

George Sallows
Rusper Parish Council

Our ref: RNP
Your ref: n/a

Date: 27 April 2020

By Email.

Dear Mr Sallows,

Re: Representations to Rusper Submission Neighbourhood Plan (Regulation 16)

Thank you for consulting Horsham District Council on the Rusper Submission Neighbourhood Plan. Horsham District Council is supportive of the Parish Council's work to develop their Neighbourhood Development Plans. We recognise that the Parish Council has undertaken a significant amount of work to reach this particular point and should be commended for all their hard work. The Council's detailed comments on particular policies are listed in the schedule attached to this letter. In addition, we wish to make the following general comments to the Submission Rusper Neighbourhood Plan as part of our response:

1. Rusper is identified as a Smaller Village in the settlement hierarchy as set out in Policy 3 of the adopted Horsham District Planning Framework (HDPF). There is an expectation that emerging neighbourhood plans are required to accommodate its fair proportion of the minimum 1,500 dwellings to be delivered from Neighbourhood Plans across Horsham in accordance with Policy 15 (4). Horsham District Council acknowledges Rusper is not looking to allocating sites in this emerging Neighbourhood Plan. There will of course be an opportunity for a full or partial review of the Rusper Neighbourhood Plan once the Local Plan Review has been through the legislative process and is suitably mature to provide the certainty for local groups to embark on a review of individual plans.
2. Horsham District Council notes the emerging plan advocates the inclusion of proposed strategic gaps/landscape character areas SP1 and SP2. Whilst, at the time of writing no formal decision has been made on options presented in the Regulation 18 Local Plan consultation document, Horsham District Council reserves the right to object on proposed Policy RUS1 and Policy RUS8 which could prejudice potential strategic growth proposed by the Local Plan Review and thus conflict with the government's housing agenda to positively plan for the District. Further commentary can be found in the accompanying schedule. Horsham District Council would welcome any further discussions on such matters before the plan proceeds to the next stage.
3. The emerging Rusper Plan proposes several parcels of land as potential Local Green Spaces (LGS). Horsham District Council supports the principle of Local Green Space designations. However, it is acknowledged that a strict criterion must be satisfied before formal designation and there is the potential that the proposal put forward by the local community will not meet the requirements stipulated by Paragraph 100 of the National Planning Policy Framework. For information, we have provided this advice to local community groups, and have also explained that an examiner of the plan will be required

to consider if the proposal designation meets the requirements set out by national planning policy and may ultimately recommend alterations or deletion of the site to ensure the plan meets the basic conditions. Further detailed commentary can be found in the accompanying schedule.

If you have any further questions regarding this representation or any of the comments submitted by Horsham District Council officers, please do not hesitate to contact me or my colleagues at the Specialist Advisory Service at the National Park.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Norman Kwan'.

Norman Kwan
Senior Neighbourhood Planning Officer.

**Horsham District Council Comments to the Submission
Rusper Neighbourhood Plan (RNP)**

27 April 2020

NP Paragraph No. / Policy No.	Suggested Change / Comment
Foreword	Paragraph 5 makes reference to 'as part of this plan, you will see that Rusper parish is providing significant areas of land for housing'. It is suggested that this sentence, as worded is confusing and gives the impression the Neighbourhood Plan is providing (allocating) significant areas for housing. Representations at Reg 14 stage as submitted by various groups/individuals, confirmed that many are confused about the role of the Neighbourhood Plan and the need to find sites for housing. The reference to 'plan' should be made clearer.
Foreword	Paragraph 5 – reference is made to a distance of 2000m between the towns of Crawley and Horsham once all housing and other developments are complete. It is not clear where this figure has been derived from or where the measurement has been taken from. It is suggested that either clarification is provided or consideration is given to removing the reference if there is no reasonable means of making clear where the figure has come from.
Foreword	With all the pressures of the modern world, we also need to think beyond the next 25 years of this plan. The parish correctly identifies the requirement to undertake a review of the plan
Paragraph 3.8	Reference is made to major allocations being proposed in North Horsham and in Ifield. It is recommended that the text is reworded so it is clear which document the allocations are referenced within to ensure there is no confusion between the Neighbourhood Plan and other development plans.
Paragraph 3.10	It is recommended that the reference to opposition to the Homes England new sustainable community proposal is deleted from this paragraph. This appears to be an opinion that is not related to background evidence provided alongside the Neighbourhood Plan which illustrates how the proposal is contrary to most of the policies in the RNP. It is also not clear which policies fall within the term 'most of the policies'.
Paragraph 3.12	Please update this paragraph with reference to recent work undertaken on the local plan review with regards to settlement boundaries and BUAB
Paragraph 3.19	Reference within this paragraph to 1,000 houses being built in the plan area could usefully be explained or set out as a footnote to ensure that the reader of the NP understands where this figure comes from and what development it relates to. As stated above, many representations made at Reg 14 were confused about whether the NP was allocating sites for development or not.
Chapter 4	Please make reference to the accompanying submitted Consultation Statement within this chapter
Paragraph 5.3	For clarity – it is suggested the word 'principle' is replaced with objectives. Subsection <i>ii Access to Countryside</i> – contains reference to traffic impact/sustainable transport and school traffic. Whilst some of these issues may relate to access to countryside – these may be better suited to a subsection on transport and traffic.
Policy RUS1 Spatial Plan and Policy RUS8 Landscape Character and Local Gaps	It is not clear – from both policies as worded – if the NP is allocating local gaps or landscape areas. The supporting evidence report refers to three specific local gap areas and states that these will be allocated within the RNP. There is a separate policy in the RNP relating to Landscape Character and Local Gaps (Policy RU8) however the background evidence relates to both local gaps and spatial gaps and these policies may usefully be combined. The NPPG states that a policy in a neighbourhood plan should be clear and unambiguous. Notwithstanding this matter, it is considered that the countryside protection policies and settlement coalescence

	<p>policies within the HDPF can adequately provide the level of protection sought by the two RNP policies. The HDPF does not designate strategic or local gaps and the supporting text and evidence to the NP is limited in justifying why the RNP should allocate such policy gaps over and above that set out in the HDPF. It is difficult to ascertain the correlation between Policy RUS 1 and Policy 4 of the HDPF which advocates potential settlement expansion immediately abutting the settlement edge and the potential allocation of character areas and strategic gaps which are far removed from the edge of Rusper village.</p> <p>It is not clear how policies RUS1 and RUS 8 contribute to the achievement of sustainable development. The background evidence in support of the policies is a little confusing and doesn't clearly set out why the gaps have been identified and the boundaries of each area especially in the absence of housing/development sites being allocated within the RNP. Furthermore, the allocation of RUS 1 may prejudice potential development sites under consideration as of the Local Plan Review coming forward and considered contrary to Policy 4 (4) of the HPDF. It follows that Horsham District Council reserves the right to object to Policy RUS1.</p>
Paragraph 6.8	Please update – see comments on paragraph 3.12 above
Policy RUS2	Clarification is required. Does the reference to proposals outside the BUAB of Rusper relate to all parts of the policy? For example – proposals for the loss of employment sites that happen to be located within the BUAB – will these still be resisted unless the relevant evidence is provided as set out in the policy? Please clarify what 'associated facilities' means – end of second paragraph.
Policy RUS3 Design	<p>Clarification is required for a number of subsections of this policy in order to ensure that it is clear and unambiguous. The policy is centred on the Rusper Conservation Area and its setting. There are existing protections in place in legislation. In particular clarification is needed on:</p> <ol style="list-style-type: none"> 1. What is meant by 'highest design standards' How can this be qualified? 2. Not all developments will need to have regard to the Conservation Area – would this reference be best placed in Policy RU4? 3. References to key views needs to refer to the policies map. 4. Subsections iii and iv appear to repeat the same reference to the Conservation area – these could be tightened? 5. Subsection v is too wide ranging – does it mean all trees and hedgerows across the entire parish? What are mature trees – is there a description or information that clarifies what this means? A recommendation would be to add 'where possible' at the end of criterion (v) to allow flexibility. 6. Further details are required on subsections vi, vii and viii and references to 'energy hierarchy' and design codes. <p>There may be some merit in having a Design policy and a separate Climate Change policy within the NP. Design policies should ideally be supported by a background evidence document that sets out detailed considerations of the parish in terms of built form/trees/vistas/materials/boundary treatments and other matters.</p>
Policy RUS4 – Local Heritage Assets	Clarification is needed as to the meaning of the last paragraph. The word significance is used twice within this paragraph without clear guidance for the consideration of planning applications which will potentially affect the properties/buildings included within the policy. In addition, the policy should be positively worded. References to other policies within the RNP could usefully be added to the policy text.
Policy RUS5 – Green Infrastructure and Biodiversity	This policy could usefully be refined so that it is more succinct and focussed and does not repeat policy content that is covered within the HDPF. It is recommended the policy is made more concise and perhaps divide the policy up into different criteria. It is advised that references to land-use should be depicted on the policies map which will include the opportunity areas referred to in the policy.
Policy RUS6 Walking, Cycling and Equestrian Routes	No comment.
Policy RUS7 – Local Green Spaces	It is acknowledged that the Parish Council have undertaken a large amount of work on the identification of LGS – however – there are a number of matters of concern

	<p>relating to the identified sites within the policy and the supporting evidence. These are as follows:</p> <ol style="list-style-type: none"> 1. It is considered that the LGS background report provides limited robust evidence as to the value of each LGS to the community (test 4). 2. Two sites (Kilnwood Copse and Friday Street) do not comply with test 2 in regards to proximity to the community they serve. There may be valid reasons why these sites are some distance from the village of Rusper but this is not set out in the evidence nor is any reference provided as to the actual distance of the sites from the local community. 3. It is stated that a site being more than 10 hectares (test 3) is considered to be an extensive tract of land. Where has this come from? 4. Representations made at Reg 14 stage included recommendations for other sites to be considered for LGS allocation – however these appear to not have been considered. 5. No reference has been made to the objections made at Reg 14 stage to the allocation of several of the sites as LGS. This would have been useful addition to the evidence report in order to address the points made by the objectors. It is noted that communication was sent from the Parish Council to the objectors but these are not appended to the background evidence or summarised within the report. 6. Several of the sites identified as proposed LGS are also identified as community sites within Policy RUS8. In addition, different names are used for the same site (the sports field/recreation ground). Policy RUS8 refers to the possible partial redevelopment of community sites to aid viability – this needs to be made clear in light of advice provided in paragraph 145 in the NPPF relating to developments within Greenbelt designated areas. 7. Paragraph 99 - 100 of the NPPF 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. Several of the sites are identified within the SHELAA December 2018 as being developable within the 6-10 year or 11+ period. These needs to be made clear within the background evidence document. It is advised HDC does not advocate the use of LGS to prevent development coming forward. It is not considered to be positive planning nor does it follow government guidance. Any LGS proposal which does not stringently meet the tests in full as stipulated in the NPPF should be revoked. 8. The boundary shown on the policies map within the NDP with regard to land adjacent Pucks Croft Cottage does not appear to be the same as that shown on the background evidence document. In addition, the description seems to be misleading as the land is not adjacent to Puck’s Cottage and is referred to as Land West of Baldhorne Copse within the SHELAA. Clarification is required and a consistent use of the site name.
<p>Policy RUS8 – Landscape character and Local Gaps</p>	<p>Please refer to previous comments.</p> <p>Should this policy be retained in its current form – a reference to the policies map is required.</p>
<p>Policy RUS9 – Community Facilities</p>	<p>See reference above to the Sports Field (RUS7). There needs to be a consistent name for this site within the NDP. Regarding the final paragraph of the policy – is it clear what type of evidence should be provided in order to ensure development is required for viability reasons? It should be made clear that any site boundaries shown on the policies map is the extent of ‘ancillary land’ as set out in the policy and for the purposes of the policy. In addition, the type of redevelopment uses should be made clear – for example could this include residential use? Furthermore, is it the intention of the policy to ‘enable’ housing development on community sites to ensure continued use?</p> <p>Paragraph 97 of the NPPF is very clear regarding the circumstances of when existing open space, sports and recreational buildings and land, including playing fields can be built on.</p> <p>Is there merit in including a reference that support will be given to new community facilities?</p>

Policy RU10 Rusper Primary school	The first two sentences of the policy seem to be making the same statement – both refer to proposals for extra classrooms being acceptable. Both the school and village hall are referred to within Policy RUS9. This policy refers to partial redevelopment proposals being acceptable subject to viability. A suggestion is that the two policies could be combined. The supporting evidence to the policy implies, at paragraph 6.54, that options available to the school could be the acquisition of the village hall site. It is assumed this means that should the village hall no longer exist in the current position, the site could be developed as part of the school. This again needs to be made clear in the policy or within Policy RU9. It is important that the two policies (RUS9 and RUS10) are clear about the sites and redevelopment options.
Policy RUS11 Dark Skies	No comments on this policy
Policy RUS12 Promoting Sustainable Transport	Further clarification would be useful as to where the Movement Routes are – perhaps they could be listed within the policy? Despite these being shown on the policies map – listing them in the policy could provide the details needed to ensure the policy is accurate. It is also not very clear how new development can ensure safe access to these routes if this would involve land outside of an applicant's control or if this involves proposals at some distance from the development. A list of suggested improvements may be useful especially as there is a desire not to 'urbanise' the roads. Does this policy relate to all types of development or just those that include new residential development? Further clarification on how this policy can be applied to planning applications would be useful. It is not clear how this policy relates to/compliments Policy RUS6 – Walking, Cycling and Equestrian Routes.
Policy RUS13 Developer Contributions	Please refer to the previous comments. Planning obligations must only be sought where they meet the tests as outlined in Paragraph 56 of the NPPF. If improvements to the 'movement route' network are required as a result of new development the parish council will be consulted.
Policy Map RUS1 character sub area SP2	The blue boundary line appears not to follow that of the Parish/NP boundary and is not clear what it relates to. Please update the map key/legend.
Policy Map Inset 1	Red arrows relating to views – the key refers to RUS2 Design – this should read as RUS3 Design
Context Map	A context map of the parish – illustrating areas such as the CA, Low Weald landscape area etc would be a useful addition. Several policies make mention of a number of constraint areas that could be shown on a map for reference.