

Bramber Neighbourhood Development Plan 2018-2031

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

**Andrew Ashcroft
Independent Examiner
BA (Hons) M.A. DMS M.R.T.P.I.**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by Horsham District Council in June 2020 to carry out the independent examination of the Bramber Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 19 June 2020.
- 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. In this context it includes a series of environmental policies. It also proposes two local green spaces. In the round the Plan has 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 Bramber 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
27 July 2020

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Bramber 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 Bramber Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan. Whilst the majority of the neighbourhood area is within the South Downs National Park Bramber itself is within Horsham District.
- 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 safeguarding the local environment and ensuring good design standards.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by HDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both HDC and the Parish Council. I 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 Submission Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Sustainability Appraisal Report (January 2020);
- the HRA Screening Report;
- the Neighbourhood Plan Design Guidance;
- the AECOM Housing Needs Assessment;
- the Neighbourhood Plan Area Profile (July 2019);
- the Housing Report (including Site Assessments);
- the Parish Council's responses to my Clarification Note;
- the District 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 2019;
- the National Planning Policy Framework (2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 19 June 2020. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. I maintained the social distancing requirements that were in place at that time during the day in the neighbourhood area. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

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

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement sets out the mechanisms that were used to engage the community and statutory bodies in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (September to November 2019).
- 4.3 The Statement is particularly helpful in the way in which it captures the key issues in a proportionate way and is then underpinned by more detailed appendices
- 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 newsletter to all residents (December 2017);
 - the stand at the Steyning Showcase event (February 2018);
 - general publicity (March 2018);
 - the discussion at the annual Parish Council meeting (April 2018);
 - the Call for Sites process (May 2018);
 - the signing of the Memorandum of Understanding with adjacent parish councils (July 2018);
 - the further newsletter (October 2018);
 - the public event (November 2018);
 - the stand at the Upper Beeding Showcase event (April 2019);
 - the further newsletter (April 2019); and
 - the public events within the pre-submission consultation process (September/October 2019).
- 4.5 I am satisfied that the engagement process was both proportionate and robust. It sought to engage in a balanced way with local residents, statutory bodies, local businesses and potential developers. In particular, the Parish Council has sought to engage residents adjacent to the neighbourhood area and other parish councils that would be directly affected by the preparation of the Plan.
- 4.6 Appendix D of the Statement provides 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 nine-week period that ended on 18 May 2020. This exercise generated comments from a range of organisations as follows:
- Natural England
 - Waverley Borough Council
 - Surrey County Council
 - Southern Water
 - Highways England
 - West Sussex County Council
 - Horsham District Council
 - Historic England
 - South Downs National Park Authority
 - DMH Stallard
- 4.10 The submitted Plan also generated representations from a local resident.
- 4.11 I have taken account of all the representations received. Where it is appropriate to do so, I refer to particular representations in my assessment of the policies in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Bramber. Its population in 2011 was 785 persons living in 348 houses. It was designated as a neighbourhood area on 15 February 2018 and on 26 February 2018 by HDC and SDNPA respectively. The neighbourhood area is irregular in shape and largely sits to the immediate south of the village of Bramber. It is located in the south-eastern part of Horsham District. The neighbourhood area is predominantly rural in character and much of its area is in agricultural use. The River Adur is located at the eastern end of the village of Bramber.
- 5.2 The principal settlement in the neighbourhood area is Bramber. It is located off the A283. It is located to the immediate west of Upper Beeding. It is arranged in a linear fashion around the vibrant High Street and The Street. This principal thoroughfare includes an attractive range of retail and commercial premises. The village reflects its historic role as a port on the River Adur. Together with a defensible natural mound that was occupied by its Castle the village became an early centre of Norman administration. Whilst the maritime history of the village ended with the silting of the River Adur, the remnants of the Castle and the adjacent St Nicholas Church continue as the centre-points of the village.
- 5.3 The other principal settlements in the neighbourhood area are Annington and Botolphs. They are located to the south of Bramber on the Annington Road. The remainder of the neighbourhood area consists of a very attractive agricultural hinterland. The majority of neighbourhood area is within the South Downs National Park. It provides an attractive backcloth to the elements of built development. The South Downs Way passes through the neighbourhood area and intersects with a series of more local footpath networks.

Development Plan Context

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

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

5.6 HDC has now well-advanced in terms of its preparation of a new Local Plan. A draft Regulation 18 Local Plan was published for consultation between February and March 2020. It is anticipated that the Plan will be submitted for examination in the early part 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.

5.7 The majority of the neighbourhood area is located within the South Downs National Park. As such future development in this area is controlled by the South Downs Local Plan which was adopted in July 2019. It is primarily a landscape-led Plan. Strategic Policies SD4,5 and 6 address Landscape Character, Design and Views respectively.

5.8 The submitted Plan has been prepared correctly and properly within this 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 visited the neighbourhood area on 19 June 2020. I maintained appropriate social distancing measures in force at that time when I was in the neighbourhood area.

5.10 I drove into the neighbourhood area along the A283 from the north and west. This gave me an initial impression of its setting and character both in general terms and in relation to the South Downs in particular. It also highlighted its connection to the strategic road system and to Steyning to the north.

5.11 I parked in the layby off the A283 to the south of the village and Upper Beeding. I walked along the South Downs Way to the top of Beeding Hill. I was rewarded with excellent views of the wider parish, Upper Beeding to the north, and the chimney stack

of the former Shoreham Cement Works and Lancing College to the south. This part of the visit highlighted the significance of the South Downs and the Adur river and floodplain to the wider landscape. It also helped me to understand Policy B9 (on locally-significant views). I also saw the way in which the local footpath network was clearly-marked and very well-maintained.

- 5.12 Thereafter I walked back to the layby and continued along the South Downs Way over the river bridge to St Botolph's Church. I saw its well-maintained churchyard and the simplicity of its use of local vernacular materials. I then walked into Botolphs and Annington. I saw their attractive and open characters. In the case of Botolphs I saw the attractive flint boundary walls fronting onto the road and a series of attractive vernacular storage/outbuildings.
- 5.13 I then drove back to Bramber. I looked around the Maudlyn-character area. I then walked into the proposed Clays Field local green space from the entrance off Goring Road. I saw its open character with trees both within the space and around its perimeter. I looked at the three key viewpoints from within the sites as identified in Policy B9. I saw that it was being enjoyed by several groups of people in general, and dog walkers in particular. Thereafter I looked at the adjacent proposed local green space at Heathens' Burial Corner.
- 5.14 I then walked into Bramber. I walked up the hill to the Church and the Castle. The Castle area looked splendid in the early afternoon sunshine. Several family groups were enjoying the open space and the spectacular views. This part of the visit highlighted the historic significance of Bramber and its strategic position within the River Adur Gap. I spent a quiet moment in the well-preserved Church.
- 5.15 I walked down the path by the Church into the village centre. I saw its vibrant range of retail and commercial business in an attractive, historic setting. I saw the way in which they had been incorporated into traditional vernacular buildings and how commercial and residential uses co-existed in a relaxed fashion. I also saw the way in which very traditional and historic buildings sat comfortably with more modern buildings (such as Millfield). I saw St Mary's House and Gardens. I walked up to the River Adur bridge where the parish abuts Upper Beeding Parish.
- 5.16 I finished my visit by driving along Sopers Lane to Steyning Bowl. This further reinforced the way in which the South Downs dominates the character and setting of the wider neighbourhood area.

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. Tables 2.3 and 4.1 are exemplary in the way in which they relate the policies in the Plan to national and local planning policies respectively. The wider Statement is also proportionate to the Plan itself.

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

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) 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 2019. This approach is reflected in the submitted Basic Conditions Statement.

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

- a plan-led system– in this case the relationship between the neighbourhood plan and the adopted Horsham District Planning Framework and the adopted 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 vision for the future of the neighbourhood area. In particular, it includes a series of policies to safeguard and enhance its character and appearance in general, and its relationship with the South Downs National Park in particular. In addition, it proposes two local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does 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 B1 and B15 respectively). In the social role, it includes policies on community facilities (Policies B13 and 14) and local green spaces (Policy B7). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (Policy B3), on green infrastructure and biodiversity (Policy B6), on the River Adur corridor (Policy B8) and on locally-significant views (Policy B9). 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 two development plans.

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 HDC issued a 'standard' screening for all neighbourhood plans within the District. It comments that if a neighbourhood plan is allocating sites for development then it could have a significant environmental impact and a Strategic Environmental Assessment (SEA) is required. The Bramber Neighbourhood Plan does not allocate sites. In this context it has been confirmed by HDC that SEA is not required.
- 6.16 In this wider context the Parish Council decided to prepare a Sustainability Appraisal. An updated version of the Appraisal (January 2020) was included in the package of submission documents. The Plan comments that the purpose of the Appraisal is to determine the sustainability criteria against which the Bramber Neighbourhood Plan should be assessed, to ensure that it contributes to the achievement of sustainable development.
- 6.17 HDC has produced a 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 Assessment takes appropriate account of the significance of the following sites within close proximity of the neighbourhood area:
- Arun Valley Special Protection Area (SPA)
 - Arun Valley Special Area of Conservation (SAC)
 - The Mens Special Area of Conservation (SAC)
- 6.19 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.

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

Summary

- 6.21 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. Each policy provides a direct link to the relevant objectives of the Plan, to local planning policies and to the NPPF. This is best practice and provides assurance that the Plan has set out to deliver local objectives in a co-ordinated fashion.
- 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 three Aims. They are appropriately distinguished from the principal land use policies by colour-coding.
- 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 Aims 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 1-3)

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in an attractive way. It makes a very effective use of well-presented maps and photographs. 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 provides helpful information about the context of the Plan. It correctly identifies the Plan period (1.2), when the neighbourhood area was designated (1.3) and the neighbourhood area itself (Figure 1.1). It goes on to describe the planning policy context within which the Plan has been prepared and how the wider community has been engaged. It also explains the way in which the Sustainability Report has featured in the development of the Plan. Overall, it is a particularly effective introduction to a neighbourhood plan.

- 7.10 Section 2 (About Bramber) comments about the neighbourhood area and a range of matters which have influenced the preparation of the Plan. The profile of the community today (paragraph 2.7) 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 Plan's Vision and Objectives. It is well-constructed. It describes how the Vision and the Objectives of the Plan were developed. The objectives are grouped under the following nine headings.
- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy B1 The Location of Development

- 7.13 This is an important and overarching policy in the context of the Plan. It provides a spatial strategy for development in the parish. It seeks to concentrate new development within the built-up area boundary unless it otherwise relates to development in the countryside supported either by national or local policies.
- 7.14 The policy is well-developed in its format and approach. Its implementation will do much to assist in the delivery of sustainable development. In addition, its format reinforces the sharp distinction between Bramber village and the surrounding countryside.
- 7.15 I am satisfied that the policy is both appropriate and distinctive to the neighbourhood area. I recommend a series of technical modifications to the first part of the policy so that it has the clarity required by the NPPF.
- 7.16 The second part of the policy has a very matter-of-fact approach. It requires that proposals should make the best use of suitable brownfield land, where available, before greenfield land is released for development. Whilst I understand the approach taken by the Parish Council it is more onerous than the approach on this matter in national policy. In addition, this test would be both unrealistic and impractical for some appropriate developments which may come forward in the countryside. Taking account of all the relevant information I recommend that this part of the policy is modified so that it more closely has regard to national policy. The recommended modification is a local iteration of paragraph 118 c) of the NPPF.

In the first sentence replace 'permitted' with 'supported'

In the second sentence replace 'it is' with 'they are'

In b. remove 'or' and relocate it so that it sits after the semi colon at the end of a.

At the end of d. add '; or'

Replace the second part of the policy with: ‘In determining development proposals substantial weight will be given to the value of using suitable brownfield land within the built up boundary of Bramber for either homes and other identified needs, or to support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land’

Policy B2 The Character of Development

- 7.17 This policy sets out the Plan’s requirement for new development to take account of the particulars of the various character areas as identified in the Plan. They are shown on Figure 6.1 and in the Neighbourhood Plan Design Guidelines (September 2019). The policy is underpinned by the comprehensive supporting text. It is an excellent policy which will assist significantly in delivering the environmental dimension of sustainable development in the neighbourhood area.
- 7.18 The policy has three related sections. The first provides general advice on the way in which new development should take account of the various character areas. The second highlights three specific matters which development proposals should address. The third section comments about the way in which development which abuts open countryside should tackle this particular relationship.
- 7.19 I recommend that the different elements of the policy are modified to take account of two issues. The first is to make their effects more specific and capable of effective delivery through the development management process. In several cases the policy simply sets out an ‘expectation’ that development proceeds as identified. The second is to apply the elements of the policy insofar as they relate to the development proposed. Plainly this will vary based on the scale, nature and the location of the site concerned. In the first part of the policy I also recommend that the reference to ‘conserve and enhance’ is replaced in a way which acknowledges that an enhancement of the character area may not always be practicable. Otherwise the policy meets the basic conditions.

In the first part of the policy replace ‘is expected’ with ‘should’ and replace ‘conserve and enhance’ with ‘conserve and where practicable enhance’

Replace the opening part of the second section of the policy with: ‘As appropriate to their scale, nature and location development proposals should address the following criteria:’

In the third part of the policy replace ‘is expected’ with ‘should’

At the beginning of the second sentence of the third part of the policy add: ‘As appropriate to their scale, nature and location’

Thereafter replace ‘could’ with ‘should’

Policy B3 Design of Development

- 7.20 This policy sets out a comprehensive approach to design. Paragraph 6.7 comments that good quality design can improve social well-being and the quality of life by shaping the built environment, reducing crime, improving public health, easing transport problems and providing supportive neighbourhoods. Its initial section is general in terms of its application. Thereafter it includes a series of design criteria including:
- Building for Life principles;
 - the relationship of developments to the Bramber Design Guidelines;
 - Secure by Design principles;
 - watercourses and sustainable urban drainage; and
 - the relationship between traffic generation, parking and pedestrian safety.
- 7.21 The policy is supported and underpinned by the production of the Bramber Neighbourhood Plan Design Guidelines. It is an excellent document that describes the various character areas and then sets out specific guidelines for new development proposals.
- 7.22 The policy is well-developed. Its implementation will assist significantly in bringing forward well-designed and positive development. In general terms it meets the basic conditions. However, I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development plan policy. In particular they will ensure that the policy can be applied flexibly to take account of the various developments proposed. This is an important consideration as development proposals will be affected in different ways by the design principles in the policy in general, and by the contents of the Bramber Design Guidelines in particular.
- 7.23 Finally I recommend that the supporting text refers to the potential relationships between this policy and Policies B2 and B4.

Replace the opening part of the policy with:

‘Development proposals should incorporate a high quality of design which responds and integrates well with its surroundings, meets the needs of the population of the neighbourhood area and minimises the impact on the natural environment. In particular development proposals should demonstrate how they have sought to address the following matters as they are appropriate to their scale, nature and location:’

Replace a with:

‘meeting the principles of Building for Life unless alternative principles would result in a higher quality of design. Development proposals that would achieve the ‘Built for Life’ quality mark will be particularly supported’

In b insert ‘relevant’ between ‘The’ and ‘guidance’

Replace h with:

‘Development that is required to provide Sustainable Drainage Systems (SuDS) should provide such systems on-site, unless there are clear reasons why this would not be practicable. In addition, such development should demonstrate the use of a wide range of creative SuDS solutions, for example through the provision of SuDS as part of green spaces, green roofs, permeable surfaces and rain gardens. SuDS provision should demonstrate how its design will enhance wildlife and biodiversity as well as minimise the impacts of flooding. An absence of on-site SuDS provision will only be supported in such developments where it is demonstrably unviable to do so’

At the end of paragraph 6.12 add: ‘Policy B3 has a close relationship with both Policies B2 (Character of Development) and B4 (Energy Efficiency) of this Plan. Where it is appropriate to do so developments should take account of each of the policies’

Policy B4 Energy Efficiency and Design

- 7.24 This policy sets out to encourage high standards of energy efficiency and design. It does so within the broader UK context of achieving a net zero carbon target by 2050. It has three main parts. The first requires developments to comply with technical matters in the SDLP. The second offers support for the incorporation of particular design features into new development. The third comments about proposals for retrofitting of energy efficiency matters in general, and as they would apply to listed buildings in particular.
- 7.25 As the Plan acknowledges, energy efficiency matters are largely controlled by the Building Regulations. The Plan also comments that the Code for Sustainable Homes was withdrawn by the Government in 2015 and was replaced by new national technical standards which include new additional optional Building Regulations regarding water and access as well as a new national space standard.
- 7.26 I sought comments from the Parish Council on the extent to which the first part of the policy was necessary given that it largely repeats the relevant policy in the South Downs Local Plan. I also sought the Parish Council’s views on whether the policy should apply only within that part of the neighbourhood area within the South Downs National Park. I was advised that:

‘In light of the location of the parish, set predominantly within the National Park, we are keen to ensure the highest levels of sustainable design in any future development across the whole parish. This was something that was encouraged by the South Downs National Park Authority (SDNPA) and is reiterated in their response to our Regulation 14 Pre-Submission Version Neighbourhood Plan. The SDNPA recommended we consider Policy SD48 (Climate Change and Sustainable Use of Resources) of the South Downs Local Plan (SDLP) to inform the provision of minimum standards and measurable within the BNDP Policy B4. The SDLP received an RTPI award for environmental excellence and 2 therefore we consider it to provide a benchmark that we would like to see achieved across our whole parish, which is why

it is not considered to be a repetition, rather an expansion to cover the whole neighbourhood plan area'

- 7.27 I also sought clarity on the extent to which the Parish Council had assessed the added value of this policy over and above the requirements of the Building Regulations. I was advised about the way in which local plans elsewhere had addressed this important matter.
- 7.28 Taking account of all the information, including the representation from HDC, I recommend that the technical elements in the first part of the policy are deleted. They restate existing elements of the South Downs Local Plan and there is no need for a neighbourhood plan to repeat and/or reinforce other development plan policies. In addition, the South Downs Local Plan does not extend across the whole of the parish. I recommend that the remaining element of this part of the policy is reconfigured so that it is worded in a policy-related fashion.
- 7.29 With specific technical modifications the second and third elements of the policy meet the basic conditions. In particular I recommend the deletion of the third design principle (loft and wall insulation) in the second part of the policy as such works are not development and cannot be controlled through a planning policy.
- 7.30 I also recommend consequential modifications to the supporting text.

Replace the first part of the policy with:

'Proposals which incorporate design and environmental performance measures and standards to reduce energy consumption and climate effects will be supported'

Replace the opening element of the second part of the policy with:

'Proposals which incorporate the following sustainable design features as appropriate to their scale, nature and location will be particularly supported:'

In the second part of the policy delete c.

In the third part of the policy delete 'is encouraged' and add 'will be supported' between 'energy' and 'where'

In the third part of the policy replace 'historic characteristics.... relevant organisations' with 'the integrity and character of the heritage asset concerned'

Replace paragraph 6.16 with:

'Policy B4 seeks to provide a local iteration of the national and local policy context for this important matter. In particular it takes account of the importance of the Building Regulations in regulating and delivering energy efficiency measures. In particular it identifies a series of locally-distinctive design features which would be supported where they are incorporated into new development'

Policy B5 Protecting Flora and Fauna

- 7.31 This policy addresses flora and fauna. Paragraph 7.3 comments about the distinctive features of the area that are not protected, yet provide vital habitats for flora and fauna, and which include trees, woodland, hedgerows, mature planted gardens, agricultural and grazing land.
- 7.32 The policy is comprehensive in the way it addresses this issue. It sets out a general policy approach followed by a requirement that new developments address a series of detailed matters. The policy is well-developed. Its implementation will assist significantly in bringing forward well-designed and positive development. In general terms it meets the basic conditions. However, I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development plan policy. In particular they will ensure that the policy can be applied flexibly. In some circumstances proposed developments will be able to maintain and enhance the natural environment. In other cases, the enhancement of the natural environment may be neither practicable nor viable.
- 7.33 Finally I recommend that the second section of the policy on management arrangements is deleted. It is a process matter rather than a policy. In any event it is already adequately addressed in paragraph 7.5.

Replace the first sentence of the first part of the policy with:

‘Development proposals should maintain and where practicable enhance the natural environment, landscape features and the rural character and setting of the neighbourhood area. Development proposals that would achieve a net gain in biodiversity will be particularly supported’

Reposition the second sentence of the first part of the policy so that it appears as a new paragraph from the preceding section. In doing so replace ‘are expected to’ with ‘should’

In c replace ‘permitted’ with ‘supported’

Delete part 2 of the policy.

Policy B6 Green Infrastructure

- 7.34 This policy has a focus on green infrastructure. It reflects work that has been undertaken to map the various elements of green infrastructure in the neighbourhood area. It comments that proposals should be designed from inception to create, conserve, enhance and manage green spaces and connective chains of green infrastructure. Its wider aim is to deliver a net environmental benefit for local people and wildlife. It also offers support to proposals that seek to improve the connectivity between wildlife areas and green spaces.
- 7.35 The policy takes a positive approach to this important matter. In general terms it meets the basic conditions. However, I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development plan

policy. I also recommend that it makes reference to the wider landscape value of the South Downs National Park as suggested by HDC. This is an important consideration and will provide a wider context for the policy. In this context I also recommend a consequential modification to paragraph 7.11.

Replace the policy with:

‘Development proposals should be designed from inception to create, conserve, enhance and manage green spaces and connective chains of green infrastructure, as shown in Figure 7.1, with the aim of delivering a net environmental benefit for local people and wildlife and to respect the wider landscape value of the South Downs National Park. In particular proposals that seek to improve the connectivity between wildlife areas and green spaces will be supported’

Replace paragraph 7.11 with: ‘A large proportion of the parish of Bramber is within the South Downs National Park. On this basis Policy B6 has been designed to ensure that development proposals to improve green infrastructure respect the wider landscape value of the South Downs National Park’

Policy B7 Local Green Spaces

- 7.36 This policy proposes the designation of a series of local green spaces (LGSs). They are shown on Figure 7.2. The proposed LGSs are Clays Field and Heathens’ Burial Corner.
- 7.37 The supporting text comments about the national tests in the NPPF for the designation of LGSs. It also indicates that the proposed LGSs came forward as a result of an audit by the Neighbourhood Plan Steering Group. Appendix C of the Plan provides detailed commentary on the way in which the Parish Council considers that the two proposed LGSs meet the criteria for such designation in the NPPF. I looked carefully at the two proposed LGSs when I visited the neighbourhood area.
- 7.38 On the basis of all the information available to me, including my own observations, I am satisfied that the proposed Heathens’ Burial Ground LGS comfortably complies with the three tests in the NPPF and therefore meets the basic conditions.
- 7.39 In addition, I am satisfied that its proposed designation would accord with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that its designation is consistent with the local planning of sustainable development. It does not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGS is capable of enduring beyond the end of the Plan period. Indeed, it is an established element of the local environment and has existed in its current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green space would not endure beyond the end of the Plan period.

7.40 The proposed Clays Field LGS has attracted a very detailed representation from the owner of the site. In general terms the representation comments that Clays Field does not qualify to be designated as LGS. In particular it comments that:

- the LGS designation is inappropriate having regard to national policy;
- the neighbourhood plan – by not allocating any housing and instead designating the site as LGS – does not contribute to the achievement of sustainable development; and
- in the light of Policies 4 and 15 of the HDPF, and the neighbourhood plan’s failure to allocate housing and the decision to designate Clays Field as LGS the neighbourhood plan is not in general conformity with the HDPF.

7.41 To support its overall approach the representation includes detailed reports as follows:

- Ecological Appraisal (Phlorum);
- Heritage Appraisal (The Heritage Collective);
- Landscape Statement (Harper Landscape Architects); and
- Counsel’s Opinion (Sasha White QC)

7.42 In their different ways the ecological, heritage and landscape statements comment on the way in which Clays Field could incorporate a degree of residential development. This reflects the promotion of such a scheme during the plan-making process by the site owner. In this context it was one of the two sites put forward during the call for sites exercise. The design work put forward included four options, one which would deliver a retirement scheme. The initial three options occupy a similar area and would result in the built development taking up approximately 20% of the wider Clays Field.

7.43 In assessing the extent to which the submitted Plan meets the basic conditions I have not taken account of those parts of the detailed representations which comment about the appropriateness of potential residential development on part of the site. Such a proposal is not included within the submitted Plan and is therefore beyond my remit. I do however consider later in this report the related issue of the Plan’s decision not to allocate land for residential development and the potential relationship with the proposed designation of Clays Field as LGS.

7.44 Appendix C helpfully assesses Clays Field against the detailed criteria in the NPPF for LGS designation. Based on this information, the representations and my own observations I comment as follows:

The extent to which Clays Field is in close proximity to the community it serves

7.45 This point is generally accepted by all parties. Clays Field is immediately adjacent to built development in both Bramber and the adjacent parish of Steyning. In addition, it is readily accessible from various pedestrian access points around the site.

The extent to which Clays Field is demonstrably special to the local community and holds a particular significance

7.46 I saw that the proposed LGS was being used extensively by individuals and groups of people when I visited the site. I saw that they were using both the public footpath and

the series of informal footpaths within the space. I saw that the proposed LGS offered pleasant and attractive green space within a primarily built up area. I also saw that, in various places, it offered views out to the surrounding countryside and to the South Downs National Park in particular. Appendix C comments that ‘feedback from the local community at all public events since the start of the Neighbourhood Plan process has been overwhelmingly of the view that the field should be retained as green space and that it should be afforded as much protection as possible’.

7.47 These findings overlap with those of the Landscape Assessment (as referenced in paragraph 7.41 above). In particular the proposed LGS has a parkland character which sits within the context of wider residential development in both Bramber and Steyning.

7.48 The three technical studies commissioned by the site owner make the following comments on this criterion.

Ecological Assessment

7.49 Figure 1 of the Assessment clarifies that its study area is the northern part of Clays Field. This overlaps with the proposal which was put forward in the earlier stages of the Plan for its development for residential purposes. The summary of the site identified the following features:

- it consisted of grassland, scattered trees and ruderal vegetation;
- the majority of the site was grassland dominated by false oat grass. In addition, cocksfoot, yarrow and cow parsley were present;
- areas of ruderal vegetation occurred on a bank along the northern boundary of the site. Species included nettle, common mallow, and dock; and
- there were a number of scattered trees across the site, with a particular conglomeration along the eastern part of the site (as defined in that study). Species included oak, cherry, lime, ash, and horse chestnut. Isolated specimens of whitebeam occurred within the grassland. There were also specimens of Leyland cypress growing on the northern boundary bank among the ruderal vegetation.

Heritage Appraisal

7.50 This study considers the full extent of the site proposed as LGS.

7.51 It provides a comprehensive assessment of the extent to which the proposed LGS is demonstrably special by way of its historic significance. Its principal focus is on the extent to which the proposed LGS would relate to other historic structures in the neighbourhood area. In this context it assesses the relationship between Clays Field and Bramber Castle, the Bramber Conservation Area and the setting of Burletts (a grade II listed building to the south of Clays Lane).

7.52 On these matters the study concludes:

- while there is no direct intervisibility between the Castle and the site, the site as part of the rural surroundings adjacent to a historic route is considered to make a minor contribution to the appreciation of the significance of these assets. There are no known historic associations between the Castle and the site (for example ownership or occupation) which would elevate the contribution the site makes;
- by virtue of the enclosed nature of the conservation area (limiting views out of it to the west) and the way in which the site is surrounded by built form on all sides, while part of the rural surroundings of the conservation are the site only makes a minor contribution to the significance of this asset; and
- there are no historic associations between the site and Burletts which would contribute to historic interest.

Landscape Statement

7.53 This study assesses the full extent of the proposed LGS. It assesses the way in which Clays Field relates to its wider landscape setting.

7.54 The study concludes:

- the site has a parkland character within Steyning's suburban residential edge. Whilst Bramber Castle is not visible from the site its presence is significant as part of local history and character. Similarly, the South Downs ridge line is prominent in the background for occasional views from the site looking south and is also an integral part of the site's context and character;
- the site's landscape value is of local interest and offers green space views for residents. The roads are significant landscape detractors which lessen tranquillity to the south and east of the site. There is also lessened tranquillity towards the residential edges to the north and west with car movements, suburban activities and there is a feeling of being overlooked;
- overall, the landscape has a recognisable suburban parkland character with some views out and is influenced by the lessened tranquillity towards the edges of the site; and
- as such landscape quality is judged to be medium, landscape value as medium and landscape sensitivity as medium.

7.55 Taking account of all the available information I am satisfied that the proposed LGS is demonstrably special and holds a particular significance. It has an attractive parkland character and provides opportunities for informal recreation and walking within the neighbourhood area and adjacent residential areas. It also provides various views of the South Downs. Whilst there are different opinions about the impact of traffic noise on the enjoyment of the proposed LGS I appreciated the tranquillity found within Clays Field when I visited the neighbourhood area.

The extent to which Clays Field is local in scale and not an extensive tract of land

7.56 The proposed LGS is 7.9 hectares in size.

- 7.57 The representation from the owner comments that the proposed LGS is an extensive tract of land.
- 7.58 I sought the Parish Council's comments about the way in which the size of the proposed Clays Field LGS was assessed against national policy. My attention was drawn to a series of national policy statements on this matter and commentary from national organisations.
- 7.59 In terms of local analysis I was advised that 'the Steering Group considers that the nature of the location will affect the definition of 'extensive'. It contended that an urban parish would generally have much less green space than a rural one and that both the type of location and its size in relation to the total need to be considered. The Parish Council commented that the proposed LGS constitutes about 1.1% of the total area of the parish.
- 7.60 I have considered this matter very carefully given that there are very different views about the extent to which the proposed LGS is 'local in scale' and that there is no definitive national guidance on the issue. On balance I have concluded that the proposed LGS is capable of being considered as 'local in scale'. I have reached this conclusion for three related reasons. The first is that it is a self-contained green space within the built-up part of Bramber. The second is that there is no practical way in which a smaller part of the proposed space could have been promoted as LGS. Clays Field is a consistent and coherent green space based on the various access points and the network for formal and informal footpaths within the space. The third is the way in which the proposed LGS is 'local in scale' in relation to the built-up part of Bramber and Steyning to the north and west. Plainly the proposed LGS falls to be assessed within the context of this particular neighbourhood plan. Nevertheless, it acts as a green space to a wider community. This assessment overlaps with the Parish Council's engagement on the proposed LGS in a wider geographic area than simply within the neighbourhood area.

The consistency of the proposed designation with the local planning of sustainable development

- 7.61 As I commented in paragraph 7.39 with regards to Heathens' Burial Ground the proposed designation of LGSs need to accord with the more general elements of paragraph 99 of the NPPF. In this regard there are two key tests. The first is that the proposed designation is consistent with the local planning of sustainable development and complements investment in sufficient homes, jobs and other essential services. The second is that it is capable of enduring beyond the end of the Plan period.
- 7.62 The submitted Sustainability Appraisal provides a degree of commentary on the first matter. In relation to Policy B7 it comments that 'whilst the sites are beyond the BUAB, the need for housing across the district could add additional pressure for development here. This would negatively impact on each of the reasons provided to justify designating the space'.
- 7.63 Nevertheless the Plan does not directly grapple with the extent to which the designation of Clays Field as LGS would be consistent with sustainable development

and complements investment in sufficient homes, jobs and other essential services. As the Plan describes it has decided to consider future levels of growth within the emerging context of the preparation of the Horsham Local Plan. As such there is no clarity on the extent to which the neighbourhood area as a whole would be able to accommodate any growth that arises from the adoption of the Local Plan.

- 7.64 This matter is reinforced in two specific areas. The first is that opportunities for new development within the existing built-up parts of the parish are heavily-constrained given the heritage and landscape content of both Bramber as a village and its wider setting. The second is that the development of part of Clays Field was one of only two sites which was proposed within the ‘call for sites’ process earlier in the Plan preparation process. In these circumstances there is no clarity on the extent to which a proposed LGS at Clays Field would be seen in the round with proposals for any required new growth as part of a wider package of sustainable development.
- 7.65 These considerations overlap with the assessment of the extent to which the proposed LGS is capable of enduring beyond the end of the Plan period. On the one hand I saw that it is sensitively-managed and is an established part of the local environment. On the other hand, the local planning context is fluid and the site owner has promoted a degree of development on the site in earlier stages of the Plan’s preparation.
- 7.66 I have also taken account of two related factors. The first is information provided by HDC on the way in which various neighbourhood plans have contributed towards meeting the 1500 dwellings target in the HDPF. It anticipates that the overall delivery in the current HDPF period will be around 1800 dwellings. The second is the technical information in the submitted AECOM Housing Needs Assessment for the Bramber neighbourhood area. Its Table 4.1 sets out the range of housing projections and concludes that 64 dwellings are required in the Plan period. Whilst the strategic provision of new homes within the existing development plan seems to be assured, the specific needs within the neighbourhood area are not directly addressed.
- 7.67 Taking account of all the information available to me I am not satisfied that the proposed designation of Clays Field as LGS meets the requirements of national policy as set out in paragraph 99 of the NPPF. In particular, the Plan is largely silent on the issue of the consistency or otherwise of its designation with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.
- 7.68 In addition paragraph 5.9 of the Plan effectively postpones a decision on the potential allocation of development sites until the emerging Local Plan has been adopted and the neighbourhood plan can be reviewed. However, in doing so it provides no certainty on how the matter would be addressed in general and the availability and deliverability of potential sites which could be identified and allocated. In these circumstances I recommend that the proposed Clays Field LGS is deleted from the policy. I also recommend consequential modifications to the supporting text and to Figure 7.2.
- 7.69 For clarity this recommended modification should not be seen as commentary on the appropriateness or otherwise of the proposals submitted by the owner of the proposed LGS for the partial development of the site (and as included in some elements of the

representation made to the submitted Plan). To do so would be beyond my remit as such a proposal was not included in the submitted Plan. In any event the determination of future growth levels (and the location of any such development) will be a matter for the emerging Local Plan and any review of a 'made' neighbourhood plan.

- 7.70 The second part of the policy sets out the implications for LGS designation. It seeks to follow the approach as set out in paragraph 101 of the NPPF. However, it goes beyond that matter-of-fact approach in offering a degree of support to proposals which can clearly demonstrate that they are required to enhance the role and function of LGSs. I recommend a modification so that the policy takes the approach in the NPPF.
- 7.71 In the event that development proposals come forward within the Plan period, they can be assessed on a case-by-case basis by HDC. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy. I recommend that the supporting text clarifies this matter.

**Replace the opening part of the policy with:
'Heathens' Burial Corner as shown on Figure 7.2 and the Policies Map is designated as a local green space'**

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

Delete Clays Field from Figure 7.2

Replace paragraph 7.14 with:

'The Heathens' Burial Corner has been identified by the community as being of particular value and in need of protection. Whilst it is not within the South Downs National Park, it plays an important role in the wider landscape character and setting of the National Park. It helps to provide a landscape gap between Bramber and Steyning. A map showing the proposed local green space is shown at Figure 7.2. Policy B7 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green space within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy'

Policy B8 Adur River Corridor

- 7.72 This policy comments about the River Adur Corridor. I saw its importance and significance during my visit. The Downs Link bridleway runs along the Adur Valley and provides opportunities for access. The Adur River valley is also important for flood attenuation, biodiversity and also for recreation. It provides a green infrastructure link beyond Bramber and the wider District towards the coast.

- 7.73 The policy offers support to proposals which take advantage of opportunities to improve the environment for leisure activities, including access for walking, cycling and horse riding. It is associated with criteria to ensure that proposals do not have a significant detrimental effect on the local ecological networks, character and setting.
- 7.74 I am satisfied that the policy is appropriate for the neighbourhood area and meets its distinctive needs. It also includes appropriate environment safeguards. I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development plan policy. Otherwise it meets the basic conditions. The implementation of the policy has the ability to extend the recreational opportunities that already exist in the neighbourhood area.

Replace:

- **‘showing in figure 7.3’ with ‘as shown in figure 7.3’**
- **‘are encouraged’ with ‘will be supported’**
- **‘a significantly’ with ‘an unacceptable’**
- **‘character and setting’ with ‘and the character and setting of the wider River Adur Corridor’**

Policy B9 Locally-Significant Views

- 7.75 This policy identifies thirteen locally-significantly views and seeks to develop a policy context to safeguard them within the Plan period.
- 7.76 Paragraph 7.19 provides a very clear background to the policy. It comments that ‘the parish of Bramber comprises the historic village, with its recognisable character and iconic heritage assets set against the dramatic backdrop of the South Downs National Park, with its rolling chalk hills, scattered lowland farms and small hamlets. The views within the village, looking outward to the Downs and inwards from the Downs are considered to be an important part of what gives the parish its distinctive feel. This is valued by both residents and visitors. The topography of the surrounding area means that there are some significant long-distance views which define Bramber and make it so popular with tourists and residents alike’
- 7.77 The views are shown on Figure 7.4. Their details are set out in Appendix D. I looked at several of the views when I visited the neighbourhood area, including those from within Clays Field, from Beeding Hill and from the South Downs Way to the south-west of the village.
- 7.78 I sought advice from the Parish Council about how the work was undertaken to establish the locally-significant views. I was advised that ‘the Environment Working Group were excited by the fact that the neighbourhood plan could conserve locally significant views. Given the historic and rural nature of Bramber, this was felt to be a valuable factor to include in the neighbourhood plan. Following on from the local engagement work that had been undertaken, the Bramber Neighbourhood Plan Steering Group established an Environment Work group to explore this feedback in more detail as well as bringing expertise and local knowledge from the membership of that group. In a parish like Bramber, where so many views could be considered

important, the group spent much time drawing up a list of potential candidates, which were consulted on with local residents at the various events that took place in the village’.

- 7.79 I also sought advice from the Parish Council about the way in which the policy is intended to be applied through the development management process. In particular, I sought comments from the Parish Council about the way in which it anticipated that the policy would apply throughout the shaded arcs of the identified locally significant views (as shown on Figure 7.4). I was advised that ‘when considering planning applications against this policy, we would anticipate that where the proposed development would have an impact on any identified key view (i.e. the shaded area, to the extent of the parish boundary), the planning application concerned should be accompanied by a landscape and visual impact assessment that is proportionate to the scale of the development proposed. Any such development proposals will only be supported where appropriate mitigation measures are incorporated within their design’
- 7.80 The representation from the owner of Clays Field comments about the appropriateness of three proposed locally-important views from within Clays Field (Views 11/12/13). The three identified views overlap with specialist work undertaken as part of the landscape study. The landscape study concludes that the significant views listed in the policy of the Plan are taken from similar locations (and likely to have the same landscape sensitivity judgements) to those included in its appendix.
- 7.81 In general terms I am satisfied that the policy is evidence-based and well-considered. The views have been carefully-chosen. In particular they are views within a distinctive neighbourhood area which includes elements of an attractive historic built environment adjacent to the South Downs National Park. I am satisfied that the various viewpoints are appropriate to be included within the policy.
- 7.82 I recommend modifications to the wording of the policy so that it has the clarity required by the NPPF. As submitted the policy is unclear about what is required by a developer. As part of the modification I incorporate information to identify the spatial effects of the policy. It takes account of the Parish Council’s response on this point in the clarification note. In particular it attempts to provide the flexibility required for the wide range of development proposals which may come forward within the Plan period. In the majority of cases proposals will be of a minor nature and will have little or no effect on the identified views.

Replace the policy with:

‘The Plan identifies thirteen locally-significant views in paragraph 7.20 and in Figure 7.4

As appropriate to their scale and nature development proposals within the shaded arcs of the various views as shown on Figure 7.4 should be designed in a way that safeguards the locally-significant view or views concerned’

At the end of paragraph 7.20 (after the list of the views) add:

‘Policy B9 requires that development proposals are designed in a way that safeguards the locally-significant view or views concerned. It attempts to provide the flexibility required for the wide range of development proposals which will come forward within the Plan period. In the majority of cases proposals will be of a minor nature and will have little or no effect on the identified views. In circumstances where the proposed development would be likely to have an impact on any identified key view, the planning application concerned should be accompanied by a landscape and visual impact assessment that is proportionate to the scale of the development proposed. Any appropriate mitigation measures should be incorporated within the design of the development proposed and captured in the assessment’

Policy B10 Sustainable Movement

- 7.83 This policy sets out to promote development which would secure sustainable movement within the parish. The supporting text comments helpfully about car ownership levels and specific highways safety issues. The text is supplemented by interesting photographs.
- 7.84 The policy has three related parts as follows:
- a policy approach that new developments should ensure safe pedestrian and cycle access;
 - offering support for developments that improve pedestrian and cycle access; and
 - offering support for a protected crossing on the A283.
- 7.85 I am satisfied that the first and second parts of the policy meet the basic conditions in general terms. They are land-use based and capable of being implemented through the development management system. I recommend a detailed modification to the wording of the second part of the policy so that its application is clear. I also recommend that the supporting text clarifies that the policy will be applied in a way which takes account of the scale, nature and location of the development proposed. As submitted the policy applies to all developments. However, in practical terms the majority of planning applications in the Plan period will be of a minor nature and will have no ability (or indeed need) to provide the facilities anticipated by the policy.
- 7.86 In contrast the third element of the policy relates specifically to a highway improvement. As such it would be delivered through the County Council’s powers under the Highways Acts. In these circumstances I recommend that it is deleted from the policy. The Parish Council agreed with this approach in its response to the clarification note.
- 7.87 Nevertheless I have taken account of the significance of this matter to the local community. It is included in detail within paragraph 8.6 of the Plan and in the photographs on page 40. In addition, I saw the existing, unprotected, crossing point and the level of pedestrian and cycle traffic when I visited the neighbourhood area. In these circumstances I recommend that the third part of the policy is incorporated

elsewhere in the Plan as an additional Aim with appropriate alterations to its format. This approach mirrors the Parish Council's commentary on this issue in its response to the clarification note.

In the first part of the policy delete 'all'.

In the second part of the policy replace the final sentence with: 'Such routes should also incorporate access by disabled users and users of mobility scooters'

Delete the third part of the policy.

At the end of paragraph 8.4 add: 'Policy B10 provides an important mechanism to address such issues. It is intended to be applied in a way which takes account of the scale, nature and location of the development proposed. In practical terms the majority of planning applications in the Plan period will be of a minor nature and will have no ability to provide the facilities anticipated by the policy. The policy will clearly have a greater effect for any larger developments which may arise within the Plan period'

Add a further Aim (immediately after the policy) to read:

Aim [insert number]

'Proposals to improve the permeability of the road network for non-car users, by way of a protected crossing of the A283 between Bramber and Steyning, as shown in Figure 8.1, will be strongly supported. The Parish Council will work with West Sussex County Council and other bodies to investigate its design and deliverability'

Policy B11 Public Car parking

- 7.88 This policy comments about a series of public car parking-related matters as follows:
- the retention of existing public car parks;
 - support of proposals for additional car parking to service The Street and the Castle;
 - support of proposals for additional car parking to service tourist attractions and the National Park; and
 - support for particular features within public car parking areas.
- 7.89 The policy is underpinned by very effective supporting text which highlights some specific parking issues in the parish. I am satisfied that the policy is appropriate for the neighbourhood area and meets its distinctive needs. It also includes appropriate environment safeguards. I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development plan policy. Otherwise it meets the basic conditions. The implementation of the policy has the ability to extend the recreational opportunities that already exist in the neighbourhood area by providing additional and sensitively-designed parking facilities.

Replace the first part of the policy with:

‘Development proposals that would result in an unacceptable loss of existing publicly available off-street car parking spaces will not be supported’

In the fourth part of the policy insert ‘facilities’ between ‘following’ and ‘will’

Policy B12 Residential Car Parking

- 7.90 This policy sets out the Plan’s ambitions of residential car parking. In general terms it requires that development proposals provide an adequate amount of sensitively designed off-street parking which complies with West Sussex County Council’s Parking Guidelines, is well-integrated into the development and does not dominate the street scene. Thereafter it provides detailed guidance for the design of off-street car parking. In general terms it provides a robust and distinctive approach to this matter. I saw first-hand the level of the demand for car parking in Bramber as part of my visit. The Castle car park was full and there were several cars parked on High Street and The Street.
- 7.91 The supporting text provides a context to the policy. Paragraphs 8.12 and 8.13 comment that whilst the Plan seeks to minimise the use of cars it is an area of high car ownership, recorded at 1.8 per household in the 2011 Census. They also comment that parking is a major source of concern, with a high percentage of survey respondents wanting a reduction in on-street parking and a third of respondents commenting that existing parking facilities were not sufficient.
- 7.92 I recommend that the different elements of the policy are modified to take account of two issues. The first is to make their effects more specific and capable of effective delivery through the development management process. In particular the policy simply sets out an ‘expectation’ that development proceeds as identified. The second is to apply the elements of the policy insofar as they relate to the development proposed. Plainly this will vary based on the scale, nature and the location of the site concerned. Otherwise the policy meets the basic conditions.

In the first sentence of the policy replace ‘must’ with ‘should’

Replace the opening part of the second sentence with:

‘As appropriate to their scale, nature and location the design of off-street parking should:’

In criterion c. make the second sentence into a free-standing criterion (and re-letter accordingly).

In criterion d. (second sentence) replace ‘may be preferred to’ with ‘will be supported where they are appropriate to’

Policy B13 Community Facilities and St Nicholas Church

- 7.93 This policy offers support to the upgrading and expansion of St Nicholas Church to provide a flexible community space and accessible toilet facilities. In doing so it identifies three criteria with which any such proposals should comply.
- 7.94 Paragraph 9.3 provides the context to the policy. It comments that 'whilst the engagement process did not identify any significant need for new community facilities, it did reveal a desire to support the proposed expansion of St Nicholas Church in order to provide a new room available for use by the community. The church is a focal point in Bramber village, standing immediately downhill of the castle gatehouse on a slope looking out over the village. There are currently some events held at the Church, such as the August bank holiday art exhibition and some concerts, and the church committee would like to expand facilities, with the provision of a flexible meeting space to be available for use by the local community. The provision of an accessible toilet would support wider community use. The local community are supportive of this initiative'
- 7.95 I am satisfied that the policy is appropriate for the neighbourhood area and responds to its distinctive needs. In addition, the criteria are well-designed in general terms, and take account of the Grade I listed nature of the Church in particular. I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development plan policy. I also recommend a modification so that it is clear that any proposed development needs to comply with each of the three criteria in the policy.

In the opening part of the policy replace 'shall' with 'will'

In criteria a and b replace 'adverse' with 'unacceptable'

Add 'and' at the end of criterion b.

In criterion c replace 'would not have.... the church, with 'would respect the historic importance and integrity of the Church, including its setting in relation both to the village and to the Castle'

Policy B14 Education Centre – St Mary's House

- 7.96 This policy offers support for the development of an education centre at St Mary's House. The 15th century timber-framed house contains fine panelled interiors, including the unique Elizabethan 'Painted Room'. A regular series of concerts and events take place in the Victorian Music Room, which is also licensed for weddings. It is a valued facility in the parish.
- 7.97 I am satisfied that the policy is appropriate for the neighbourhood and meets its distinctive needs. In addition, the criteria are well-designed in general terms, and take account of the Grade I listed nature of St Mary's House in particular. I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development policy. I also recommend a modification so that it

is clear that any proposed development needs to comply with each of the three criteria in the policy.

In the opening part of the policy replace ‘shall’ with ‘will’ and ‘Proposals to develop’ with ‘Proposals for’

In criteria a and b replace ‘adverse’ with ‘unacceptable’

Add ‘and’ at the end of criterion b.

In criterion c replace ‘would not have... the building, with ‘would respect the historic importance and integrity of the building’

Policy B15 Commercial Premises and Land

- 7.98 This policy takes a comprehensive approach towards employment-related development in the neighbourhood area. It has two principal elements. The first sets out to safeguard existing employment uses. The second offers support for new employment development subject to a series of criteria.
- 7.99 The supporting text provides a helpful context to the wider policy. In particular it comments that it is important that the business base of Bramber is protected. There are a number of employment opportunities within the parish itself, including along The Street, at Annington Commercial Centre and some scattered farms in the more rural parts of the parish. However, the large proportion of employment opportunities for those living in Bramber are in nearby Worthing, Brighton, Horsham, and beyond including Croydon and London. It also comments that the protection of local employment opportunities will not only provide greater prospects for local people to access local jobs but will ensure that these are sustainable in terms of the patterns of commuting that they generate.
- 7.100 The first part of the policy on protecting existing employment facilities resists proposals which may come forward for non-employment uses unless a specific set of circumstances have been met. They are based around commercial and viability issues. In general terms I am satisfied that the policy is appropriate for the neighbourhood and meets its distinctive needs. In addition, the specific exceptions are well-considered and take appropriate account of viability issues. I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development policy.
- 7.101 The second part of the policy provides a supporting context for new employment opportunities where they meet three criteria. In general terms I am satisfied that the policy is appropriate for the neighbourhood and meets its distinctive commercial needs. In addition, the three criteria are well-considered. I recommend detailed modifications to the wording used in the policy so that it provides the necessary clarity for a development policy.

In the first part of the policy:

- **delete the first sentence;**

- in the second sentence replace ‘Applications’ with ‘Proposals’ and ‘be resisted’ with ‘will not be supported’

In the second part of the policy replace ‘encouraged’ with ‘supported’ and in each of the three criteria replace ‘significant’ with ‘unacceptable’

Community Aims

7.102 The Plan includes a series of local needs and community aspirations. They are identified as Aims. The incorporation of community aims in the Plan reflects government advice that it is appropriate for a neighbourhood plan to include non-land use issues which have arisen naturally during the plan-making process. Paragraph 1.7 of the Plan comments about the way in which they reflect the aspirations of the local community. The Aims are included within the main body of the Plan rather than in a separate section. However, given the context set by paragraph 1.7, the way in which the Aims supplement related land use policies and the different colouring system used I am satisfied that the approach is acceptable.

7.103 The Aims are as follows:

Aim B1 - The review of the Plan

Aim B2 - The expansion of bus services

Aim B3 - Broadband and mobile coverage

7.104 I am satisfied that Aims B2 and B3 are both appropriate and distinctive to the neighbourhood area. In their different ways they will assist in the delivery of sustainable development in the neighbourhood area.

7.105 Aim B1 comments about the community’s intention to carry out an early review of the Neighbourhood Plan once the emerging Horsham Local Plan has been adopted. The review will take into account the implications of the new policies in the Local Plan. The Parish Council’s intention is well-considered and relates well to national policy. However, Aim B1 reads more as a process matter than as a non-land use matter which the Parish Council will pursue within the wider approach taken in the Plan (and as is the case with Aims B2 and B3). As such I recommend that the approach set out in the Aim is repositioned as supporting text in Section 11 of the Plan. I also recommend that the ‘early review’ of a ‘made’ neighbourhood plan begins within six months of the adoption of the emerging Local Plan. I also recommend consequential modifications to paragraph 1.24 which also comments about the review process earlier in the Plan.

7.106 The wider approach taken in the Plan has been discussed and agreed locally. In particular HDC is confident that neighbourhood plans across the District will allocate sufficient provision to meet the requirements of Policy 15 of the HDPF. In its response to the clarification note I was provided with the current status of neighbourhood plan preparation across the District. Progress is at an advanced stage and the projected final housing numbers to be delivered through such plans is expected to be approximately 1,800 dwellings. HDC comment that this comfortably exceeds the minimum requirement of adopted HDPF of at least 1,500 dwellings to be provided by

such means. In these circumstances I am satisfied that the decision not to allocate housing sites in the submitted Plan does not prevent the delivery of strategic housing requirement as included in the adopted HDPF.

Delete Aim B1

Replace paragraph 1.24 with: 'Section 11 of this Plan comments about the way in which the Plan will be monitored and reviewed'

In Section 11 add a new paragraph 11.3 to read:

'The Plan has been prepared whilst Horsham District Council is preparing a new local plan. The emerging Plan will cover the period up to 2036. The Parish Council recognises that it will be important to keep the neighbourhood plan up to date in general terms, and to ensure that it remains in general conformity with the wider development plan in particular. In this context it will commence a review of the neighbourhood plan within six months of the adoption of the Local Plan'

Other matters – General

7.107 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.

Other matters – Specific

7.108 HDC has suggested a series of specific amendments and updates to the Plan. In particular 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. I recommend a series of modifications to the Plan insofar as they are necessary to ensure that it meets the basic conditions. This will ensure that any 'made' Plan is both up-to-date and forward-looking.

Replace paragraph 1.10 with: 'The Neighbourhood Plan has been prepared within the context provided by the NPPF (2019)'

In paragraph 1.14 delete 'with a view....2020'

In paragraph 1.15 replace the two bullet points with the following:

- *To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;*

- *To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public The National Park Authority also has a duty when carrying out the purposes;*
- *To seek to foster the economic and social well-being of the local communities within the National Park; and*
- *In addition, Section 62 of the Environment Act 1995 also requires all relevant authorities, including statutory undertakers and other public bodies, to have regard to these purposes. Where there is an irreconcilable conflict between the statutory purposes, statute requires The Sandford Principle to be applied and the first purpose of the National Park will be given priority.*

In paragraph 1.15 replace the fourth sentence with: ‘All new development should have regard to this broader setting’

Replace paragraph 1.22 with ‘The submitted Consultation Statement comments about the way in which the community and national and local organisations have been involved in the production of the Plan’

In paragraph 5.5 replace ‘national park’ with ‘National Park’

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 Bramber 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 Bramber 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 HDC and the SDNPA on 15 February 2018 and on 26 February 2018.
- 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
27 July 2020