

West Chiltington Neighbourhood Development Plan 2023-2031

**A report to Horsham District Council and the
South Downs National Park Authority on the
West Chiltington Neighbourhood Development
Plan 2023 to 2031**

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Executive Summary

- 1 I was appointed by Horsham District Council in May 2025 to carry out the independent examination of the West Chiltington Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 10 July 2025.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development. There is a very clear focus on safeguarding its wider setting, allocating land for residential development, maintaining the separation of the two separate elements of built development, and designating a package of Local Green Spaces.
- 4 The Plan has been underpinned by community support and engagement. 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 West Chiltington Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

**Andrew Ashcroft
Independent Examiner
11 February 2026**

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the West Chiltington Neighbourhood Development Plan 2023-2031 (the 'Plan').
- 1.2 The Plan has been submitted to Horsham District Council (HDC) and the South Downs National Park Authority (SDNPA) by West Chiltington Parish Council (WCPC) 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) in 2012, 2018, 2019, 2021, 2023 and 2024. 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 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 because 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 complement the existing development plan. It has a very clear focus on safeguarding the setting of the village, allocating land for residential development, and designating a package of Local Green Spaces.
- 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 become 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 WCPC and the SDNPA, to conduct the examination of the Plan and to prepare this report. I am independent of HDC, the SDNPA, and WCPC. 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. I have 43 years' experience in various local authorities at either Head of Planning or Service Director level, and more recently as an independent examiner. I 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 proceeds 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 submitted Plan;
- the various appendices;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Environmental Assessment (July 2021);
- the addendum to the Environment Report (August 2024);
- the Habitats Regulations Assessment (June 2021);
- the addendum to the Habitats Regulations Assessment (June 2024);
- the note from HDC and WCPC on Policy EH11 (January 2026);
- WCPC's responses to the Clarification Note;
- the representations made to the Plan;
- the adopted Horsham Planning Framework;
- the adopted South Downs Local Plan;
- the National Planning Policy Framework (December 2023 and December 2024);
- Planning practice guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 10 July 2025. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in Section 5 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, I am satisfied that the Plan could be examined without the need for a public hearing.

The 2024 update of the NPPF

3.4 The NPPF was updated on 12 December 2024. Paragraph 239 of the NPPF 2024 sets out transitional arrangements for plan-making. It comments that the policies in the Framework will apply for the purpose of preparing neighbourhood plans from 12 March 2025 unless a neighbourhood plan proposal has been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) on or before the 12 March 2025.

3.5 The Plan as submitted on 15 August 2024. On this basis, the examination of the Plan against the basic condition that it should have regard to national policies and advice contained in guidance issued by the Secretary of State is based on the 2023 version of the NPPF. Where NPPF paragraph numbers are used in this report, they refer to those in the December 2023 version.

3.6 Paragraph 6.2 of this report sets out the full extent of the basic conditions against which a neighbourhood plan is examined.

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 On this basis, WCPC has prepared a Consultation Statement. It sets out the mechanisms used to engage all concerned in the plan-making process. The matter is more complicated as the Plan has had three different phases of work with significant gaps between the three phases. For the purposes of this report, I have taken the most recent submission of a pre-submission version of the Plan as the Regulation 14 stage. In this context the Statement also provides specific details about the consultation process that took place on the pre-submission version of the Plan (July to September 2021).
- 4.3 The Statement also reproduces material used at some of the consultation events. This gives an added depth to the document.
- 4.4 Sections 13 and 14 of the Statement provide details on the comments received during the consultation process for the pre-submission version of the Plan. They help to identify the principal changes that worked their way through into the submitted version. This process helps to describe the evolution of the Plan.
- 4.5 I am satisfied that consultation has been an important element of the Plan's production. Plainly it has been more complicated than normal due to the stop-start nature of the Plan. Nevertheless, 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. From all the evidence provided to me as part of the examination, I am satisfied 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

- 4.6 Consultation on the submitted plan was undertaken by HDC and finished on 6 December 2024. This exercise generated comments from the following organisations:
 - Historic England
 - Natural England
 - Surrey County Council
 - Environment Agency
 - Southern Water
 - South Downs National Park Authority
 - West Sussex County Council
 - CPRE

- Horsham District Council

4.7 Comments were also received from 40 residents. They are roughly split between comments of support for the Plan and objections to the proposed housing allocations.

4.8 I have taken account of the various representations in examining the Plan. Where it is appropriate to do so, I make specific reference to the individual representations 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 West Chiltington. It was designated as a neighbourhood area on 23 January 2014. In 2021 its population was 3400 persons living in 1579 households. As the Plan describes, the parish lies in an area of the Sussex Weald about twelve miles north of Worthing and about ten miles to the south of Horsham, on the boundary of the South Downs National Park. It includes a section of the River Chilt, and a part of Monkmead Woods.
- 5.2 The neighbourhood area is roughly divided into three sections. In the south there are two distinct settlements with the Old Village located one mile north of The Common. The third is the predominantly northern agricultural section which occupies about three-quarters of the land area. This area is sparsely populated.
- 5.3 West Chiltington Village is characterised by its narrow streets and conservation area. It has several listed buildings and is accessed via old drovers' roads with sunken lanes, steep banks, and overhanging trees. These roads are mainly single track with pinch points and passing places. The Common has most of the built-up area and is treated as a separate settlement. It contains largely low-density dwellings with tree-lined lanes, some no more than a single track. To the west of the Parish is agricultural land that leads to Pulborough three miles away. The south west corner consists of Monkmead Woods and the South Downs National Park. A recreation ground is located between the two settlements with the Village Hall and West Chiltington Sports Pavilion. A network of foot paths and other public rights of way extends throughout the area which affords views of the South Downs.

Development Plan Context

- 5.4 The development plan covering the neighbourhood plan area is the Horsham District Planning Framework (HDPF) and the South Downs Local Plan. 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, West Chiltington and West Chiltington Common is identified as one of a series of Medium Villages (the third category in the hierarchy). The policy advises that medium villages have a moderate level of services and facilities and community networks, together with some access to public transport. It also advises that these settlements provide some day-to-day needs for residents but rely on small market towns and larger settlements to meet several of their requirements. 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 plans in accordance with the settlement hierarchy.

5.5 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 26 Countryside Protection
- Policy 32 Quality of New Development
- Policy 43 Community Facilities, Leisure, and Recreation.

5.6 HDC has made good progress in terms of its preparation of a new Local Plan. The Plan was examined in 2024 and 2025, and a further procedural meeting is being held with the appointed inspector later this month (Note – this may need to be revised based on how long fact checking takes). HDC has also been grappling with the related issue of water neutrality. Nevertheless, it 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. This has affected the way in which the neighbourhood plan has been prepared and the timing of its submission. It is to WCPC's credit that it has continued with the promotion of its Plan in challenging circumstances.

5.7 Part of the neighbourhood area is located within the South Downs National Park. As such, future development in this area is controlled by the South Downs Local Plan. It is primarily a landscape-led Plan. Strategic Policies SD4,5 and 6 address Landscape Character, Design and Views respectively.

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 and in the National Park. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is also clear that the submitted Plan seeks to add 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 10 July 2025. I drove into the village from Thakeham to the east. This gave me an initial impression of its character, and its overall landscape character.

5.10 I looked at the key elements of the submitted Plan including the proposed housing allocations, the proposed Settlement Separation Zone, and the proposed Local Green Spaces.

5.11 I left the neighbourhood area by driving to Storrington. This part of the visit highlighted the relationship of the neighbourhood area with this larger settlement.

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 in the preparation of this section of the report. It is a well-presented and informative document.

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;
- not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; 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 December 2023.

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 relevance to the West Chiltington Neighbourhood Plan:

- a plan-led system – in this case the relationship between the neighbourhood plan and the overall development plan context described in Section 5 of this report;
- 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. Paragraph 13 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 subject to the recommended modifications included in this report. It has a very clear focus on safeguarding its wider setting, allocating land for residential development, maintaining the separation of the two separate elements of built development, and designating a package 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 (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: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. It also advises that policies should be concise, precise, and supported by appropriate evidence.

6.10 As submitted, the Plan does not fully accord with this range of practical issues. Most 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. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area and its range of policies is very comprehensive. In the economic dimension, the Plan includes policies on housing development (Policies H2 and H4) and employment uses (Policies EE1-EE3). In the social dimension, it includes policies on community uses (Policies LC1-5). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has an extensive range of environmental policies (Policies EH1-11), which include landscape character and the separation of the two built up parts of the neighbourhood area. WCPC has undertaken its own assessment of this matter 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 and in the South Downs National Park 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 recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the two development plans.

Strategic Environmental Assessment

- 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, WCPC commissioned the preparation of an Environmental Report (ER) to accompany and underpin the pre-submission version Plan. The report (July 2021) is thorough and well-constructed.
- 6.16 The report assesses the potential for the development of nine site options (as summarised in Table 4.1). As a result of this process the ER comments that the Plan seeks to deliver the housing target of at least 25 dwellings through a combination of allocations on Site B (Site 1 within Policy H2 in the WCNP) and Site F (Site 2 within Policy H2 in the WCNP), specifically:
- 6.17 The overall conclusions of the ER are as follows:

'The assessment has concluded that the Regulation 14 version of the WCNP is likely to have significant positive effects in relation to the Population and Community SEA theme through delivering housing which meets local needs, by supporting accessibility to services and facilities, enhancing community facilities, and through promoting the local economy. This will support social inclusion, the quality of life of residents, and community vitality.'

'The WCNP will also bring positive effects in relation to the 'Health and Wellbeing' SEA theme, linked to its promotion of green infrastructure enhancements and improvements to recreational opportunities, encouragement of healthier modes of travel, support for healthcare improvements and the delivery of high-quality housing, including care provision for older people. This will positively contribute to the creation of mixed, balanced, and sustainable communities.'

'The WCNP is also likely to lead to positive effects in relation to the 'Landscape' SEA theme. These benefits largely relate to the Neighbourhood Plan's emphasis on protecting and enhancing the special qualities of the parish, supporting the quality of the public realm, protecting the integrity of local green gaps, and through incorporating high-quality and sensitive design through new development proposals. However it is important to note that the allocation at Site 2 (Land at Smock Alley) has the potential

to adversely impact landscape and villagescape character in the absence of sensitive design, given its contribution to the strategic green gap between the Common and the Old Village, and the relative openness of the landscape at this location.

In relation to the 'Historic Environment' SEA theme, the WCNP includes several measures which seek to conserve and enhance both designated and non designated heritage assets (and their settings). Nonetheless, the SEA recommends that development proposals at all locations should be encouraged to undertake archaeological evaluations prior to construction, with any findings appropriately documented on the local historic environment record in line with best practice guidance.

Additionally, the WCNP will bring positive effects in relation to the 'Biodiversity and Geodiversity' SEA theme through retaining habitats, enhancing ecological networks, and delivering net gains. However, given the approaches taken forward through the WCNP will help limit potential effects from new development areas rather than secure significant enhancements, these impacts are less likely to comprise significant positive effects overall. Furthermore, to protect the integrity of European designated sites (and their qualifying features), the WCNP has appropriately considered and addressed the recommendations within the HRA (relating to water resource impacts and the loss of functionally linked land) which accompanies the WCNP at Regulation 14 consultation.

Regarding the 'Climate Change' SEA theme, the WCNP will potentially lead to positive effects through supporting development proposals which tackle flood risk issues, deliver renewable energy generating infrastructure and include low carbon energy sources to address the climate crisis. However, this is dependent on the extent to which development proposals incorporate these mitigation and adaptation measures through design.

The WCNP will also initiate several beneficial approaches regarding the 'Transportation' SEA theme, given its focus on enhancing the active travel network, including public rights of way and cycle routes, and encouraging sustainable modes of transportation in the medium-to-long-term.

Likewise, the WCNP will also initiate several beneficial approaches for the 'Land, Soil and Water Resources' SEA theme through the implementation of objectives which seek to limit pollution and improve the environmental quality of the parish. However, the WCNP area will facilitate a proportion of new dwellings on greenfield sites which has the potential to result in the loss of productive agricultural land.'

6.18 WCPC commissioned HDC to produce a further update of the ER in August 2024. The resulting addendum on water neutrality employs the Sustainability Appraisal process to consider how the recommendations made by the AECOM HRA addendum (June 2024) (as detailed later in this report) regarding water neutrality will be assessed against the West Chiltington Neighbourhood Plan SEA (July 2021) objectives to include new EH11: Water Neutrality and modifications to several existing policies in the West Chiltington Neighbourhood Plan.

6.19 Table 1 of the Addendum identifies the changes to West Chiltington Neighbourhood Plan Policies impacted by the Habitat Regulations Assessment (HRA) including the inclusion of new Policy EH11: Water Neutrality and the list of existing Policies affected. Furthermore, there has been an assessment to whether those changes have been significant in terms of sustainability.

6.20 The Cumulative Effects of Additional Water Neutrality Policy & Proposed Mitigation are summarised in Section 4 of the report as follows:

'The introduction of EH11 has a potential positive impact on several SEA objectives as the water efficiency and offsetting measures proposed through the policy will result in less water being abstracted from the water bodies in the Sussex North Water Resource Zone, thereby reducing the negative impacts on the wildlife sites in the Arun Valley which are used for leisure and recreation, which in turn improved health and well-being.

Positive impacts are identified for in general for the environmental objectives, in particular Objectives 1,2,3,5 and 7 because the changes seek to ensure that water levels in the Sussex North Water Resource Zone remain at a level that protects the integrity of sites of international nature conservation importance. These positive impacts are in addition to positive cumulative effects which have already been identified regarding health (through multiple policies ensuring that open space and facilities pertaining to healthy lifestyles are retained or expanded), accessibility (through ensuring the retention and expansion of services and facilities), and landscape (through several policies ensuring good design and enhancing local distinctiveness).

The introduction of EH11: Water Neutrality also allows planned development to have a pathway to be water neutral which is achievable over the plan period. The development of a long-term strategic solution which will allow development to proceed but at a reduced rate across the district and in the parish. The policy will have a negative impact on housing and the local economy because it will limit the amount of housing, employment and community land uses available, as numbers are limited to a level considered realistically achievable while able to offset water use. This will lead to a lag on housing delivery in the neighbourhood plan area overall until a long-term solution such as a potential reservoir is explored by the relevant stakeholders.

Notwithstanding, the introduction of EH11 and additional modification will allow the West Chiltington Neighbourhood Plan to meet its required quantum of housing growth, whilst also ensuring a mix of types, tenures and affordability are provided in the neighbourhood plan area. Furthermore, several other neighbourhood plans which have also stalled because of water neutrality will also be allowed to progress, bringing forward planned development which conforms to water neutrality and meets the legal tests in the habitat regulations.

Furthermore, the introduction of EH11 will unlock land available for commercial development, the policy inclusion in the plan will ultimately enable sites to come forward that are water neutrality compliant and support a neighbourhood plan which seeks to ensure no significant loss of employment land in the area and economic activity resulting from new development will help the local economy in the parish.

The potential for negative effects is noted and is derived from the findings of the HRA/AA work undertaken to accompany the West Chiltington Plan that explored effects regarding the level of housing growth in the Plan area on the Arun Valley sites without addressing water neutrality and would result in the potential significant degradation of the environment and the loss of economic growth and a falling population resulting from not meeting the local housing need. The implementation of a water neutrality policy EH11 and the modifications made policies in the WCNDP ensures suitable measures are in place to protect the Arun Valley protected sites, however potential negative impacts are still possible. To mitigate against further impacts, a project-level HRA/AA will be required for individual development proposals. Overall, there is uncertainty surrounding the cumulative effects regarding Habitats Sites, associated with the moving position of in-combination effects that may be identified within the project level HRA/AAs of any of the time of applications being submitted.'

Habitats Regulations Assessment

6.21 WCPC also commissioned the preparation of a HRA. The resulting report (date) is both thorough and comprehensive. It takes appropriate account of the significance of the following protected sites:

- Arun Valley SAC;
- Arun Valley SPA / Ramsar;
- The Mens SAC;
- Ebernoe Common SAC; and
- The Duncton to Bignor Escarpment.

6.22 The HRA screening exercise undertaken indicates that five policies were considered to pose Likely Significant Effects for European sites alone (and will therefore also do so 'in combination' with other projects and plans) and required further assessment:

- Policy H1: Allocation of Land for Housing
- Policy EH4: Renewable and Low Carbon Energy
- Policy EH12: Development on Agricultural Land
- Policy EE5: Sustainable Recreational and Tourism Activities
- Policy EE6: Rural Buildings

The impact pathways identified as requiring Appropriate Assessment are inappropriate water levels (water quantity, level, and flow) and the loss of functionally-linked habitat.

6.23 Following Appropriate Assessment, it was concluded that, at present, the West Chiltington Submission Neighbourhood Plan contains insufficient policy framework to ensure that no adverse effects on the integrity of international designated sites will occur in isolation or in combination with other projects and plans.

6.24 WCPC commissioned a further HRA in June 2024. It updates the earlier assessment on water neutrality. It recommends two revisions to the Plan. The first relates to the Mens SAC and Ebernoe Common SAC, it was concluded that the Plan has the potential to result in the loss of functionally linked commuter routes used by barbastelle

bats and Bechstein's bat, given it lies within the Wider Conservation Area identified as integral supporting habitat for these bat species. To avoid adverse effects on site integrity, it advised that the policy wording for EH4, EH12, EE5, and EE6 be amended to include a caveat that support is contingent on planning application HRAs confirming no adverse effect on Habitats site integrity.

6.25 The second relates to water quality impacts in the Arun Valley SPA/Ramsar/SAC, adverse effects on site integrity could not be excluded without mitigation. The report recommends that:

- an additional policy or supporting text is incorporated within the Plan to demonstrate commitment to support the delivery of water neutrality in line with the emerging Horsham Local Plan to protect the Arun Valley SAC/ Ramsar.
- Policies H1 and H2 are amended to require all development that requires the use of water within the neighbourhood be compliant with the Horsham Strategic Policy 9: Water Neutrality within the Horsham District Regulation 19 Plan.

6.26 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 the appropriate regulations.

Human Rights

6.27 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. Based on 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

6.28 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. 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.
- 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 WCPC 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 I have recommended modifications 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 1-5)

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan makes a very clear distinction between its policies and the supporting text.
- 7.9 The Introduction comments about the general background to the Plan, how it has been prepared and how it will be used. It includes a map of the neighbourhood area. Whilst the front cover comments about the Plan period I recommend that these details are included in the Plan itself.

At the end of paragraph 1.1 add: 'The Plan period is 2023 to 2031.'

- 7.10 The Introduction also comments about the way in which the community was engaged in the Plan's preparation. It overlaps with the Consultation Statement.
- 7.11 Section 2 comments about the planning policy context within which the Plan has been prepared.
- 7.12 Section 3 describes key elements of the neighbourhood area. It does so in an effective fashion. The Plan's presentation of these issues has been very helpful for examination purposes.

7.13 Section 4 includes a vision and a series of objectives for the wider Plan. The vision is:

'To ensure that the special, attractive, and valued characteristics of the Parish, including its rural feel, historic buildings, low-density construction, relative tranquillity, gardens, wildlife and relationship with the surrounding countryside, are protected and enhanced.'

7.14 Section 4 also advises about five strategic objectives of the Plan.

7.15 The connection between the vision and the objectives runs into the details in the Plan which sets out a justification after each policy.

7.16 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 H1 Spatial strategy and BUA boundaries

7.17 This policy sets out the spatial plan for the neighbourhood area. The Plan advises that consultation with the local community has identified a significant desire to preserve the natural, built, and historic environment that consists of two individual settlements, surrounded by rural land. This spatial strategy provides locally specific emphasis in support of sustainable development.

7.18 The boundaries as defined by HDC on Inset Map 26 set the distinction between the built form of the two settlements of West Chiltington and the surrounding countryside and are intended to protect the countryside from unnecessary development in accordance with Policy 14 of the HDLP. The Plan advises that the community wishes to retain the visual separation and important views between different settlements within and adjacent to the Parish. It also comments that each settlement has a unique identity and development should respond to the settlement in which it is located.

7.19 Appendix 9 provides details of the importance of the individual identities of the two parts of the Parish and explains the context in which the land between them is important as a gap between settlements.

7.20 This is a good policy which sets a spatial strategy for the parish. The fifth criterion reads out of context to the other four criteria. I recommend that it is repositioned so that it forms a separate element of the policy. I also recommend that the first criterion is woven into the opening element of the policy given that it is a fundamental part of WCPC's overall objective for the Plan's spatial strategy.

7.21 I recommend that the third criterion is modified to take account of the comments of HDC and the SDNPA. This will bring the clarity required by the NPPF.

7.22 Finally I recommend that the fourth criterion on water neutrality is deleted. This will ensure consistency with the approach that I have recommended to Policy EH11 (later in this report). I also recommend consequential modifications to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'Development proposals within the Built-Up Area Boundaries will be supported where the following criteria as applicable, are met:

Insert b from the submitted policy.

Insert a further criterion to read 'Avoid or minimise any adverse impact on the South Downs National Park or its setting and on the predominantly open and undeveloped landscape setting of the Parish as a whole as described in the Landscape Character Assessment.'

Land outside the Built-Up Area Boundaries is identified as countryside. Development proposals will only be supported in this part of the neighbourhood area where they are the subject of a specific policy in this Plan or can demonstrate a need to be in the countryside, as set out in national and local policies.

Delete paragraph H1.6

Policy H2 Allocation of land for housing

- 7.23 This is a comprehensive policy which provides guidance and general commentary on proposed new housing developments.
- 7.24 The criteria in the policy are both locally-distinctive and commendable. I recommend that the opening element is modified so that the policy can be applied in a proportionate way. This will acknowledge that infill development will naturally be of a small scale. In coming to this judgement, I have taken account of WCPC's response to the clarification note.
- 7.25 As with Policy H1 I recommend that the relevant criterion on water neutrality (here 13) is deleted. This will ensure consistency with the approach that I have recommended to Policy EH11 (later in this report). I also recommend specific modifications to the wording used in some of the criteria so that they acknowledge the role of a neighbourhood plan in the wider development plan. Finally, I recommend that criterion 10 is repositioned into the supporting text. This acknowledges that it addresses a process issue rather than operating as a land use policy.
- 7.26 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the opening element of the policy with: 'As appropriate to their scale, nature and location, proposals for new residential development should address the following matters:

In criterion 1 replace 'must' with 'should'

Delete criterion 10.

In criterion 11 replace 'shall' with 'should'

Delete criterion 13.

At the end of paragraph H2.8 add: 'Developers are advised to engage in pre-application discussions with Southern Water to evaluate whether changes to the Hardham abstraction would have any impacts for the timing of delivery of their developments to keep pace with infrastructure investment.'

Policy H2a Land at Hatches Estate

7.27 This policy comments about one of the two proposed allocated sites in the Plan. It allocates land for housing at Hatches Estate for around 15 homes. The policy is underpinned by a series of criteria. The identification of the site as an allocation is underpinned by the details in the Environment Report.

7.28 In general terms the policy takes a positive approach to the development of new homes and has regard to Section 5 of the NPPF. I note that the proposed development reflects the findings of the HDC 2018 SHELA insofar as it addresses the parish. Nevertheless, the site now proposed in the Plan is much smaller than that identified in 2018 and relates only to the field to the immediate east of Broadford Bridge Lane.

7.29 I looked carefully at the proposed allocation during the village. I saw its relationship to Broadford Bridge Lane and to the buildings to its immediate south.

7.30 I sought WCPC thoughts on the criteria in the policy to restrict the development of the site to 15 homes and the extent to which it assessed this resulting density against national policy as set out in Section 11 of the NPPF. I also sought comments about the extent to which it was satisfied that access can be secured into the site, and that development can proceed within the Plan period.

7.31 In its response to the clarification note WCPC advised that:

'Horsham District Council housing land report for West Chiltington Parish, the SHELA, dated December 2018 (see Appendix 1) made an assessment of this land, which is referenced SA066, as having the potential for residential development for 15 dwellings, within an estimated period of 6 to 10 years. This information was originally provided by the County Council in the call for development sites. A subsequent update from Horsham District Council in its Regulation 19 Local Plan site assessment report (see Appendices 2a and 2b) confirmed this housing number as deliverable. This density also works with the parish's Design Statement in that it fits with the desired design and character of housing within the village.'

'The County Council have confirmed that they have full title to all the land that could enable a housing development, also that the land's widest dimension is immediately adjoining the adopted public highway Broadford Bridge Road. We are attaching the WSCC e-mail correspondence on this matter which confirms that access is available (see Appendix 3).'

7.32 I have considered these matters carefully. On the one hand, the development of the site has been carefully promoted through the Plan and has the active support of the landowner. On the other hand, the policy seeks to restrict the development of the site

to 15 homes, and with an associated requirement for the delivery of specific house types within that total. On the balance of the evidence, I am satisfied in general terms that the development of the site for housing purposes is appropriate and has regard to Section 5 of the NPPF. Nevertheless, I recommend that the restriction on the development of the site to 15 dwellings is revised to the delivery of a minimum of 15 homes. This will provide flexibility for the development of the site in general terms, and to assist in the delivery of the specific type of housing required by the policy. I also recommend specific modifications to three of the other criteria to bring the clarity required by the NPPF and to acknowledge the role of a neighbourhood plan within the overall development plan. The recommended modification to criterion 3g incorporates the requirement for a new access into the site within its submitted requirement to deliver continued access to the agricultural land to the east.

7.33 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

In part 2 of the policy replace ‘about’ with ‘a minimum of’

In part 3b replace ‘around 15 dwellings which include 5 bungalows for older people and 5 affordable dwellings;’ with ‘a minimum of 15 dwellings which include 5 bungalows for older people and 5 affordable dwellings;’

In part 3f replace ‘possible’ with ‘practicable’

Replace part 3g with: ‘Appropriate vehicular access into the site is secured from Broadford Bridge Road which also maintains vehicular access to the agricultural land to the east;’

In part 3i replace ‘Proposals will be expected to’ with ‘Development proposals should’

Policy H2b Land at Smock Alley

7.34 This policy proposes the allocation of a second parcel of land for housing use. In this case it is at land at Smock Alley for around 14 homes. The policy is also underpinned by a series of criteria. As with Policy H2a, the identification of the site as an allocation is underpinned by the details in the Environment Report.

7.35 In general terms the policy takes a positive approach to the development of new homes and has regard to Section 5 of the NPPF. I note that planning permission has now been granted for the residential development of the site. In this context I recommend that the policy is retained in the Plan and that the supporting text is modified to provide a context for any revised planning applications on the site. WCPC agreed with this approach in its response to the clarification note.

7.36 The criteria in the policy are both appropriate and locally-distinctive. They will ensure that the site is developed to a high standard and overlap with the provisions of Policy H3 of the Plan. I recommend specific modifications to two of the criteria to bring the clarity required by the NPPF and to acknowledge the role of a neighbourhood plan within the overall development plan.

7.37 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

In part 3e replace ‘possible’ with ‘practicable’

In part 3g replace ‘Proposals will be expected to’ with ‘Development proposals should’

At the end of paragraph H2.12 add: ‘Planning permission has been granted for the development of the site. The policy has been retained in the Plan to provide a context for any revised planning applications on the site.’

Policy H3 Quality of design

7.38 The Plan advises that the purpose of the policy is to ensure that development proposals and their materials respect the local character of the neighbourhood area. The Village Design Guide adopted in 2003 has been updated and is included in the Plan as Appendix 2.

7.39 This is an excellent policy which is underpinned by the Design Guide. In the round, it is a very good local response to Section 12 of the NPPF. Within this broader context I recommend that the various uses of ‘must’ in the policy are replaced with ‘should’. This will acknowledge the role of a neighbourhood plan within the overall development plan. I also recommend that part 2d of the policy is recast so that its intentions are clearer and to allow HDC to be able to implement its provisions through the development management process.

7.40 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Throughout the policy replace ‘must’ with ‘should’

Replace part 2d with: ‘Photo-Voltaic panels, and other devices using solar energy for domestic purposes should be designed and positioned to respond positively to the character of the immediate area.’

Policy H4 windfall sites

7.41 The context to the policy is the Plan’s commentary that small residential developments on infill and redevelopment sites will come forward during the Plan period. The Plan advises that it is important to the residents that the integrity and character of the built environment is maintained. The Plan also advises about the importance that developments provide residents with safe and easy access connections to the social, community and retail facilities of the two parts of the Parish as rural isolation is an increasing issue.

7.42 The policy offers support to infill development of five or less homes where they meet a series of criteria. I am satisfied that the various criteria are appropriate and distinctive to the neighbourhood area.

7.43 The overall approach taken in the policy is very robust. Plainly the yield of any site will be determined by its size. In its response to the clarification note WCPC acknowledged that the proposed cap of five homes was not justified, and the policy wording would be more relevant if it was applied more generally. I recommend accordingly. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the opening element of the policy with:

'Proposals for residential development on infill and redevelopment sites within the built-up area boundaries shown on Map A will be supported subject to the proposals being well-designed, and where such development:'

Policy EH1 Green infrastructure

7.44 The context to this policy is the Plan's assertion that green infrastructure corridors such as woodland and well-maintained hedgerows provide important wildlife habitats and cover for migration of wildlife. The Plan advises that the neighbourhood area has several small copses, old orchards, mature hedgerows, ponds, watercourses, and similar habitats hosting a variety of wildlife. These have potential to enhance biodiversity within the parish and provide important connections between the South Downs and the Weald, if they are better connected to form wildlife corridors. The Green Infrastructure and Ecosystem Services report at Appendix 6 provides more detail on these matters.

7.45 The supporting text advises that developers are strongly encouraged to also demonstrate how the overall function and integrity of the Biodiversity Corridors may be enhanced to provide a 'net gain'. It advises that proposals should also include a management plan to ensure that effective long-term management and enhancement of key features within the relevant Biodiversity Corridor can be achieved.

7.46 The policy takes a comprehensive approach and complements the national approach towards the delivery of biodiversity net gain. In general terms the policy has regard to Section 15 of the NPPF. In addition, I am satisfied that WCPC has appropriately identified the proposed Biodiversity Corridors. In this context I recommend that the policy is modified to bring the clarity required by the NPPF and to reflect the role of a neighbourhood plan within the overall development plan. In summary the recommended modifications address:

- breaking the policy into its individual components;
- refining the wording used;
- acknowledging that it may not always be practicable for development proposals to enhance the natural environment; and
- ensuring that the policy can be applied in a proportionate way by HDC and SDNPA.

7.47 The recommended modifications incorporate WCPC's helpful response to the clarification note. Otherwise, the policy meets the basic conditions. It will contribute to

the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'New development within, or adjacent to the Biodiversity Corridors identified on Map B and Appendix A should respond positively to the natural environment and should not give rise to any significant harm to the integrity or function of the relevant Biodiversity Corridors.'

Development proposals should contribute to, and where practicable, increase and enhance the natural environment by providing additional habitat resources for wildlife and which demonstrate that any potential impacts upon priority species and habitats have been fully assessed and mitigated to deliver at least a 10% net gain in biodiversity using the Defra approved biodiversity metric, which should be delivered on-site.

Where it is not practicable to deliver biodiversity net gains on site, development proposals should contribute to new or restoration projects off site to deliver overall net gains within the neighbourhood area.

As appropriate to their scale, nature and location, development proposals which directly or indirectly affect an identified Biodiversity Corridor should seek to deliver the following opportunities where it is practicable to do so: [add a-f from the submitted policy]'

Policy EH2 Flooding, drainage, and new development

7.48 The Plan advises that during heavy periods of rain and after snow many of the parish lanes become subject to flooding. The Strategic Flood Risk Assessment report 2010 produced by HDC identified 70 properties in the Parish susceptible to surface water flooding. The Environment Agency maps' extracts show areas in the north and south of the Parish as at high to low risk of flooding.

7.49 I sought WCPC's view on the added value of this policy beyond existing national and local planning policies. In its response to the clarification note it commented that:

'(it) is accepted that it adds little to national policy however it is a topic which is extremely important to local people. The Parish has experienced flooding which has impacted transport and local businesses - for example last winter a main access road to the village was closed due to collapsed culverts for over four months. Parishioners expect this to be addressed through the Neighbourhood Plan so the Parish Council would prefer to retain the policy if possible.'

7.50 I have considered this matter very carefully. On the one hand several elements of the policy repeat national policy. On the other hand, there is a distinctive local issue to be addressed and which has been raised extensively during the Plan preparation process. On the balance of the evidence, I recommend that the elements of the proposed policy that restate national policy are repositioned into the supporting text. This will ensure that developers are reminded of the importance of complying with national policy. The

remaining elements of the policy concentrate on run-off rates from greenfield and brownfield sites.

7.51 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'Development proposals on undeveloped land should demonstrate that peak surface water run-off rates and run off volumes from the application site will be returned to pre-development greenfield levels as far as reasonably practicable.

All development proposals on previously developed land should demonstrate that surface water run-off from the application site as a result of the development will be as close as reasonably practicable to equivalent greenfield run-off rates for the same rainfall event and should not exceed the rate of discharge from the site prior to its redevelopment.'

Add a new paragraph of supporting text (EH2.2) to read:

'Policy EH2 has been designed to add value to the details set out in Section 14 of the NPPF. In this context development should not take place in areas at risk from flooding identified on the latest Environment Agency flood risk maps or locally known areas of flooding (see Map E), unless it can be shown that there are no sites where it would be possible to locate that development, in an area at lower flood risk. If having adopted a sequential approach, it shows the development must be sited in a flood risk area, then it must be designed to be flood resilient and resistant and have a safe means of escape. The exception test may have to be applied in accordance with the NPPF. The need for a sequential test does not apply to changes of use or residential extensions. Planning applications within Flood Zones should be accompanied by a site-specific flood risk assessment in accordance with paragraph 167 of the NPPF. Where appropriate and necessary, planning permissions for new development will be subject to drainage conditions.'

Policy EH3 Protection of trees and hedgerows

7.52 This is a comprehensive policy on trees and hedgerows. The Plan advises that trees and hedgerows contribute to the open character of the neighbourhood area.

7.53 In general terms the policy takes a positive approach to these matters and has regard to Section 15 of the NPPF. In this broad context I recommend that parts 2, 3 and 4 are recast so that they have the clarity required by the NPPF and can be applied by HDC and the SDNPA through the development management process. In part 1 I recommend that the use of 'must' is replaced by 'should'. This will ensure that the approach taken is appropriate to a neighbourhood plan and is consistent with that used in other policies in the Plan.

7.54 I recommend that the seventh part of the policy is deleted and repositioned into the supporting text. This acknowledges that it addresses a maintenance issue rather than a land use policy matter. Otherwise, the policy meets the basic conditions. It will

contribute to the local delivery of each of the three dimensions of sustainable development.

In part 1 replace ‘must’ with ‘should’

Replace part 2 with:

‘Wherever practicable, main roads, secondary and access roads and residential streets in new development proposals should be tree-lined with appropriate soil/tree-pit preparation, anti-compaction, and surface water infiltration (such as grids, permeable surfaces, and sustainable drainage) to ensure tree health.

Replace part 3 with:

‘Development proposals which would significantly affect sites with existing trees or hedgerows should be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained. Existing trees and hedges should be addressed early in the design and layout of development proposals to avoid future issues such as large trees close to houses; root problems by roads, footways, utilities; trees/hedgerows not maintained on private land. Where necessary, retained hedgerows should be laid and filled-out to improve their health and appearance.’

Replace part 4 with:

‘Wherever practicable, development proposals should incorporate new hedges on all boundaries. Hedging plants should be mixed native species as set out in the Design Guide. Any timber/masonry boundaries used should be screened with hedge planting.’

Delete part 7

At the end of paragraph EH3.3 add: ‘Where appropriate long term maintenance arrangements (e.g. funded management company) shall be set up for hedge cutting, tree pollarding, leaf collection, annual safety inspections, remedial and replanting works.’

Policy EH4 renewable and low carbon energy

- 7.55 The policy comments that proposals for energy-generating infrastructure using renewable or low carbon energy sources will be supported provided that a series of criteria are met.
- 7.56 In general terms the policy takes a positive approach to these issues and has regard to Section 14 of the NPPF. In this broader context I recommend that the fourth criterion is recast so that it has the clarity required by the NPPF. This will also ensure that it has the same format as the other criteria. I also recommend that its explanation is relocated into the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace d) with: 'The proposal has no adverse effect on the integrity of the Arun Valley SPA/Ramsar site.'

At the end of EH4.3 add: 'Criterion d) of the policy comments about the Arun Valley SPA/Ramsar site. Development proposals which may affect this protected site should be accompanied by a proportionate assessment of their impacts on the protected site and any associated mitigation measures.'

Policy EH5 Conserve and enhance the heritage environment

- 7.57 The ambition of the policy is to ensure that new development respects and enhances the local distinctiveness and character of the area, landscape, and the significance of heritage assets. The policy also identifies a package of non-designated heritage assets (NDHAs).
- 7.58 In general terms the policy takes a positive approach to this matter and has regard to Section 16 of the NPPF. I am also satisfied that the five proposed NDHAs have been appropriately selected.
- 7.59 The section on NDHAs reads out of context in the wider structure of the policy. I recommend that this matter is remedied by relocating it to the beginning of the policy and clarifying that the assets have been identified as part of the production of the Plan. I also recommend that the submitted first part of the policy is recast so that it uses language appropriate to a neighbourhood plan and which acknowledges that not all development proposals will be able to enhance the local distinctive character of the area in which the application site is located.
- 7.60 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Shift the second part of the policy to the start and replace its opening element with: 'The Plan identifies the following non-designated heritage assets:'

Replace the first (as submitted) part of the policy with:

'Development proposals should respect and where practicable enhance the local distinctiveness and character of the area, landscape, and the significance of heritage assets. Development proposals should demonstrate that they would conserve and where practicable enhance the natural beauty and wildlife and cultural heritage of the area and protect the setting of designated and non-designated heritage assets. Proposals that have the potential to directly or indirectly affect a designated or non-designated asset and/or its setting should be accompanied by a proportionate heritage statement demonstrating the scale of any harm or loss and the significance of the heritage asset.'

Policy EH6 Dark Night Skies

- 7.61 The Plan advises that most of the Parish is free of street lights, light pollution is minimal and the full night sky can be seen. Its location next to the South Downs National Park, an International Dark Sky Reserve, justifies attempts to keep light pollution to a minimum as the Parish can be viewed easily from the South Downs Way. The Plan West Chiltington Neighbourhood Plan – Examiner's Report

also comments that the SDNPA is using its role as a planning authority to protect the dark skies above the National Park through policies about lighting requirements that developers need to meet.

7.62 The policy comments that lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. The policy also comments that development proposals which detract from the unlit environments of the Parish will not be supported. Finally, it advises that development proposals should respect the unlit environment of the neighbourhood area and take all appropriate opportunities to reduce light pollution.

7.63 SDNPA comments about the overlaps between Policy SD8 (Dark Night Skies) in the South Downs Local Plan and the submitted policy. I have considered this matter very carefully. There is a clear risk that the proposed policy may detract from the strategic nature of Policy SD8 of the SDLP. Given that the submitted Plan has not proposed additional detail to the strategic policy, I recommend that Policy EH6 applies only within the part of the parish within Horsham District. I address this matter in recommended modifications to paragraph EH6.1 of the Plan. I address other suggested modifications to the supporting text in the Other Matters section at the end of this report.

7.64 In general terms the policy takes a positive approach to this important matter. Nevertheless, I recommend the following modifications to bring the clarity required by the NPPF and to allow HDC to apply its contents in a consistent way:

- ensuring a more structured relationship between the various elements of the policy; and
- ensuring that the policy sets out its expectations for external lighting in a positive way.

7.65 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'Development proposals should respect the unlit environment of the neighbourhood area and take all appropriate opportunities to reduce light pollution. Any new external lighting should conform to the highest standards of light pollution restrictions. Security and other outside lighting on private and public premises (including floodlighting at equine establishments and on sports fields or sports grounds) should be restricted so that it is neighbourly in its character. Wherever practicable, roads within new developments should use motion-sensitive street lighting.'

Development proposals which unacceptably detract from the unlit environment of the neighbourhood area will not be supported.'

In paragraph EH6.1 replace 'The South Downs National Park Authority is using its role as a planning authority to protect the dark skies above the National Park through policies about lighting requirements that developers need to meet.' with 'The South Downs National Park Authority is using its role as a planning authority to conserve and

enhance the intrinsic quality of dark skies above the National Park through Policy SD8 of its Local Plan and its Dark Skies Technical Advice Note.'

At the end of paragraph EH6.1 add: 'Policy EH6 applies only in those parts of the parish outside of the South Downs National Park. Policy SD8 (Dark Night Skies) of the South Downs Local Plan applies in the National Park and includes its own specific guidance and environmental zones. The Neighbourhood Plan has not chosen to add further detail to the policy already in place in the South Downs. Equally it recognises that the circumstances in the South Downs do not necessarily apply elsewhere in the parish.'

Policy EH7 Sunken lanes and Stream Lane

- 7.66 The Plan advises that sunken lanes, single track roads incised below the general level of the surrounding land and lined with high trees are a feature of the Parish. It comments that their removal would have a significant impact on the visual amenities and character of the Parish.
- 7.67 I noted the importance of the sunken lanes during the visit. This is an excellent and locally distinctive policy.
- 7.68 In general this is an excellent and locally distinctive policy which takes a positive approach to this matter and has regard to Section 15 of the NPPF. Within this broader context I recommend modifications to the wording used in the policy to ensure that it relates to the role of a neighbourhood plan within the wider development plan. I also recommend that the second part of the policy is expanded so that it has a positive focus (and provides guidance to the development industry about its requirements).
- 7.69 I have considered the proposal from a resident about the inclusion of an additional sunken lane. However, my role is to examine the Plan as submitted rather than to expand its remit and coverage.
- 7.70 With the incorporation of the recommended modifications, I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace 'will be resisted' with 'will not be supported'

Replace the first sentence of the second part of the policy with:

'Development proposals should respond positively to the biodiversity, landscape and amenity value and character of the identified sunken lanes. Development proposals that would reduce the biodiversity, landscape and amenity value and character of the sunken lanes will not be supported.'

Policy EH8 landscape character and important views

- 7.71 The Plan advises that the Viewshed Study Report of the South Downs National Park, the Horsham District Landscape Character Assessment, and the West Chiltington Landscape Character Assessment have helped to understand the landscape character and value of the Parish. The policy advises that development proposals should

maintain the local character of the landscape within the neighbourhood planning area (as set out in the West Chiltington Landscape Character Assessment) and should not impact on significant views that currently provide open field aspects, views to the South Downs or views from the village centres and other open spaces.

7.72 In general terms the policy has a positive focus and has regard to Section 15 of the NPPF. The SDNPA suggest modifications to the policy to ensure that it is in general conformity with the strategic policies in the South Downs development plan. I agree with the generality of the approach suggested and which has been accepted by WCPC. I recommend that the recommended modification captures the revised approach proposed by SDNPA whilst making a clear separation in the wording used about what types of development will and will not be supported.

7.73 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Development proposals should conserve or enhance the local landscape character of the neighbourhood area and should be informed by South Downs, Horsham District and West Chiltington Landscape Character Assessments.

Development proposals that would have a detrimental impact on significant views that currently provide open field aspects, views to the South Downs or views from the village centres and other open spaces will not be supported.’

Policy EH9 Agricultural land

7.74 This policy seeks to prevent inappropriate development in the countryside where subdivision and small structures can harm the character of open countryside and put pressure on rural roads. In some cases, such development falls within permitted development rights. The policy anticipates the making by HDC of one or more Article 4 directions which may remove some of these rights. In this respect the policy seeks to address a locally distinctive matter which is set out in paragraph EH9.4.

7.75 In general terms the policy addresses these matters in a positive way. I recommend that the second and third parts of the policy are combined, and that it uses wording more appropriate to a neighbourhood plan. I also recommend related modifications to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the second and third parts of the policy with:

‘Insofar as planning permission is required, development on agricultural land sub-divided into holdings of less than 0.4 hectares and involving enclosure and/or the erection of small structures (temporary or permanent) will not be supported. The same requirements will apply to proposals for development on holdings of between 0.4 and 5 hectares unless it can be demonstrated that such development is reasonably necessary for agricultural, viticultural, or horticultural purposes.’

Replace paragraph EH9.3 with:

'Where planning permission is required, proposals for the fencing of small plots of 0.4 hectares or less will not be supported. In addition, the erection of small structures such as sheds and field shelters on small plots, including temporary structures will not be supported. These plots are artificially small and do not constitute agricultural units in planning terms (even though the activities carried out on site may in essence be agricultural) and therefore their small size does not support the needs of agriculture. For plots between 0.4 and 5ha permission may be granted if the effect of development on the visual amenities of the landscape is insignificant and if development is reasonably necessary for the purposes of agriculture. However, proposals will not be supported where they would result in a proliferation of small buildings which will harm open landscape or will have an impact on skylines or important views.'

Policy EH10 Settlement Separation

7.76 The Plan identifies a Settlement Separation Zone on Map 9. It advises that proposals for development requiring planning permission within the Settlement Separation Zone shown on Map D and Appendix 9 will not be supported and strongly resisted unless it is for essential utility infrastructure or where it can be demonstrated that there will be no significant reduction in the openness of the zone.

7.77 I looked carefully at the land concerned and saw that the policy has a clear purpose. In this context I sought advice from WCPC on the following matters:

- the justification for the policy's comments about proposals which need planning permission?
- is the implication of the policy that uses which would retain the openness of the land concerned (such as sports pitches) would be supported?
- the suggested removal of the proposed housing allocation at Smock Alley (Policy H2b) from the Separation Zone now that planning permission has been granted.

7.78 In its response to the clarification note WCPC advised that:

'(it) understands that the wording was recommended by an Examiner of another (Plan) as a neat way to make the distinction that issues which do not require planning consent cannot be controlled by the policy. The Parish Council is more than happy for the wording to be amended. The intention of the policy is to retain the settlement gap. Its use for sports pitches would destroy the open rural aspect of the land which the Parish Council is seeking to preserve. The removal of the housing allocation from the separation zone map is agreed.'

7.79 In the broader context of the policy I recommend the following modifications to bring the clarity required by the NPPF and to allow HDC to implement the policy through the development management process

- the deletion of the unnecessary comment about proposals being strongly resisted when the policy already advises that they will not be supported;

- the deletion of the unnecessary comment about proposals which need planning permission;
- correcting the reference in the policy to the map of the Settlement Separation Zone in the Plan;
- the inclusion of additional policy wording to highlight the purpose and intent of the policy; and
- the removal of the Smock Alley site given that it is both allocated in the Plan and has planning permission.

7.80 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Development proposal within the Settlement Separation Zone shown on Map B will not be supported unless they are for essential utility infrastructure or where it can be demonstrated that they will not result in a significant reduction in the openness of the Zone and the contribution that it makes to the separation and distinctiveness of the two built-up parts of West Chiltington.’

Delete the Smock Alley site from Map B

Policy EH11 Water Neutrality

7.81 The Plan advises that Horsham District lies within the Sussex North Water Resource Zone (WRZ). This WRZ is supplied from groundwater abstraction, from the Folkestone bed of the Lower Greensand/ Wealden Greensand semi-confined aquifer, on the River Arun, close to Pulborough. As well as covering Horsham District, the WRZ covers part of Arun District, Crawley Borough, Chichester District and Mid Sussex District, including areas located in the South Downs National Park. Within the WRZ, water is mains distributed by Southern Water.

7.82 In September 2021, Natural England issued a Water Neutrality Position Statement for the Sussex WRZ (including West Chiltington). It required new development to demonstrate “water neutrality” to protect the Arun Valley habitats. This requirement extended to plan making to ensure all plans and programmes were compliant with the Habitat Regulations 2017.

7.83 In October 2025, Natural England formally withdrew its Water Neutrality Position Statement, following an agreement with Southern Water and the Environment Agency. In the Withdrawal Statement, Natural England advises that local authorities are no longer required to consider water neutrality measures when determining relevant plans or projects.

7.84 The Withdrawal Statement relies on a licence cap on water abstraction being agreed by the Environment Agency which will mitigate adverse impacts on the Arun Valley SAC/RAMSAR sites. The new licence is expected to apply from March 2026 from which point water neutrality will cease to be a requirement. As an interim measure, from 1 November 2025, all new developments in Horsham District are deemed water neutral using Southern Water’s 2024/25 water efficiency savings. No bespoke

condition or Section 106 clause is any longer required to demonstrate water neutrality and no payment is required into an offsetting scheme.

7.85 The Withdrawal Statement removes the need for the development plan (including neighbourhood plans) to include any policy requiring water neutrality. Given the changed circumstances explained above, WCPC and HDC have requested that I recommend the removal of water neutrality-related policies and requirements from the Plan.

7.86 I am satisfied that HDC and WCPC have addressed this matter in a comprehensive fashion. The submitted Plan sought to dovetail with the approach taken in the emerging Horsham Local Plan. Plainly recent events have advanced the matter. Based on all the evidence, I recommend the deletion of the policy as requested. I am satisfied that HDC has measures in place to address the wider issue through the development management process.

Delete the policy

Delete the supporting text.

Policy GA1 Connection to sustainable transport

7.87 The context to this policy is the Plan's view that connections within the Parish and to and from neighbouring villages are important as they share a range of community facilities such as shops, medical facilities, and schools. The resulting policy comments that new developments must integrate with the current green infrastructure network and provide access to public and community transport, to connect with the social, community and retail facilities of the two parts of the village. The policy also advises that, wherever possible, this green infrastructure should be extended to enable the inter-connection between adjacent developments enabling pedestrians and cyclists to avoid main vehicle roads.

7.88 The policy takes a positive approach to this matter and has regard to Sections 8 and 9 of the NPPF. In this context I recommend modifications to the wording used so that it can be applied by HDC and the SDNPA in a proportionate way, and where it is practicable to do so. This approach addresses the representation made by WSCC. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'As appropriate to their scale, nature and location development proposals should integrate with the current green infrastructure network and provide access to public and community transport, to connect with the social, community and retail facilities of the two parts of the village. Wherever practicable, this green infrastructure should be extended to enable the inter-connection between adjacent developments enabling pedestrians and cyclists to avoid main vehicle roads.'

Policy GA2 Footpath bridleways and cycle path network

7.89 The Plan advises that there are opportunities to upgrade the path between the old Village and The Common which would make access easier between the two settlements and further opportunities outwards towards the northern part of the Parish and to neighbouring villages. Ensuring that surface treatments are sustainable and allow access not just to walkers but also those using mobility aids and pushing buggies is important. The policy offers support to such initiatives.

7.90 I recommend that the wording used in the policy is modified so that it better relates to the role of a neighbourhood plan in the wider development plan. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'Proposals for the improvement and extension of the existing footpath, cycle path, and bridleway network to create public bridleways, allowing greater access to the village centres, green spaces and the open countryside for walkers, cyclists and horse riders will be supported. The loss of existing footpaths, cycle paths and bridleways will not be supported.'

Development proposals that incorporate alterations and enhancements to footpaths, cycle paths and bridleways should ensure that any such measures are adequately screened from existing properties.'

Policy GA3 Parking and new development

7.91 The policy comments that development proposals will be supported only if they include the maximum level of off-street parking consistent with the most current standards. It also advises that developments that reduce the amount of off-street parking currently available will only be supported if they make enforceable provision for equivalent off-street parking nearby, and that parking spaces provided in connection with such proposals will be required to be made available in perpetuity.

7.92 West Sussex County Council comments that:

'(it is) concerned that the requirements set out in Policy GA3 are not fully justified. The West Sussex County Council Guidance on Parking at New Developments (September 2020) does not provide standards on maximum parking. The local highway authority would not automatically disregard a development proposal if its parking provision failed to meet the parking demand as set out in Table 2 (Residential Parking Demand) of the Guidance. As specified in paragraph 5.3 of the Guidance, consideration might be given to varying the expected parking demand by 10% above or below to accommodate potential variations in parking demand within a Parking Behaviour Zone. As such, the local highway authority would take a balanced view in line with the Guidance and other factors including but not limited to the location of site.'

We are also concerned with the requirements on reprocision of off-street parking. The local highway authority would not be in the position to insist on reprocision of off-street

parking because it is different from providing parking on street and public highway. We therefore recommend reconsidering the wordings of Policy GA3 for making the requirements fully justified.'

7.93 I sought WCPC's views on the extent to which the policy brings any added value to national and local planning policies. In its response it advised that:

'It is accepted that it adds little to national policy however it is another topic that is extremely important to local people, and they expect it to be addressed through the Neighbourhood Plan. The Parish Council would prefer to retain the policy if possible.'

7.94 I have considered this policy very carefully alongside my own observations of traffic flow and car parking in the neighbourhood area. WCPC raises issues which are common to many rural parishes. Nevertheless, the parking issues highlighted in some parts of the Parish (such as traffic flows being interrupted, blocked driveways and parking on pavements) are pre-existing issues associated with the older housing stock and peak time activity around the School in East Street. In addition, I have taken account of the comments made by the County Council in relation to the interplay between the submitted policy and its Guidance on Parking at New Developments. In all the circumstances I recommend the deletion of the policy and the supporting text. In recommending this approach I am satisfied that HDC's application of the County Council's Council Guidance on Parking at New Developments through the development management process will achieve the ambitions that WCPC has in mind within the part of the parish within Horsham District.

Delete the policy

Delete paragraphs GA3.1 to GA3.3

Policy EE1 Supporting existing employment and retail

7.95 The Plan advises that the context to the policy is that encouraging employment opportunities in the Parish is important given the limited number of employment opportunities. The policy comments that development proposals to upgrade or extend existing employment sites and retail units will be supported, provided that the impact on the amenities of adjacent properties, flora and fauna, local character and landscape is acceptable.

7.96 In general terms the policy takes a positive approach towards supporting existing employment and retail and has regard to Section 6 of the NPPF. I recommend a modification to the wording of the policy so that it has the clarity required by the NPPF and sets out clear guidance for developers. It also addresses the representation made by HDC. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'Development proposals to upgrade or extend existing employment sites and retail units will be supported where they respond positively to the amenities of

adjacent properties, and to the character and landscape of the immediate area, including any flora and fauna.'

Policy EE2 Employment Land

- 7.97 The Plan advises that opportunities for employment within the Parish are limited, which contributes to the large amount of out commuting each day. Small scale employment sites contribute to the liveliness and activity in the Parish and support trade in parish-based shops.
- 7.98 The supporting text advises that light industrial uses will be supported. However, general industrial use (B2) and distribution and storage (B8) are considered inappropriate due to the heavy goods traffic they can generate. The Plan also advises that the village centres are very small, confined areas and many roads through are single track and winding with considerable parking and traffic issues.
- 7.99 In general terms the policy takes a positive approach to employment issues and has regard to Section 6 of the NPPF. I recommend that the order of the policy is altered so that the second and third parts appear before the first. This will ensure that its overall approach is positive rather than negative. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Revise the order of the policy so that the second and third parts (as submitted) appear before the first.

Policy EE3 Local Shopping Facilities

- 7.100 The Plan advises that the Parish has limited local shopping facilities and it is important that they be retained. It also comments that the use of local village shops saves travel to larger towns, which is more sustainable. In this context the policy sets out to safeguard Class E(a) uses (retail).
- 7.101 In general terms the policy takes a positive approach and has regard to Section 6 of the NPPF. In this context I recommend that the policy is recast so that it uses wording appropriate to a neighbourhood plan and that the explanatory text is repositioned into the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'Changes of use at ground floor level from Class E(a) uses (retail) will not be supported unless it can be demonstrated that the existing use is no longer economically viable.'

Add a new paragraph (EE3.2) to read 'Evidence should be provided to show that the premises concerned has been actively marketed, at the market rate current at the time, for at least 12 months and that no sale or let has been possible during that period.'

Policy EE4 Improving Signage

7.102 The context to this policy is WCPC's view that improving signage to promote the facilities available in the Parish will support local shops, businesses, and tourism.

7.103 I sought advice from WCPC on the extent to which the policy relates to individual signs on business premises (which are land use matters) or highway (brown) directional signs to specific businesses (which are a highways matter). It advised that policy relates to individual signs on or within local business sites. I recommend that the policy is modified to bring the clarity required by the NPPF and to reflect WCPC's intentions. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'Proposals for the improvement of signage for local business will be supported where they are appropriate to their surroundings.'

Policy EE5 Sustainable Recreational and Tourism Activities

7.104 The context to this policy is the Plan's view that sustainable tourism and appropriate diversification can benefit the local economy but will only be appropriate if it protects the existing character of the built environment, the rural landscape and biodiversity.

7.105 The policy has four related parts as follows:

- a general element;
- commentary on agricultural diversification (part 1);
- equestrian development (part 2); and
- proposals for the re-use, conversion, and adaptation of rural buildings in the countryside for small businesses, recreation, or tourism purpose (part 3).

7.106 In general terms the policy takes a positive approach to these various matters and has regard to Sections 6 and 8 of the NPPF. Within this wider context I recommend the following modifications to ensure that the policy has the clarity required by the NPPF and can be applied by HDC and the SDNPA through the development management process:

- a recasting of the first part of the policy so that it uses wording appropriate to a neighbourhood plan and removes unnecessary supporting text;
- that criterion k) in the third part of the policy is recast so that it has the clarity required by the NPPF. This will also ensure that it has the same format as the other criteria;
- that the explanation in criterion 3k is relocated into the supporting text.

7.107 To provide clarity I recommend that the elements of the policy are renumbered from 1-4. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Renumber the elements of the policy from 1-4.

Replace the submitted opening element of the policy with:

'Sustainable tourism development proposals and/or extensions to, or expansion of, existing tourism uses of land outside the Built-Up Area Boundary will be supported where they respond positively to the amenity of any adjacent residential properties, and to wildlife and the built heritage in the immediate locality.'

Replace 3k) with: 'The proposal has no adverse effect on the integrity of the Arun Valley SPA/Ramsar site.'

At the end of EE5.3 add: 'Criterion 3 k) of the policy comments about the Arun Valley SPA/Ramsar site. Development proposals which may affect this protected site should be accompanied by a proportionate assessment of their impacts on the protected site and any associated mitigation measures.'

Policy EE6 Communications Infrastructure

- 7.108 The Plan advises that the context to the policy is that West Chiltington recognises the importance of high-quality communications connectivity to allow access to online services, build businesses, improve educational opportunities and for simply keeping in touch with family and friends. The inadequacy of the Broadband network was mentioned as a limiting factor to business expansion by 88% of residents (Evidence Base 15). The West Sussex County Council Better Connected Broadband Delivery Plan supports the need for high quality communications infrastructure within the County area. The Plan recognises that development proposals can only be required to provide the infrastructure needs to support that development but would welcome appropriate improvement opportunities, as this is such an important vehicle for improving educational and employment opportunities.
- 7.109 As WCPC acknowledges, the lengthy process of Plan preparation has been overtaken by national legalisation and the Building Regulations now address digital connectivity for new buildings at a national level. As such the policy does not have any additional value. In these circumstances I recommend its deletion along with the associated supporting text

Delete the policy

Delete paragraph EE6.1

Policy LC1 Support Independent Living

- 7.110 The Plan explains that 44% of the community is aged over 65. The provision of services for the elderly and for those with disabilities is limited and not considered sufficient to meet the demands of the population. The policy advises that new, converted and extended independent living and care homes will be supported within the Built-Up Area Boundary (BUAB) provided that the design and scale of development are in keeping with the character of the location and that the impact on the amenity of surrounding residents is acceptable.

7.111 In general terms the policy takes a positive approach to this matter and has regard to Sections 5 and 8 of the NPPF. In this context I recommend modification to the policy to bring clarity required by the NPPF. The recommended modification will also ensure that the policy is consistent with the wording used in other policies. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'Proposals for new and extended independent living and care homes will be supported within the Built-Up Area Boundary where their design and scale are in keeping with the character of the location and the impact on the amenity of any residential properties in the immediate locality is acceptable.'

Policy LC2 Healthcare Facilities

7.112 The Plan advises that the context to the policy is that there is no medical provision in the parish. It comments that residents must travel out of the parish to reach a GP or dentist, principally to surgeries in Storrington (3.5m), Pulborough (3.7m) or Billingshurst (6.9m). The policy comments that proposals for new D1 uses, including medical facilities will be supported within the built-up area boundaries.

7.113 I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Policy LC3 Provision of Buildings for Community Use

7.114 The policy advises that the provision of buildings for community use will be supported where they meet four criteria.

7.115 I am satisfied that the criteria are both appropriate and locally-distinctive. The policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Policy LC4 Protection of Assets of Community Value

7.116 This policy seeks to safeguard the Assets of Community Value (ACV) identified by HDC in the parish. The policy has two related parts. The first advises that proposals that will enhance the viability and/or community value of any property included in the register of ACV will be supported. The second advises that proposals that result in either the loss of the asset or significant harm to the community value of an asset will be resisted, unless it can clearly be demonstrated that the operation of the asset is no longer economically viable.

7.117 The policy takes a positive approach to ACV and has regard to Section 8 of the NPPF. I saw the importance of the ACV during the visit.

7.118 I recommend that the wording in the policy is modified so that it more closely relates to the role of a neighbourhood plan in the wider development plan. I also recommend that the explanation of what a developer will need to demonstrate in relation to the second part of the policy is relocated into the supporting text. Otherwise, the policy

meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the second part of the policy with:

'Development proposals that would result in either the loss of the asset or significant harm to the community value of an asset will not be supported unless it can clearly be demonstrated that the operation of the asset is no longer economically viable.'

At the end of paragraph LC4.1 add:

'Policy LC4 sets out the Plan's approach towards proposals which would affect the seven Assets of Community Value listed above. Any such proposals should provide evidence that the site has been actively marketed, at the market rate current at the time, for a minimum of 12 months and no interest in acquisition has been expressed.'

Policy LC5 Designation of Local Green Space

7.119 The policy proposes the designation of five Local Green Spaces (LGSs). Details about each LGS are provided in Appendix 5.

7.120 I looked carefully at the proposed LGSs during the visit.

7.121 I sought WCPC's comments on the extent of the Monkmead Wood LGS. In its response to the clarification note it advised that:

'Monkmead Wood – the boundary shown in the Plan is incorrect. There is an area of land to the north which should be excluded as it is part of the SSSI at Hurston Warren. The remainder of Monkmead Wood is not in the SSSI. A revised map has been created (see Appendix 4).'

7.122 The SDNPA advised that it was satisfied that the designation of the Monkmead Wood as a LGS and brings added value beyond its location within the National Park. I concur with its conclusion.

7.123 I am satisfied that the proposed LGSs meet the criteria in paragraphs 106 and 107 of the NPPF.

7.124 The policy itself has a complicated format. On the one hand, it seeks to provide helpful information for the two local planning authorities to apply through the development management process. On the other hand, it goes well beyond the matter-of-fact approach as set out in paragraph 108 of the NPPF. Given that the courts have concluded that a LGS policy should simply seek to apply national policy to sites designated locally, I recommend that the policy is modified accordingly. I also recommend the deletion of the final sentence of the supporting text. Whilst the information provided is interesting it has no direct relevance to the designation of the LGSs (and which is based on the various criteria in the NPPF rather than the extent to which they relate to the overall size of the neighbourhood area).

7.125 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'The Plan designates the following Local Green Spaces: [list the five LGSs]

Proposals for development within the local green spaces will only be supported in very special circumstances.'

Delete the final sentence of paragraph LC5.1

Other Matters - General

7.126 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 because 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 because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for HDC, the SDNPA and WCPC 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 and to accommodate any administrative and technical changes.

Other Matters – Specific

7.127 HDC and the SDNPA have made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.

7.128 The two local planning authorities have also made other comments which relate to the more general parts of the Plan. In most cases, WCPC responded positively to the suggestions in its response to the clarification note. In this context I also recommend modifications to the text of the Plan based on HDC's and SDNPA's comments insofar as they are necessary to ensure that the Plan meets the basic conditions. For convenience, I list the relevant parts of the Plan using HDC's and SDNPA's reference systems in their representations to the Plan:

HDC

- General

SDNPA

- Page 3
- Paragraph 1.3
- Paragraph 1.7
- Paragraph 2.3

- Paragraph 2.5
- Paragraph 2.6
- Paragraph 2.11 (general)
- Paragraph 2.11 (bullet points)
- Paragraph 2.12
- Paragraph 3.1
- Paragraph 3.13
- Paragraph 3.46
- Paragraph H1.6
- Paragraph EH3.1
- Paragraph EH1.1
- Paragraph EH1.3
- Paragraph EH4.2
- Paragraph EH6.1
- Paragraph EH6.2
- Paragraph EH6.5
- Paragraph EH8.2

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. There is a very clear focus on safeguarding its wider setting, allocating land for residential development, maintaining the separation of the two separate elements of built development, and designating a package of Local Green Spaces.
- 8.2 Following the independent examination of the Plan, I have concluded that the West Chiltington 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 and the South Downs National Park Authority that subject to the incorporation of the modifications set out in this report that the West Chiltington Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood 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 on 23 January 2014.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth way. HDC has managed the process carefully and sensitively as circumstances on its emerging Local Plan and the water neutrality issue have altered both during the Plan preparation phase and as the examination has progressed.

Andrew Ashcroft
Independent Examiner
11 February 2026