

EMAIL ONLY

Neighbourhood Planning Officer
Horsham District Council

neighbourhood.planning@horsham.gov.uk

63a Ship Street
Brighton
BN1 1AE

☎ 01273 947776

Email [REDACTED]
URL www.dowsettmayhew.com

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Dear [REDACTED]

Representations in respect of Henfield Neighbourhood Plan 2017-2031

Dowsettmayhew Planning Partnership is instructed to make representations on the Regulation 16 Submission Henfield Neighbourhood Plan (HNP), on behalf of, the landowner of Site W-The Paddocks.

Background

The preparation of the Henfield Neighbourhood Plan (HNP), following the quashing of the first Plan, is welcomed and supported.

The Vision and Objectives of the HNP are supported. In particular, the objective to “*Have a programme of planned and controlled housing building and other development, resulting in sustainable, integrated and sympathetic growth*” and to “*Provide more smaller housing units (2-3bedrooms) appropriate for young families and the elderly downsizing (Policy 2)*” is supported.

Representations have previously been made in respect of the Regulation 14 Pre-submission HNP. In summary, the representations advised it was considered the HNP:

- Failed to have regard to and was therefore not in general conformity with the strategic policies of the SDNP Local Plan.
- Failed to have regard to national policies and advice contained in guidance issued by the Secretary of State in respect of calculating housing need.
- Failed to contribute to the achievement of sustainable development as the HNP did not propose to allocate Site W-The Paddocks and therefore did not contribute to the achievement of sustainable development.
- Breached and is not compatible with, EU obligations. The accompanying SA, did not include an appraisal of Site W-The Paddocks as part of the assessment of allocation options.

In addition, representations advised it was considered prior to proceeding beyond the Regulation 14 Pre-submission stage the HNP should: be reviewed to take account of the SDNP Local Plan; and include an additional residential allocation on land at Site W-The Paddocks. Furthermore it was considered the SA should be reviewed to include an assessment of allocation options to include Site W-The Paddocks.

With respect to the evidence base, representations advised the Housing Needs Assessment should be reviewed to take account of the revised National Planning Policy Framework (NPPF). In addition representations advised the Site Assessment for Site W-The Paddocks and Site Xa-Parsonage Farm required an update.

Submission Henfield Neighbourhood Plan 2017-2031

At this stage of plan preparation, Horsham District Council (HDC) have invited comment on the

- Draft Submission Plan;
- Basic Conditions Statement;
- Consultation Statement; and
- Sustainability Appraisal/Strategic Environmental Assessment.

In addition to the Submission documents, the consultation webpage also includes background documents which have supported the preparation of the HNP. This includes but is not limited to: Housing Need Assessment Report, October 2017; SA/SEA Addendum Henfield Neighbourhood Plan, October 2019; and Site Assessment Amended for Regulation 15 Submission, October 2019.

The Examiner will in due course review the HNP against the Basic Conditions and recommend whether the Plan can proceed to Referendum. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
- The making of the neighbourhood plan contributes to the achievement of sustainable development.
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

I set out below, representations on whether it is considered the Submission Version HNP meets the Basic Conditions.

Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan

Supporting text: Paragraph 5.7 - Number of New Dwellings to be Provided

The supporting text, paragraph 5.7 states:

"In overall terms, the indicative total number of houses specifically provided for the HNP is 270 new dwellings over the plan period. This quantum of development is considered the strike the right balance between meeting local housing need and contributing to the HDPF Housing Supply Strategy...As the policy allows for sustainable development proposals within the boundary, the total number of dwellings consented over the plan period could be greater than the numbers resulting from the allocations within the HNP."

The HNP is supported by the Housing Needs Assessment (HNA), October 2017.

The HNA sets out the estimated quantity of housing need in the Neighbourhood Plan Area has been derived from 5 different sources. The HNA¹ confirms the average of the remaining projections totals 272 dwellings, or 19 dwellings per year over the Plan Period (rounded).

Paragraph 33 states taking into consideration market signals evidence, which indicates an increase in dwelling numbers to meet future need is appropriate, the HNA recommends a housing target of between 272 and 285 dwellings should be delivered over the Plan period. Furthermore it confirms the use of a range of numbers provides some flexibility, given the the risks associated with the delivery of new homes.

The revised NPPF was published in February 2019. It provides a framework within which locally-prepared plans for housing and other development can be produced. To support the Government's objective of significantly boosting the supply of homes, the NPPF states strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The standard methodology requires Local Planning Authorities to take the Government's household growth projections and apply an affordability ratio, comparing local house prices with workplace earnings, to produce a need figure.

Paragraph 65 of the NPPF states strategic policy making authorities should establish a housing requirement figure for their whole area. Within this overall requirement, the NPPF confirms strategic policies should also set out a housing requirement for designated neighbourhood areas.

Paragraph 66 of the NPPF states:

"Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority".

With respect to housing numbers at a neighbourhood plan level, national planning policy guidance advises:

"Where strategic policies do not already set out a requirement figure, the National Planning Policy Framework expects an indicative figure to be provided to neighbourhood planning bodies on request. However, if a local planning authority is unable to do this, then the neighbourhood planning body may exceptionally need to determine a housing requirement figure themselves, taking account of relevant policies, the existing and emerging spatial strategy, and characteristics of the neighbourhood area. The neighbourhood planning toolkits on housing needs assessment may be used for this purpose. Neighbourhood planning bodies will need to work proactively with the local planning authority through this process, and the figure will need to be tested at examination of the neighbourhood plan, as neighbourhood plans must be in general conformity with strategic policies of the development plan to meet the conditions."

The HNA was prepared and finalised ahead of the publication of the revised NPPF. It has not been updated since its publication and no evidence is available to detail the exceptional reasoning why Henfield Parish Council (HPC) have themselves determined a housing requirement figure.

On this basis, the HNP fails to take account of changes to national planning policy guidance and has failed to have regard to national policies and advice contained in guidance issued by the Secretary of State.

Community Aim 1

The Aim states "residential development in Henfield will be phased throughout the period of the Neighbourhood Plan".

¹ Paragraph 28 of the HNA, October 2017

The HNP does not include any justification to support the phasing of development. On this basis it is considered the Aim is contrary to national planning policy guidance.

The making of the neighbourhood plan contributes to the achievement of sustainable development

Policy 1: A Spatial Plan for the Parish

The Policy establishes the key spatial priority for the HNP. It sets the strategic direction of the HNP, steering new development into the two defined settlements of Henfield and Small Dole.

The Policy defines the built up area boundary (BUAB) of Henfield and Small Dole. This includes a west ward extension to the existing BUAB as defined in the Proposals Map of the Horsham District Planning Framework (HDPF).

The extension proposes to include land at the junction of Stonepit Lane and West End Lane which benefits from planning permission for 160 dwellings (DC/13/0787). Planning permission has also been granted to re-plan the northern parcel to provide 75 dwellings, an increase of 12 dwellings from the previously approved development (DC/17/1140).

It is considered the proposed amendment to the BUAB will ensure it is extended in a logical manner to reflect the built form of development. The land which the extension would encompass has a clear relationship with the built and existing form of Henfield. It has a strong relationship to the settlement and relates to and forms part of Henfield. The proposed extension to the BUAB is therefore supported.

At a district level, HDC, as part of the review of the Local Plan, have also proposed to amend the BUAB of Henfield in this way. Supportive representations have been made, on behalf of the landowner of Site W-The Paddocks, to support the proposed amendment to the BUAB.

Overall Policy 1 is supported and it is considered the proposed amendment to the BUAB contributes to the achievement of sustainable development and is in general conformity with the emerging policies of the Local Plan Review.

Policy 2: Housing Site Allocations

The Policy proposes to allocate four sites for residential development for the provision of 270 new homes over the plan period. Sites proposed for allocation comprise:

- Land North of Parsonage Farm (205 dwellings)
- Land east of Wantley Hill (25 dwellings)
- Land west of Backsettown, off Furners Lane (30 single storey dwellings)
- Land south of the Bowls Club (off Furners Mead) (10 single storey dwellings).

As set out above, it is considered the identified housing need of 270 new homes, has failed to take account of changes to national planning policy guidance and does not have regard to national policies and the advice contained in guidance issued by the Secretary of State.

With respect to the identification of land for residential development, paragraph 5.5 states:

“The key criteria for determining the right spatial strategy for the plan focussed firstly on sites within the Henfield Built Up Area Boundary (BUAB), then identified sites that immediately adjoin the BUAB.”

Furthermore paragraph 5.9 confirms:

“The spatial strategy of allowing modest development adjoining existing settlement boundaries performs better than the alternative below”

It is considered the HNP fails to contribute to the achievement of sustainable development as it has not proposed to allocate Site W-The Paddocks, a site which: lies adjacent to the proposed amendment to the BUAB; is free from any national protective designations; available now for development; and could facilitate the delivery of modest development.

The site is currently in use as equestrian paddocks, ancillary to the host property, The Paddocks. It is in single ownership. A field access currently exists onto Stonepit Lane located a short distance from the junction of West End Lane with Stonepit Lane. Cycling and walking access to the village centre has been improved as a result of the recent residential development to the east of the proposed site, either through the site or via West End Lane, along the new footway.

A Transport Statement (TS) has been prepared in support of the promotion of the site. ²This information has been shared with HPC. The TS confirmed access to the site would be provided in accordance with West Sussex County Council (WSCC) standards and appropriate visibility splays could be readily achieved. Parking facilities would be provided in accordance with WSCC parking standards and could provide electric vehicle charging points and cycle parking facilities on site. The TS confirms the estimated level of trips which would be generated by the development would not have a detrimental impact on the surrounding highway, public transport and pedestrian networks.

Given the improved cycling and walking facilities provided by the new footway as a result of the residential development to the east of the Paddocks, the site offers safe and reasonable access to the facilities and services on offer in Henfield. Furthermore a bus stop lies within 400m of the site. This provides services to Worthing.

The site contains no public rights of way running through the site. The site is located to the west and south of Stonepit Lane which is identified as a public footpath. The development of the site could provide landscaping and buffering on the western side to visually contain the land and to protect views to the countryside beyond.

For the reasons sets out above, it is considered Site W-The Paddocks offers a sustainable location for development and should be allocated, in addition, to the proposed sites identified in Policy 2. The allocation of Site W-The Paddocks would enable the HNP to facilitate the delivery of 284 dwellings which is in line with the housing target identified in the HNA.³

Given the HNP does not allocate Site W-The Paddocks it is considered Policy 2 does not contribute to the achievement of sustainable development.

The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

Sustainability Appraisal incorporating Strategic Environmental Assessment, Version published on 06 June 2019

In light of Government guidance, the HNP is accompanied by a Sustainability Appraisal and incorporates a Strategic Environmental Assessment (SA).

The SA sets out the methodology; an overview of sustainability issues facing Henfield; identifies the Sustainability Objectives (against which the plan is assessed); consideration of reasonable alternatives; an

² Transport Statement Development at: Stonepit Lane, Henfield July 2018

³ Paragraph 33, HNA, October 2017

assessment of HNP policies; rejected options; and conclusions.

Section 5 'Consideration of Reasonable Alternatives' considers the main issues and the reasonable alternatives considered by HPC and was used to inform the preferred approach taken within the HNP.

This section includes individual site assessments. With respect to Site W: The Paddocks, the SA advises:

“greenfield site outside of the settlement boundary. This gives rise to a number of greater negative impacts on SEA Objectives including those on the environment and landscape. The provision of housing scores well against Objective 3 and 4. The site would potentially be in conflict with the Local Plan and careful justification would be required should it be taken forward in the neighbourhood plan.”

Following the assessment of sites, the SA includes 6 options and considers the likely impact each alternative (taken as a whole) would have on the sustainability objectives, the likely significant environmental effects and the mitigation required.

- Option 1: Would provide 252 homes using a dispersed approach.
- Option 2: Would provide development land for the delivery of 259 homes.
- Option 3: Would provide 280 new homes in total alongside allotments, formal and informal play areas, open space, flood alleviation to north and new country park to the north and new playing fields east of Wantley Hill Estate.
- Option 4: Would deliver 265 homes and playing fields east of Watley Hill Estate.
- Option 5: Builds upon the previous options considered and seeks to disperse development around Henfield. It Would deliver 270 homes.
- Option 6: Would delivery approximately 280 homes and the potential creation of countryside buffer to the north of the village.

Paragraph 8.2 confirms the emerging allocation options and reasonable alternatives were all tested against the sustainability objectives, and a reasonable option (option 5) was selected.

Given the HNP proposes to allocate 270 new dwellings (a number derived from the HNA, which identifies a target range of between 272 and 285 dwellings), it is unclear why the SA has assessed options which fall below this threshold.

Of the 6 options considered, Option 1 and Option 6 consider sites on the western part of the BUAB. Site 'Q', which lies to the south east of Site W-The Paddocks, is included in both Options. However Site W-The Paddocks does not form part of any reasonable alternative assessment.

Representations at the Regulation 14 Pre-submission stage, submitted it was considered the SA failed to consider Site W-The Paddocks as a reasonable alternative. The proposed amendment to the BUAB would result in Site W-The Paddocks being adjacent to the BUAB. Given the spatial strategy of allowing modest development which adjoin existing settlement boundaries it was submitted Site W-The Paddocks should of been considered as a reasonable alternative.

Representations advised it was submitted that the HNP breaches, and is not compatible with, EU obligations. In order to ensure the HNP can meet the requisite requirements of the Basic Conditions, it was respectfully suggested that the SA considers Site W-The Paddocks as a reasonable alternative.

Addendum to Sustainability Appraisal, incorporating Strategic Environmental Assessment, 22 October 2019

In light of comments made at the Regulation 14 Pre-submission stage, the 'Addendum to Sustainability Appraisal, incorporating Strategic Environmental Assessment, 22 October 2019' is welcomed.

Paragraph 3.6 confirms following consultation on the Regulation 14 Pre-submission plan, it was recommended that five sites, previously excluded, should be re-introduced into the assessment process as their boundaries now either abut sites which have planning permission or could be grouped into a wider cluster of sites that abut the built up area boundary. The Report also includes a further five potential strategic site options that were identified as reasonable alternative through the Regulation 14 Pre-submission consultation.

Option 8 provides a single allocation on the south western side of Henfield encompassing Sites A, B (north and south), Q and W. The option would deliver 308 homes with some affordable and open market dwellings together with open space within the site.

Option 8 was assessed against the sustainability objectives. With respect to Site W-The Paddocks, the assessment reflects/mirrors the site assessment detailed on page 51 of the SA (June 2019).

Regulation 14 Pre-submission representations advised given the proposed amendment to the BUAB would result in Site W-The Paddocks being adjacent to the BUAB, it was submitted this is a material consideration and should have been given due regard in undertaking the SA for the site.

In addition, representations advised all sites proposed for allocation, lie outside of, and adjacent to, the BUAB and therefore score favourably against some of the Objectives. It was therefore submitted had the SA taken account of the proximity of Site W-The Paddocks to the BUAB, it would have confirmed the sites' allocation would have a positive effect on the relevant Sustainability Objectives.

Furthermore representations confirmed HPC were advised⁴ of the opportunities on site which could include the provision of landscaping and buffering on the western side to visually contain the land and to protect views to the countryside beyond. It was also submitted this should also have been given due regard in undertaking the SA for the site. In light of comments made, in respect of the site assessment,, it was respectfully requested that the associated site assessment was updated to take account of comments made

The Report confirms Option 8 represents a western expansion of Henfield into open countryside. It is considered this "significant" encroachment into the countryside would be in conflict with the HDPF and therefore results in having a significant negative effective on Objective 9 (avoid negative impact on countryside). The provision of housing scores well against Objective 3 (sustain Henfield as a village hub) and Objective 4 (appropriate amount of housing). Overall, the Report considers that this option would have a positive impact on the social and economic objectives whilst having a negative impact on the environmental objectives.

The Report identifies possible mitigation including: a buffer of trees and shrubs between the building and the site, boundaries; maintaining and enhancing new edge settlement; improving connectivity to the main services to the village; and providing mitigation to habitats and protected species.

.As set out above the SA Addendum reflects the SA published in June 2019 and has therefore not been updated to take account of comments made. This has therefore not resulted in the SA assessment taking about of the proximity of the BUAB and having a positive effect on the relevant Sustainability Objectives. It is therefore submitted the assessment which underpins Option 8 is flawed.

Site W-The Paddocks does not form part of an other 'alternative option' considered as part of the Report. Whilst it is acknowledged not all alternatives can/must be assessed, it is considered Site W-The Paddocks,

⁴ Correspondence to Ray Osgood dated 29 May 2018

should of been assessed along with Site B (N). It is considered this cluster offers a reasonable alternative as it (along with the existing Barratts development), would present a logical extension to the built up area boundary of Henfield.

In any event, National Planning Policy Guidance advises reasonable alternatives should be identified and considered at an early stage in the plan making process, as the assessment of these should inform the preferred approach.⁵ Whilst the Addendum is welcomed at this stage, it is considered the reasonable alternative (and others) should of been identified at an earlier stage in the planning making process in order to ensure the HNP was based upon and informed by a robust evidence base. The identification of these alternative sites at such a late stage undermines the proposed allocations in the Submission HNP.

In light of above, it is considered the SA breaches and is not compatible with, EU obligations.

Henfield Neighbourhood Plan, Site Assessment, Version for Regulation 14 Consultation, October 2019

The HNP is supported by an updated Site Assessment Report, October 2019.

Representations made at the Regulation 14 Pre-submission stage advised, in light of the Transport Statement undertaken and submitted to HPC the Transport Section should have regard to this report in respect of the following

- Whether a site will generate significant additional traffic/congestion; and
- Information in relation to pedestrian access.

The updated Site Assessment has taken account of comments made and is therefore welcomed.

Horsham District Planning Framework: Local Plan Review

HDC is currently undertaking a review of the HDPF to accord with the revised NPPF, housing delivery test and the standard methodology. HDC acknowledged different neighbourhood planning groups are at different stages of plan preparation. As a result, HDC have advised the Local Plan Review will affect parishes in different ways. HDC has engaged with all Parish Councils to ensure plan preparation work streams are not in conflict and are aligned.

HDC expect many Neighbourhood Plans will be an advanced stage at the end of 2019 with many Neighbourhood Plans being made in 2020. At this time, it is envisaged the Local Plan Review will set out the spatial strategy for the district and will allocate housing numbers to Parishes. In light of this, HDC has sought confirmation from local groups to commit to a full or partial review of their Neighbourhood Plan once HDC has completed the Local Plan review in 2021.

The HNP is silent in this regard and does not outline HPC's commitment to undertake a full and/or partial review. In light of this, it is considered HNP has failed to take account of HDC guidance and emerging planning policy.

Conclusion

Representations are made on behalf of the landowner of Site W-The Paddocks in response to the Regulation 16 Submission consultation.

For the reasons set out above, it submitted the Regulation 16 Submission HNP:

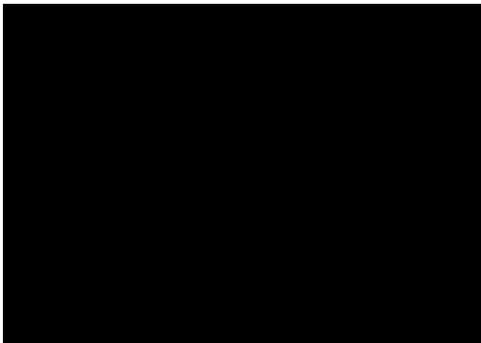
⁵ National Planning Policy Guidance Paragraph: 017 Reference ID: 11-017-20140306

- Fails to have regard to national policies and advice contained in guidance issued by the Secretary of State in respect of calculating housing need.
- Fails to contribute to the achievement of sustainable development. The HNP does not propose to allocate Site W-The Paddocks and therefore does not contribute to the achievement of sustainable development.
- Breaches and is not compatible with, EU obligations.

I trust the above comments are helpful and will be taken into account in the next stage of Plan preparation.

I would be grateful if I could be notified of the local planning authority's decision under Regulation 19 of the Neighbourhood Plan (General) Regulations 2012 (as amended) in relation to the Henfield Neighbourhood Development Plan.

Yours sincerely



Cc: [Redacted]