



**Horsham
District
Council**

Representation Form

West Chiltington Neighbourhood Plan (2031) Regulation 16 Consultation - The Neighbourhood Planning (General) Regulations 2012 (as amended)

West Chiltington Parish Council has prepared West Chiltington Neighbourhood Development Plan (WCNDP). The Plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally.

In accordance with Regulation 16 of the Neighbourhood Planning Regulations 2012 (as amended), the West Chiltington Neighbourhood Development Plan and associated supporting documents will go out to consultation from **18 October 2024 to 29 November 2024** for 6 weeks inviting representations on the submission draft WCNDP, basic conditions statement, consultation statement and the SEA/AA and HRA assessment. Copies of the West Chiltington Neighbourhood Plan and supporting documents are available to view on the Horsham District Council's website and at selected deposit points. To view the plan, accompanying documents and to download the comment form please view:

<https://strategicplanning.horsham.gov.uk/WestChiltingtonReg16/consultationHome>

Hard copies of the documentation are available upon prior request for inspection at **Horsham District Council offices**; Parkside, Chart Way, North Street, Horsham, RH12 1RL between 9am and 5pm Monday to Friday (01403 215398), **West Chiltington Parish Office**, The Parish Office, Church Street, West Chiltington, RH20 2JW, Opening 10am-1pm Tues & Wed (01798 817434). **West Chiltington Village Hall**, Mill Road, West Chiltington, RH20 2PZ.

There are a number of ways to make your comments:

1. Download and complete the comment form available from the link above and email it to: neighbourhood.planning@horsham.gov.uk ; or
2. Print the comment form available to download by clicking on the link above and post it to: Neighbourhood Planning Officer, Horsham District Council, Parkside, Chart Way, North Street, Horsham, RH12 1RL

All comments must be received by 5:00pm on 29 November 2024

NOTIFICATION

All comments will be publicly available, and identifiable by name and (where applicable) organisation. Please note that any other personal information provided will be processed by Horsham District Council in line with the Data Protection Act 1998 and General Data Protection Regulations. Horsham District Council will process your details in relation to this preparation of this document only. For further information please see the Council's privacy policy: <https://www.horsham.gov.uk/privacy-policy>

How to use this form

Please complete Part A in full, in order for your representation to be taken into account at the Neighbourhood Plan examination.

Please complete Part B overleaf, identifying which paragraph your comment relates to by completing the appropriate box.

PART A	Your Details
Full Name	Dr R F Smith DPhil, BA Hons, FRGS
Address	[REDACTED]
Postcode	[REDACTED]
Telephone	[REDACTED]
Email	[REDACTED]
Organisation (if applicable)	Campaign for the Protection of Rural England Sussex Branch
Position (if applicable)	Trustee
Date	5 December 2024

PART B

To which part in the plan does your representation relate?

Paragraph Number:		Policy Reference:	Policy H2b Land at Smock Alley
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Do you support, oppose, or wish to comment on this plan? (Please tick one answer)

OPPOSE

Please give details of your reasons for opposition, or make other comments here:
<p>CPRE Sussex objects to and opposes the allocation for development of Land at Smock Alley – Policy H2b for the following reasons:</p> <ol style="list-style-type: none">Each and every planning application to develop this site has been refused by Horsham District Council: DC/14/2248 subsequently dismissed at Appeal Ref: APP/Z3825/W/15/3022944, DC/14/1389 subsequently dismissed at Appeal Ref: APP/Z3825/W/16/3146231, and DC/21/2007 also the subject of an Appeal, Reference: APP/Z3825/W/24/3349208, recently withdrawn by the appellant.<ol style="list-style-type: none">The site is now the subject of a yet-to-be decided planning application DC/24/1619, which is identical to the refused DC/21/2007.Note, please, that the HDPF is at present the Development Plan for Horsham District and will continue to be the Development Plan until if and when the Regulation 19 Horsham District Local Plan has been approved by the Planning Inspectorate and adopted by Horsham District Council.

3. The Site is not contained within an existing defensible boundary as was made clear by the Planning Inspector's findings in respect of DC/15/1389 Land west of Smock Alley, West Chiltington, West Sussex (Appeal Ref: APP/Z3825/W/16/3146231, decision date 2 November 2016). The Inspector found that:

'Whilst in the vicinity of the appeal site the built-up area boundary is irregular it has an obvious termination on this side of the road after Lavender Cottage. On the opposite side of the road there are large, detached houses in substantial grounds providing for a dispersed and semi-rural character which is further emphasised by its edge of settlement location' and that in the Inspector's *'view the appeal site has more relationship with the rural character outside the built-up area than the adjoining settlement'* (paragraph 34).

4 Because the Site is not contained with an existing defensible boundary the allocation of the site for development would be contrary to HDPF Policy 4 Strategic Policy: Settlement Expansion, fifth bullet that states that

'outside the built-up area boundaries development will be supported where the development contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced'.

5. The Inspector did not consider that the proposal to develop the site, DC/15/1389 Land west of Smock Alley, West Chiltington, West Sussex (Appeal Ref: APP/Z3825/W/16/3146231, decision date 2 November 2016) would maintain and enhance the landscape and West Chiltington's townscape character features. He found instead that:

'The development of this site would add to the built development in the area and encroach into the countryside between the two parts of settlement. Whilst this may not be contrary to the wording of the policy referring to settlement separation it goes to the heart of the purpose of the policy. The encroachment and coalescence of these two distinct elements would alter the individual settlement characteristics of this settlement and which is a matter that is addressed in policy 25 and with which the proposal would conflict' (Paragraph 35).

'Whilst there may not be direct line of sight between the elements of the settlement at this point the cumulative erosion of the gap by small scale development would undermine the gap and any distinction between the separate elements to the detriment of the characteristics of the settlement' (Paragraph 36).

6. He concluded *'that the proposed development would result in material harm to the character and appearance of the area, in particular having regard to the individual settlement characteristics, including the separation of the two built-up areas of West Chiltington. This would conflict with Policy 25 of the HDPF'* (Paragraph 37). And that

'the scheme would conflict with the spatial strategy in the HDPF and would conflict with policies 2, 3, 4 25 and 26', and 'would result in development that would have a significant adverse environmental impact. On this basis the proposal would not be sustainable development and should not be supported' (Paragraph 37).

6.1 It would be contrary too, to Strategic Policy 3 – Settlement Expansion: fifth bullet of (the-yet-to-be examined) Horsham District Local Plan 2023-2040, Regulation 19, January 2024, which stipulates that

‘outside the settlement boundaries, the expansion of settlements will be supported where all of the following criteria are met’, including that ‘The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced’.

7. The West Chiltington Submission Neighbourhood Plan 2023 to 2031 states at paragraph 2.11:

‘Although the two settlements of West Chiltington are listed in HDLP Policy 2 as being the same level within the settlement hierarchy (medium village) they are clearly very different in character and size. West Chiltington is divided into two quite distinctive settlements, The Old Village and West Chiltington Common each with its own built up area boundary (BUAB)’.

8. Appendix 9 - West Chiltington Settlement Separation Zone/Local Gap states at paragraph 4.1 that:

‘It is clear from Inset Map 22 that the two parts of West Chiltington are indeed settlements in their own right. This is further evidenced by the fact that each settlement has its own shop and Post Office a fact that is very rare in rural communities today’.

9. Appendix 9 - West Chiltington Settlement Separation Zone/Local Gap, referring to Horsham District’s Council’s allocation of the Site for development in its yet-to-be-examined-by-the-Planning Inspectorate Regulation 19 local plan, states at paragraph 4.5:

‘The Local Plan allocation (of Land at Smock Alley) is even less understandable in the light of Policy15 of the HDLP seeking to protect “local identity and an individual sense of place” and specifically mentioning at para 6.27 that particular regard should be given when considering proposals between West Chiltington Common and West Chiltington Village’.

10. Neighbourhood Plan Appendix 6 Green Infrastructure and Ecosystem Services document, paragraph 7.2 stipulates

‘.....the environmental impact of a development on a site should not be judged only on the ecology of that site, but also on how it connects to other sites. A strip of green may not have a high biodiversity value in itself but it could be the only link between two very valuable wildlife sites. Hedgerows for example, are extremely important links for wildlife. They provide foraging lines for bats, shelter for small mammals and amphibians that are moving through the landscape and are a great food source for insects, birds and many other animals.’

10.1 In respect of extant planning application DC/24/1619, the applicant’s Planning Statement (Incorporating Affordable Housing Statement and Statement of Community Involvement), 11 October 2024, advises that

‘The site is located within the 12km wider conservation area for The Mens SAC, which includes Barbastelle bats as its qualifying feature. Various bat species were recorded during the surveys, **but no Barbastelle bats were detected**’ (paragraph 6.37).

10.2 Barbastelle bats were however detected and recorded on the Site, on 23, 24 and 25 September 2023 (Land West of Smock Alley South of Little Haglands, West Chiltington , Application No. DC/21/2007: August to October 2023 Bat Activity Survey Results, published 23 Feb 24, pages 3, 8, 10).

10.2.1 The report states that *‘this demonstrates that the species likely occasionally uses the hedgerow as a commuting corridor to reach further habitat in the wider area’* (pages 3 and 4). The hedgerow in question is *‘the native species rich hedge, between the northern and southern fields’*.

11. The West Chiltington Submission Neighbourhood Plan 2023 to 2030 states at paragraph 3.15:

‘An extensive biodiversity survey was conducted across the Parish using the Sussex Biodiversity Centre Records as a baseline (see Evidence base 2 and Appendix 6).

While only a snapshot in time, it demonstrates that the Parish currently supports a number of rare and rapidly declining species within varied habitats. The study recorded cuckoo, fieldfare, lesser spotted woodpecker, redwing, skylark, song thrush, sparrow and starling on the “high risk” red list and 14 bird species on the “urgent attention” amber list.

11.1 Unfortunately, none of the Ecological and Appraisals submitted with the applications to develop the site (DC/14/2248, DC/14/1389, DC/21/2007, and DC/24/1619) are informed by on-Site bird surveys.

11.2 This omission is contrary to Natural England’s ‘Guidance Wild Birds: advice for making planning decisions: How to assess a planning application when there are wild birds on or near a proposed development site’ (published 14 January 2022)’ is Natural England’s ‘standing advice’ for wild birds and is “a material planning consideration for local planning authorities (LPA), which should take this advice into account when making planning decisions. It forms part of a collection of standing advice for protected species’.

What improvements or modifications would you suggest?

CPRE Sussex asks that Policy H2b – Land at Smock Alley be removed from the plan, for the reasons explained above.

‘The Local Plan allocation (of Land at Smock Alley) is even less understandable in the light of Policy15 of the HDLP seeking to protect “local identity and an individual sense of place” and specifically mentioning at para 6.27 that particular regard should be given when considering proposals between West Chiltington Common and West Chiltington Village’.

(Appendix 9 - West Chiltington Settlement Separation Zone/Local Gap, paragraph 4.5)

(Continue on separate sheet if necessary)

If you have additional representations feel free to include additional pages. Please make sure any additional pages are clearly labelled/ addressed or attached.

Do you wish to be notified of the local planning authority's decision under Regulation 26 of the Neighbourhood Plan (General) Regulations 2012 (as amended) in relation to the West Chiltonon Neighbourhood Development plan?

Please tick here if you wish to be to be notified:

I confirm that I wish to be notified, please