



In line with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, the Thakeham Neighbourhood Plan underwent a 6-week period of consultation from 31 October 2015 – 11 December 2015.

### **Representations received**

A total of 16 representations<sup>1</sup> were received of these 8 were received from Statutory Consultees. The representations can be summarised as follows:

- Oppose: 6 representations made
- Support: 7 representations made
- Support with Modifications: 3 representations made

The following provides a summary of representations received.

### **Statutory Consultees**

Representations received from;

- Environment Agency
- Highways England
- Natural England
- Network Rail
- Southern Water
- Washington Parish Council
- West Chiltington Parish council
- West Sussex County Council

### **Oppose:**

None of the Statutory Consultees oppose the Plan in totality; however representations have been received from Washington Parish Council and Southern Water opposing certain elements of the Plan.

**Washington Parish Council** state that they have concerns regarding the housing development proposals and in particular Thakeham Tiles site as it was not one of the 9 sites put forward in the “call for sites”, all of which have been rejected. There are particular concerns regarding the housing policies in the Plan as these relate to sites which have already received planning permission.

**Southern Water** does not consider that the Plan meets the basic conditions test, as there no policies within the Plan to support the delivery of new or improved infrastructure. This could be addressed by the inclusion of additional criteria in Policies 1 (Thakeham Tiles) and Policy 4 (Abingworth Nursery) – see representations submitted on behalf of Southern Water.

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<sup>1</sup> To arrange to view individual representations please contact Horsham District Council by emailing the following address: [neighbourhood.planning@horsham.gov.uk](mailto:neighbourhood.planning@horsham.gov.uk)

### Support:

**Network Rail** has no comments to make.

**Natural England** has raised no objections and comment that they welcome the retention of the areas of woodland would be retained as set out in Policy 2 – Thakeham Tiles site. This site also lies within Sullington Warren SSI and the impact upon the designated site need to be considered.

**Highways England** has raised no objections.

**West Sussex County Council** notes the contents of Policies 11 &12 (Local Green Spaces & Community Facilities) and welcomes the support for local schools. WSCC also welcomes the references to PROW network. They also comment in relation to the Objectives and Indicators section that no mechanism is currently in place for prioritising infrastructure needs across the different public services, but this is being addressed to ensure that a robust mechanism and appropriate governance arrangements are in place to address this.

**West Chiltington Parish Council** raises no objections.

**The Environment Agency** raises no objections.

### Other Respondents

#### Oppose:

6 respondents object to the plan on the following grounds:

- Other than the Thakeham Tiles site, all of the sites allocated for housing currently have planning permission and there is no additional provision made beyond 2019;
- The Plan does not meet the housing needs of the Parish until 2031 and fails to meet the “strategic needs and priorities of the wider local area” as set out in Paragraph 184 of the NPPF,
- The Plan fails to address the District Council’s Objective Assessment of Need (OAN for housing) in full;
- The deliverability of the Thakeham Tiles site (Policy 2) is questioned;
- Land at High Bar Lane should be allocated for housing within the Plan and therefore the Proposals Map and Policies 1 (Spatial Plan and Local Green Space) should be amended to reflect this;

#### Basic conditions test

- Policy 1 (Spatial Plan for the Parish) and the inset map is not consistent with the HDPF. The policy should refer to “gaps between settlements as opposed to gaps between built up areas in order to address this; the Plan therefore conflicts with the test of general conformity with strategic polices; (Think Villages)
- The identification of Gap D does not comply with HDPF Policies 2 and 27 and should be deleted from Policy 1 of the NP (see representations by Nexus Planning on behalf of Seaward Developments);
- There are major flaws throughout the Plan both in the polices and supporting text that are contrary to the basic conditions tests and there is a lack of robust evidence base to support the polices (see representations made by Gladmans);

- The neighbourhood Plan does not meet the basic conditions tests because it does not meet the full housing needs of the Parish until 2013 and fails to meet the “**strategic needs and priorities of the wider local area**” as set out in NPPF Paragraph 184 (see representations made by ECE Planning on behalf of Oliver Preston).

#### Support:

No respondents supported the Plan without modifications.

#### Support with Modifications:

Various respondents are promoting individual sites on behalf of landowners which they consider should be allocated in the Plan when they have been identified as “developable “in the Council SHELAA (see representations from Planning Potential on behalf of Akehurst Homes, ECE Planning on behalf of Oliver Preston, Nexus Planning on behalf of Seaward Developments, Think Villages and Gladmans).

### **Horsham District Council Summary of Comments to Regulation 16 Consultation**

#### **Thakeham Neighbourhood Plan to 2031 Submission Plan**

Our comments below in blue set out the Council’s responses to the Submission Plan under Regulation 15. The comments in black are those made by the District Council in response to the Regulation 14 consultation and have been included for clarity.

#### Chapter 1: Introduction

- Para 1.10; we recommend confirmation is sought from Natural England (as the competent authority) on the requirements of a Habitats Regulation Assessment.

It is noted that Natural England has now confirmed that an assessment will not be necessary.

#### Chapter 3: Planning Policy Context

- Given the Inspector’s Initial findings on the Horsham District Planning Framework and the further work which is required it is important the Neighbourhood Plan refers to the adopted development plan documents which at this time are the Core Strategy, the General Development Control Policies and the Sites Allocation Development Plan Document. Please be aware we do not have any saved policies.

The Horsham District Planning Framework (HDPF) was adopted by the Council on 27 November 2015 and as such supersedes the Core Strategy and the General Development Control policies. The Neighbourhood Plan will require amending to reflect this.

#### Chapter 4: Vision, Objectives and Land Use Policies

- It important all objectives are positively prepared and enable appropriate and sustainable development to come forward through the neighbourhood planning process. We recommend objectives do not look to limit development but encourage appropriate development to come forward.
- We recommend consideration is also given to the inclusion of an objective which relates to the provision of affordable housing for local people.
- We are supportive of objectives which support the local economy.
- We recommend objective 12 reflects where a neighbourhood plan is in place Parishes will receive 25% of CIL.

- We are pleased to note the Parish Councils support in the future monitoring of the neighbourhood plan.

We recommend all policies relate back to the original objectives/visions of the Plan. We have the following specific comments on policies 1-13

#### Policy 1: A Spatial Plan for the Parish

- We recommend the policy and supportive text reflects the adopted development plan document.
- We suggest the final para of the policy is amended to ensure development will be supported where appropriate infrastructure can be provided.
- It's important the policy and supporting paragraph namely 4.17 and 4.19 do not look to restrict development and growth in the Parish. With regard para 4.19 we are unable to support the justification for Thakeham not to accommodate any further significant development over the remainder of the Plan period without further work being undertaken on the SA/SEA to justify this reasoning.

No further comments.

#### Policy 2: Thakeham Tiles

- We recommend further work is undertaken to explore the aspirations of the current occupier of Thakeham Tiles. If the business were to relocate, we recommend alternative sites are explored by the neighbourhood plan. It is important that any sites which are allocated have a realistic prospect of being deliverable within the Plan period.

Paragraph 4.21 needs to be amended to delete reference to Policy CP11 and should now refer to HDPF Policies 7 and 9. We note the addition of the last sentence to state that the occupier of the site is now looking actively looking for new premises, but would recommend that the sentence is amended to read:

At the time of writing the occupier of the site has stated that an active search for an alternative site in the local area has already started and it is therefore reasonable to expect that this site will be available by the middle part of the plan period

#### Policy 3: Horticultural Land off Storrington Road ("Mushroom Site")

- As currently written this policy is overly restrictive and expressly rules out housing development on the site. We recommend further justification/explanation for this type of allocation is outlined in the supporting text and is reflected within the SA/SEA.

No further comments.

#### Policy 4: Abingworth Nursery

- We recommend further consideration is given to the inclusion of this policy given the site already has planning permission and is subject to a legal agreement. We appreciate this is a significant development for the Thakeham Parish and believe information on this permission is best placed in earlier sections of the Plan.

Overall, we welcome the proposed amendments to this policy, which seek to address the reasons for the inclusion of this policy in the Neighbourhood Plan given the extant permission on the site. There is still however the potential that an Examiner may still raise queries in relation to this policy. One specific area where concern may be raised is the final line of the policy regarding the support for return to an agricultural or horticultural use (and the supporting text in 4.31). Whilst the intent behind this is understood, the use of land for the purposes of agriculture is not usually considered to be development under the

Town and Country Planning Act and therefore such a change is likely to lie outside land-use planning processes. The Examiner may therefore recommend a change or the deletion of this sentence from the policy.

Please note that the reference in criterion ii) needs to be amended to refer to DC/15/1242 which reflects the current position. The wording in paragraph 4.29 will also need amending. We are concerned that too much reliance is being put on this policy to deliver local needs housing.

#### Policy 5: Employment Sites

- We recommend the policy is revised to reflect a more flexible approach to future employment uses on the site.
- Having reviewed the final para of the policy we are of the view the 12 month reference mirrors Policy DC19 Employment Site/Land Protection in the General Development Control Policies (2007).

No further comments.

#### Policy 6: Housing Design

- We recommend the key design principles from the Thakeham Parish Design statement are incorporated into this policy.

We note that the above has now been addressed.

#### Policy 7: Heritage Assets

- We recommend bullet point i. clarifies the term “will be less than substantial”.

HDC previously commented as follows:

**“We are supportive of the comments that were made in the health check regarding the lack of clarity regarding non- designated heritage assets. It would be useful therefore to submit an appendix or supporting document that identifies the key buildings and the features that are of importance to Thakeham Parish. This would help reduce the risk of challenge to this aspect of the plan by developers or property owners once the plan is made.”**

We note that the SG do not wish to make the suggested amendments.

In addition HDC also considers that Policy 7 states that any building outside the built up area boundary more than one hundred years old, any building within the Thakeham Conservation Area not listed and any building within the built up area alongside the B2139 will be seen as a non-designated heritage asset and treated in a similar manner to a listed building. In practice, this would be difficult to comply with as it would be hard to age a building exactly without having any records. In HDC’s view, this is unnecessarily restrictive and goes beyond the objective of a Neighbourhood Plan to encourage development.

#### Policy 8: Sub division of agricultural land

This policy is heavily reliant on HDC make an Article 4 Direction and if this policy is to be retained it should identify criteria for the sub-division of agricultural land. The HDPF already has a policy (Policy 26) for the protection of the countryside

#### Policy 9: Development in the Countryside

- We recommend the wording is revised within the first paragraph to reflect development principles for schemes which may come forward that fall outside of the permitted development rights.
- We recommend consideration is given to revised wording for iii. to ensure the policy is not overly restrictive.
- We also recommend the terms “substantially” and “small houses” are clarified.

#### Policy 10: Green Infrastructure and Valued Landscape

- We would suggest that the supporting text to this policy also cross references policy 25 of the HDPF – this is a strategic policy which seeks to ensure the protection of landscape and biodiversity, including those identified in your policy (CP1 and policies 29 and 30).

We note the supporting text has been amended in accordance with our previous comments.

#### Policy 11: Local Green Spaces

- We are supportive of this policy.

Remove Thakeham Cricket Pitch from this policy as it does not currently exist. It should be included in a review of the Plan, once the pitch has been created.

#### Policy 11: Community Facilities

- We are supportive of the policies intention; however recommend the final para is revisited in light of our comments on policy 4.

No further comments.

#### Policy 13: Broadband and Mobile Communications

- We are supportive of this policy.

No further comments.

#### Policy 14: Soil

- In line with the national planning policy framework (para 112) we recommend this policy outlines how development should seek to use areas of poorer quality land in preference to that of a higher quality.

No further comments.

We hope these comments on the Plan and its policies are useful. As discussed we would encourage the steering group to ensure the Plan is positively prepared and looks to enable growth (both residential and employment uses) to come forward in the Plan period. It is important that neighbourhood plans do not seek to stop development coming forward and include policies that can guide future development.

With this in mind, we recommend the Sustainability Appraisal/ Strategic Environmental Assessment outlines its assessment of any reasonable alternative sites which have been considered. In addition we have some specific comments on the SA/SEA which are

similar to those made on the Nuthurst SA/SEA which we attach to this email for information:

- Section 2: See comments made on Nuthurst SA/SEA
- Section 4: We recommend this section relates to the issues identified in the Scoping Report which stem from the baseline date. Task A2 requires the SA/SEA to identify and record the current state and characteristics of the neighbourhood plan area and how these would evolve without the neighbourhood plan in place. Whilst we acknowledge this has been touched upon, we recommend the issues are listed under topic headings so as to provide clarity on why the identified SA objectives have been chosen. (Task A3).
- Section 5: As per previous comments on neighbouring SA/SEA we recommend this section uses topic headings relating to baseline data e.g. landscape, archaeology etc.
- Section 6: We consider the location of this section to be premature before the assessments which follow.
- Section 7: We recommend the adopted development plan documents are referenced in this section. We recommend Table A includes the objectives listed in the SA Scoping Report and that the objectives should be linked to issues in para 7.3. We recommend Table b may also wish to consider employment as a SA objective to consider the impact of Policy 5. Paragraph 7.5: We recommend the description in the key for Amber reads '*No impact or some impact but mitigation possible*' to demonstrate the assessment is ongoing. We recommend Table D assesses alternative sites to justify why the Thakeham Parish Neighbourhood Plan is not looking to allocate any further residential development.

To conclude we recommend further work is undertaken on the SA/SEA in light of these comments. It is important that reasonable alternatives are assessed to justify the limited allocations within the Plan. It is also important to identify significant effects and proposed mitigation- if this mitigation has already been included in the form of revised policy wording this also needs to be made clear.

#### Habitats Regulation Assessment

Natural England has confirmed that no HRA is required for this plan and this was confirmed by email from Natural England dated 19 March 2015.

#### SA/SEA

We welcome the additional amendments to this document with regard to the consideration of alternatives. As you may be aware, sustainability appraisal / SEA is often used as an area of challenge by developers wishing to promote their land for development, and whilst your amendments have helped to reduce this risk, it does still remain. It is suggested that this risk could be further minimised by the inclusion of a table (or similar) listing the names of the alternative sites considered and the outcome of the assessment however similar the output to that assessment process may have been.

[We note that the Site Assessment Report has now been inserted.](#)