

# **Upper Beeding Neighbourhood Development Plan 2018-2031**

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

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## **Executive Summary**

- 1 I was appointed by Horsham District Council in May 2019 to carry out the independent examination of the Upper Beeding Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 9 August 2019.
- 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 safeguarding local character and providing a context within which new dwellings can be accommodated. In this context it proposes the allocation of five housing sites. It also proposes a series of local green spaces. In the round the Plan has successfully identified a range of issues where it can add value to the strategic context already provided by the wider development plan.
- 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 Upper 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**  
**5 December 2019**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Upper Beeding Neighbourhood Development Plan 2018-2031 (the 'Plan').
- 1.2 The Plan has been submitted to Horsham District Council (HDC) and the South Downs National Park Authority (SDNPA) by Upper Beeding Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan. A significant part of the neighbourhood area is within the South Downs National Park.
- 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 promoting new housing growth 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 am also independent of the SDNPA. 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 submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Sustainability Appraisal Report (incorporating SEA);
- the non-technical summary of this report;
- the Local Green Space Report;
- the Community and Infrastructure Document;
- the Environment and Countryside Document;
- the Housing and Development Document;
- the Flood Risk Assessment;
- the Flood Risk Sequential Test;
- the Housing Needs Assessment;
- the Housing Needs Survey;
- the HRA Screening Report;
- the Parish Council's responses to my Clarification Note;
- the representations made to the Plan;
- the adopted Horsham District Planning Framework 2015;
- the adopted South Downs Local Plan;
- the National Planning Policy Framework (2012);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 9 August 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My 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 early in the examination process.

3.4 The Plan was submitted for examination in December 2018. Given the transitional arrangements included in the 2018 version of the National Planning Framework the Plan is assessed against national planning policy that was included in the 2012 version of the NPPF. The delays during the examination have inevitably resulted in the Plan being assessed against a dated version of national policy when development management decisions are being taken against the principles contained within the 2018/2019 versions of the NPPF. Where it is appropriate for me to do so through my broader recommended modifications I have sought to future-proof the Plan where its policies are also in accordance with the approaches in the 2018/19 versions of the NPPF.

## 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 (June to August 2018). It captures the key issues in a proportionate way and is then underpinned by more detailed appendices.
- 4.3 The Statement is particularly helpful in the way in which it reproduces elements of the consultation documents used throughout the plan-making process. Their inclusion adds life and depth to the Statement.
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the publicity about the launch of the Plan;
  - the monthly updates on the Parish Council website;
  - the establishment of a separate website and engagement through social media;
  - the NP survey (November 2013);
  - the Call for Sites;
  - the Housing Needs Survey;
  - the Youth Survey;
  - the Business Survey; and
  - the engagement with HDC and the SDNPA
- 4.5 I am satisfied that the engagement process has been both proportionate and robust.
- 4.6 Annexes 1 and 2 of the Statement provide specific details on the comments received on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. This process helps to describe the evolution of the Plan.
- 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 for a six-week period that ended on 5 April 2019. This exercise generated comments from a range of organisations as follows:

- Southern Water
- West Sussex County Council
- Highways England
- Natural England
- Historic England
- West Sussex County Council (as a landowner)
- South Downs National Park Authority
- Hopegear Properties Limited
- Trustees of EG Collins (Oxcroft Farm)
- National Grid
- Anglian Water

4.10 The submitted Plan also generated representations from 43 local residents. Many of these representations objected to the proposed designation of land to the east of Pound Lane, Upper Beeding as a housing allocation (Policy 3).

4.11 A further period of consultation took place between June and July 2019 to address the lack of a non-technical summary of the Sustainability Appraisal in the initial exercise. This process generated additional and/or new comments from the following organisations:

- Waverley Borough Council
- Southern Water
- Highways England
- West Sussex County Council
- South Downs National Park Authority
- Woodmancote Parish Council
- Surrey County Council
- Environment Agency
- Gladman Developments
- Reside Developments Limited
- Five local residents

4.12 Following the second consultation exercise I have also been sent letters about the delivery of the proposed housing site to the east of Pound Lane following a change in land interests within one of the three component parts of the site.

- 4.13 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 consists of the parish of Upper Beeding. Its population in 2011 was 3763 persons living in 1627 houses. It was designated as a neighbourhood area on 19 December 2013 and on 12 December 2013 by HDC and the SDNPA respectively. It is located in the south eastern corner of Horsham District. The neighbourhood area is predominantly rural in character and much of its area is in agricultural use. The A283 is the principal road in the neighbourhood area and runs to the immediate west of Upper Beeding. The River Adur flows to the immediate west of Upper Beeding and then continues to the south.
- 5.2 The principal settlement is Upper Beeding. It is located off the A283 in the western part of the neighbourhood area. It has an attractive and vibrant High Street which connects the village with Bramber to the immediate west. St Peter's Church is attractively located at the northern edge of the village overlooking the River Adur. The remainder of the village consists of more recent residential development of various ages. The other principal settlement in the neighbourhood area is Small Dole. It is located to the north east of Upper Beeding on the A2037.
- 5.3 The remainder of the neighbourhood area consists of a very attractive agricultural hinterland. The majority lies within the South Downs National Park. The Shoreham Cement Works is located off the A283 to the south of Upper Beeding.

### *Development Plan Context*

- 5.4 The development plan covering the neighbourhood plan area is the Horsham District Planning Framework and the South Downs Local Plan. The Horsham District Planning Framework was adopted in 2015 and covers the period up to 2031. It sets out to bring forward new growth that is proportionate to the size of the various settlements in the District. Policy 2 (Strategic Development) focuses development in and around Horsham itself together with other strategic development in Southwater and Billingshurst. Elsewhere it proposes an appropriate scale of development which would retain the overall settlement pattern in the District. Policy 3 establishes a settlement hierarchy. Within the neighbourhood area Upper Beeding (with Bramber) is identified as a Small Town/Larger Village (the second category in the hierarchy) and Small Dole as a smaller village (the fourth category). Policy 4 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 plans in accordance with the settlement hierarchy.
- 5.5 In addition to the policies set out above the following policies in Planning Framework have been particularly important in influencing and underpinning the various policies in the submitted Plan:

Policy 7	Economic Development
Policy 9	Employment Development
Policy 17	Meeting Local Housing Needs
Policy 26	Countryside Protection
Policy 32	Quality of New Development
Policy 38	Flooding
Policy 43	Community Facilities, Leisure and Recreation

- 5.6 HDC has now embarked on the preparation of a new Local Plan. A draft Plan is due to be published for consultation early in 2020 with a view to its adoption at the end of 2021. 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. Plainly there are various scenarios that arise on a case-by-case basis largely determined by the stage at which any plan has reached. In the case of Plans such as Upper Beeding which are well-advanced but not yet made there will be an option to commence an early review of the neighbourhood plan (in the event that it is made) to take account of any revised housing numbers which may be allocated to the parish in the emerging Local Plan.
- 5.7 The south eastern part of the neighbourhood area is located within the South Downs National Park. As such future development in this area is controlled by the adopted South Downs Local Plan. The Plan was adopted in July 2019 during the examination of the submitted neighbourhood plan. It is primarily a landscape-led Plan. Strategic Policies SD4,5 and 6 address Landscape Character, Design and Views respectively. The Plan identifies the Shoreham Cement Works as a strategic development site (Policy SD56). The Plan allocates the site for a sustainable mixed-use development. The policy supports visitor and tourism/leisure developments, B2 and B8 business units and new homes and B1 office units. The SDNPA will be producing an Area Action Plan to guide the eventual development of the strategic site.
- 5.8 The submitted Plan has been prepared correctly and properly within the current adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District and in the National Park. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is also clear that the submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

#### *Unaccompanied Visit*

- 5.9 I carried out an unaccompanied visit to the neighbourhood area on 9 August 2019.
- 5.10 I drove into the neighbourhood area along the A283 from the south. This gave me an initial impression of its setting and the character. It also highlighted its connection to

the strategic road system and to Shoreham to the south. I saw the scale, significance and location of the Shoreham Cement Works.

- 5.11 I went initially to Small Dole. I looked in particular at the proposed housing allocation, the Golding Barn Industrial Estate and the Mackleys Business Park.
- 5.12 Thereafter I drove back to Upper Beeding. I looked initially at the High Street. I saw its impressive range of traditional, vernacular buildings. I saw the concentration of community facilities, including the 1930s Village Hall. I also saw the collection of retail and other commercial facilities at the western end of the High Street adjacent to the bridge over the River Adur.
- 5.13 I then walked to the north to the Church. On the way I looked at the proposed housing allocation at the Riverside Caravan Park, local green spaces 4 (St Peter's Green) and 5 (Saltings Field). The importance of the River Adur to the role and setting of the village was immediately obvious. I then looked at the Church and its impressive roof. The avenue of yew bushes appropriately complemented the very-well maintained churchyard. I also saw the Gladys Bevan Hall being repainted. I then walked along Pepperscombe Lane and saw the proposed local green space.
- 5.14 Thereafter I spent some time looking at the proposed housing allocation to the east of Pound Lane. I saw that it consisted of parcels of agricultural land and paddocks. I saw its close relationship with the houses on the western side of Pound Lane and The Driftway. I also saw the intervisibility between the site and the South Downs to the east. I saw the listed building on the corner of Pound Lane and Smugglers Lane. I also looked carefully at Smugglers Lane in general, and the arrangement of the four modern houses, the road itself and the footpath which continued from the eastern extent of the highway in particular.
- 5.15 I continued towards the south of the village. In doing so I saw the collection of local shops on the corner of Hyde Lane and Hyde Street. I continued along Hyde Street and saw the beautifully-maintained open space (proposed local green space 1 Hyde Street Green). When I reached Henfield Road I looked at the two proposed housing allocations in this part of the village. In particular I saw the prominence of the Policy 5 site on the corner of Henfield Road and Shoreham Road.
- 5.16 I finished my visit by driving to Bramber. This highlighted the relationship between the two villages in the wider landscape.

## 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 and informative document. It 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) and European Convention on Human Rights (ECHR) obligations; 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 2012. 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 Upper Beeding Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Horsham District Planning Framework and the South Downs Local Plan;
- 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 positive vision for the future of the neighbourhood area within the context of its size. In particular it includes a series of policies allocating land for residential development. In addition, it proposes local green spaces and includes a comprehensive policy on design. 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 not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. 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 housing and employment development (Policies 2-7 and 10 respectively). In the social role, it includes a policy on community facilities (Policy 9). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (Policy 5) and on local green spaces (Policy 11). 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 and in the South Downs National Park in paragraphs 5.4 to 5.8 of this report.

- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the 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*

- 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 prepared a Sustainability Appraisal (SA). It incorporated a Strategic Environmental Assessment (SEA). The report is thorough and well-constructed. The report 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 the selection of housing sites. Nine sites were assessed by AECOM to determine their suitability and availability, or otherwise, for allocation in the emerging Neighbourhood Plan. Some of the sites had already been assessed by HDC through technical work to support the emerging Local Plan, specifically the Strategic Housing and Economic Land Availability Assessment (SHELAA) (August 2016). The HDC assessments were reviewed alongside data from other sources, including desktop assessment, site visit, and information from the Parish Council. The approach of this site appraisal is based primarily on the Government's National Planning Practice Guidance (Assessment of Land Availability) with ongoing updates, which contains guidance on the assessment of land availability and the production of a Strategic Housing Land Availability Assessment (SHLAA) as part of a local authority's evidence base for a Local Plan.
- 6.17 HDC has produced a separate Habitats Regulations Assessment (HRA) of the Plan. It 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. As such Appropriate Assessment is not required.
- 6.18 The HRA report is very thorough and comprehensive. It takes appropriate account of the significance of the following sites:
- Arun Valley SPA/Ramsar
  - Arun Valley SAC
  - The Mens SAC
  - The Ashdown Forest SAC

It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.

- 6.19 The HRA report also includes the necessary assurances on the potential impact of the growth proposed in the submitted Plan on the delivery of 1500 new houses in the District required generally through neighbourhood plans (Policy 15 of the Horsham District Planning Framework). Overall the total number of dwellings which have been identified to be delivered through neighbourhood planning equates to a total of approximately 503 homes. The overall quantum of development is therefore within that assessed in the HRA of the Planning Framework and no additional impacts will arise in this respect.
- 6.20 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.21 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. An Equalities Impact Assessment has helpfully been prepared. 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*

- 6.22 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.
- 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 Plan 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 (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. The Plan also includes a series of Community Aspirations. They are appropriately distinguished from the principal land use policies.
- 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. The Community Aspirations are addressed after 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 1-6)*

- 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 is presented in a thorough way. It makes a very effective use of well-presented maps. A very clear distinction is made between its policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The Introduction comments about the development of the Plan. It also provides background information on the wider national agenda on neighbourhood plans within which it has been prepared.
- 7.10 Section 2 comments about the neighbourhood area and a range of matters which have influenced the preparation of the Plan. It is a very helpful context to the neighbourhood area. It also provides a backcloth to the various policies.
- 7.11 Section 3 comments about the planning policy context within which the Plan has been prepared. It comments about both the Horsham District Planning Framework and the South Downs Local Plan in a very professional way. It gives confidence that the Parish

Council has properly sought to develop a Plan which is in general conformity with the strategic policies of the development plan.

- 7.12 Section 4 comments about the community's views on planning issues. It comments on how the Plan was developed. It helpfully overlaps with the submitted Consultation Statement.
- 7.13 Section 5 comments about the Plan's Vision and Objectives. It is well-constructed. It describes how the Vision and the Objectives of the Plan were developed. Its key strength is the way in which the objectives directly stem from the Vision.
- 7.14 Section 6 of the Plan sets out an overarching Spatial Strategy. It underpins the eleven subsequent policies in the Plan. It identifies specific strategic approaches for both Upper Beeding and Small Dole. These approaches reflect the position of the two settlements in the settlement hierarchy in the Horsham District Planning Framework.
- 7.15 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 Spatial Plan for the Parish

- 7.16 This policy sets the scene for the Plan. It has four related elements as follows:
- the identification of settlement boundaries for Upper Beeding and Small Dole;
  - offering support to sustainable development within the two identified boundaries;
  - restricting development outside the identified boundaries to that which would conform with national and local planning policies or to a site-specific policy in the neighbourhood plan; and
  - requiring proposals in the SDNPA area to be appropriate to its designation.
- 7.17 I am satisfied that this approach is appropriate in general terms. It reflects the settlement hierarchy set out in HDC policies. It also acknowledges that a significant part of the neighbourhood area lies within the South Downs National Park.
- 7.18 Gladman Developments comment that the policy artificially restricts new development adjacent to the identified settlement boundaries. I am not persuaded that this would necessarily be the case in the circumstances presented by the submitted Plan. In the first instance the neighbourhood area is heavily-constrained and the more traditional opportunities for development on the edge of built-up areas do not naturally exist. In the second instance the call for sites did not generate a significant interest in such developments. In the third instance several of the proposed housing allocations are sites which are currently on the edge of the existing built up area boundary.
- 7.19 Nevertheless I recommend modifications to the third and fourth paragraphs of the submitted policy. In relation to the third paragraph (development outside the settlement boundaries) I recommend that it takes a positive approach to the types of development

which would be supported. As submitted the policy takes a restrictive and negative stance. In relation to the fourth paragraph I recommend that the South Downs National Park is considered separately from the other matters included (open space, heritage assets and local green spaces). The National Park has special status within the planning system and should be addressed accordingly. I also recommend detailed changes to the general wording in this part of the policy so that it has the clarity required by the NPPF. In particular it acknowledges that HDC and the SDNPA will remain as the local planning authorities in the event that the Plan is made.

**Replace the third paragraph with: ‘Sustainable development proposals outside the settlement boundaries will be supported where they conform with national and local policies for the protection of the countryside or where they are addressed by a site-specific policy in this Plan.’**

**Replace the fourth paragraph of the policy with ‘In the part of the neighbourhood area within the South Downs National Park proposals for development will only be supported where they comply with Strategic Policy SD25: Development Strategy of the South Downs Local Plan. Elsewhere development proposals which would unacceptably affect areas of valued open space, heritage assets, local green spaces and areas of biodiversity value will not be supported’.**

#### Policy 2 Housing Allocations

- 7.20 This policy sets out the Plan’s approach to the delivery of new housing in the neighbourhood area. It proposes the allocation of five sites which would collectively deliver approximately 109 dwellings. It is underpinned by extensive supporting text (paragraphs 7.6 to 7.21).
- 7.21 The wider issue of number and location of housing allocation in the neighbourhood area is underpinned by three related studies as follows:
- an assessment of housing need;
  - an assessment of potential housing sites in the neighbourhood area; and
  - an assessment of flood risk.

I address these in turn below

#### *An assessment of housing need*

- 7.22 The issue of housing need in the neighbourhood area has been carefully considered. It is addressed in paragraphs 7.8 to 7.18 of the Plan.
- 7.23 The Parish Council commissioned AECOM to undertake an assessment of housing needs in the neighbourhood area. It is a very comprehensive study which looks at a range of published sources. It took account of:

- the settlement hierarchy minimum derived figure from the HDC Planning Framework;
- the district minimum derived figure from the HDC Planning Framework;
- the Horsham SHMA;
- DCLG household projections; and
- a projection based on recent growth between 2001 and 2016.

7.24 AECOM liaised with HDC as part of the wider process. On this basis the projection derived from the overall housing target for the district was discounted, and only the 'settlement hierarchy' number was taken into consideration. The average of the remaining projections came to 189 dwellings, or 14 dwellings per year over the Plan Period. This figure has not been disputed within the wider context of the examination. I am satisfied that a proportionate amount of work has been undertaken on this matter which has the ability to impact on the delivery of both national and local planning policy in the neighbourhood area.

*An assessment of potential housing sites in the neighbourhood area*

7.25 AECOM was also commissioned to assess and evaluate potential housing sites in the neighbourhood area. Nine sites were assessed to determine their suitability and availability, or otherwise, for incorporation in the Plan. Some of the sites had already been assessed by HDC through technical work to support the emerging Local Plan, specifically the Strategic Housing and Economic Land Availability Assessment (SHELAA) (August 2016). The HDC assessments were reviewed alongside data from other sources, including desktop assessment, site visit, and information from the Parish Council.

7.26 From a review of all existing information and AECOM's own assessment of sites that had not yet been reviewed, a judgement was made as to whether each site was or was not suitable for residential development. These judgements have translated into the submitted Plan. The study identifies that some sites assessed as not suitable or available for the purposes of this assessment may still have the potential to become suitable or available in the next Plan period.

7.27 I am satisfied that the process that has been undertaken is both appropriate and comprehensive. In particular the assessment of the sites has identified important matters which need to be addressed in the design of the individual policies. I comment on the details of the selected sites later in this report

*Flood Risk Issues*

7.28 In accordance with national policy the Parish Council has prepared a Sequential Test and an associated Exception Test. It has been produced in a complementary way to the associated work on the Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA) and the AECOM Site Assessment work. The River Adur is the predominant source of flood risk within the neighbourhood plan area, although there is risk of flooding from groundwater, surface water and sewer flooding to a lesser extent. Other relevant constraints include:

- Land within Flood Zones 3 and 2, associated with the flood risks from the River Adur and Woods Mill Stream. The ecological value of these watercourses and their adjacent land is also an environmental consideration.
- Source Protection Zone 1 (sensitive inner zone), 2 (outer zone) and 3 (total catchment area), which are designated to protect individual groundwater sources for public water supply - most significance is the Southern Water abstraction near Castle Town.
- Historic and authorised landfill sites, including the Horton and Small Dole sites in the north of the parish.

7.29 The Sequential Test comments that the Parish Council has taken a positive approach in delivering its objectively-assessed housing needs. When assessed against the considerations in the SEA/SA, land east of Pound Lane, Greenfield, Oxcroft Farm and Riverside Caravan Park, which are at risk from flooding, outweigh the other sites assessed and have therefore been allocated in the Plan. The Test also comments that it recognises that the SEA/SA findings are not the only factors taken into account when determining which options to take forward in a Plan. Indeed, there will often be an equal number of positive or negative effects identified for each option, such that it is not possible to 'rank' them based only on these factors in order to select an option. Factors such as public opinion, deliverability, wider benefit to the community and conformity with national policy have also be taken into account when selecting options for the plan.

7.30 The Test continues to comment that for any individual site applications, a sequential approach to development within the site will be required together with Part 2 of the Exception test. The use of Sustainable Drainage Systems will also be necessary to avoid and mitigate any impact. Part 2 of the Exception Test requires that the development is safe, and this will need to be demonstrated in a Flood Risk Assessment. The study highlights that there have been extensive positive discussions with the Environment Agency and HDC on the mitigation required to make the scheme safe for its lifetime.

7.31 In the round I am satisfied that a proportionate assessment of this important matter has been undertaken. In particular it highlights the inherent difficulties in bringing forward appropriate sites in the neighbourhood area. It also draws attention to the detailed work that has been undertaken to mitigate the impact of new development on the sites most sensitive to flood risk issues.

7.32 As part of the clarification note process, I sought clarification from the Parish Council on the difference between the projection of the need for 189 dwellings in the Plan period and the proposed delivery of approximately 109 dwellings in the Plan itself. I was advised that the proposed allocation of 109 houses has been carefully considered and that best endeavours have been made to accommodate as much of the housing requirement as possible taking into account local circumstances concerning flood risk, landscape, local amenity, character, design and infrastructure and local residents' preference for sympathetic development proposals for the village.

7.33 The Parish Council also contends that the proposed allocation of 109 dwellings is supported by robust evidence including the site assessment and that there are limited

opportunities for growth within and abutting the settlement edge. In conclusion it considers the amount in the Plan to be deliverable and demonstrates positive planning making efficient and best use of land.

- 7.34 Plainly this element of the Plan is important both to the future of the neighbourhood area and to the wider delivery of new housing in the District in general terms, and the specific need to deliver 1500 dwellings through neighbourhood plans. Having considered all the evidence available to me I am satisfied that the plan-making process has been thorough, positive and comprehensive. In addition, the neighbourhood area is heavily-constrained. Within this context the call for sites generated a limited response from the development industry. The sites which did come forward were rigorously assessed by AECOM in its capacity as the Parish Council's retained consultant.
- 7.35 This conclusion has also been reached by HDC in its response to the clarification note. It comments that the housing provision allocated in the Plan would support the strategic housing provision policies of its Planning Framework, be proportionate to its position within the development hierarchy and would align with both the District's and Parishes' evidence based on housing need. In strategic planning policy terms, the Inspector's Report into the HDPF Examination in October 2015 at paragraph 47 noted that the number of homes being proposed within Neighbourhood Plans was inevitably uncertain but 'that the number of 1500 over the whole district seems realistic' and it is considered that this Neighbourhood Plan would fulfil the strategic policies of the Planning Framework in this respect.
- 7.36 HDC also provided comments on the relationship between the assessed housing need and the proposed delivery in the submitted Plan. It comments that the site assessment work completed in support of the Plan has been thorough and that parishes have endeavoured to accommodate housing growth in their areas but, due to the availability of viable housing sites and constraints surrounding the settlement, the objectively assessed housing needs cannot be fully realised. It is acknowledged by the District Council that this is ultimately a strategic issue which if the requirement of 'at least 1500 homes' cannot be met through neighbourhood planning, it will be addressed as part of the Planning Framework review which started in 2018. The Council will be publishing its Preferred Options Development Plan Document for consultation in early 2020.
- 7.37 In addition HDC comments that the effect of the submission of the neighbourhood plan is that it makes a positive start on the future delivery of strategic housing in the neighbourhood area. The process will be continued through the mechanism now being put in place for the emerging Local Plan. The submitted Plan anticipates a scenario of this nature in its paragraph 1.10. I recommend specific recommended modifications on this important matter in paragraphs 7.102 to 7.104 of this report.
- 7.38 The proposed allocation of the five housing sites has attracted a representation from Highways England. It comments that based on the 213 (and up to 351) dwellings proposed, this amount of development is likely to have an impact on the operation of the junction of the A27 and A283 and may potentially worsen the existing queuing on the A27 Shoreham bypass flyover slips because of existing congestion in the peak

periods at the Sussex Pad junction. As such, there are expected to be knock on effects on the Local and Strategic Road Networks.

7.39 Plainly highways safety and the efficient operation of the local and the strategic highway network is an important consideration for the wider Plan. However, I am not persuaded that these concerns should delay the plan-making process. I have reached this view for four reasons as follows:

- the representation uses the AECOM assessed housing need for 189 dwellings (together with the highest of the various projections at 351 dwellings). However, the Plan proposes the delivery of 109 dwellings for the reasons identified earlier in this report;
- the HDC Planning Framework has already been found sound and proposes 1500 new dwellings through the wider delivery of neighbourhood plan in the District;
- the policy for the largest of the five proposed sites (east of Pound Lane) includes a criterion on the need for a separate transport assessment of its effects; and
- in any event all planning applications for major development will need to be considered and determined through the development management process.

7.40 The submitted policy itself has two related parts. The first identifies and allocates the five sites. The second part loosely comments that the exact numbers will be confirmed once technical studies have been completed and approved by the relevant authorities. I sought advice from the Parish Council on the purpose of the second part of the policy in general terms, and in particular whether it was actually policy-based. I was advised that its intended purpose is to give assurances that detailed proposals are not yet agreed and the allocation numbers to each of the sites proposed could be subject to change. The Parish Council feel this is particularly important considering the nature of the different components of the Pound Lane site. It also comments that the number of dwellings on each site are subject to a variety of requirements and that it wanted to reassure residents that development would be site-specific taking into account all the environmental considerations particularly concerning delivery of the proposed Pound Lane allocation.

7.41 I have considered this matter very carefully. I have concluded that the following package of recommended modifications are required to ensure that the approach taken meets the basic conditions:

- the repositioning of the second part of the policy into the supporting text;
- making a direct reference to policies 3-6 within the context of this policy; and
- clarifying in a replacement second paragraph of the policy that the development of each of the five sites is addressed in separate policies in the Plan.

7.42 This approach will provide the clarity required for a development plan document. It also takes account of the emerging delivery mechanisms for the Pound Lane allocation which emerged whilst the examination was taking place (see paragraph 7.45 of this report).

**At the end of each of the five sites add the relevant policy number (Policy 3-7) in brackets**

**Replace the second paragraph of the policy with: ‘The development of the five allocated sites is addressed in Policies 3 to 7 of this Plan’**

*Replace the final sentence of paragraph 7.16 with:*

*‘Policy 2 identifies the five sites which were selected as the outcome of this wider process. The development of the five allocated sites is addressed in Policies 3 to 7 of this Plan. The yield of the various sites is indicative at this stage. Detailed work and the relevant planning applications will determine the precise delivery of new homes on each site’.*

Policy 3 Land east of Pound Lane, Upper Beeding

- 7.43 This policy is an important proposed component of the Plan. It proposes the development of land to the east of Pound Lane for approximately 70 dwellings. The policy comments that the site should be developed through a landscape-led masterplan addressing a series of 12 principles/development criteria. The supporting text at paragraphs 7.23 to 7.31 is very comprehensive.
- 7.44 The proposed site consists of three separate parcels of land as follows:
- Little Paddocks (2.17 hectares);
  - Land east of Pound Lane (1.09 hectares); and
  - Land off Smugglers lane (0.66 hectares)
- 7.45 The differing ownership of these parcels of land has created an element of discussion and potential uncertainty about the delivery of the overall site. During the examination two letters were received from a developer (now engaged with the owners of land east of Pound Lane) with each of the other two owners indicating that measures were in place both for collaborative working and to develop the site in the way anticipated in the submitted policy.
- 7.46 The allocation of the site for residential purposes has attracted a series of objections from local residents. They comment about the impact on the countryside, the effect on local infrastructure and the traffic capacity of the highway network.
- 7.47 Given the significance of the site and the level of comments received I looked very carefully at the site when I visited the neighbourhood area. I saw that it was located to the north east of the built-up area boundary and consisted of agricultural and grazing land. The AECOM site assessment comments the site is predominantly agricultural. However, the edges comprise hedgerow, scrub and woodland, and as such, there could be potential for protected species. The site is located within Area 5 of the 2003 Horsham District Landscape Character Assessment. Area 5 is considered to have few landscape qualities, very limited contribution to distinctive settlement setting, low visual prominence, low intervisibility and low sensitivity. The site would be visible from the

South Downs National Park but any redevelopment would be seen in the context of Upper Beeding, with residential properties to the south and west. Tree planting along the eastern boundary of the site could help to screen the site in views from the National Park.

- 7.48 Having considered all the available evidence I have concluded that the allocation of the site would meet the basic conditions in general terms. It would represent sustainable development and would contribute both towards meeting identified local needs and the delivery of the strategic housing target for the wider District. In particular I am satisfied that the site is capable of delivery within the Plan period. Whilst the development of a site in multiple ownership brings its own challenges there is no evidence to suggest that these challenges will not be overcome with regard to this site. In any event the letters from landowners suggest that significant progress has been made in recent months to secure a comprehensive and agreed package for the wider site.
- 7.49 The policy is commendably comprehensive. In particular its criteria/principles address a wider series of environmental, design and capacity issues. They overlap with several of the concerns that have been expressed by local residents. The policy's ambition that the development is landscape-led through a masterplan is an important element of this wider approach. Other key criteria in the policy include:
- the delivery of affordable housing;
  - the identification of a primary access off Pound Lane;
  - the location of open space; and
  - the need for flood risk assessment work.
- 7.50 The different landownerships have historically generated representations to the Plan about the proposed principal/secondary access issues as included in the policy. This may be overcome through the emerging collaborative approach to the development of the site. However, I sought the Parish Council's views on the appropriateness of the different parts of the site being developed separately within the context of an agreed masterplan. Paragraph 7.24 of the Plan is clear about the need for a 'comprehensive development' of the wider site. The Council responded by commenting that it has concerns that a 'piece meal' approach would be difficult to deliver with potentially differing priorities and objectives of each of the site owners. Should one of the site owners defer or withdraw the whole area design could then be compromised. In its response the Council also commented about its view that each of the three landowners need each other to make the best and most efficient use of the site and to produce a comprehensive and sympathetic development which will enhance the area and meet the objectives of the Plan. The first position of the Parish Council is to have a comprehensive proposal. Nevertheless, in the absence of a collaboration/equalisation agreement between the landowners, the Parish Council expressed a view that it would consider a phased development within the context of a comprehensive landscape-led masterplan. I recommend a modification both to the policy and the supporting text to reflect this approach. It incorporates an update to that part of the supporting text which refers to the engagement of a potential housebuilder which is no longer involved.

- 7.51 I am satisfied that the policy takes proper regard of the listed building within the site. Nonetheless I recommend a modification which would replace the relevant criterion with a simpler version. It also better relates to national policy on this important matter.
- 7.52 The SDNPA supports the policy. In particular it welcomes the landscape-led approach to the development of the site. It suggests the inclusion of additional elements in both criteria 1 and 11. Given that they relate to the wider setting of the proposed site and its intervisibility with the National Park I recommend that they are incorporated into the policy as recommended modifications.
- 7.53 Natural England has suggested detailed amendments to criteria 9. They are both helpful to the coverage of the policy and essential to ensure that it meets the basic conditions. I recommend modifications accordingly. I also recommend modifications to criterion 10 in flooding so that its focus is on outcomes rather than process matters. The wider issue is addressed in the submitted Sequential Report.
- 7.54 I also recommend other modifications to the criteria included in the policy. Whilst they do not affect the intent of the relevant matters, they provide wording which has the clarity required by the NPPF. This will allow HDC to implement the policy clearly through the development management process.

**In the opening part of the policy:**

- **Replace ‘The Upper Beeding Neighbourhood Plan supports’ with ‘Proposals for’**
- **Replace ‘subject to the.... masterplan’ with ‘will be supported where they have been developed within the context of a landscape-led masterplan’**

**In criterion 1 replace ‘of which.... following criteria’ with ‘which should include the following matters:’**

**At the end of criterion 1b add: ‘The roofscape will be a significant aspect of this assessment and how it will appear in these views.’**

**Replace criterion 4 with ‘Any development proposal should incorporate Pound House Cottage and reflect its status as a listed building within the wider site layout’**

**Replace criteria 6 and 7 with: ‘The primary access into the site should be achieved off Pound Lane. Within the context of an overall landscape-led masterplan proposals for a secondary access will be supported where it would respect Pound House Cottage, preserve the rural character of Smugglers Lane and not have a detrimental impact on the use or the safety of the public right of way leading off Smugglers Lane.’**

**In criterion 8 include at the beginning ‘Where practicable and directly related to the development of the site’ and delete ‘to be’**

**Replace criterion 9 with: ‘The development of the site incorporates important ecological and biodiversity features within its layout and design’**

**In criterion 10 replace the first sentence with ‘The development incorporates appropriate measures to address its proximity to mitigate against potential risks of flooding’**

**In criterion 11 replace ‘will be laid...as such’ with ‘should be used as open space’. In the second sentence replace ‘Support is given to the’ with ‘Proposals for the’ and add ‘will be supported’ at the end. Thereafter add: ‘The incorporation of additional characteristic green infrastructure will be particularly supported’**

**In criterion 12 replace ‘laid out’ with ‘positioned’**

*Replace paragraph 7.29 with: ‘The Parish Council has sought to engage with the various owners of the site to secure its efficient and comprehensive development. In 2018 the Steering Group met with the relevant parties involved at that time. In September 2019 further assurances were provided by the parties involved in the potential development of the site’*

*Replace paragraphs 7.30 and 7.31 with: ‘The primary access into the site should be achieved off Pound Lane. This is the principal way in which the site interacts with the built-up part of the village. Discussions on a collaborative agreement between the three landowners are now taking place. This may remove earlier expectations for a secondary access into the site off Smugglers Lane. However, if such an access is either needed or would demonstrably contribute towards pedestrian and vehicular access between the site and the wider village, any proposals should be developed within the context of an overall landscape-led masterplan. In particular such proposals should respect Pound House Cottage, preserve the rural character of Smugglers Lane and not have a detrimental impact on the use or the safety of the public right of way leading off Smugglers Lane.’*

*At the end of the modified paragraph above add: ‘Policy 3 includes a series of important criteria on landscaping, flooding and ecological matters. The details on the potential for flood risk on this site are particularly important considerations. A Flood Risk Assessment (FRA) should be submitted as part of the way in which detailed proposals respond to the sensitivity of the site in general, and to how it responds to criterion 10 in particular. The details of the ecological conditions of the site (criterion 9) and the open space (criterion 11) will be incorporated within detailed planning applications in accordance with the Council’s usual validation requirements. However, where appropriate specific reports should be submitted with planning applications insofar as the issues relate to particular proposals. In particular any reasonable mitigation measures which are identified as a result of detailed ecological and biodiversity surveys should be implemented by way of planning conditions and/or planning obligations’*

Policy 4 Land at southern end of Oxcroft Farm, Small Dole

- 7.55 This policy relates to a second proposed housing allocation. It proposes the development of land at the southern end of Oxcroft Farm, Small Dole for approximately 20 dwellings. The policy comments that the site should be developed in a fashion that

addresses a series of eight criteria. The supporting text at paragraphs 7.32 to 7.35 is comprehensive.

- 7.56 The proposed allocation is located to the west of Small Dole and immediately abuts the development boundary. It is in agricultural use. Paragraph 7.33 of the Plan identifies the challenges of securing a safe access into the site. The AECOM site assessment comments that the site is well screened to the west, east and south by existing boundary trees and hedgerow. Views to the north would be possible from the rear gardens of existing residential properties. As such, any development would be required to provide screening along its northern boundary. The site is well contained and it is considered that mitigation could make any adverse impacts acceptable.
- 7.57 I looked at the site when I visited the neighbourhood area. I saw that it had a close functional relationship with the existing village. I also saw the options for access into the site. In the circumstances I recommend a modification to the second criterion. It retains the flexibility intended by the supporting text but ensures that any access will be to appropriate and safe standards.
- 7.58 Natural England has suggested detailed amendments to criteria 3 and 6. They are both helpful to the coverage of the policy and essential to ensure that the policy meets the basic conditions. I recommend accordingly.
- 7.59 A detailed representation has been received from agents acting for the site owner. Within the context of the owner's overall support for the policy it raises a series of specific matters. I have considered these matters very carefully and as a result recommend the following modifications to the various criteria in the policy:
- in criterion 3 to shift the focus to a general one which protects features of ecology/biodiversity rather than one which relates to the process of submitting a planning application;
  - in criterion 4 reflecting that access to Henfield Road may involve the loss of some part of the existing boundary features;
  - in criterion 7 refining the approach to accessibility so that it relates to land within the control of the owner/future developer; and
  - deleting criterion 8 as there is no evidence of contamination on the site.
- 7.60 The representation includes alternative options for the development of the site. In general terms it is suggested that the site may be capable of accommodating more houses than the number anticipated in the policy. This may prove to be the case based on the option selected for the access into the site and the way in which detailed proposals are designed within the context provided by the policy and its criteria. I recommend a modification to the supporting text to address this emerging issue.
- 7.61 I also recommend other modifications to the criteria included in the policy. Whilst they do not affect the intent of the relevant matters, they provide wording which has the clarity required by the NPPF. This will allow HDC to implement the policy clearly through the development management process. Finally, I recommend associated modifications to the supporting text.

**In the opening part of the policy:**

- **Replace ‘The Upper Beeding Neighbourhood Plan supports’ with ‘Proposals for’**
- **Insert ‘will be supported’ after 20 houses**
- **Replace ‘Any development...the following:’ with ‘subject to the following criteria’**

**In criterion 1 replace ‘is to’ with ‘should’**

**Replace criterion 2 with: ‘An access into the site is provided from the Henfield Road (A3207) to the County Council’s standards at the time a planning application is determined’**

**Replace criterion 3 with: ‘The development of the site incorporates important ecological and biodiversity features within its layout and design’**

**In criterion 4 replace ‘A Strong landscape buffer’ with ‘An appropriate landscape buffer’ and ‘shall be’ with ‘is’. After ‘with native species’ add ‘Where existing boundary treatments are required to be removed to create a vehicular access the new opening should be as small as practicable to achieve the necessary highway access standards and visibility splays’**

**In criterion 6 replace ‘to be’ with ‘is’. At its end add: ‘Where practicable the development should enhance the ecological value of the pond’**

**Replace criterion 7 with: ‘Wherever practicable the design and layout of the site should be designed so that it connects to the footpaths on the Henfield Road and its bus stops’**

**Delete criterion 8**

*At the end of paragraph 7.33 add: ‘There are various ways in which the site could be developed. On this basis Policy 4 has been designed to provide appropriate flexibility within the context provided by its detailed criteria. As such the site may be capable of accommodating more houses than the number anticipated in the policy. This will be a detailed matter for Horsham District Council to determine on a case-by-case basis’*

*At the end of paragraph 7.35 add: ‘Policy 4 includes a series of important criteria on landscaping and ecological matters. The details of the ecological conditions of the site (criterion 3), the landscaping buffer (criterion 4) and the pond on the site (criterion 6) will be incorporated within detailed planning applications in accordance with the Council’s usual validation requirements. However, where appropriate, specific reports should be submitted with planning applications insofar as the issues relate to specific proposals. In particular any reasonable mitigation measures which are identified as a result of detailed ecological and biodiversity surveys should be implemented by way of planning conditions and/or planning obligations’*

## Policy 5 Land at Greenfields, Henfield Road, Upper Beeding

- 7.62 This policy relates to a third proposed housing allocation. It proposes the development of land at Greenfields, Henfield Road, Upper Beeding for approximately 10 dwellings. The policy comments that the site should be developed in a fashion that addresses a series of nine criteria. The supporting text at paragraphs 7.36 to 7.39 is comprehensive.
- 7.63 The proposed site is on the corner of Henfield Road and Shoreham Road in Upper Beeding. It is currently in employment use. Paragraph 7.36 of the Plan identifies the potential that the redevelopment of the site offers for improvements to the townscape character of this part of the village. The AECOM site assessment comments that the site is well located to the main village. Nevertheless, it highlights that the site is located approximately 35m to the southwest of the Upper Beeding Conservation Area and 85m to the west of the Grade II listed Convent. Six additional Grade II listed buildings are located within approximately 170m of the site. However, the assessment comments that intervisibility between the site and buildings is limited due to existing built development and vegetation.
- 7.64 Criterion 3 of the policy requires that before any development commences it should be demonstrated that alternative premises have been secured within the parish for the existing business. I sought clarification on the need for this criterion from the Parish Council. I was advised that it considered the matter to be important to reinforce the policy approach to ensure that the residential development of the site contributes to sustainable development by providing employment opportunities for residents minimising the need to travel significant distances for work. Nevertheless, the Parish Council would like to see redevelopment of this site for an appropriate use which is sited in a primarily residential area.
- 7.65 I have considered this matter carefully. On the one hand its intention is clear. Its delivery will help to maintain the balance between housing and employment provision and opportunities in the neighbourhood area. On the other hand, the existing company will come to its own commercial decision on any relocation plans and their sequential relationship to the residential development of the site. In any event, the primary purpose of Policy 5 is to support the residential development of a brownfield site in a sustainable location and which would assist in boosting the supply of housing land in the neighbourhood area. In the circumstances I recommend that the criterion is deleted. Nevertheless, I recommend that the supporting text addresses the need for planning applications for the residential development to provide information on any business relocation plans. This will allow HDC to consider all relevant material considerations on a case-by-case basis.
- 7.66 The SDNPA suggests detailed additions to two of the criteria in the policy. I am satisfied that they are necessary to ensure that the Plan meets the basic conditions. I recommend accordingly.
- 7.67 I also recommend other modifications to the criteria included in the policy. Whilst they do not affect the intent of the relevant matters, they provide wording which has the

clarity required by the NPPF. This will allow HDC to implement the policy clearly through the development management process. Finally, I recommend associated modifications to the supporting text.

**In the opening part of the policy:**

- **Replace ‘The Neighbourhood Plan supports’ with ‘Proposals for’**
- **Insert ‘will be supported’ after ‘10 houses’**
- **Replace ‘Proposed development...the following:’ with ‘subject to the following criteria’**

**In criterion 1 replace ‘is to’ with ‘should’**

**At the end of criterion 2 add: ‘including heights of buildings and roof space design’**

**Delete criterion 3**

**Replace criterion 4 with: ‘The redevelopment of the site satisfactorily addresses land contamination issues’**

**In criterion 5:**

- **Delete the first sentence**
- **In the third sentence replace ‘appropriate’ with ‘characteristic’**

**Replace criterion 7 with: ‘The development of the site incorporates important ecological and biodiversity features within its layout and design’**

**In criterion 8 delete the first sentence**

**In criterion 9 replace ‘laid out’ with ‘positioned’**

*At the end of paragraph 7.38 add: ‘Policy 5 includes a series of important criteria on landscaping and ecological matters. The details of the ecological conditions of the site (criterion 7) and the landscaping scheme (criterion 5) will be incorporated within detailed planning applications in accordance with the Council’s usual validation requirements. However, where appropriate specific reports should be submitted with planning applications insofar as the issues relate to particular proposals. Criterion 4 addresses land contamination issues. In particular any reasonable mitigation measures which are identified as a result of detailed surveys should be implemented by way of planning conditions and/or planning obligations. Planning applications for the residential development of the site should provide information on any relocation plans for the existing balance to allow the District Council to be able to assess all material planning considerations on a case by case basis’*

**Policy 6 Riverside Caravan Park**

- 7.68 This policy relates to a fourth proposed housing allocation. It proposes the development of land at the Riverside Caravan Park Upper Beeding for approximately nine retirement dwellings. The policy comments that the site should be developed in a

fashion that addresses 13 criteria. The supporting text at paragraphs 7.40 to 7.50 is comprehensive in general terms, and on potential flooding issues in particular given the proximity of the site to the River Adur.

- 7.69 The proposed site is located in the western part of the Riverside Caravan Park. As its name suggests it is attractively located adjacent to the River Adur. Paragraph 7.41 of the Plan identifies that the redevelopment of the site should safeguard footpaths within the site. The AECOM site assessment comments that the wider site provides residential caravans whilst the proposed site provides holiday caravans. The proposed allocation seeks to change the use from holiday caravans to residential caravans. The change of use would be in keeping with the existing caravan park and is therefore not considered to have an unacceptable landscape and visual impact.
- 7.70 The site is well-related to Upper Beeding. Indeed, the grouping of shops by the River Adur bridge are only a few minutes' walk from the site along the bank of the river itself.
- 7.71 The proposed site is within Flood Zone 3. It is specifically referenced in the section on the Sequential Test/Exception Test earlier in this report (paragraphs 7.28 to 7.31). The supporting text provides helpful context on the discussions that have taken place with the Environment Agency to avoid the risk of flooding. Nevertheless, I recommend modifications to this element of the Plan to make an appropriate distinction between policy, supporting text and technical advice.
- 7.72 Historic England comment about the potential archaeological significance of the site. In particular it comments that the site lies directly adjacent to the Scheduled Ancient Monument of a medieval saltern (a salt refining facility) in Saltings Field. Whilst the Scheduled Ancient Monument represents the extent of known archaeological remains of special interest, along with a five-metre buffer, there is potential for associated remains to be located on surrounding land. As such it suggests that it would be appropriate to ensure mitigation of potential impacts to archaeological remains that may be present are carefully integrated into the process of designing proposals. This can be achieved by including a requirement to complete an archaeological investigation prior to submission of proposals for planning consent. I am satisfied that the inclusion of an additional criterion is required to ensure that the development of this site meets the basic conditions (in this case having regard to national policy).
- 7.73 I also recommend other modifications to the criteria included in the policy. Whilst they do not affect the intent of the relevant matters, they provide wording which has the clarity required by the NPPF. This will allow HDC to implement the policy clearly through the development management process. Finally, I recommend associated modifications to the supporting text.

**In the opening part of the policy:**

- **Replace 'The Neighbourhood Plan supports' with 'Proposals for'**
- **Insert 'will be supported' after '10 houses'**
- **Replace 'Proposed development...the following:' with 'subject to the following criteria'**

**Replace criterion 1 with ‘The development incorporates appropriate measures to address its proximity to the River Adur to the east’**

**Delete criteria 3 and 4.**

**Replace criterion 6 with ‘The design and layout of the scheme should incorporate the footpaths within the site and provide a connection to the footpath adjacent to the site’**

**Replace the first sentence of criterion 7 with ‘The development incorporates appropriate landscaping both around and within the site’. In the second sentence replace ‘will need to’ with ‘should’**

**In criterion 8 replace ‘must’ with ‘should’**

**Replace criterion 9 with: ‘An appropriate access into the site is provided from High Street to the County Council’s standards at the time a planning application is determined’**

**In criterion 10 replace ‘is not detrimentally harmed’ with ‘protected and enhanced’**

**Replace criterion 11 with: ‘The development of the site incorporates important ecological and biodiversity features within its layout and design’**

**In criterion 13 replace ‘must’ with ‘should’**

**Insert a new criterion to read: ‘Proposals for development should be informed by the findings of an archaeological investigation undertaken according to a written scheme of investigation agreed in writing with the Council’s archaeological advisor. The design and layout of the site should take the findings of investigation into account by seeking to preserve remains of archaeological interest ‘in situ’, with the greatest priority given to preserving remains of demonstrable national importance. Where, given the need for development, the importance of remains does not merit their preservation the compilation of a record of any remains that will be lost will be required as a condition of planning permission.’**

*At the end of paragraph 7.50 add: ‘Policy 6 includes a series of important criteria on flood risk, landscaping and ecological matters. The details on the potential for flood risk on this site are particularly important considerations. A Flood Risk Assessment (FRA) should be submitted as part of the way in which detailed proposals respond to the sensitivity of the site in general, and to how it responds to criterion 1 and 2 in particular. The FRA should include appropriate details on the following matters:*

- *the incorporation of flood mitigation measures such as barriers on ground floor doors, windows and access points and the means of safe access into the site in the event of a flood; and*
- *the development and implementation of a flood evacuation plan.*

*Criterion 2 includes details about finished floor levels. Applicants should discuss this matter with the Environment Agency and the District Council as part of the preparation of detailed proposals.*

*The details of the ecological conditions of the site (criterion 11) and the landscaping scheme (criterion 7) will be incorporated within detailed planning applications in accordance with the Council's usual validation requirements. However, where appropriate specific reports should be submitted with planning applications insofar as the issues relate to particular proposals. In particular any reasonable mitigation measures which are identified as a result of detailed surveys should be implemented by way of planning conditions and/or planning obligations'*

#### Policy 7 Land at Valerie Manor, Henfield Road Upper Beeding

- 7.74 This policy relates to a fifth proposed housing allocation. It proposes the development of land at Valerie Manor, Henfield Road Upper Beeding for approximately 30 extra care bedrooms at an existing nursing home. The policy comments that the site should be developed in a fashion that addresses a series of eight criteria. The supporting text at paragraphs 7.51 to 7.65 is very comprehensive in general terms, and on the proposed accommodation/care provision in particular.
- 7.75 The proposed allocation is located in the eastern part of the wider residential care home site. The AECOM site assessment comments that the site is adjacent to the Upper Beeding built up area but is a greenfield site located within the South Downs National Park. Development would therefore result in the direct loss of undeveloped land within the National Park. However, the site is located adjacent to the built-up area and is within the wider Valerie Manor site. The allocation would secure additional residential care units at the site and have a beneficial impact on community facilities.
- 7.76 Valerie Manor is an established specialist residential care home. The residents have a range of physical, and mental health needs and with some residents having dementia. It is a seventeenth century grade II listed building with a purpose-built nursing wing set within large landscaped gardens. It has an extensive waiting list. The development of further facilities of this type is supported by the County Council. It also has the ability to generate further jobs based within the neighbourhood area.
- 7.77 SDNPA comments that the site will be visible in views from the South Downs Way running to and from Beeding Hill. Whilst any new development will be seen in the context of existing built form, the site is highly sensitive due to its visibility from the National Park and as a result of cultural heritage considerations. The SDNPA considers that the policy would be more effective if it requires the design and landscaping to respond to identified landscape, cultural and visual sensitivities of the National Park. I am satisfied that this approach will ensure that the policy meets the basic conditions. I recommend accordingly.
- 7.78 Historic England suggests a replacement of criterion 5 which addresses archaeological matters. The suggested change would ensure that this element of the Plan meets the basic conditions. I recommend accordingly.

- 7.79 As part of the clarification note I sought advice from the Parish Council on the statement in criterion 4 that no car parking spaces should be lost as part of the development. I was advised that its intention was that proper car parking standards are met. Plainly this is appropriate. However, it may be that the development of the site may involve the reconfiguration of existing car parking spaces. On this basis I recommend that this part of the criterion is deleted.
- 7.80 I am satisfied that in general terms the development of the site for specialist residential purposes will meet the basic conditions. Any development would be seen within the wider context of the existing development on the site. Its impact on the South Downs National park could be controlled through the sensitive design and location of the proposed new development. Nevertheless, I recommend other modifications to the criteria included in the policy. Whilst they do not affect the intent of the relevant matters, they provide wording which has the clarity required by the NPPF. This will allow HDC to implement the policy clearly through the development management process. Finally, I recommend associated modifications to the supporting text.

**In the opening part of the policy:**

- **Replace ‘The Neighbourhood Plan supports’ with ‘Proposals for’**
- **Insert ‘will be supported’ after ‘30 extra bedrooms’**
- **Replace ‘Proposed development...the following:’ with ‘subject to the following criteria’**

**In criterion 1:**

- **Replace the first sentence with ‘The development properly respects the special architectural and historic character of Valerie Manor and its setting’**
- **In the second sentence replace ‘must’ with ‘should’**
- **In the second sentence insert ‘character or appearance’ between ‘the’ and ‘Hyde’**

**Replace criterion 2 with: ‘The development design and landscaping positively respond to the identified landscape, cultural and visual sensitivities of the South Downs National Park’**

**Replace the first sentence of criterion 3 with ‘The development incorporates appropriate landscaping both around and within the site to reflect its location within the South Downs National Park’.**

**In the second sentence of criterion 3 replace ‘will need to’ with ‘should’**

**In criterion 4 replace ‘There is....and new’ with ‘Car parking spaces’**

**Replace criterion 5 with: ‘Proposals for development should be informed by the findings of an archaeological investigation undertaken according to a written scheme of investigation agreed in writing with the Council’s archaeological**

advisor. The design and layout of proposals should take the findings of investigation into account by seeking to preserve remains of archaeological interest 'in situ', with the greatest priority given to preserving remains of demonstrable national importance. Where, given the need for development, the importance of remains does not merit their preservation the compilation of a record of any remains that will be lost will be required as a condition of planning permission'.

**Replace criterion 7 with: 'The development of the site incorporates important ecological and biodiversity features within its layout and design'**

**Replace criterion 8 with 'The development incorporates appropriate measures to address its proximity to mitigate against potential risks of flooding'**

*At the end of paragraph 7.65 add: 'Policy 7 includes a series of important criteria on flood risk, landscaping and ecological matters. The details on the potential for flood risk on this site are particularly important considerations. A Flood Risk Assessment (FRA) should be submitted as part of the way in which detailed proposals respond to the sensitivity of the site in general, and to how it responds to criterion 8 in particular.'*

*The details of the ecological conditions of the site (criterion 7) and the landscaping scheme (criteria 2 and 3) will be incorporated within detailed planning applications in accordance with the Council's usual validation requirements. However, where appropriate specific reports should be submitted with planning applications insofar as the issues relate to particular proposals. In particular any reasonable mitigation measures which are identified as a result of detailed surveys should be implemented by way of planning conditions and/or planning obligations'*

#### Policy 8 Design Standards for New Development

- 7.81 This policy comments on design standards. The supporting text in paragraphs 7.66 to 7.69 of the Plan comments about the way in which the policy was developed and the role of the Parish Design Statement as part of this process. The text also highlights both the challenges and the opportunities of developing a neighbourhood plan within a neighbourhood area covered by two local planning authorities.
- 7.82 The resulting policy is well-developed in general terms. Its opening element provides general commentary. Its second part identifies a series of design principles which stem from a detailed analysis of the Parish Design Statement. It creates a distinctive approach. One of the 12 core planning principles in the NPPF (paragraph 17) is '(always seek) to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Furthermore, the approach adopted in the policy has regard to the more detailed design elements of the NPPF. In particular, it plans positively for high quality and inclusive design (paragraph 57), it has developed a robust and comprehensive policy (paragraph 58), it proposes outlines of design principles (paragraph 59) and does so in a locally distinctive yet non-prescriptive way (paragraph 60).

- 7.83 SDNPA has suggested a series of technical updates to the policy. Since the Plan was submitted the South Downs Local Plan has been adopted. On this basis its proposed amendments will ensure that the policy is in general conformity with the development plan. I recommend accordingly.
- 7.84 Finally I recommend other modifications to the detailed wording of the policy. Whilst they do not affect its purpose, they will provide the necessary clarity for a development plan policy.

**In the opening part of the policy replace “proposals must adopt... natural beauty’ with ‘development proposals will only be supported where they adopt a landscape-led approach and respect the local character, through sensitive design that makes a positive contribution to the overall character and appearance of the area.’**

**In the second part of the policy replace ‘will be expected to be’ with ‘will be supported where they are’**

**In Style replace ‘To specifically encourage’ with ‘They would result in’**

**In Building materials replace ‘Should’ with ‘All new building materials should’**

**In Protection of Trees replace ‘will need’ with ‘should’**

**In Sense of Place replace ‘Contribute’ with ‘All new development should contribute’**

**In Impact on neighbours replace ‘Ensure’ with ‘All new development should ensure’**

**In Drainage replace ‘must’ with ‘should’**

**In Sustainability replace ‘Ensure’ with ‘All new developments should ensure’**

**As a new paragraph at the end of the policy add:**

**‘Within the South Downs National Park development proposals should meet the following minimum sustainability credentials:**

- a) At least 19% reduction in CO2 emissions relative to building regulations baseline via energy efficiency of the built fabric.**
- b) At least 20% reduction in CO2 emissions relative to building regulations baseline via low/zero carbon energy on site.**
- c) A predicted internal mains water consumption of no more than 105 litres/person/day’**

**Policy 9 Community Facilities**

- 7.85 This policy highlights the importance of community facilities within the neighbourhood area. The evidence for the policy and the associated identification of the community facilities is drawn from the work of the Community and Infrastructure Focus Team. The Policies Maps show seventeen facilities to be safeguarded through the policy.

- 7.86 The policy itself has three principal parts. The first supports the creation of new facilities or the improvement of existing facilities. The second seeks to resist the change of use or the redevelopment of the identified community facilities unless alternative provision is made for the existing facility. The third offers particular support to the development of four potential community facilities
- 7.87 I am satisfied that the approach taken is appropriate to the circumstances in the neighbourhood area. In order to ensure that the policy has the clarity required by the NPPF I recommend a series of overlapping modifications to the policy:
- listing the existing community facilities in the policy itself;
  - breaking the policy more clearly into its component parts;
  - clarifying that the policy regarding the potential loss of community facilities refers to proposals which would be considered through the planning system, rather than any loss through a closure of the facility concerned;
  - ensuring that the policy takes account of viability issues. This may have a particular significance for the identified community facilities which are commercially-operated; and
  - a series of changes to the wording used so that they are appropriate for a development plan policy
- 7.88 I also recommend associated modifications to the supporting text which more closely explain the role, purpose and related elements of the policy itself.

**Replace the policy with:**

**‘The following facilities as shown on the Policies Map are identified as important community facilities**

**[List at this point the 17 community facilities showing both number and name]**

**Proposals for the change of use or for the redevelopment of an important community facility for which there continues to be an established need will not be supported unless it can be demonstrated that its continued operation is unviable or where alternative adequate provision is made available in a location supported by the local community within an agreed timetable.**

**Proposals for the development of new community facilities and for the improvement or extension of existing facilities will be supported.**

**Proposals for the development of the following facilities will be particularly supported:**

- **the retention and maintenance of The Old School Building, Upper Beeding as an educational facility;**
- **the development of a sports pavilion on the playing field;**
- **the development of public toilets in the Memorial Playing Fields; and**
- **the creation of a community-owned dedicated youth space.**

At the end of paragraph 7.71 add:

*'Policy 9 seeks to provide a context for the range of circumstances which may impact on the delivery of community facilities within the Plan period. It identifies and safeguards a series of important existing facilities and comments about how development proposals which may affect the future delivery of community facilities will be determined. It also offers support to the improvement of existing facilities and the creation of new facilities. Specific proposals supported by the community are highlighted.'*

#### Policy 10 Employment Sites and Supporting Business

- 7.89 This policy sets out the Plan's approach to employment sites and supporting business. It builds on the work carried out by the Local Economy Focus Team.
- 7.90 The policy has five related parts as follows:
- the identification of existing business parks and industrial areas;
  - a policy approach towards their safeguarding;
  - a policy approach towards proposals for the extension of existing employment uses;
  - a policy approach for the diversification of farm buildings; and
  - a policy approach to support retail and tourism development in both Upper Beeding and Small Dole
- 7.91 I am satisfied that in general terms the policy takes an appropriate stance. In particular it seeks to ensure a proportionate balance between homes and jobs in the neighbourhood area. It also seeks to promote economic regeneration, diversification and tourism. However as submitted the policy is rather confused in the way in which it presents and orders its various components. I recommend modifications to address this matter. In particular they will allow the development industry to identify the relevant part of the policy which will apply to any site. I also recommend other modifications to the wording used so that it has the clarity required by the NPPF. In particular this will ensure that the part of the policy regarding the potential loss of employment facilities refers to proposals which would be considered through the planning system, rather than any loss through a closure of the facility concerned.
- 7.92 SDNPA suggests that the policy approach towards the potential change of use of employment uses on the Courtyard and Beeding Court sites is amended to follow the approach incorporated within its recently-adopted Local Plan. I have recommended broader modifications to this part of the policy. However, I recommend that this suggestion is captured within additional supporting text.

#### **Replace the policy with:**

**'The following business parks and industrial areas (as shown on the Policies Maps) are identified as important employment areas  
[List the five sites at this point]**

**Proposals for the change of use or for the redevelopment of an important employment area will not be supported unless it can be demonstrated that its continued operation is unviable or where the site concerned is affected by a site-specific policy in the neighbourhood plan.**

**Proposals for the expansion of an existing employment or business uses will be supported provided that there is no unacceptable harm to the risk of flooding, the amenities of any residential properties in the immediate locality, to ambient noise levels and to the overall quality of the surrounding landscape.**

**Development proposals for the use of farm buildings for community and rural businesses will be supported.**

**Proposals which would promote tourism and the consolidation of retail uses in both Upper Beeding and Small Dole will be supported.**

*At the end of paragraph 7.78 add: 'Policy SD35 Employment Land of the South Downs Local Plan provides specific guidance on the matter of viability in relation to proposals for the change of use of established business premises. Two of the sites identified in Policy 10 of this Plan are within the National Park (The Courtyard and Beeding Court). As such any planning applications within these sites will be determined in the context of both the Local Plan and the neighbourhood plan policy. In relation to the former the viability issue will need to be demonstrated by a robust marketing campaign of at least 12 months.'*

#### Policy 11 Local Green Spaces

- 7.93 This policy identifies a series of local green spaces (LGSs). It is underpinned by the excellent Local Green Spaces Report which assesses a series of potential LGSs against the criteria for such designations included in the NPPF. It also explains which sites were not pursued as a result of this exercise.
- 7.94 I looked at the various proposed LGSs when I visited the neighbourhood area. I saw that they fell into two distinct groups – the four local amenity spaces and the two larger areas in Upper Beeding adjacent to the River Adur. I am satisfied that in their different ways the six LGSs meet the criteria included in the NPPF. In particular they are all in close proximity to the communities that they serve.
- 7.95 The NPPF also requires that LGS designations should be consistent with the local planning of sustainable development and should be capable of enduring beyond the end of the Plan Period (NPPF paragraph 76). I am satisfied that both of these important considerations are met in the submitted Plan. The proposed LGSs feature within a Plan which has identified five housing allocations as part of its contribution towards the strategic delivery of housing in the District. In any event none of the six sites would be appropriate for residential development. In addition, there is no evidence to suggest that the six LGSs are incapable of enduring beyond the end of the Plan period. Indeed,

in many cases they are established elements of the local environment and are sensitively managed as green spaces.

- 7.96 The policy itself designates the proposed LGSs. It then applies the restrictive policy approach as set out in the NPPF. However, it then seeks to identify the very special circumstances which may apply to warrant a departure from this restrictive approach. Whilst this approach is helpful it goes beyond the matter-of-fact approach included in the NPPF. On this basis I recommend that this aspect of the policy is replaced by more general wording. Very special circumstances can be considered by HDC on a case-by-case basis rather than through a policy approach trying to anticipate future circumstances. Nevertheless, I recommend that the deleted element of the policy is repositioned into the supporting text.

**Replace the second part of the policy with:  
‘Proposals for development on a Local Green Space will not be supported except in very special circumstances.’**

*At the end of paragraph 7.81 add:*

*‘Policy 11 applies the restrictive policy approach towards development proposals on designated local green spaces. Very special circumstances can be considered by Horsham District Council on a case-by-case basis rather than a policy approach trying to anticipate future circumstances. However very special circumstances may include [insert the three points deleted from the policy]’*

#### Community Aspirations

- 7.97 The Plan includes a series of Community Aspirations. They are non-land use matters which have naturally arisen during the preparation of the Plan. This approach reflects the advice in Planning Practice Guidance. It is helpfully summarised in paragraph 8.1 of the Plan. The Aspirations are as follows:

- Proposals for the Shoreham Cement Works (1)
- Access and public transport improvements (2)
- Community and Social Infrastructure (3)
- Retail/Tourism and regeneration (4)
- Broadband Improvements (5)

- 7.98 I am satisfied that the various Aspirations in their different ways are both relevant and appropriate to the neighbourhood area. They are distinctive to its environment, opportunities and challenges.

- 7.99 The Aspiration on the Shoreham Cement Works is wide-ranging. This represents the significance of the site and its environmental challenges. I am satisfied that the Community Aspiration has the ability to be complementary to the delivery of Strategic Site Policy SD56 in the adopted South Downs Local Plan. Since the neighbourhood plan was submitted for examination the Local Plan has been adopted. On this basis I recommend that the Aspiration and its supporting text are modified so that they more

fully reflect this important element of the development plan. The recommended modifications will also provide a context for the comments about the emerging Area Action Plan which the SDNPA will be producing for this important site.

*In the Aspiration add a note after the bullet points to read: 'These aspirations will be developed within the context provided by Strategic Site Policy SD 56 of the adopted South Downs Local Plan and the emerging Area Action Plan'*

*At the beginning of paragraph 8.3 add: 'The adopted South Downs Local Plan identifies the Cement Works as a strategic development site (Strategic Site Policy SD56). That policy also identifies that the National Park Authority will produce a separate Area Action Plan for the site'.*

*At the end of the first sentence of the submitted paragraph add 'The Community Aspiration has been designed to be complementary to the policy in the Local Plan and the emerging Area Action Plan'*

#### Other matters

- 7.100 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.*

- 7.101 There are several sections in the introductory sections of the Plan which have now been overtaken by events. This is a normal part of the preparation of a neighbourhood plan. In this case it is highlighted given that the examination has taken longer than anticipated and the South Downs Local Plan has now been adopted. I recommend a series of modifications to the Plan so that it is both up-to-date and forward-looking. Within this context I also incorporate suggested changes proposed by SDNPA insofar as they are necessary to ensure that the Plan meets the basic conditions. In some cases, I have updated the changes proposed by the SDNPA as they predate the adoption of its Local Plan.

*In paragraph 3.1 delete 'newly-published' and replace 'in July 2018' with '(February 2019)'*

*At the beginning of the final sentence of paragraph 3.1 add: This Plan was submitted for examination in December 2018. On this basis it will be examined against the 2012 version of the NPPF.*

*In paragraph 3.10 retain the first two sentences. Thereafter replace the remainder of the paragraph with: ‘The Plan was adopted in July 2019’*

*In paragraph 3.11 delete the text within the brackets in the initial section*

*In paragraph 3.13 (coloured text box) add:*

*‘Core Policy SD2 Ecosystems Services Development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services.’*

*Core Policy SD3 Major Development Planning permission will be refused for major developments in the National Park except in exceptional circumstances, and where it can be demonstrated they are in the public interest’*

*In paragraph 6.10 insert ‘and the South Downs Local Plan’ after ‘Planning Framework’*

#### Monitoring and Review of the Plan

7.102 Paragraph 1.10 of the Plan correctly comments about a potential future review of any made neighbourhood plan. In particular it draws attention to the emerging Horsham Local Plan which, once adopted, will replace the existing Development Framework. I have drawn separate reference to the emerging Local Plan in paragraphs 7.35 to 7.37 of this report.

7.103 HDC has supplied me with the information that it sent to town and parish councils earlier in this year on the relationship between the emerging Local Plan and neighbourhood plans. The information highlights that neighbourhood plans are at different stages of production and will be affected by the Local Plan process in different ways. Where made neighbourhood plans are in place HDC has advised that the affected parishes will not need to consider starting a review of their plans until such time as the new Local Plan is adopted. This is expected to be in mid/late 2021. At that time the two principal options for qualifying bodies will be either:

- to commence a review of the neighbourhood plan to take account of any revised housing numbers which are allocated to the parish by the Local Plan Review. It should be recognised that to meet the step-change in housing growth that is being placed upon the District Council, it is likely that most parishes will need to give serious consideration to the release of greenfield land in their parish area; or
- to retain the existing neighbourhood plan, but decide not to review it. The District Council will instead lead the allocation of any sites in the parish to meet any revised housing numbers through the Local Plan Review, whilst consulting with the community. The District Council will also need to consider whether it is necessary to release additional greenfield land.

7.104 In these circumstances I recommend that the paragraph on the review of the Plan is modified so that it is more explicit on the need for the Parish Council to consider the need for a made neighbourhood plan to be reviewed within 12 months of the adoption

of the emerging Local Plan. The decision about which of the two principal review options to pursue will ultimately be one for local debate and decision.

*In paragraph 1.10 replace 'it is likely.....local and national policy' with 'In these circumstances the Parish Council will monitor the effectiveness of the policies in the neighbourhood plan on an annual basis. In particular it will monitor the delivery of the five allocated housing allocations in Policy 2. Within twelve months of the adoption of the emerging Local Plan the Parish Council will take a view about the way in which it reviews the neighbourhood plan to ensure that it properly complements the policies in the Local Plan in general terms, and its strategic delivery of new homes in particular'*

#### Policies Maps

- 7.105 The Plan includes a variety of well-prepared policies maps. For the purposes of the examination of the Plan they are presented in a separate file.
- 7.106 Whilst this has been acceptable for examination purposes, they will need to be incorporated into the main Plan document in the event that it is made. This will provide the clarity required by the NPPF.

*Incorporate the Policies Maps into the Neighbourhood Plan document itself.*

## 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 Upper 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 and the South Downs National Park Authority that, subject to the incorporation of the modifications set out in this report, the Upper 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 originally approved by Horsham District Council and the South Downs National Park Authority in December 2013.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in an efficient manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**5 December 2019**