



SLAUGHAM PARISH COUNCIL

Villages of Handcross, Warninglid, Slaugham & Pease Pottage
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Dear Mr Ashcroft

Slaugham Parish Council (SPC) response to High Weald Joint Advisory Committee and Natural England representations

In response to representations submitted by the High Weald Joint Advisory Committee (JAC) and Natural England (NE), in respect of the Submission Version Slaugham Neighbourhood Plan (SNP) Regulation 16 submission consultation, SPC wish to respond to matters raised.

A number of the matters have been addressed through SPC's response to the queries set out in the Clarification Note (CN). However, and for the sake of completeness, set out below is a full response to representations received from these two stakeholders. In part, this draws together, and therefore repeats, submissions that have been made to the CN.

The National Planning Policy Framework (NPPF) makes clear that Neighbourhood Plans provide communities with the power to develop a shared vision for their area and to shape, direct and help deliver sustainable development. It notes that Neighbourhood Plans should not promote less development than set out in the strategic policies for their area, or undermine those strategic policies.¹

The NPPF also notes that 'to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed ...'²

Paragraph 69 of the NPPF makes clear that neighbourhood planning groups should consider the opportunities for allocating small and medium size sites suitable for housing within their area.

As part of compliance with the Basic Conditions, a Neighbourhood Plan must contribute to the achievement of sustainable development and be in general conformity with the strategic policies contained within the higher tier Development Plan Documents.³

Mid Sussex District Plan

The key Development Plan Document (DPD) in relation to this neighbourhood plan area is the Mid Sussex District Plan (MSDP) 2014 - 2031, adopted in March 2018.

MSDP Policy DP4: Housing of the sets out that the district's OAN is 14,892 dwellings over the Plan period, which together with a contribution to meet the unmet needs of adjoining Authorities,

¹ See paragraph 29 of the NPPF

² See paragraph 59 of the NPPF

³ See paragraph 8(2) of Schedule 4B of the Town and Country Planning Act as amended

results in an overall district housing requirement of 16,390 dwellings to be provided between 2014 - 2031.

Having regard to completions, commitments and strategic allocations (including 600 dwellings at Pease Pottage through Policy DP10), together with windfall allowance, the policy sets out that there is a requirement to deliver a further 2,439 dwellings within the district as allocations through future Neighbourhood Plans and a MSDC prepared Site Allocations DPD.

Spatial Distribution of Housing in Mid Sussex District

MSDP Policy DP4: Housing also sets out the spatial distribution of the housing requirement, by reference to a settlement hierarchy. Of those settlements within Slaugham Parish, Handcross and Pease Pottage are identified as a Category 3 settlement, whilst Slaugham and Warninglid are identified as a Category 4 settlement.

A table within the policy sets out that there is a requirement for Category 3 settlements to collectively contribute a minimum of 311 additional dwellings and for Category 4 settlements to deliver a minimum 19 additional dwellings through future allocations (i.e. to contribute to the 2,439 dwellings).

Of those settlements identified as Category 3 or 4 within the district 11 are located within the High Weald AONB, 2 adjoin or are partly surrounded by the AONB, and 5 are outside of this landscape designation.

It is therefore clear from this that the spatial distribution of further housing set out in MSDP DP4: Housing anticipates some additional development will be located within the High Weald AONB.

This is entirely reflective of the conclusions of the District Plan Examiner in his assessment of the emerging Plan. In consideration of whether the District Plan would have an acceptable impact on landscape, countryside and heritage, the Inspector concluded that:

“The strategic sites, which are dealt with in more detail below, demonstrate well that substantial amounts of housing can be provided without harm to character, landscape or heritage. The allocation for about 600 homes at Pease Pottage, which has planning permission, is in the AONB but is a sustainable location and the particular site itself is of lesser landscape quality ...

Further allocations are likely to be needed in the future Site Allocations DPD to meet the housing requirement. There are locations within the district of lesser landscape value in relatively sustainable locations near to settlements and close to main transport routes. Some settlements lie within the AONB and may be appropriate for modest housing schemes, but there is no evidence that meeting the housing requirement will necessitate major development in the AONB other than that already permitted by the Council at Pease Pottage, or that it would harm the National Park.”⁴

The supporting text to MSDP DP6: Settlement Hierarchy, provides a table that seeks to deliver clarity between the district housing requirement and the role of individual Neighbourhood Plans in meeting the overall need. With respect to settlements within Slaugham Parish, no minimum residual need for future allocations over the Plan period is identified. A footnote to this table explains the reasoning for this. It states that:

“The required minimum provision at Pease Pottage (Slaugham Parish) is significantly greater than other settlements within Category 3 due to the allocation and subsequent permission

⁴ See paragraph 52 and 53 of the Inspector's Report dated 12th March 2018

granted for 600 homes within this settlement. Due to this, the other settlements within Slaugham Parish (Handcross, Slaugham and Warninglid) will not be required to identify further growth through the Plan process on top of windfall growth although may wish to do so to boost supply." (Underlining added for emphasis).

It is also important to note that the strategic allocation at Pease Pottage was significantly intended to contribute to the unmet needs of the adjacent Local Planning Authority at Crawley, as well as making a contribution toward the housing need of the Northern West Sussex Housing Market Area more generally. The overall housing requirement for Mid Sussex District over the Plan period includes a contribution of some 1,500 dwellings to contribute to unmet need in adjoining Authorities within the Northern West Sussex Housing Market Area.

Slaugham Parish Housing Need

As part of the preparation of the SNP, SPC undertook a Housing Needs Consideration Assessment in December 2016.⁵ This assessment provided a range of housing figures for growth within the parish over the Plan period. Having regard to this assessment, it was resolved that local housing need over the Plan period within the parish was 270 - 310 dwellings.

The assessment included a review of planning permissions and completions within the parish. This revealed a total of circa 284 dwellings had been permitted and completed in the parish since 2014.⁶ Of this figure, 146 dwellings have been permitted/completed in Pease Pottage.⁷

In light of the above context, SPC considered whether modest housing growth should be facilitated within the SNP through modest land allocations for housing development.

SPC have noted that strategic policies of the District Plan seek for additional housing allocations to deliver further growth over the Plan period, and that some of this housing should be delivered in and around Category 3 settlements (that includes Handcross and Pease Pottage) and Category 4 settlements (that includes Slaugham and Warninglid).

It notes the absence of a minimum residual requirement for these settlements in the parish is due to the delivery of strategic development at Pease Pottage. SPC note that this is substantively intended to deliver housing to meet the unmet needs of adjoining Authorities (rather than meet the specific needs of the parish) and that the District Plan makes clear that further growth within the parish would be supported in order to 'boost supply.'

SPC concluded that the SNP should facilitate modest additional housing growth both to contribute to the minimum residual housing need set out in Policy DP4: Housing, and the housing need within the parish, specifically beyond Pease Pottage to contribute to sustaining the services and facilities of the parish that are beyond this settlement.

Site Selection

In this regard, SPC note the identification of Handcross as a Category 3 settlement, and that this comprises a 'medium sized village providing essential services for the needs of their own residents and immediate surrounding communities and includes key services such as primary school, shops, recreation and community facilities, etc.'⁸

⁵ See Appendix 3 of the Consultation Statement

⁶ Excluding the strategic allocation of 600 dwellings at Pease Pottage

⁷ See applications 12/02128/FUL and 13/02994/OUT

⁸ See definition of Category 3 settlements within Policy DP6: Settlement Hierarchy of the MSDP

As detailed in the SNP, the parish area, and in particular, Handcross benefits from a range of shops, services, community facilities and sports and social clubs.⁹

The NPPF makes clear that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It notes planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. It notes that where there are groups of smaller settlements, development in one village may support services in a village nearby.¹⁰

SPC have concluded that modest additional housing growth is required within the parish beyond Pease Pottage, to support housing need generally within the parish (i.e. beyond the requirement to contribute to the unmet needs of adjoining Authorities), and to support the vitality of the area's rural communities. In particular, it is considered that this growth should support the vitality of Handcross, which supports services that are relied on by residents of the parish's rural hinterland, Slaugham and Warninglid.

Integral to the preparation of the SNP was an appraisal of all known candidate housing sites.¹¹ This comprised a detailed assessment of the constraints and opportunities of each candidate housing site, including landscape sensitivity.

The SNP is supported by a Sustainability Appraisal. This includes an assessment of each candidate housing site against the sustainability framework objectives. This includes Objective 1 - Countryside 'to conserve and enhance the countryside areas of the parish.'

Almost all of the parish lies (99%)¹² within the designated High Weald AONB. On this basis, additional housing beyond the built-up area boundaries would entail development within this landscape designation.

However, land within the parish is not all of equal landscape, quality, character or sensitivity. This is acknowledged by the District Plan Inspector in respect of his comments regarding the allocation of 600 dwellings at Pease Pottage.¹³

The detailed and considered assessment of candidate housing sites demonstrated that the candidate housing sites at St. Martins Close East and West, both in absolute and relative terms are of lesser landscape importance and sensitivity. The sites are both visually well contained in short and long range views, and are constrained by and relate well to the existing built-up area of Handcross. This is particularly true of St. Martins Close East, which has a close visual relationship with existing housing development.

It is considered that housing development on these sites can come forward without undue impact on the High Weald AONB. Furthermore, it is considered any impacts could be mitigated by a considered approach to the design of the development, the retention of existing mature trees and hedgerows around the boundary of the site, and additional soft landscaping.

For these reasons, it is considered that the allocations will not have harmful effect on the AONB, beyond the confines of the site. It is respectfully re-emphasised that the housing requirements

⁹ See paragraphs 2.15 and 2.16 of the SNP Regulation 16 Plan

¹⁰ See paragraph 78 of the NPPF

¹¹ See Appendix 5 of the Consultation Statement

¹² Parish size area=2,432 hectare. Area outside of AONB=19.3hectare

¹³ See paragraph 52 of the Inspector's Report of March 2018

and spatial distribution of development envisaged in the MSDP anticipated there would need to be some release of land within the AONB for housing, and this is reflected in the conclusions of the District Plan Inspector.

Whether the Allocations would represent Major Development

The High Weald JAC representation draws attention to the guidance on AONBs within the NPPF.

The NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs and that these have the highest status of protection in relation to these issues. It notes that ‘the scale and extent of major development within these designated areas should be limited.’

The guidance continues that ‘planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in public interest.’ The guidance sets out that the consideration of such applications should include an assessment on a number of matters.

Footnote 55 to this guidance makes clear that ‘for the purposes of paragraphs 172 and 173, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.’

Having regard to the above, it is submitted that the allocation of land for modest housing growth within the AONB is both envisaged and facilitated within the NPPF, and that this does not in itself automatically constitute major development or require the application of the subsequent tests in paragraph 172.

The High Weald JAC have asserted the allocations represent major development, but without evidence or justification.

As set out in the NPPF, an assessment of whether a proposal represents major development is a matter for the decision maker. There is a requirement to have regard to the nature, scale, and setting of the development and critically, ‘whether it could have a significant adverse impact on the purposes for which the area has been designated.’

In response to these requirements, it has been concluded that the allocations would not have a significant adverse impact on the purposes of the designation of the wider area as an AONB. The scale of the developments both individually and collectively would be modest, and in particular in relation to the scale of Handcross. Furthermore, the allocations adjoin the built-up area of Handcross, and the sites are visually related to this area, well screened and contained from the wider AONB.

For the above reasons, it is concluded that the allocations would not represent major development within the AONB. Furthermore, the allocations would not result in development that has a significant adverse impact on the AONB. The assertions of the High Weald JAC are unjustified and, it is respectfully submitted, inaccurate.

Notwithstanding the above, and for the sake of completeness, it is considered that the need for the development, including in respect of its contribution to the vitality of the local community, which serves the wider rural hinterland has been justified. The parish is almost entirely contained within the AONB, and therefore delivery of this development cannot be located outside of the AONB. The need for some development in the AONB to contribute to the housing requirements of DP4, housing is expected by the MSDP, having regard to the number of other settlements

within Categories 3 and 4 which are wholly surrounded by the AONB landscape designation. This was clearly anticipated by the MSDP Inspector. In line with the NPPF, it has been evidenced that the allocations will not have a detrimental effect on the environment, or on the landscape. The allocations are not formally laid out for recreational use, and no Public Rights of Way cross the site.

On this basis, it is submitted that the allocations would satisfy the tests of paragraph 172(a, b and c). It is however noted that the terms of paragraph 172 of these clauses are applicable in the determination of an application, rather than in the allocation of land for development.

Summary

The SNP must contribute to the objectives of sustainable development, and be in general conformity with the MSDP in order to satisfy the Basic Conditions.¹⁴

The MSDP sets out a requirement for additional housing allocations to meet the residual housing need over the Plan period. These allocations are expected to be delivered in accordance with the spatial distribution of housing which is determined by reference to a settlement hierarchy. Additional housing is expected to be delivered within settlement categories that include Handcross, Pease Pottage, Slaugham and Warninglid.

The absence of a specific requirement to deliver additional housing within the parish within the MSDP is as a result of the allocation and grant of planning permission for a strategic development of 600 dwellings at Pease Pottage. This is to substantively meet the unmet housing need of the adjoining Authority that also falls within the Northern West Sussex Housing Market Area.

The parish have concluded there is further housing need within the wider area of the parish, and this can be best met by modest additional allocations at Handcross. This is entirely enabled by the MSDP, in particular by specific reference to the terminology of the footnote that supports the table on page 36 of the MSDP.

The allocation of St. Martins Close East and West has followed a rigorous assessment of all candidate housing sites, and a Sustainability Appraisal. These have demonstrated the merits of the sites both individually and in comparison to other candidates. It also demonstrates that the landscape effect of the proposed allocations has been the subject of careful consideration and analysis.

Noting the assertions of the High Weald JAC, it is not considered the allocations represent major development. Notwithstanding this, it is submitted that the tests of paragraphs 172 of the NPPF in relation to major development would nonetheless be satisfied, if they were deemed applicable.

It is considered the allocations are in accordance with: both the NPPF and MSDP; represent sustainable development; would not adversely impact on the AONB; would positively contribute to meeting the housing needs of the parish; and to the vitality of the settlement of Handcross, which serves the wider community.

¹⁴ Amongst other tests

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Sally Mclean', with a large loop at the end.

Sally Mclean
Clerk to Slaugham Parish Council
Villages of Handcross, Warninglid, Slaugham & Pease Pottage