

Date: 05 May 2022

Title: Report Item 10 – Neighbourhood Plan

By: K Larkin (Parish Clerk)

Purpose: To provide a revised brief for the re-launch of a Steering Group

Recommendations: a) To note the report and the brief
b) To revise the Terms of Reference and appoint a Chair

1. The parish council has requested the South Downs National Park Authority to provide clarification on what policies can be included within a Neighbourhood Plan. The SDNPA has responded with the advice given below. The most important thing to note is that Neighbourhood Plans and Planning policies are predominately land based. The National Planning Practise Guidance (NPPG) comments clearly that non land use policies need to be separate. <https://www.gov.uk/guidance/neighbourhood-planning--2> - please see paragraph 004:

“A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum (or where the neighbourhood plan is updated by way of making a material modification to the plan and completes the relevant process), the neighbourhood plan becomes part of the statutory development plan.

Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan.”

2. The SDNPA has provided a list of the policies included in several Made NDPs to assist, however this is not an exhaustive list. They say their best advice would be to decide what are the important things the parish would like to highlight through a Neighbourhood Development Plan, then consider if there are policies that could be written. The SDNPA would be able to assist with this once they have an indication as to what the NDP is setting out to do. The examples below have been chosen initially as they are aspects that the Steering Group has raised previously.

Examples of land use policies:

3. Twyford Neighbourhood Plan on biodiversity

Development proposals should conserve and enhance the biodiversity and ecological importance of the sites shown on Map 12 and otherwise comply with the requirements of Strategic Policy SD 9 Biodiversity and Geodiversity of the South Downs Local Plan’

4. Twyford Neighbourhood Plan on important local green infrastructure

The Itchen Valley, Twyford Down and Hockley Golf Course (as shown on Map 11) are designated as Green Infrastructure. Any development proposals within these areas will be determined on the basis of the provisions of Policy SD45 of the South Downs Local Plan

5. Amberley Neighbourhood Plan on landscape and views

All development should maintain the local character of the landscape and special qualities of the SDNP and should not have an adverse impact on significant views that currently provide open field aspects or views from the village centre and other open spaces. Particular views identified in this policy (see Map A), as selected by residents are: 1. South from Rackham Road across fields to the Downs; 2. North from Amberley Mount and the South Downs Way to Amberley village including fields between the B2139 and conservation area; 3. From High Titten across fields; 4. The Wildbrooks and The Hangar; 5. From North Stoke looking down towards Houghton Bridge

6. Rogate and Rake Neighbourhood Plan on protecting Local Green Spaces

The following areas as shown in Figures 4.6 – 4.14 are designated Local Green Space where any development proposal would not be permitted unless it meets the requirements set out in NPPF Paragraph 101

7. Ditchling Wesmeston and Streat on off street parking (but to note this is an allocation of land)

The provision of a new off-street car park on Keymer Road is supported. The design should be location-appropriate, with facilities for all classes of traffic including foot traffic, horse boxes and provision of secure cycle racks. Detailed design of visibility splays into the site entrance will also take account of local rural character, including gates, fencing, bollards and signage

8. Ditchling Wesmeston and Streat on transport infrastructure (but note the word MAY)

Applications for housing development **may** need to be accompanied by appropriate transport infrastructure improvements (e.g. footways and pedestrian crossings, cycle routes, bus stop improvements) required for and related to the development

9. Some examples of Non-land relation policies:

- ☐ Conservation area protection
- ☐ Dark Night Skies
- ☐ Local Gaps
- ☐ Tranquillity

10 There are some areas that unfortunately cannot be covered by policy. These may include aspects such as speed/road management and broadband for example. In these instances where the Steering Group may still feel strongly about these areas, the SDNPA would suggest that they are included in a community aims/action section. Below are some examples of where this has been the case. The commentaries have been lifted from some examiner reports:

11. Petersfield Examiner:

"I expressed a number of concerns as to the Getting Around Policies, in particular the extent to which they related to development, and were deliverable..... In accordance with the earlier responses in relation to aspirational policies, it is proposed to remove these policies to the appendix."

12. Lavant Examiner:

"This is the one policy that goes beyond the remit of a neighbourhood plan which is to have development plan policies that deal with "the use and development of land". The matters covered by the policy are all matters that fall within the remit of the local highway authority rather than the planning authority. They are highway management measures and whilst important to the village, they would be more appropriately be located, within the Community Matters section of the plan."

13. Fittleworth Examiner:

"In terms of site b) (CH033) at the corner of Limbourne Lane / The Fleet, I do not consider that is appropriate to include a requirement for the development to ensure "appropriate measures are taken to manage the speed of traffic entering the village on the A283". This will be a requirement that is outside the control of the landowner or developer, and may require additional regulatory consents such as Traffic Regulation Orders etc. These are matters which fall under the jurisdiction of West Sussex County Council, the local highway authority rather than the National Park Authority. It is not a policy for the use and development of land. However, the residents' desire to see the existing issue of vehicle speeds through the village addressed, can be included in the plan, as a specific Community Aspiration."

14. The SDNPA would be happy for officers to come and talk to the parish in person or attend a meeting with the NDP group in person.

15. Terms of Reference

The original Terms of Reference of the Steering Group are being re-circulated to councillors with this report.