

The Parish Clerk
Rusper Parish Neighbourhood
Plan
c/o Rusper Village Stores
High Street
Rusper
West Sussex
RH12 4PX

03 April 2020
Ref: BD/Let/P1462

Dear Sir / Madam,

**Consultation on the current Rusper Neighbourhood Development Plan
2018-2031 Submission Plan**

Site Address: Land At and Adjacent to Pucks Croft Cottage, RH12 4PR

Introduction

This representation has been prepared by ECE Planning on behalf of Mr. Simon Bastable ('the landowner') regarding the above Neighbourhood Plan consultation, in support of the promotion of land at Pucks Croft Cottage, ('the Site').

We previously made representations on the Regulation 14 version of the Plan but as our suggested amendments have not been incorporated into the Submission Plan, we would like to reiterate our previous points.

The Site

The Site, outlined in red (see figure 1), comprises approximately 0.51 hectares. However, the landowner also owns an additional 3.35 hectares of land to the south, outlined in blue. The majority of the site is located adjacent to but outside the settlement boundary of Rusper, but part of it is also located within the Built-Up Area Boundary (BUAB) (Figure 2). The Site is accessed via Horsham Road and adjacent to existing residential development. The Site is within a single ownership and there are no constraints to the deliverability of development.

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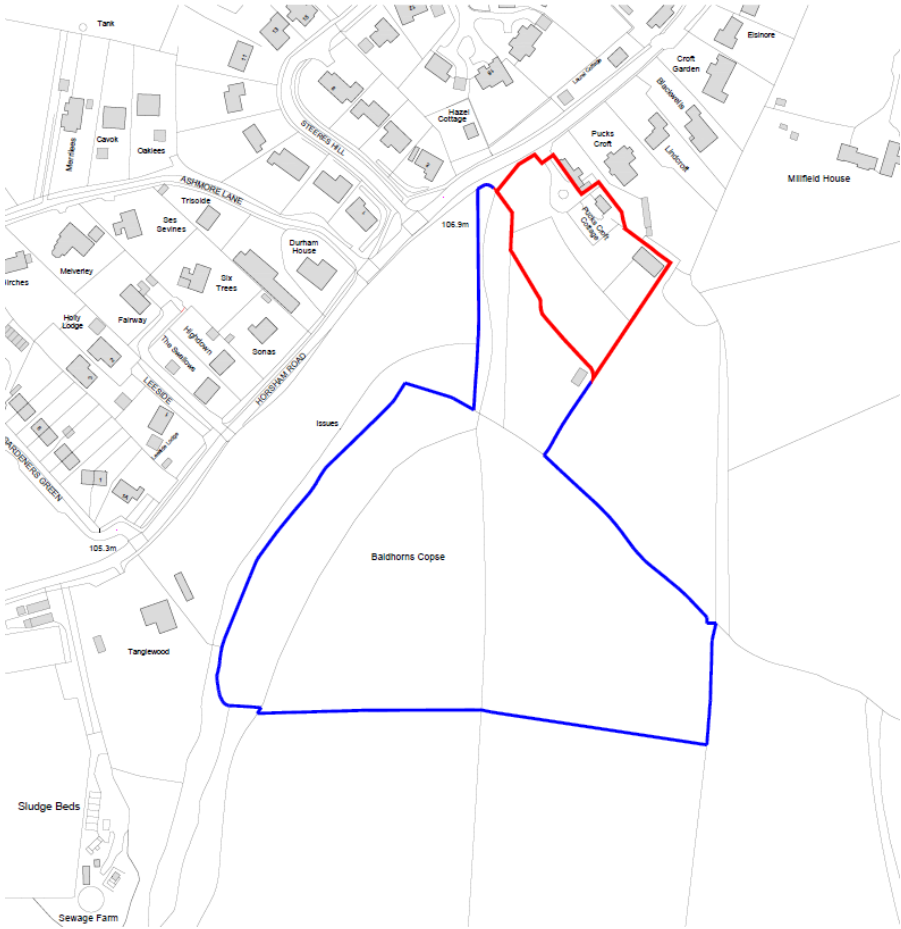


Figure 1 – Site Location in Red with Land Under Same Ownership in Blue (Source: Google Maps 2019)



Figure 2 - Rusper Built-Up Area Boundary (HDC HDPF Extract)

A public footpath is located to the west of the Site and runs through land that is also within the clients ownership (see land outlined in blue in figure 1) but no other land within the area outlined in blue is accessible to the general public.

The site is in a sustainable location, benefitting from good connections to local amenities. Rusper Primary School is located to the north, as well as St Mary Magdalene C of E Church, a sports club, post office, childrens' playground, town hall and public houses.

The town of Horsham is located some 5 miles to the south-west of the site, while Crawley is located some 5.6 miles to the east. Both are accessible via public transport. There are bus stops 0.2 miles to the north and south of the site providing an occasional bus service.

The Site is entirely located within Flood Zone 1 and there is no risk of flooding within it. There are no historic or environmental constraints on the site. There is land designated as Ancient Woodland to the west of the southern part of the land under the applicant's ownership, however there is no such designation within the site boundaries.

The land is relatively flat sloping slightly downwards to the west; therefore distant views of the site are not possible. Additionally, the site is screened by established trees to the south and west, providing a discreet location for residential development.

It is pertinent to note that the Land Adjacent to Pucks Croft Cottage has been included within the Horsham District Council SHELAA 2018 as "developable" for 5 units (site SA737) within 11 years. However, it is contended that the site could be delivered within 5 years given that it is both suitable and achievable.

It is considered that the Site could accommodate up to 6 dwellings (please see Appendix 1). There is also potential for the creation of public open space to the south, within the land edged in blue.

The six proposed dwellings would comprise four new dwellings, along with the extension or potential redevelopment of the existing dwelling on the site and the conversion of the existing barn in the north eastern corner of the Site.

It is considered that the Site provides a valuable opportunity for future residential development to help meet Rusper's long term housing needs, as well as providing public open space and landscape enhancements.

Policy Overview

Horsham District Planning Framework 2015

The Horsham District Planning Framework is currently under review. The new local plan will run from 2019 to 2036 (paragraph 1.2 Draft Rusper Neighbourhood Plan).

Policy 1 Sustainable Development states when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

The site can accommodate up to 6 dwellings providing social and economic benefits to the village of Rusper. It is connected to larger settlements and is near to a number of public services and facilities. The location is therefore considered to be sustainable, satisfying the aims and objectives of Policy 1.

Policy 4 Settlement Expansion supports the growth and expansion of settlements across the District in order to meet identified local housing, employment and community needs and sets out the criteria that needs to be met in order for out of built-up area settlement expansion to occur. More specifically it states:

“Outside built-up area boundaries, the expansion of settlements will be supported where;

- 1. The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.*
- 2. The level of expansion is appropriate to the scale and function of the settlement type.*
- 3. The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.*
- 4. The impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and*
- 5. The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.”*

Whilst part of the application site is within the existing Built Up Area Boundary (BUAB) of Rusper, as set out later in this representation, it is considered that the remainder of the site could be included in the BUAB, allowing the site to become available for future residential development, which would help contribute towards the Council's housing targets in the future, through an appropriate level of expansion and contained within the existing defensible boundary. Design would be of an appropriate scale, density appearance and materiality, in line with the character of the village.

Employment opportunities will be offered during construction of any approved development on the land, with additional employment and economic benefits created through the need for maintenance of the properties and their surroundings.

Furthermore, a proportionate addition in resident numbers will help boost the local economy as well as the economy of surrounding settlements.

It therefore is considered to be in keeping with the aims and objectives of the policy.

Policy 26 Countryside Protection is a strategic policy concerning inappropriate development outside settlement boundaries and sets out the criteria for proposals situated outside the BUAB. The majority of the site is located directly adjacent the settlement boundary, but the northern most part of the site is located within it. It benefits from direct access to Horsham Road and is adjacent to other residential properties.

It is therefore considered that the site can provide sustainable residential development, which would be sensitive to the area's vernacular in terms of design and materiality, additionally providing public open space and landscape enhancements, as well as any other measures considered necessary to protect the character of the area.

Horsham Local Plan Regulation 18 Consultation Document

As you will be aware, the consultation period recently ended for the above document. Having regard to the land at Pucks Croft, the most relevant section of the Horsham Local Plan Regulation 18 document is 'Smaller Scale Development' on Page 102.

'Table 1: Smaller sites with potential for allocation', identifies Rusper as a Smaller Village and the Housing Requirement is '*to be determined*'. The Additional Remarks Section of this table states the following:

Rusper is close to the area of study proposed by Homes England for large scale strategic growth. If land is allocated in this location it is not considered that additional smaller scale development would be appropriate in this plan period. If land does not come forward West of Crawley for large scale strategic growth further work to identify the appropriate level of smaller scale expansion will be required. Consideration of smaller sites with potential for development are set out in the Regulation 18 Local Plan Site Assessment Report.

We have made representations on this Local Plan consultation document stating that even if no new land is allocated in Rusper, the preparation of a new Local Plan provides a clear opportunity for the Built Up Area Boundary of Rusper to be reviewed and for the Site outlined in red in figure 1 to be included within it.

It is noted that the Site at Pucks Croft Cottage is included in the Horsham Site Assessment Report (February 2020) which supports the Regulation 18 consultation Local Plan. The assessment of the site (ref: SA737) notes that *'the site is relatively unkempt and overgrown. In its current state, the site provides little visual amenity value to the local setting. With a suitable landscape-led approach to redevelop the site, the appearance of the site could be improved.'* The assessment goes on to conclude that *'with a suitable landscape-led approach, the appearance of the site could be improved from public vantage points along Horsham Road and from the public right of way which traverses the western boundary.'* We agree that the site offers significant opportunities for landscape enhancements, particularly given that the landowner also owns a significant amount of land to the south which could also be opened up for use by the public if required.

The Site Assessment identifies no constraints in respect of biodiversity, heritage or flooding and gives the site a combined rating of 'Neutral Impact.' The Council's evidence clearly demonstrates that there is no reason why this site should not be included within the Built Up Area Boundary, and as such the settlement boundary of Rusper should be reviewed as part of the Local Plan preparation process and amended to include the site.

Rusper Draft Neighbourhood Plan 2018-2031 Submission Plan

The Rusper Neighbourhood Plan Area was approved on 18 February 2016 and now reached Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

As shown in Figure 4, part of the landowner's privately owned land has been proposed to be included in the designated area under RUS7 Local Green Spaces.

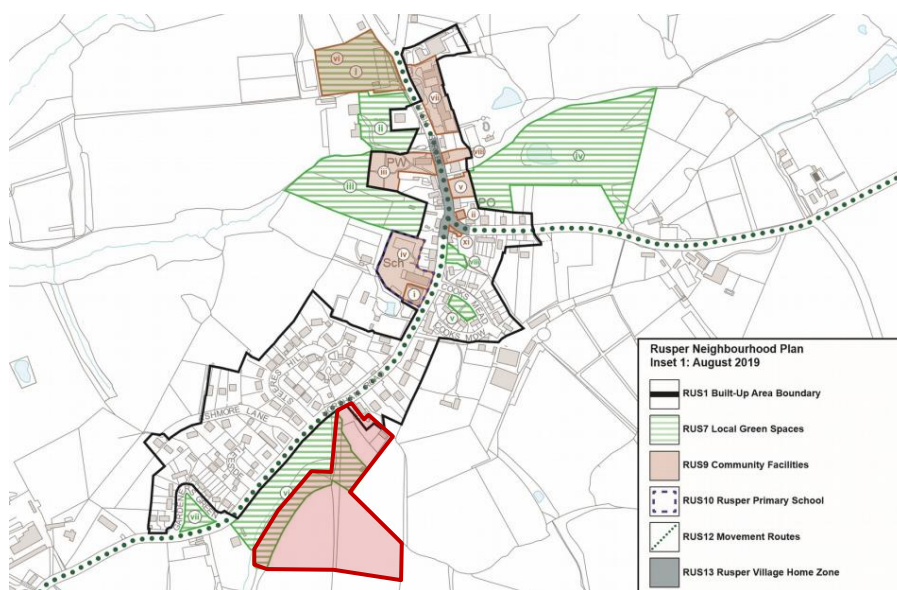


Figure 4 - Policy Map (Inset 1) from the Rusper Neighbourhood Plan. Approximate area of land within single ownership outlined in Red

Policy RUS7 Local Green Spaces states that land has been designated around the village of Rusper in accordance with the guidance in National Planning Policy Framework; specifically paragraphs 99, 100 and 101.

Paragraph 99 of the National Planning Policy Framework states that Councils can designate land as Local Green Space through local and neighbourhood plans, where the community is allowed to identify and protect areas of particular importance. It further states that:

“Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services”, in addition to “being capable of enduring past the end of the plan period”.

Paragraph 100 of the NPPF sets out the criteria under which a Local Green Space Designation should be used. Specifically:

Point a) states that the Local Green Space designation should only be used where the green space is in reasonably close proximity to the community it serves.

Point b) states it should be used where the green space in question is:

“demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;”.

The Local Green Spaces report that forms part of the evidence base for the Neighbourhood Plan considers that the land adjacent to Pucks Croft Cottage should be included as a Local Green Space due to its recreation and richness of wildlife given it is adjacent to and includes part of Baldhorns Copse. However, whilst there is a public footpath running along the west part of the Site, it is of limited recreational value, as most of the land is private and therefore not accessible to the public. We also consider that insufficient evidence has been provided by the Parish Council thus far to demonstrate that there is significant ecological value to that part of our client’s land proposed to be designated as part of the Local Green Space. We therefore consider that the Local Green Space designation should not include any of the land within our client’s ownership.

It is also considered that the extent of the borders bound by the proposed Local Green Space sites may well limit opportunities for future growth of the village which will inevitably be needed for the long-term sustainability of Rusper.

The NPPG refers to the management of green spaces being important in terms of conserving features that might make a green area special and locally significant and states that the management of the land designated as Local Green Space is to remain the responsibility of the landowner. If the local community is to be involved, potentially in partnership with an interested organisation that could provide advice or resources, then they can do so solely with the landowner’s permission (paragraphs 99-100 of the NPPF).

In relation to this and as mentioned in a letter prepared by ECE Planning to the Parish Council dated 08 August 2019, the landowner would not be able to commit to either management or maintenance of the land in question as Local Green Space and would not entertain other parties taking such a role on privately owned land (aside from the on-going commitment to the existing public footpath).

However, the landowner would be willing to carry out productive discussions with the Parish Council about the provision of well-managed, new public open space that could be delivered as part of a sustainable residential development on the Site. The landowner considers that the provision of managed, open and accessible green space can be best delivered through a suitable scale residential development at Pucks Croft Cottage.

Built Up Area Boundary of Rusper

As previously stated in this representation, we consider that the Built Up Area Boundary of Rusper should be reviewed, either through the preparation of the Neighbourhood Plan or the emerging Horsham Local Plan. The Site at Pucks Croft Cottage should be included as part of this review given that evidence underpinning Horsham's emerging Local Plan recognises that development of the Site would have no harmful impacts on the landscape, character and ecology of the area and would in fact provide opportunities for landscape enhancements and improvements to public open space in the area.

Conclusion

The site is in a sustainable location, both within and just outside the settlement boundary close to public transport and community facilities and adjacent to existing residential properties.

Part of the privately owned site in question has been proposed to be designated as a Local Green Space by the Parish Council but without the landowner's consent. It is considered that the proposed designation by the Parish Council is not appropriate. The land surrounding the public footpath is private and thus inaccessible to the public and currently offers little recreational value. Additionally, the Parish Council has provided insufficient evidence at this stage to demonstrate that that part of the Site within the proposed Local Green Space designation has any ecological value. Therefore we are not convinced that the Local Green Space designation complies with paragraph 100 of the NPPF and this designation would also prevent sustainable development on the Site coming forward. Therefore the Neighbourhood Plan in this regard does not appear to meet the Basic Conditions a. and d. of Schedule 4B of the Town and Country Planning Act 1990.

Instead, the landowner would be happy to enter into discussions with the Parish Council about opening up part of the site to the south for the public, including the creation of appropriate areas for its enjoyment, should the application site be either included within the Built Up Area Boundary as part of a review of the settlement boundary of Rusper or indeed allocated for up to 6 dwellings in either the Rusper Neighbourhood Plan or the emerging Horsham Local Plan.

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On this basis, the Rusper Neighbourhood Plan should amend both the Local Green Space designation so it does not include the land adjacent Pucks Croft Cottage, and amend the Built Up Area Boundary to include the Site outlined in red in figure 1 to enable a sustainable small scale residential development.

Please note that we would like the opportunity to attend the Neighbourhood Plan examination to put these points directly to the Independent Examiner.

If you have any further queries or require further information please contact me on 01903 248777.

Yours sincerely
ECE Planning

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Director