' with 'should'

In Policy RNP4.2 delete 'as they help.... the Parish'

Replace Policy RNP 4.3 with: 'Development proposals for open-market sheltered and retirement accommodation which are in accordance with other policies in this plan will be supported'

Replace Policy RNP 4.4 with ‘The development of new homes which achieve Part M4.2 of the Building Regulations will be supported where they otherwise comply with development plan policies’

Policy RNP5 Housing Density

- 7.50 This policy addresses housing densities. The first part of the policy comments that new developments should reflect existing densities of the relevant settlement. The second part of the policy offers flexibility for higher densities in the village centre and in circumstances where proposals meet the housing mix identified in Policy RNP2.
- 7.51 In general terms the policy meets the basic conditions. However, I recommend that the reference about density in the relevant settlement is replaced with reference to the density of the immediate locality of the site. This approach would take account of the different densities within the six settlements and in Rudgwick in particular.
- 7.52 I also recommend that the supporting text takes account of the potential implications of elements of Policy RNP4 with regard to the development of bungalows. Plainly development of this type would have the ability to lower overall densities.

In Policy RNP5.1 replace ‘relevant settlement’ with ‘immediate locality of the development site’

At the end of paragraph 5.18 add ‘The policy should be applied in association with Policy RNP4. The development of bungalows may have an impact on both the layout and the density on the site concerned’

Design and Architecture Policies

- 7.53 The Plan includes four policies which comment on the details of housing development as follows:
- RNP6 Materials;
 - RNP7 Architectural Style;
 - RNP8 Development Height; and
 - RNP9 Street Scene
- 7.54 In the round the policies take a positive and distinctive approach to the wider matter of design. Both individually and collectively the implementation of the policies will assist significantly in ensuring that new design in the parish is distinctive to its local vernacular building traditions.
- 7.55 I comment on the four policies separately. Where it is appropriate and necessary to do so, I will refer to the other policies in my assessment of each policy. Plainly they have a cumulative ability to affect the design, layout, and appearance of new development. In their different ways policies RNP 6-9 are supplemented by the Rudgwick Design Guide.

Policy RNP6 Materials

- 7.56 This policy identifies common vernacular building styles in the neighbourhood area and requires that new development should take account of a series of such features. It comments in particular about brickwork and tiles.
- 7.57 I saw the importance of such materials to the character of the parish during my visit. There is an excellent tradition of the sensitive upkeep of historic buildings and the incorporation of local detailing in new development.
- 7.58 The first part of the policy is a helpful component of the Plan. It reflects the local vernacular treatment of traditional buildings. I recommend a modification to the third criterion so that it has the clarity required by the NPPF. Otherwise, it meets the basic conditions.
- 7.59 The second part of the policy comments that full or partial timber-framing in buildings should be used sparingly. The supporting text does not provide any context to this matter. The Design Guide addresses the issue in a broader fashion and comments that ‘full or partial timber-framing is a style which is hard to achieve in modern materials, and should be high quality’.
- 7.60 I recommend that this element of the policy is deleted for two principal reasons. The first is that any ‘sparing use’ of timber-framed buildings would be difficult for HDC to determine in a consistent fashion throughout the Plan period. The second is that the policy may inadvertently discourage the development of high-quality designs for dwellings which incorporate full or partial timber framing and which are supported by the Design Guide. Nevertheless, I recommend that the issue is addressed in the supporting text.

Replace Policy RNP6.1 c) with: ‘Tiles should be used as roofing material whether traditional handmade or modern’

Delete Policy RNP6.2

At the end of paragraph 6.5 add:

‘There are some timber-framed buildings in the parish. This is a building style which is difficult to achieve with modern building materials. Where such building techniques are proposed the development should be of the highest quality and take account of local traditions and detailing. Advice should be taken from the District Council and/or specialist organisations with experience of the development of such buildings’

Policy RNP7 Architectural Style

- 7.61 This policy comments about the architectural style of new buildings. It has a particular focus on rooflines, chimneys, sash windows and timber doors. It also comments about proposed work to existing buildings. In general, the approach in the policy has regard to national policy and complements local policy.

- 7.62 In its response to the clarification note the Parish Council confirmed that the policy is intended to apply throughout the neighbourhood area rather than just to Rudgwick village. I recommend a modification accordingly.
- 7.63 The second part of the policy addresses the issue of works to existing buildings. I recommend that both the policy and the supporting text acknowledge that the control of some details will be beyond planning control. Nevertheless, the principles of the policy have the ability to be applied by building owners in circumstances where the works concerned are permitted development in order to achieve sensitive development.

In Policy RNP7.1 replace ‘To ensure that.... Rudgwick, it’ with ‘New development proposals’

Replace Policy RNP7.2 with:

‘Insofar as planning permission is required works to existing buildings (including styles of windows, doors and porches) should match originals wherever practicable, and ensure that any extension to the frontage of the building is in keeping with its existing architecture and design’

At the end of paragraph 6.7 add:

‘Policy RNP7.2 recognises that not all works to existing dwellings will need planning permission. Nevertheless, where this is the case the Plan would encourage property owners to ensure that the form and detailing of the works concerned respects the character, appearance and architectural format of the building concerned. The policy does not affect the requirements for certain works to listed buildings to need separate listed building consent’

Policy RNP8 Development Height

- 7.64 This policy comments about building heights. It has three related parts as follows:
- that buildings should generally be two storeys in height (Policy RNP8.1);
 - that development in the village centre should be no taller than the buildings which adjoin the site concerned (Policy RNP8.2); and
 - the scale and massing of new development should be in harmony with its surroundings (Policy RNP8.3).
- 7.65 The supporting text sets the scene for the wider policy. It comments that the parish currently has very limited development consisting of more than two storeys. This smaller scale of development helps to reinforce the rural character of the area.
- 7.66 As submitted the second and third elements of the policy do not add any significant value to its overall approach towards the delivery of two storey buildings. In addition, the various elements of the policy do not address the wider range of scale, layout, massing and site efficiency issues as set out in paragraph 127 of the NPPF.

- 7.67 In this context I recommend modifications to the policy so that it addresses some of these issues within the wider context of ensuring that new development safeguards the local tradition of two-storey dwellings. The recommended modifications to the policy retain the submitted approach on the potential for taller developments in Rudgwick village centre. I also recommend consequential modifications to the supporting text.

Replace the policy with:

'Policy RNP 8.1

New developments should reflect the local tradition and be of two storeys in height.

Development proposals of more than two storeys in height will be supported where they:

- **provide an appropriate relationship with existing built development in the local area; or**
- **are informed by the character and topography of the site and respond positively to their relationship with the site and with other buildings on the site; or**
- **bring a distinct character to the development by providing variation in form and establishing focal points; or**
- **are located within Rudgwick village centre.**

Policy RNP8.2

Irrespective of their location, the scale and massing of new developments should respect the character and appearance of the surrounding built and natural environment'

Replace 6.11 with:

'Policy RNP8 addresses the wider range of scale, layout, massing and site efficiency issues as set out in paragraph 127 of the NPPF together with the local tradition of the development of two storey buildings. Policy RNP8.1 identifies a series of circumstances where taller buildings would be considered. Policy RNP8.2 identifies that in all circumstances new buildings should respect the character and appearance of the surrounding built and natural environment'

Policy RNP9 Street Scene

- 7.68 This policy comments about a series of related elements of the street scene as follows:
- the need for the consistent arrangement of buildings (Policy RNP9.1);
 - surface runoff from paths and drives (Policy RNP9.2);
 - new boundary treatments (Policy RNP9.3);
 - new fencing (Policy RNP9.4);
 - new /improved vehicular access and their materials (Policy RNP9.5); and

- external lighting (Policy RNP9.6).

7.69 In its response to the clarification note the Parish Council clarified the remit of the policy as follows:

'The objective of this policy is to ensure that new development makes a positive contribution to the rural street scene. The street scene is largely residential within the parish but within these areas are non-residential uses. For example, along Church Street there are other uses such as shops, doctors, schools, community halls etc which are part of the street scene and which currently have boundary features which if lost would negatively impact Rudgwick's valued street scene. For this reason, it is important to apply the policy wider than residential development'

7.70 As submitted the policy includes elements of both policy and supporting text. I recommend modifications to address this issue.

7.71 I also recommend modifications to some of the elements of the policy so that they are positively-worded and that they clarify the types of development details which would be supported. The recommended modification to Policy RNP9.3 incorporates the revised wording proposed by the Parish Council in its response to the clarification note.

Replace Policy RNP9.2 with:

'All paths, vehicular routes and parking areas should actively minimise surface runoff from the site. The use of the following measures will be particularly supported:

- **the incorporation of sustainable solutions, such as the use of porous or permeable materials;**
- **the application of paving materials only to the line of wheel tracks; and**
- **the incorporation of integrated soft landscaping to soften the appearance of the area, including tree planting where appropriate'**

Replace Policy RNP9.3 with:

'As appropriate to their scale, nature and location proposals for residential, employment and commercial development, of one or more units or which involve a change of use to such uses should establish traditional boundary features as appropriate to the site concerned and from the following schedule:

- **a low native hedge, or**
- **a low brick wall (no higher than 1m), or**
- **a palisade wooden fence (no higher than 1m), or**
- **a Sussex-style oak cleft and rail'**

Delete Policy RNP9.4

Replace Policy RNP9.5 with:

'Development proposals which incorporate the provision of new or improved vehicular and/or pedestrian access should be in keeping with the property and

the surrounding street scene. Materials used in the construction of driveways or entrances should actively respond to the predominant material in the locality'

Replace Policy RNP9.6 with:

'Development proposals for the lighting of residential and commercial driveways should be low-level and downward facing. Any street lighting associated with new development should be in-keeping with the rural context of the parish'

Policy RNP10 Local Economy

7.72 This policy sets out to safeguard the parish's existing employment base and to promote new economic development in appropriate locations. It acknowledges that many of the parish's working-age population work elsewhere. The policy has three elements:

- the identification of parish employment areas together with a policy approach towards new employment development in such areas (Policy RNP10.1);
- a general policy on the loss of existing employment spaces in the neighbourhood area (Policy RNP10.2); and
- a policy approach towards home working/start-up businesses (Policy RNP10.3).

7.73 The first two parts of the policy take an appropriate approach towards both safeguarding the existing employment base of the parish and in promoting new development. Subject to a detailed modification to the wording of the second part of the policy they meet the basic conditions.

7.74 I recommend that the third part of the policy acknowledges that proposals for home working will not always require planning permission. Otherwise, the approach in the policy is both timely and sustainable as home-working options become more appropriate and are encouraged by employers. I also recommend that the supporting text is expanded so that it addresses this matter and provides a context for the third part of the policy.

In Policy RNP10.2 replace 'considered acceptable' with 'supported'

Replace Policy RNP10.3 with:

'Insofar as planning permission is required proposals for working from home or start-up businesses will be supported where they do not result in an unacceptable impact on the amenity of adjoining properties, the character of the immediate locality and the heritage significance of the property concerned'

At the end of para 7.3 add:

'The third part of the policy comments about proposals for home working or start-up businesses. It acknowledges that proposals for home working will not always require planning permission. Where permission is required this part of the policy identifies a

series of matters which development proposals should address. In general terms such proposals should be capable of being incorporated sensitively within existing residential areas'

Policy RNP11 Telecommunications

- 7.75 This policy offers general support to proposals for telecommunications and broadband infrastructure subject to environmental considerations. It reflects the importance of such facilities to the social and economic well-being of the neighbourhood area.
- 7.76 I recommend modifications to the policy so that its remit is clearer and to ensure that the environmental considerations are expressed in a consistent way. Otherwise, it meets the basic conditions.

Replace the policy with:

'Development proposals for the provision of telecommunication infrastructure (including fibre broadband and the mobile phone network) will be supported where they do not have an unacceptable impact on residential amenity, biodiversity or heritage assets and where they would not result in the loss of trees and hedgerows'

Policy RNP12 Accessibility

- 7.77 This policy sets out a connection between proposals for major development and their accessibility to a range of identified Important Local Facilities (ILFs) in the parish without the use of a car. If this cannot be achieved the policy requires that new access routes or other infrastructure are provided. The policy also offers support to proposals which would improve pedestrian and/or road safety.
- 7.78 The ambitions of the Parish Council on this issue are self-evident. It takes account of the importance of the ILFs within the parish and the appropriateness of any new major development providing good pedestrian access to these facilities. I sought guidance from the Parish Council on the practicality of this policy given the number of the ILFs and their distribution through Rudgwick and Bucks Green. It commented as follows:

'It is not considered unreasonable for development within or adjacent to urban areas to be required to connect to that urban area/village in a sustainable way. If occupiers of a development can feasibly and safely access the existing 'urban' area there will be naturally established access to the Important Local Facilities listed. Moreover, given most of the facilities are in relatively close proximity once access is demonstrated to one it is highly likely that existing links already exist to the others. Whilst the policy may initially seem onerous, it is not so, in reality'

- 7.79 Having considered all the information on this matter very carefully I recommend that the policy is modified so that its focus is on ensuring accessibility to the identified ILFs rather than setting out specific requirements for proposals for major developments. In particular the modified policy:

- highlights the importance of major development proposals providing safe and convenient access to the local pedestrian network;
- recognises that this can be affected by the layout of new development; and
- acknowledges that it may be both impracticable and beyond the control of a developer to facilitate pedestrian access to each of the identified ILFs. As the Parish Council's response to the clarification note highlights, once a pedestrian access has been established it has the ability to link into the wider pedestrian network which already exists in the parish.

7.80 The second part of the policy meets the basic conditions.

Replace Policy RNP12.1 with:

'The Plan identifies the following local facilities as Important Local Facilities:

[List the facilities at this point]

The layout and arrangement of proposals for major development should be designed to facilitate safe and convenient access to the local footpath network'

At the end of paragraph 8.11 add:

Policy RNP 12.1 reinforces the importance of a series of important local facilities in the parish. It sets out the importance of major new developments providing safe, attractive and convenient access to the local footpath network. Once this is achieved it will assist significantly in facilitating pedestrian access to these facilities both in the immediate locality of the site and more generally in the Rudgwick/Bucks Green built up area''

Policy RNP13 New Non-Motorised Routes

7.81 This policy offers support for the development of new non-motorised routes. Paragraph 8.12 comments that there is currently no off-road provision for cyclists apart from the use of existing bridleways and the Downs Link. Both the A281 and the B2128 are increasingly busy roads and not considered particularly safe for cyclists.

7.82 In its response to the clarification note the Parish Council confirmed that there were no specific proposals which were being developed for such routes. On this basis I am satisfied that the approach is correctly policy-based rather than being a community action which identifies work to be undertaken on specific schemes. In this context I recommend a modification to the first part of the policy so that it more closely relates to the development management process. It takes account of the helpful suggestion from the Parish Council.

7.83 I also recommend a modification to the second criterion of the second part of the policy to being the clarity required by the NPPF.

Replace Policy RNP 13.1 with:

'Development proposals which incorporate new or improved non-motorised routes through the parish will be supported, particularly where they provide

greater accessibility to the Important Local Facilities, as defined on the Policies Map'

Replace 13.2 b) with 'They incorporate safe crossings with existing roads and other routes'

Policy RNP14 Sports Facilities

- 7.84 This policy offers support to new and improved sports facilities. It is a criteria-based policy.
- 7.85 HDC suggests that the scope of the policy is broadened so that it safeguards existing sports facilities. I can see that such an approach would consolidate the remit of the policy. Nevertheless, such an addition to the policy is not necessary to ensure that it meets the basic conditions.
- 7.86 In general terms I am satisfied that the policy's approach meets the basic conditions. I recommend a modification to the third criterion so that it makes a closer linkage with the scale and location of the particular development proposal.

Replace c) with: 'Incorporate landscaping proposals appropriate to the scale, nature and location of the development to mitigate any harm to the wider natural environment'

Policy RNP15 Allotments

- 7.87 This policy offers support to new allotment facilities. It is a criteria-based policy. The supporting text identifies that the Parish currently does not have access to allotments following closure of a cross-border scheme in Surrey. In the round the policy will assist in the delivery of the social dimension of sustainable development in the parish.
- 7.88 I recommend a modification to the opening part of the policy so that it would have general effect. This approach reflects the helpful response from the Parish Council to the clarification note.
- 7.89 The third criterion refers to the need for a long-term maintenance plan for new allotments to be agreed with the Parish Council. Plainly this will be an important matter. However, it is a maintenance issue rather than a land-use issue. In these circumstances I recommend that it is deleted from the policy and included (in a modified fashion) in the supporting text.

Replace the opening element of the policy with:

'Development proposals for new allotment site(s) will be supported provided that:'

Delete criterion c)

At the end of paragraph 8.17 add:

'The long-term management and maintenance of any new allotments will be an important consideration. A management plan or a similar strategy should be prepared in consultation with the Parish Council as proposals for new allotments are worked up. Thereafter they should be included with the details of the eventual planning application'

Policy RNP16 Local Green Space

- 7.90 This policy proposes the designation of six local green spaces (LGSs). Their proposed designation is underpinned by the Local Green Spaces Assessment (April 2020) which was commissioned by the Parish Council.
- 7.91 The LGS Assessment initially looked at 23 potential LGSs and filtered them down to the six proposed in the submitted Plan. It provides a comprehensive assessment of the proposed LGSs against the tests in paragraphs 99 and 100 of the NPPF. It is helpfully supported by maps and photographs. It is a first-class example of an Assessment of this nature. It has been written and presented in an exemplary fashion.
- 7.92 I looked at the proposed LGSs during my visit. On the basis of all the information available to me I am satisfied that the six proposed LGSs meet the tests in paragraph 100 of the NPPF.
- 7.93 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.94 The first part of the policy lists the proposed LGSs. The second part of the policy sets out the policy implications of LGS designation and takes account of paragraph 101 of the NPPF. I recommend that the second part of the policy is modified so that it takes on a simpler format – there is no need for it to make a direct connection with national policy.

Replace Policy RNP16.2 with:

'Development proposals within the designated local green spaces will only be supported in very special circumstances'

Policy RNP17 Green Infrastructure and Trees

- 7.95 This policy addresses green infrastructure and trees. The first part of the policy offers support to proposals which would enhance green infrastructure. The second part of

the policy sets out an approach to development proposals would involve any loss of trees.

- 7.96 The first part of the policy has a general effect. It meets the basic conditions.
- 7.97 The second part of the policy has a more complicated format. It intends to secure replacement planting where otherwise acceptable development would involve a loss of trees. I recommend that the policy is modified so that it has the clarity required by the NPPF. In particular the modification addresses the following matters:
- the relationship between any replacement planting and the nature of the trees to be lost; and
 - the location of the replacement planting – as submitted the policy would allow replacement planting to take place anywhere within the parish. In some cases, this would mean that the replacement planting had no direct relationship with the development site itself.

Replace Policy RNP17.2 with:

‘Development proposals which involve the loss of existing trees should incorporate proposals for their replacement to an identical environmental value either within the site itself or elsewhere within the immediate locality. Any replacement trees should reflect the scale and nature of the trees to be lost and, as a minimum, conform to British Standard BS 3936-1/Standard 10-12cm girth’

Other matters – General

- 7.98 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However, other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for HDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Modification of specific text

- 7.99 HDC has suggested a series of amendments to the Plan. I have found its comments very helpful. I recommend the following modifications over and above those which have already been incorporated earlier within this report on a policy-by-policy basis. They are those required to ensure that the Plan meets the basic conditions.

General point – make consistent reference to a ‘neighbourhood development plan’ throughout the document

Front cover – after the title add: ‘Submission Plan - September 2020’

In Paragraph 2.10 (opening element) – Replace ‘Rudgwick’ with ‘the neighbourhood area.’

In Paragraph 2.10 third bullet point replace ‘was’ with ‘is’

On Page 14 footnote 1 replace ‘prepared’ with ‘adopted’

In paragraph 5.2 replace ‘this plan’ with ‘the Rudgwick neighbourhood development plan’

At the end of paragraph 5.2 add: ‘The Parish Council and the District Council have agreed that new residential development in the neighbourhood area will be considered in the emerging Horsham Local Plan. This decision took account of the District Council’s wider engagement with the parish councils which were preparing neighbourhood plans in September 2019’

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Rudgwick Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to Horsham District Council that, subject to the incorporation of the modifications set out in this report, the Rudgwick Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Horsham District Council on 28 June 2016.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in an efficient manner. The Parish Council's response to the clarification note was particularly comprehensive and helpful.

Andrew Ashcroft
Independent Examiner
16 March 2021