

# **Lower Beeding Neighbourhood Development Plan 2014-2031**

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

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## **Executive Summary**

- 1 I was appointed by Horsham District Council in March 2021 to carry out the independent examination of the Lower Beeding Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 19 April 2021.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on delivering new housing growth whilst safeguarding its local character. In this context it includes a series of design and environmental policies. It proposes the designation of two local green spaces.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Lower Beeding Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**1 July 2021**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Lower Beeding Neighbourhood Development Plan 2014-2031 (the 'Plan').
- 1.2 The Plan has been submitted to Horsham District Council (HDC) by Lower Beeding Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on allocating sites for housing growth, safeguarding the local environment and ensuring good design standards.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

## **2 The Role of the Independent Examiner**

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

### *Examination Outcomes*

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

### *Other examination matters*

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

### 3 Procedural Matters

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

- the Submission Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Sustainability Appraisal;
- the Housing Land Availability Assessment
- the Habitats Regulations Assessment report;
- the Local Green Space Background Paper;
- the HDC note on the indicative housing requirement for Lower Beeding;
- the representations made to the Plan;
- the Parish Council's responses to my Clarification Note;
- the adopted Horsham District Planning Framework 2015;
- The Queen (on behalf of Lochailort Investments Ltd) and Mendip District Council [2020] EWCA Civ 1259;
- the National Planning Policy Framework (2019);
- Planning Practice Guidance (March 2012 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 19 April 2021. I looked at its overall character and appearance and at those areas affected by the Plan in particular. I maintained the social-distancing requirements that were in place at that time during the day in the neighbourhood area. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

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

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement sets out the mechanisms that were used to engage the community and statutory bodies in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (November 2019 to January 2020).
- 4.3 The Statement is particularly helpful in the way in which it captures the key issues in a proportionate way and which is then underpinned by more detailed appendices. Section 5 of the Statement is particularly effective in the way in which it identifies the main issues which were raised and assessed during the initial stages of the Plan's preparation.
- 4.4 The Statement sets out details about range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the ongoing use of online engagement and the Parish magazine (2016 to 2020);
  - the first public exhibition (March 2016);
  - the call for sites (May 2016);
  - the second public exhibition (October 2016);
  - the third public exhibition (October 2017);
  - the public meeting (December 2017); and
  - the fourth public exhibition (June 2018).
- 4.5 I am satisfied that the engagement process was both proportionate and robust. It sought to engage with local residents, statutory bodies, local businesses and potential developers in a balanced way.
- 4.6 Tables 1 and 2 of the Statement provides a summary of the comments received on the pre-submission version of the Plan and the Parish Council's responses to those comments. This helps to identify the principal changes that worked their way through into the submission version of the Plan. Some local residents have commented about the way in which the consultation exercises were managed and the opportunities for the public to comment. I have considered their comments very carefully and assessed it against the wider package of information supplied by the Parish Council.

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

*Representations Received*

- 4.9 Consultation on the submitted plan was undertaken by HDC that ended on 11 February 2021. This exercise generated comments from a range of organisations as follows:
- Sport England
  - Natural England
  - Surrey County Council
  - Devine Homes
  - Southern Water
  - Environment Agency
  - West Sussex County Council
  - Horsham District Council
  - Historic England
  - Boakes Land Projects
  - Millwood Designer Homes
  - Mr N Illes/WSP Planning
- 4.10 The submitted Plan also generated representations from six local residents.
- 4.11 I have taken account of all the representations received. Where it is appropriate to do so, I refer to particular representations in my assessment of the policies in Section 7 of this report.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Lower Beeding. It has an irregular shape and extends to approximately 8 miles in length from north to south. The principal settlement is Lower Beeding itself. Its hamlets are Crabtree to the south of the village, and Plummers Plain to the north-east, and part of Monk's Gate to the north-west. The parish is located in the wider countryside to the south-east of Horsham. In 2011 its population was 1022 persons living in 421 homes. It was designated as a neighbourhood area on 23 December 2015.
- 5.2 Lower Beeding is a nucleated village which lies on the B2110, B2115 and A281 roads. It is centred on the Holy Trinity Church and The Plough Public House, where Sandygate Lane (B2115) meets Handcross Road (B2110). It includes Holy Trinity Church and the Holy Trinity primary school.
- 5.3 The remainder of the neighbourhood area is predominantly rural in character and much of its area is in agricultural use. The various hamlets sit comfortably within this wider landscape. The parish provides interesting contrasts due to its location at the point where the High Weald of eastern Sussex merges into the Low Weald of the north-west part of the county. Most of the parish lies on the Tunbridge Wells sandstone of the High Weald. The High Weald Area of Natural Beauty (AONB) covers approximately a third of the Parish in the north-east corner.

### *Development Plan*

- 5.4 The development plan covering the neighbourhood plan area is the Horsham District Planning Framework (HDPF). The HDPF was adopted in 2015 and covers the period up to 2031. It sets out to bring forward new growth that is proportionate to the size of the various settlements in the District. Policy 2 (Strategic Development) focuses development in and around Horsham itself together with other strategic development in Southwater and Billingshurst. Elsewhere it proposes an appropriate scale of development which would retain the overall settlement pattern in the District. Policy 3 establishes a settlement hierarchy. Lower Beeding is identified as a 'Smaller Village' (the fourth category in the hierarchy). Smaller Villages are settlements with limited services, facilities, social networks but with good accessibility to larger settlements (for example by road or rail) or settlements with some employment but limited services facilities or accessibility. In such settlements, residents are reliant on larger settlements for most of their requirements. All of the other settlements in the neighbourhood area fall into the 'unclassified settlements' category in the hierarchy.
- 5.5 Policy 4 of the HDPF supports the expansion of settlements subject to various criteria being met. Policy 15 (Housing Provision) sets the scene for the strategic delivery of new housing. Beyond Horsham, Southwater and Billingshurst it identifies that 1500 homes should be delivered collectively across the District through neighbourhood development plans in accordance with the settlement hierarchy.



5.6 In addition to the policies set out above the following policies in the HDPF have been particularly important in influencing and underpinning the various policies in the submitted Plan:

Policy 7	Economic Development
Policy 9	Employment Development
Policy 16	Meeting Local Housing Needs
Policy 26	Countryside Protection
Policy 32	Quality of New Development
Policy 43	Community Facilities, Leisure and Recreation

5.7 HDC is now well-advanced in terms of its preparation of a new Local Plan. A draft Regulation 18 Local Plan was published for consultation between February and March 2020. It is anticipated that the Plan will be submitted for examination later this year and be adopted in early 2023. In process terms this Plan is not at a stage at which it can have any significance in the examination of the submitted neighbourhood plan. Nevertheless, HDC has helpfully provided advice to qualifying bodies on how it anticipates that the emerging Plan will have a bearing on the well-developed neighbourhood planning agenda in the District. In this wider context the two councils have agreed that the Parish Council will address strategic housing matters in the parish and the submitted Plan includes four housing allocations. This task has been underpinned by the findings of HDC's study on the indicative housing requirements for the neighbourhood area which was published in November 2018. It identified a need for 51 new homes in the neighbourhood area up to 2031. This study was prepared in response to the contents of the NPPF and to provide clarity to the Parish Council as it prepared its own Plan whilst the Local Plan emerges for the wider District. In the circumstances I am satisfied that this process has been appropriate given the timing of the Plan's preparation and that it has come forward in advance of the emerging Local Plan. Nevertheless, I recommend modifications to the way in which the Plan is monitored and review in Section 7 of this report.

5.8 The submitted Plan has been prepared correctly and properly within this adopted and emerging development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is also clear that the submitted Plan adds value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

#### *Unaccompanied Visit*

5.9 I visited the neighbourhood area on 19 April 2021. I maintained the social distancing measures in force at that time. I drove into the neighbourhood area along the B2110 from the north-east. This gave me an initial impression of its setting and character in general terms. It also highlighted its connection to the strategic road system and to both Horsham and Crawley.

- 5.10 I looked initially at the part of the parish off Hammerpond Road. I drove up to Hammerpond itself and was rewarded with spectacular views of the pond and its surrounding sylvan setting.
- 5.11 I then looked at Lower Beeding village. I saw the prominence of the Holy Trinity Church in both the village and its wider hinterland. I found the footpath along the southern boundary of the churchyard which provided a degree of shelter from the passing traffic. I took the opportunity to look at the three proposed housing allocations to the north of the village and the preferred access points as highlighted in the Plan. I walked along the footpath running from the northern side of the Church. In turn this gave me good sight of the Trinity Cottage and the Glayde Farm site. I looked at the Sandygate Lane site both from the Lane itself and from the private access drive to the west of the Church.
- 5.12 I then looked at the two proposed local green spaces in the village. I saw their attractiveness and the way in which they were well-maintained. In looking at Church Close I saw traditional retiling taking place on the single-storey outbuildings of the Plough PH.
- 5.13 I then drove to Monks Gate. I saw its different character and the range of larger houses on the edge of the settlement. I saw its dispersed settlement pattern and its functional relationship with the surrounding countryside.
- 5.14 Thereafter I drove to Crabtree. I saw the scale and significance of Leonardslee Lakes and Gardens both in the settlement and the wider landscape. I looked at the proposed housing allocation in the settlement at the junction of the A281 and the access track leading to Loder Plants and Hydrangea Haven. I saw the way in which it would relate to existing houses and structures in the immediate locality.
- 5.15 I walked through the settlement to The Crabtree PH. Its car park was very busy on a warm and sunny day. Thereafter I drove to the south of the settlement and looked at the new houses off Peppersgate. I saw the way in which they had successfully captured the local vernacular traditions within a modern context.
- 5.16 I finished my visit by driving to the south to Cowfold. This helped to understand the way in which the neighbourhood area related to the wider landscape to the south and the east.

## 6 The Neighbourhood Plan and the Basic Conditions

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

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

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

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

### *National Planning Policies and Guidance*

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

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

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

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

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

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

*Contributing to sustainable development*

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for residential and employment development (Policies 6-10 and 16-18 respectively). In the social role, it includes policies on housing mix (Policy 11), recreation areas (Policy 14) and local green spaces (Policy 15). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on biodiversity, green infrastructure and landscape character (Policies 1-3), on sustainable design and energy efficiency (Policies 4 and 5) and on design (Policy 12). The Parish Council 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 in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the incorporation of the recommended modifications in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*European Legislation and Habitat Regulations - Sustainability Appraisal/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 the Parish Council commissioned a Sustainability Appraisal (SA). It incorporates a Strategic Environmental Assessment (SEA). The report (July 2020) is thorough and well-constructed. It appraises the policies (and reasonable alternatives) against the sustainability framework developed through the scoping report. It helps to gauge the extent to which the Plan contributes towards sustainable development.
- 6.16 The work on the SA is underpinned by associated work on Housing Land Availability Assessment (April 2018). As part of that work a comprehensive range of potential housing sites were assessed to determine their suitability and availability, or otherwise, for allocation in the emerging Plan.
- 6.17 Having considered all the information available to me I am satisfied that the SA process was both comprehensive and exhaustive. It considered 25 potential residential development sites and was undertaken in a professional way. In particular the consideration of alternative housing options has been very thorough. It has been produced within the wider context of the indicative housing requirement of 51 homes as agreed with HDC.
- 6.18 I am also satisfied that the Parish Council has selected a package of residential allocations which is both appropriate to the characteristics of the neighbourhood area and is based on the evidence in the SA work. It is clear that the SA has informed the details of the policies for the four allocated sites. There is a clear audit trail between the impacts identified in the SA, the identified mitigation effects and the criteria included in the policies concerned. This is best practice.
- 6.19 In the round the SA process has followed best practice for the way in which such work underpins and informs an emerging neighbourhood plan. In particular it takes account of the advice in the Office of the Deputy Prime Minister's 'A Practical Guide to the Strategic Environmental Assessment Directive 2005. It provides assurance to all concerned that the plan-making process is evidence based and robust.

*European Legislation and Habitat Regulations - Habitats Regulations Assessment*

- 6.20 The District Council commissioned a Habitats Regulations Assessment (HRA) of the Plan (October 2020). Due to potential impact of the proposals in the Plan on protected sites the assessment process proceeded to the Appropriate Assessment stage.
- 6.21 The report is both thorough and comprehensive. It takes appropriate account of the significance of European sites. In particular it assesses the extent to which the policies in the submitted Plan would have any direct or indirect impacts on the Arun Valley SAC/SPA/RAMSAR and the Ashdown Forest SAC. It provides details about the impact of the Plan's policies and proposals on a series of technical matters. Whilst potential recreational pressure and atmospheric pollution impacts on the Ashdown Forest SPA/SAC were screened out, the Arun Valley SPA/Ramsar/SAC was taken forward to Appropriate Assessment in relation to the impact pathways water quality and water quantity, level and flow.
- 6.22 Subject to the incorporation of additional text into the Plan the report concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. I recommend that the additional wording as suggested in the Appropriate Assessment in relation to water abstraction is incorporated into the supporting text associated with the policies for the allocated sites in the Plan (Policies 6-9). I am satisfied that there are no procedural matters which arise from this matter. The HRA and Appropriate Assessment were included in the package of submitted documents and it was clear to all concerned that the additional text should have been included in the Plan itself. To avoid repetition, I do not incorporate this explanation on a policy-by-policy basis.
- 6.23 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. The HRA report and the Appropriate Assessment provide assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

*European legislation – Human Rights*

- 6.24 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

### *Summary*

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

## 7 The Neighbourhood Plan policies

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

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

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan highlights the links between the Plan's vision, its objectives and its resultant policies.
- 7.9 The Introduction provides helpful information about the context of the Plan. It identifies the Plan period, the neighbourhood area, when the neighbourhood area was designated and the neighbourhood area itself. It comments about the local planning policy context, the plan preparation programme, the structure of the Plan and the consultation processes. In doing so it provides a helpful connection to both the Basic Conditions Statement and the Consultation Statement.
- 7.10 Section 2 comments about the neighbourhood area and a range of matters which have influenced the preparation of the Plan. In particular it addresses the following matters:
- the environment and heritage of the parish;
  - housing in the parish;
  - community facilities in the parish;
  - the local economy; and
  - transport.



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

- 7.11 Section 3 comments about the Plan's Vision and Objectives. It is well-constructed. The Vision is supported by 15 distinctive objectives. Each detailed chapter of the Plan identifies the objectives it addresses either generally or through the relevant policies.
- 7.12 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 1: Biodiversity

- 7.13 The Parish supports a wide variety of plant and animal life and habitats, including arable, woodland, hedgerows, grassland, as well as rivers and associated environments. The Parish Council wishes to support development proposals which incorporate biodiversity improvements in and around development proposals, especially where this can secure measured net gains in biodiversity.
- 7.14 The policy takes a general and non-prescriptive approach to this matter which meets the basic conditions

#### Policy 2: Landscape Character

- 7.15 Lower Beeding has a distinct landscape character of small woodlands, ponds of various sizes, grass verges to small lanes and irregular small hills. The landscape is largely characterised by surviving medieval landscape patterns of assorted fields and hedges which help link wooded areas. Collectively this gives rise to an intimate landscape with a mixture of shorter and longer sight lines and a strong sense of rurality.
- 7.16 The policy offers support development proposals which contribute to and enhance the natural environment. Its general and non-prescriptive approach to this matter meets the basic conditions.

#### Policy 3: Green Infrastructure

- 7.17 The policy comments about green infrastructure. The Plan comments that green infrastructure includes trees, woodlands, hedges, verges, parks, recreational space, watercourses, and public right of ways. The Parish Council wishes to conserve and enhance existing green infrastructure assets, and to ensure that new development contributes to the enhancement of this network. The policy has three related parts. The first offers support to proposals which sustain green infrastructure networks. The second takes an identical view to proposals which incorporate landscaping, trees and hedging. The third does not support proposals which would result in the loss of green infrastructure unless appropriate mitigation measures are in place.
- 7.18 The wider policy has been well-crafted. It has regard to national policy (Section 15 of the NPPF) on this matter. It meets the basic conditions.

#### Policy 4: Sustainability

- 7.19 The Plan seeks to achieve sustainable development in ensuring that new development meets the needs of people living and working in the parish, while at the same time helping to ensure that adverse environmental impact is minimised. The policy sets out an approach to achieve this wider objective in supporting proposals which would incorporate sustainable resource measures.
- 7.20 The wider policy has been well-crafted. It has regard to national policy (Section 14 of the NPPF) on this matter. It meets the basic conditions.

#### Policy 5: Energy Efficiency

- 7.21 This policy addresses energy efficiency measures in new developments. The Parish Council intends to contribute to reducing the Parish's contribution to climate change and ensuring that the neighbourhood area retains its beauty throughout the Plan period.
- 7.22 The policy differs from the format of the previous four policies by commenting that the Parish Council will support such proposals. Whilst this will be the case, planning applications will remain to be determined by HDC in the event that the Plan is made. I recommend that the policy wording is modified accordingly. The effect of the policy remains unchanged. Otherwise, the policy meets the basic conditions.

**Replace the policy with: 'Development proposals which incorporate measures to maximise energy efficiency of new buildings will be supported'**

#### Proposed Housing Allocations

- 7.23 The Plan proposes the allocation of four housing sites. One is in Crabtree (Policy 6) and the other three are in Lower Beeding (Policies 7-9). The Plan anticipates that the four sites would bring forward approximately 47 homes. This represents the majority of the indicative housing requirement for the neighbourhood area.
- 7.24 The site selection process has been considered in Section 6 of this report. I do not repeat those details. Nevertheless, I comment here on the extent to which the four allocated sites meet the basic conditions on a site-by-site basis. However, to avoid repetition in the four separate policies I address four general issues in the round as follows:
- the relationship of the strategic approach for the delivery of new housing in the Plan with the adopted HDPF;
  - the impact of the package of housing sites on the form and character of Lower Beeding and Crabtree;
  - the deliverability of the proposed housing allocations in Lower Beeding and Crabtree and their means of access; and
  - the criteria associated with the development of the sites.

*The relationship of the strategic approach for the delivery of new housing with the adopted HDPF*

- 7.25 Plainly this is an important matter both in its own right and to ensure that the Plan is in general conformity with the strategic policies of the development plan. The Plan's focus of new housing development in Lower Beeding reflects its position in the local settlement hierarchy as a smaller settlement. It also takes account that the other settlements are unclassified in the hierarchy. In the round I am satisfied that this approach meets the basic conditions.
- 7.26 Some of the representations comment about the approach in the Plan towards the allocation of a housing site in Crabtree and the way in which such an approach relates to the approach in the HDPF. I have considered this matter very carefully. I am satisfied that the allocation of a modest and self-contained site in Crabtree is appropriate given the scale and the nature of the neighbourhood area. Indeed, the preparation of the neighbourhood plan is the ideal opportunity for a local community to address this issue in the round, and to reach its own view on the potential benefits which may arise from such developments to the longer-term sustainability of the settlement concerned.
- 7.27 In addition the Plan also identifies the way in which the Parish Council sought the advice of HDC on this important matter both for plan-making purposes and as a new local plan is emerging. In this context Policy 4 of the HDPF comments that the growth of settlements across the District will continue to be supported to meet identified local housing, employment and community needs. Outside built-up area boundaries, the expansion of settlements will be supported subject to a series of criteria. I am satisfied that the allocation of the site in Crabtree meets the various criteria in Policy 4 of the HDPF. In particular it is allocated in a neighbourhood plan and the scale of development is appropriate to the scale and function of the settlement type (in this case an unclassified settlement).
- 7.28 Some of the representations comment about the wider site selection process and in particular the way in which one of the potential housing allocations was assessed (LBP 23 - Old Camp Farm, Brighton Road, Monks Gate). I have commented elsewhere in this report about the robustness of the site selection process. I looked carefully at the Old Camp Farm site during the visit to the neighbourhood area. I saw that it is located to the immediate south-east of the settlement. I took account of the details of the site included in the Housing Land Availability Assessment produced by Dowsett Mayhew in April 2018 for the Parish Council. Having considered all the information available to me I am satisfied that the outcomes of the site selection process are well-considered and evidence-based. In my judgement the development of the Old Camp Farm site would not conform with the character of Monks Gate which is largely based on the linear arrangement of dwellings along Brighton Road and Nuthurst Road. In addition, whilst the site is adjacent to the settlement the existing commercial uses to its north and west mark a clear edge to its eastern boundary and would separate any residential development on the site from the existing dwellings. In this context I am not satisfied that the allocation of the site would conform with Policy 4 of the HDPF. In particular the

scale of development would not be appropriate to the scale and function of an unclassified settlement and it is not within an existing defensible boundary.

*The impact of the package of housing sites on the form and character of Lower Beeding*

7.29 The package included in the Plan allocates three housing sites in Lower Beeding. In addition, they are all located along its northern and north-western boundary. I have considered this matter very carefully and looked at the sites concerned during the visit. I am satisfied that the four proposed housing allocations will have an acceptable impact on form and character of the neighbourhood area.

7.30 I sought advice from the Parish Council on the extent to which the Plan assesses the cumulative impact of the proposed development of the three housing allocations in Lower Beeding on the wider setting of the village in the countryside to the immediate north. It commented generally about the site selection process. The response also advised that mitigation measures to minimise this potential matter were considered and are set out in individual Housing Sites Assessments.

7.31 The Parish Council's response comments that for the three sites proposed for allocation in Lower Beeding, the Appraisals advise as follows:

'Trinity Cottage: Development would have a negative impact on Objective 1. The Appraisal confirms mitigation measures in conjunction with development could include the retention of mature trees and hedges.

Land north of Sandygate Lane: Development would have a negative impact on Objective 1. The Appraisal confirms mitigation measures in conjunction with development could include the retention of mature trees and hedges. In addition, to mitigate the removal of existing hedgerow to facilitate visibility splays additional planting and landscaping could be provided.

Land at Glayde Farm: Development would have a negative impact on Objective 1. The Appraisal confirms mitigation measures, in conjunction with development, could include the retention of mature trees and hedges. In addition, to mitigate the removal of existing hedgerow to facilitate visibility splays additional planting and landscaping could be provided'

7.32 The response from the Parish Council also advises that the policies for each of the proposed allocations include a number of mitigation measures to minimise the negative effects of development as follows:

'Policy 7: Land at Trinity Cottage includes criterion to retain existing mature trees and hedges and for proposals to provide a landscape buffer on the northern and southern boundary.

Policy 8: Land north of Sandygate Lane includes criterion to retain existing mature trees and hedges and for proposals to provide a landscape buffer on the northern, southern and western boundary.

Policy 9: Land at Glayde Farm (Field B) includes criterion to retain existing mature hedgerows unless there is a demonstrated need to remove a section. Where this is the case, replacement screening will be required if deemed necessary'

- 7.33 In summary the Parish Council contends that 'the negative effects which have been identified are limited to the immediate environment and have been mitigated as far as possible. The cumulative impacts of the sites proposed for allocation have been considered, (in paragraph 5.9 of the SA), and it has been concluded the cumulative in combination effects will not be significant. The proposed allocations present the most sustainable option for the Parish as the sites with the least environmental effects have been allocated. The policies seek the inclusion of a number of mitigation measures to minimise the negative effects of development as far as possible. It is not considered the (Plan) will have significant detrimental effects, including secondary or indirect effects, cumulative effects, or synergistic effects. Overall, it is considered the (Plan) will have positive effects on environmental, social and economic indicators, and will promote sustainable development over the Plan period'
- 7.34 Having considered all the information I am satisfied that the overall effects of the site allocation process will result in a balanced mix of housing developments in Lower Beeding. I am also satisfied that each site can be mitigated in a proper and practical fashion and that there will be no unacceptable cumulative impact from their development.

*Delivery*

- 7.35 I sought advice from the Parish Council on the deliverability of two of the allocated sites in Lower Beeding (Policies 7 and 9) and their ability to achieve vehicular access. As submitted the Plan indicates 'preferred access points'. I was advised about the way in which the access into the two sites has been considered and refined during the plan making process. I was also advised about the way in which West Sussex County Council (in its capacity as the highways authority) had been engaged in the wider process. The detailed response also included commentary from the two separate landowners indicating their support for wider delivery and the way in which highways access could be achieved.
- 7.36 On the basis of all the information available to me I am satisfied that there are no significant impediments to the deliverability of the submitted package of sites. In this broader context the Parish Council has properly brought forward a package of sites where is a significant degree of interest in their eventual development.

*The criteria associated with the development of the sites*

- 7.37 The four policies are criteria-based and include elements of a common approach and wording. This provides a degree of consistency and robustness. At the same time each policy includes criteria which reflect the particular and distinctive features of the site concerned. The criteria associated with each policy are comprehensive and have been crafted to ensure that high quality and well-designed development comes forward.
- 7.38 Several of the criteria require that development should maintain and enhance certain features that relate to the site concerned. In some cases, a degree of enhancement

will be practicable. In other cases, this may not be the case. In general terms the development of the sites concerned will have an inherent impact on their character and appearance. This issue has already been considered in the SA work and the overall preparation of the Plan. Where appropriate the policies concerned incorporate the mitigation measures identified in the SA. This is good practice.

#### Policy 6: Land at Cyder Farm

- 7.39 This policy proposes the allocation of land for housing purposes at Cyder Farm Crabtree. The Plan anticipates that it would accommodate approximately six homes.
- 7.40 The site lies within the Crabtree Conservation Area in the southern part of the parish. It is bound by the A281 to the west. Residential properties lie to the north, northeast and south. It is an open parcel of grassland within a wider farm complex.
- 7.41 The eight criteria included within the policy properly reflect the nature and the location of the site within Crabtree. The policy will provide a robust basis for its eventual delivery. It meets the basic conditions subject to the incorporation of additional text to reflect the outcome of the Appropriate Assessment process (see paragraph 6.22 of this report).

*At the end of paragraph 5.32 add: 'To reflect the outcome of the habitat regulations assessment and appropriate assessment process 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 in order to keep pace with infrastructure investment'*

#### Policy 7: Land at Trinity Cottage

- 7.42 This policy proposes the allocation of land for housing purposes at Trinity Cottage, Lower Beeding. The policy anticipates that it would accommodate approximately seven homes.
- 7.43 The site is located south of Church Farm and is accessed from Sandygate Lane (B2115). The site adjoins the built-up area boundary on its southern and eastern borders and is in close proximity to services on offer in Lower Beeding. It is an open parcel of scrubland to the immediate north of Holy Trinity Church.
- 7.44 The ten criteria included within the policy properly reflect the nature and the location of the site within Lower Beeding. The policy will provide a robust basis for its eventual delivery. In particular it addresses the relationship of the site to the Holy Trinity Church to the south and the need to retain the existing mature trees and hedgerows and supplement them with appropriate landscaping measures. It addresses the access issue as highlighted earlier in this report. It meets the basic conditions subject to the incorporation of additional text to reflect the outcome of the Appropriate Assessment process (see paragraph 6.22 of this report).

*At the end of paragraph 5.37 add: 'To reflect the outcome of the habitat regulations assessment and appropriate assessment process 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 in order to keep pace with infrastructure investment'*

Policy 8: Land north of Sandygate Lane

- 7.45 This policy proposes the allocation of land for housing purposes at land north of Sandygate Lane, Lower Beeding. The policy anticipates that it would accommodate approximately 20 homes.
- 7.46 Land North of Sandygate Lane is located southeast of Church Farm and is accessed from Sandygate Lane (B2115). The land adjoins the built-up area boundary on its eastern borders. It is in close proximity and walking distance to services on offer in Lower Beeding. It is an open parcel of land in agricultural use.
- 7.47 The ten criteria included within the policy properly reflect the nature and the location of the site within Lower Beeding. The policy will provide a robust basis for its eventual delivery. In particular it addresses the relationship of the site to the Holy Trinity Church to the south and the need to retain the existing mature trees and hedgerows and supplement them with appropriate landscaping measures along its northern, southern and western boundaries. It meets the basic conditions subject to the incorporation of additional text to reflect the outcome of the Appropriate Assessment process (see paragraph 6.22 of this report).

*At the end of paragraph 5.41 add: 'To reflect the outcome of the habitat regulations assessment and appropriate assessment process 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 in order to keep pace with infrastructure investment'*

Policy 9: Land at Glayde Farm (Field B)

- 7.48 This policy proposes the allocation of land for housing purposes at Glayde Farm, Lower Beeding. The policy anticipates that it would accommodate approximately 14 homes.
- 7.49 Land at Glayde Farm (Field B) is located on the edge of the built-up area boundary of Lower Beeding. The site is in close proximity and walking distance to services on offer in Lower Beeding. It is an open parcel of land in agricultural use.
- 7.50 The ten criteria included within the policy properly reflect the nature and the location of the site within Lower Beeding. The policy will provide a robust basis for its eventual delivery. In particular it addresses the relationship of the site to the Holy Trinity Church and the need to retain the existing mature hedgerows. It addresses the access issue as highlighted earlier in this report. It meets the basic conditions subject to the incorporation of additional text to reflect the outcome of the Appropriate Assessment process (see paragraph 6.22 of this report).

*At the end of paragraph 5.44 add: 'To reflect the outcome of the habitat regulations assessment and appropriate assessment process 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 in order to keep pace with infrastructure investment'*

#### Policy 10: Windfall Development

- 7.51 Lower Beeding has a strong history of delivering windfall development within its built-up area boundary. In accordance with national policy the Parish Council wishes to plan positively to meet the housing need of the Parish. As such the policy offers support to windfall development in the built-up area boundary. This approach has been designed to contribute towards the delivery of housing to meet the indicative housing numbers during the Plan period.
- 7.52 Paragraphs 5.50 to 5.52 of the Plan elaborate on the Parish Council's approach in commenting that:
- 'In order to ensure there is no 'double counting' for the purposes of monitoring in relation to recording the wider windfall allowance for the District, once four dwellings has been met through the windfall allowance policy, it follows further windfalls to come forward would contribute to the wider District allowance and be recorded accordingly'*
- 7.53 The policy takes both a balanced and an appropriate approach to this matter. In particular its three criteria will ensure that development proposals properly take account of their site-specific circumstances. I recommend a detailed modification to the wording of the policy to bring the clarity required by the NPPF. Otherwise, it meets the basic conditions.
- 7.54 The policy correctly applies its approach to windfall development with the built-up area boundary as identified in the HDPF. I address the issue of windfall development in paragraphs 7.79 and 7.80 of this report in the broader context of the monitoring and review of the neighbourhood plan.

#### **Replace 'proposals' with 'they'**

#### Policy 11: Housing Mix

- 7.55 This policy seeks to ensure that an appropriate mix of housing types is delivered in the Plan period. Its approach is heavily underpinned by the Action in Rural Sussex report which highlighted the need for smaller homes, warden assisted homes and sheltered accommodation. This outcome was also reflected in feedback from public exhibitions in 2016 and 2017.
- 7.56 The policy takes a general and non-prescriptive approach to this matter. It meets the basic conditions. Its implementation throughout the plan period will assist in the delivery of the social dimension of sustainable development in the neighbourhood area.



## Policy 12: Design

- 7.57 This policy responds positively to the approach in Section 12 of the NPPF. The Parish Council considers that design proposals should be in keeping with the design of the village and make a valuable contribution to the rural character of the village.
- 7.58 The policy comments that new developments which are in keeping with local vernacular treatments will be supported. This is an appropriate approach in general terms. However, neither the policy nor the supporting text identifies the nature of local building traditions and as such does not bring the clarity required by the NPPF. In its response to the clarification note the Parish Council provided factual details about such traditions. I am satisfied that this both reflects these matters and is a factual statement rather than a remodelling of the approach in the submitted Plan. I recommend that the Parish Council's suggested wording (with minor modifications) is incorporated into the supporting text in the Plan. I also recommend a detailed modification to the wording of the policy. Otherwise, the wider approach meets the basic conditions. It will do much to deliver the environmental dimension of sustainable development in the Plan period.

### **Replace 'the local vernacular' with 'local vernacular traditions and materials'**

*At the end of paragraph 5.59 add 'The existing building style and architecture is valued locally. Throughout the parish, the walls of many houses and buildings are partly tile-hung or rendered, and roofs (more often gabled than hipped) frequently feature red clay tiles. In the past, bricks have been heavily used as a building material and there are many examples of them being used creatively to create patterns in local colours, such as warm reds and light browns. Horsham Stone also features prominently throughout the Parish. Wood has also been used either structurally or as feather edge board to cover the upper storeys of houses, or as barge boards to embellish the roof lines. Using this preferred mix of natural materials creates a recognisable common sense of design that contributes to the distinct rural style of the parish. The Parish Council supports the use of traditional and local building materials in new developments. Materials which are sympathetic to nearby structures and in keeping with traditional and local style will be supported'*

## Policy 13: Density

- 7.59 In order to protect the rural character and heritage of the parish, and reflect community feedback, the Plan considers it appropriate for the new residential developments to respect and reflect locally-prevalent densities. The policy seeks to address this important matter in requiring the density of new residential development to reflect that of the surrounding area.
- 7.60 I recommend that the supporting text comments about the potential for higher densities on smaller sites where particularly innovative designs can be successfully incorporated into the local street scene. Otherwise, the policy meets the basic conditions.

*At the end of paragraph 5.65 add: ‘This is captured in Policy 13. Plainly the District Council will need to determine planning applications on their individual merits in the context of the policy. The potential may exist within the Plan period for housing schemes to come forward at slightly higher densities on smaller sites and/or where particularly innovative designs can be successfully incorporated into the local street scene’*

#### Policy 14 Recreation Areas

- 7.61 Community sport and recreation areas are highly valued in the Parish. As set out in Paragraph 96 of the NPPF, it is important to the health and well-being of communities to have access to a network of high-quality open spaces and opportunities for sport and physical activity. The policy seeks to retain existing recreation areas unless replacement facilities are provided.
- 7.62 The wider policy has been well-crafted. It has regard to national policy (Section 8 of the NPPF) on this matter. It meets the basic conditions.

#### Policy 15 Protection of Local Green Spaces

- 7.63 The policy proposes the designation of two parcels of land as local green space (LGS). The first is the land at the entrance to Church Close opposite the Plough Public House in Lower Beeding (LGS1). The second is the Brick Kiln Pond in Lower Beeding (LGS2).
- 7.64 The proposed designations are underpinned by the LGS Background Paper (November 2019). The Paper is very thorough in its approach. It identifies how the two proposed LGSs were assessed and selected for such designation. It also identifies other potential spaces which were assessed and then not pursued further.
- 7.65 I looked carefully at the proposed LGSs when I visited the neighbourhood area. On the basis of all the information available to me, including my own observations, I am satisfied that the proposed LGS comfortably comply with the three tests in the NPPF and therefore meet the basic conditions.
- 7.66 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.67 The policy itself has two related parts. The first lists the proposed LGSs. The second sets out the implications for LGS designation. The second part seeks to follow the approach as set out in paragraph 101 of the NPPF. However, it comments that

development proposals which conflict with the purpose of this designation will be resisted in these areas. I can understand the circumstances which have caused the Parish Council to design the policy in this way. Nevertheless, I recommend a modification so that the policy takes the matter-of-fact approach in the NPPF. The recommended modification also takes account of the recent case in the Court of Appeal on the designation of local green spaces and the policy relationship with areas designated as Green Belts (2020 EWCA Civ 1259).

- 7.68 In the event that development proposals affecting designated LGSs come forward within the Plan period, they can be assessed on a case-by-case basis by HDC. In particular HDC will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy. I recommend that the supporting text clarifies this matter.

**Replace the second part of the policy with:  
‘Development proposals within the designated local green spaces will only be supported in very special circumstances’**

*At the end of paragraph 6.17 add: ‘Policy 15 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy’*

#### Policy 16 Broadband and Telecommunications

- 7.69 This policy sets out support for proposals to provide access to a super-fast broadband service and improve the mobile telecommunication network that will serve businesses and other properties within the parish. The Plan acknowledges this may require above ground network installations and comments that they should be sympathetically located and designed to integrate into the landscape and not located in or near to open landscapes.
- 7.70 The wider policy has been well-crafted. It has regard to national policy (Section 10 of the NPPF) on this matter. It meets the basic conditions.

#### Policy 17 Existing Employment Sites

- 7.71 The policy recognises that home-based businesses play a valuable role in providing employment in the Parish. In addition, the Plan acknowledges the flexibility ‘working from home’ provides as well as the social, economic and environmental benefits it brings. In the round the Plan sets out to support existing businesses in order to maintain and/or create jobs which enable a strong rural economy to thrive.
- 7.72 The policy offers support to proposals which would maintain or expand existing businesses where they meet three criteria.

- 7.73 The wider policy has been well-crafted. It has regard to national policy (Section 6 of the NPPF) on this matter. It meets the basic conditions.

#### Policy 18 Economic Growth

- 7.74 The policy supports and encourages the growth of new and existing businesses, particularly smaller businesses and home workers. It requires that any such proposals meet four criteria, one of which is that it is on previously developed land.
- 7.75 Plainly new employment development on previously-developed land may be an appropriate use for such sites. However national policy takes a broader view of the potential for economic growth and recognises that it has the potential to come forward on other parcels of land. As such the submitted policy is more restrictive than national policy and does not include any local or detailed justification for such an approach. As such the policy does not have regard to national policy.
- 7.76 In these circumstances I recommend that the first criterion (on previously-developed land) is deleted from the policy. Otherwise, it meets the basic conditions. It will do much to deliver the economic dimension of sustainable development in the parish.

#### **Delete the first criterion**

#### Aims

- 7.77 The Plan includes a series of Aims. They are issues which have naturally arisen during the plan-making process, but where the issues are not land use based. The Aims are included in the main body of the Plan and are as follows:

- Aim 1 Light Pollution
- Aim 2 Air Quality
- Aim 3 Water Environment
- Aim 4 Garden Spacer
- Aim 5 Education
- Aim 6 Waste Management
- Aim 7 Community Infrastructure Levy
- Aim 8 Utilities
- Aim 9 Parking
- Aim 10 Traffic Management
- Aim 11 Accessibility
- Aim 12 Public Rights of Way

- 7.78 The Aims have been developed in a positive fashion. They are both distinctive and appropriate to the neighbourhood area.
- 7.79 National policy comments that Aims of this nature should be incorporated into a separate section of the Plan. This will serve to distinguish them from the land use policies. However, on balance I am satisfied that the approach in the Plan is appropriate. I have reached this view for two related reasons. The first is that the Aims

add value to the land use policies on a topic-by-topic basis. The second is that they are distinguished from the land use policies by the use of colour.

- 7.80 Nevertheless to bring the necessary clarity I recommend modifications to the text in the first chapter of the Plan. They will serve to highlight the key differences between a planning policy and an Aim. They will also clarify which elements of the overall Plan will or will not become part of the wider development plan in the event that the neighbourhood plan is successful at public referendum in due course.

*After the table in paragraph 1.15 add:*

*'Policies are land use issues which will form part of the development plan in the event that the Plan is made after a public referendum. Policies are highlighted in blue.*

*Aims are issues where the residents of the parish have expressed a strong view about the issue concerned during the plan making process but which are not land use-based matters. They will not form part of the development plan in the event that the Plan is made. However, they may form the basis of actions which the Parish Council will pursue within the Plan period. Aims are highlighted in pink*

*The various policies and the Aims are incorporated within the relevant chapters of the Plan. This approach recognises that in several cases the Aims are complementary to the policies'*

#### Monitoring and Review of the Plan

- 7.81 Section 9 of the Plan comments about the need for its effectiveness to be addressed. It highlights the way in which the neighbourhood plan has been prepared whilst a new local plan emerges. This is good practice. In addition, it reflects the collaborative working arrangements between the Parish Council and HDC during the plan-making process.
- 7.82 Nevertheless I recommend that Paragraph 9.5 is reworded so that it provides a clearer set of arrangements for this process and which would relate directly to the timescale for the adoption of the emerging Local Plan. The recommended modification also draws specific attention to the delivery of the sites allocated in the Plan, the delivery of windfall sites and the way in which windfall sites are assessed in terms of their contribution towards the strategic housing target for the District in the emerging Local Plan.

*Replace paragraph 9.5 with: 'As part of this process the Parish Council will monitor the delivery of the sites allocated in the Plan and the delivery of windfall sites. The Parish Council will assess the need for a review of the neighbourhood plan within six months of the adoption of the emerging Horsham District Local Plan. As part of this process, it will consider the way in which windfall sites are assessed in terms of their contribution towards the strategic housing target for the District in the emerging Local Plan'*

## Other matters

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

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

## 8 Summary and Conclusions

### *Summary*

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

### *Conclusion*

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

### *Referendum Area*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Horsham District Council on 23 December 2015.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in an efficient manner. The Parish Council's response to the clarification note was particularly comprehensive and helpful.

**Andrew Ashcroft**  
**Independent Examiner**  
**1 July 2021**