

Responses to the pre-submission Amberley Neighbourhood Plan

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1. SDNPA Comments

General Comments

The progression of the Amberley Neighbourhood Plan (ANDP) to pre-submission stage is to be welcomed and is a result of a considerable amount of hard work by the parish council and volunteers. We recognise that preparing the ANDP can be a challenge at a time when the draft policies for the SDNP Local Plan have been emerging.

We congratulate the authors on the succinct and clear way in which the draft plan has been presented. The Vision and core objectives are also clear and follow through the policies. The plan would however benefit from greater linkages to the South Downs National Park purposes and duty. Opportunities to do this are set out in the response below.

Ref	Comment	SDNPA Recommendation	ANDP comment
Pg 4, 6 th bullet point	Should read Horsham District Council Planning Local Development Framework and the	Minor amendment	Agree

Pg 8, 7 th & 8 th bullet point	<p>Should read</p> <ul style="list-style-type: none"> • Horsham District Local Plan Development Framework 2007 (saved policies). • The emerging South Downs National Park Local Plan (which reached Preferred Options Stage in Autumn 2015) 	Minor amendment	Agree
	<p>There are several occasions where the plan refers to a purpose or aim e.g. top of page 6, last paragraph of pg 4 and top of page 5. You might like to consider an additional section in this introductory chapter expressly communicating the purpose of the ANDP, perhaps with specific benefits as envisaged for this parish.</p>	<p>Consider section which brings together the various aims of the plan.</p>	<p>The Vision sets out our aims.</p>
Pg 7	<p>Missing heading, Section 2 – Context.</p>	<p>Include heading.</p>	<p>Done</p>
Pg9	<p>Map missing</p>	<p>Include Map</p>	<p>Done</p>

Table 3.3 Strengths	The SWOT analysis is comprehensive and helpful to understand the origin of many of the policies especially those under the heading 'Facilities and Infrastructure'. There is however no AONB, the entire Parish is within the South Downs National Park which superseded it	Remove reference to AONB, replace with reference to location within SDNP.	Done
Pg 16 Footpaths	Should the importance of footpaths to visitors also be mentioned?	Include reference to visitors.	Done
4.1 Vision	The first paragraph under section 4.1 talks of a vision for twenty years but the second describes a vision for 9-14 years' time. The vision describes a situation quite similar to today, albeit with cycleways, improved communication technologies. There is nothing here to link to later policies / core objectives on housing mix or tourism development	Consider refining vision.	Para 2 amended to read : Amberley Parish will continue to be an attractive place to live. It will maintain its intrinsic rural character whilst allowing for sustainable development to ensure the health/survival of the church, school, shop, tea rooms and pubs and the provision of key facilities such as a car park and school/community hall.

<p>EN1</p>	<p>Development in the parish will only be permitted where it contributes to the setting of the special qualities of the SDNP and does not detract.....</p> <p>Query whether the title of the policy is incorrect? It is called Ecological Sites, yet relates more to the special qualities. No mention is made of the SSSI's, Ramsar Site and Downs grassland.</p>	<p>Reword – the Parish is wholly in the SDNP and therefore development will not be contributing to the setting of the National Park.</p> <p>Consider how the special qualities of the National Park can be further incorporated into policy and the NDP. E.g. Amberley Wildbrooks is a tranquil and unspoilt place. The special qualities can be found here: https://www.southdowns.gov.uk/wp-content/uploads/2015/03/SDNP-Special-Qualities.pdf</p>	<p>Re-word policy - POLICY EN1 Natural environment</p> <p>The natural environment, natural resources, landscape and tranquillity within the parish as a whole will be conserved, protected and enhanced.</p> <p>Development in the parish will only be permitted where it contributes to the special qualities of the SDNP, safeguards the natural beauty of the area and does not detract from the National Park's visual qualities and essential characteristics.</p> <p>Any proposal that adversely affects the Amberley Wildbrooks RAMSAR/SPA/SSSI site will not be supported.</p> <p>EN1.1 Amberley Parish is located with the SDNP and residents greatly enjoy the many local walks, footpaths and bridleways which provide a high level of amenity value and provide varied and beautiful views. The Amberley Wildbrooks are designated as a Site of Special Scientific Interest (SSSI) and a RAMSAR site and are enjoyed for their timeless quality where residents and visitors can escape the hustle and bustle of daily life. The Parish has breathtaking views and is rich in wildlife and varied habitats (Evidence Base 6 - SDNP Special Qualities).</p>
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EN2	<p>Would benefit from mention of the special qualities of the National Park that are particularly relevant to the Parish. Consideration of the objectives of the South Downs Partnership Management Plan and how the ANDP might support them would also help to make the plan more National Park focused.</p>	<p>Map 1 is labelled Map A on page 42.</p> <p>Consider how the special qualities of the National Park can be further incorporated into policy and the NDP.</p>	<p>Map corrected. Viewshed study already added.</p>
EN4	<p>It does not appear that there is any Grade 1 or 2 agricultural land within the Parish?</p> <p>The inclusion of the line ‘notwithstanding the above, schemes which can be proven to provide benefit to the community will be considered on their merits’ detracts from the level of the detail in the preceding six bullet points.</p>	<p>Check and consider removal of criteria ‘f’.</p> <p>Suggest removal of last sentence or at least that some qualification on ‘provide benefit to the community’ should be given.</p>	<p>f. changed to read - Proposals for energy-generating infrastructure on land in agricultural production will not be supported.</p> <p>Final sentence removed.</p>
EN5	<p>Include reference to the first purpose of the National Park which is ‘To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.’</p>	<p>Additional text suggested.</p>	<p>1st bullet changed to read: The proposal conserves and enhances the natural beauty, wildlife and cultural heritage of the area and protects the setting of designated and non-designated heritage assets including:</p>

EN6	Unlit village' status is not a recognised SDNP designation. It is unclear where this status comes from. Reference should instead be made to Dark Night Skies, which is one element of tranquillity and is a Special Quality of the SDNP.	Provide information on what 'unlit' village status means and who such a designation comes from or re-title policy as 'Dark Night Skies'. Check consistency with emerging SDNPA Local Plan policy on Dark Night Skies.	Done
EN7	The policy states that the Parish Council has designated these areas. This is not correct,Local Green Spaces are designated through the preparation of a Local or Neighbourhood Plan	Re-phrase policy.	Don't agree. The wording had been accepted by the Examiners at Clapham, Walberton, Findon and other NP's

<p>F11</p>	<p>The SDNPA is happy in principle to see proposals for public parking provision in or adjacent to designated settlements, such as Amberley, provided that they can achieve overriding traffic management or recreation management benefits, they are part of a strategic traffic management scheme which gives precedence to sustainable transport, and the site is close to and easily accessible from main roads by appropriate routes.</p> <p>We would therefore find it helpful to know if any alternatives to both the proposals and specific site were considered and what the outcome of that work was. Has any consideration been given to demand management, car clubs and ensuring driveways are used (where available) in preference to street parking. How will a carpark on the edge of the village encourage residents not to park outside their homes?</p>	<p>Consider additions to policy wording. Ensure supporting evidence is robust. Consider linking to the SDNPA document, The Roads of the South Downs and emerging policy SD44: Car and Cycle Parking Provision of the South Downs Local Plan: Preferred Options.</p> <p>An approximate size and capacity of the car park should be set out.</p>	<p>Policy is sufficient. Site chosen as it is next to the point where the issue mainly arises. The issue is not to do with residents parking so car clubs etc would not solve the issue. Alternative sites within the village would still cause traffic to drive into the highly confined roads. The site offers a place to park, where none currently exists, and where if adequately and appropriately signposted, will provide a place for visitors to park.</p> <p>New justification added:</p> <p>F11.5 The new car park would be subject to a design brief to be agreed between the Parish Council and SDNPA to ensure that the impact of the development on the setting of the National Park and the village is minimised.</p>
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<p>FI 3</p>	<p>The school/community hall site is very prominent at the southern edge of the village and will be visible from the chalk ridge. Whilst this is not necessarily a reason to object to the proposed allocation, we ask that great care is given in the design of the building and also the car parking layout to ensure that this proposal sits well within the landscape. Car parking will create reflection and the site could appear from a distance/higher ground to be a mini supermarket which would be detrimental to local character.</p>	<p>Consider providing more detail with regard to size, layout, design etc.</p>	<p>Additional wording added.</p> <p>FI2.6 The new building would be subject to a design brief to be agreed between the Parish Council and SDNPA to ensure that the impact of the development on the setting of the National Park and the village is minimised.</p> <p>These are matters to be dealt with at the planning stage.</p>
<p>FI2</p>	<p>We support the proposals but in terms of deliverability just query how this will be funded and run</p>		<p>Policy removed</p>

FI 4	<p>In the Examination of the Clapham Neighbourhood Plan the examiner made the following comments in relation to a very similar policy:</p> <p>The policy seeks to resist the loss of the facilities and opposes proposal until the site has been marketed for a year which goes beyond the marketing requirements of ACV legislation.</p> <p>I propose the removal of the final sentence as the inclusion of a building on the register is a mechanism that controls the marketing and disposal of such a building.</p>	Consider making similar adjustments to policy.	Done
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FI5	Suggest change wording to that proposed by the Clapham NP Examiner	<p>Consider the necessity for the policy (as it will be contained within the SDNPA Local Plan) or amending the policy and seek further input and advice from West Sussex County Council.</p> <p>Also, could the requirement for SUDS, (ecological networks, footpath connections and local green space in other policies) refer jointly to a Green Infrastructure (GI) approach whereby they form part of a cohesive network which combines all of these elements together - ie multifunctional landscapes.</p>	Wording changed
FI 6	<p>An approximate number of plots / size of scheme would be helpful.</p> <p>The proposals is not included in the Local Greenspace Designation list, nor the open space list – should it be?</p>	<p>Include details on size of scheme.</p> <p>Consider its designation as some form of open space.</p>	
5.5, 2 nd paragraph	The SDNPA has provisionally set a housing allocation.....	Clarity – it is not yet within an adopted Local Plan and therefore is subject to change.	Done

HD2 (now HD3)	<p>What is meant by 'well connected to the surrounding area' and how does this relate to the quality of design.</p>	<p>Clarify terms. If all bar essential agricultural development is to take place on allocated land or within the settlement boundary, is there a need for this wording at all.</p>	<p>2nd para changed to : Proposals for new housing must ensure that the new homes are well connected to the surrounding area by being visually integrated with their surroundings.</p>
HD3 (now HD4)	<p>..... within the Parish of Amberley particularly the need for a including a range of smaller house types.....</p>	<p>Suggest alternative wording to strengthen the policy.</p>	<p>Done</p>
HD5 (now HD6)	<p>In principal the allocation appears acceptable. However, could more detail be included? Are there particular parts of the site more suitable for development than others, is there a layout in mind or any features within the site that require protection or enhancement?</p>	<p>Consider inclusion of more detail.</p>	<p>New para : HD6.2 Development of the site will be expected to comply with a design brief agreed between the Parish Council and SDNPA to ensure that the impact of the development on the setting of the National Park and the village is minimised.</p>

HD6 (now HD7)

Criteria 4 – It is not within the powers of planning to prevent people from parking on the public highway, it is more important to ensure that suitable levels of parking are available within the development site or its vicinity.

Criteria 4 – Being that the policy relates to development within the settlement boundary it should by default mean that it is easy/ possible to walk to local facilities. This clause is therefore unnecessary.

Remove reference to parking on public highways and last sentence regarding access to local facilities.

Policy GA3 covers the parking adequately. Suggest amend policy to read:

Permission will be granted, for residential developments on infill and redevelopment sites within the settlement boundary (see Map D), subject to the following conditions being met:

- 1. The development complies with the other relevant policies of the adopted Neighbourhood Development Plan;**
- 2. The scale and design of the development is appropriate to the size, character and role of the settlement.**
- 3. The landscape character and views are conserved or enhanced, especially where the character of the area is specifically recognised, such as within the SDNP, Conservation Area and Listed Buildings.**
- 4. Land is demonstrated to be used effectively and comprehensively. Arbitrary subdivision of land or piecemeal development will be considered unacceptable.**
- 5. Wildlife and biodiversity must be conserved or enhanced.**
- 6. Proposed sites must be subject to archaeological and environmental surveys before being developed.**

HD8 (now HD9)

In the Examination of the Clapham Neighbourhood Plan the examiner made the following comments in relation to a very similar policy:

Whilst I understand the sentiment behind the policy the wording is written as a mandatory requirement and in some areas cover matters that go beyond what is normally covered by the development management process. Rather than being over prescriptive, the policy is recommended to be a matter where full consideration is encouraged. In many instances the matters being addressed go beyond planning control.

The wording be amended by “The design of new housing should give full consideration to the following items.....”

Should mention also be made of oil tanks as well as bins etc, as these are large objects that can be visually intrusive?

Amend wording as suggested, but consider inclusion of mention of oil tanks.

Agree. Also added : Oil and other fuel tanks should be designed to be screened from public view.

<p>HD9 (now HD10)</p>	<p>This policy needs to be reviewed in light of any allocations policy that Horsham District Council operates and their response is required. If these homes are affordable houses, then they will be allocated to those on the housing register by Horsham District Council in consultation with the housing provider and potentially the Parish Council (dependent on the protocols in your area).</p> <p>These homes are not available for purchase in the first instance.</p> <p>The inclusion of a criteria in relation to essential agricultural dwellings is inappropriate as the policy relates only to windfall sites within the settlement boundary or allocations. Agricultural workers dwellings will by their nature only normally be required on land outside of the settlement.</p>	<p>Need to review content of this policy with input from Housing Officers at Horsham District Council. Do they operate a local connections policy and if so is policy HD9 adding anything? Is the policy necessary?</p> <p>Remove criteria in relation to agricultural dwellings.</p>	
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<p>GA1</p>	<p>No map appears to have been included within the document.</p> <p>If this footpath is considered to be of such importance to the community it might be worth considering safeguarding the route to ensure that any development does not adversely affect future proposals that might come forward.</p>	<p>Further information required. Consider safeguarding route.</p>	<p>N/A - policy removed</p>
<p>GA2</p>	<p>..... lead to the creation of public pedestrian footways.</p> <p>As above are there key routes that should be safeguarded? Could policies GA1 and GA2 be combined?</p>	<p>Consistency of wording. Consider safeguarding.</p>	<p>pedestrian' added. No routes to safeguard.</p>

GA4	<p>West Sussex County Council in its recent response to the Findon Neighbourhood Plan made the following comments in relation to Quiet Lanes –</p> <p>It is unclear as to why this policy includes the proposal to designate several roads in the parish as Quiet Lanes. Any proposal for this legal status would need to be supported by sufficient evidence. It is suggested that this part of the policy is removed; if it is to be retained then it could be stated in a ‘community aspirations’ section.</p>	Contact WSCC Highways to confirm procedures needed in order to designate Quiet Lanes, this does not fall within planning powers.	Policy changed -N/A
ET1	It is unclear what a ‘service trade’ is, it is not a term used in planning in relation to business operations.	Clarify terminology.	Done
ET3	Reference to the proposals for a car park and public toilet might want to be included within the supporting text here to show how the policies link throughout the plan.	Consider additional reference to policies on toilets and car parking.	Additional words added - The proposals contained in policies F11,2 and 5 seek to provide facilities to assist with the tourism economy of the Parish.

Minerals and Waste

The Amberley neighbourhood plan does not raise any significant minerals and waste planning issues, however, we would like to take this opportunity to request for the West Sussex Waste Plan (2014), the Minerals Local Plan (2003) and the emerging West Sussex Joint Minerals Local Plan to be considered in the production of this Neighbourhood Plan. This is particularly important because a large proportion of the Amberley Neighbourhood Plan area is covered by a Mineral Consultation Area (MCA).

The geological map shows that the Gault formation and Upper Greensand formation runs across the parish (i.e clay, soft sand and possibly silica sand). The fact that the site is within an MCA does not mean the housing development cannot go ahead, it just means the planning authority should consult the Minerals Planning Authority (MPA) on the proposal and the MPA may ask for mineral related information to be provided. It may or may not be appropriate to seek prior extraction of the mineral before the houses are built, but this is something that would need to be considered at the planning application stage and potentially once a mineral resource assessment has been provided.

MCAs are linked to Policy 2 of the Minerals Local Plan (2003) which stipulates that development will generally be resisted if it would prevent or hinder the extraction of minerals which are, or are likely to become of economic importance. However, please be aware that the boundary of the MCA may be amended and the saved policies contained within the Minerals Local Plan (2003) will be replaced when the Joint Minerals Local Plan is adopted.

ANDP comment - we believe this is a matter for any future planning application. As stated the LPA should consult.

2. WSCC Planning and Transport Policy response

Ref	Comment	ANDP comment
Page 18	<p>The secondary school paragraph on page 18 sets out existing provision and planned changes to the current three-tier structure. However, it should be noted that consultation is still ongoing. The Cabinet Member for Education and Schools is still to make a decision on the way forward. This decision is due in the next couple of weeks and if the current proposals are progressed further, there is still another stage of the consultation to go before a final decision is made in August 2016. The current proposals are therefore subject to change.</p>	Noted
FI3.1	<p>Please see above paragraph on secondary school provision. It should be noted that no decision has yet been taken on the expansion of Amberley First School.</p>	Noted

FI5 (now FI4)	<p>In the first sentence, please remove reference to a 'surface water management plan' and replace with 'Surface Water Drainage Strategy'. In the second bullet point, please remove reference to the 'Suds Approval Body' and replace with 'Local Planning Authority'.</p> <p>It is unclear which flood risk register this refers to – please specify.</p>	Policy amended
HD6 (now HD7)	<p>Policy HD6: This policy sets out key principles of windfall sites. Please remove the following section from point 4 because it would not be enforceable: 'it will be a condition of any planning approval that no parking will be allowed on the public highway.' For residential parking provision, please refer to the County Council's Guidance on Car Parking in Residential Developments and the Car Parking Demand Calculator, which can be accessed via the following link:</p>	Policy changed

GA4	<p>The overall aim of this policy should be clearer, particularly with regards to traffic calming. It is unclear as to why this policy includes the proposal to designate several roads in the parish as Quiet Lanes. Any proposal for this legal status would need to be supported by sufficient evidence. It is suggested that this part of the policy is removed; if it is to be retained then it could be stated in a 'community aspirations' section. It is suggested that the focus of policy GA4 is on ensuring safe and suitable road use for non-vehicular traffic.</p>	Policy already changed
Development management	<p>Given that the pre-submission Neighbourhood Plan for Amberley includes the proposed allocation of a small scale housing site, joint use school / community hall and car park, it should be noted that site specific principles in the Neighbourhood Plan will need to be tested and refined through the Development Management process (through the provision of pre-application advice or at the planning application stage) or as part of a consultation for a Community Right to Build Order. Whilst the County Council supports the proactive approach undertaken to allocate sites in the Neighbourhood Plan, we are unable to comment on site specific principles at this stage. In considering site specific principles, please refer to the attached Development Management guidance.</p>	Noted

3.Natural England Response		
GA1	<p>specific mention of “A new route linking Number 2 Bostal with the Wey South Path” (I am afraid that I do not know precisely where this is and there does not seem to be a policy map describing it). It is important to note that any significant alteration or extension to existing footpaths with potential to impact on the Amberley Wildbrooks Ramsar/SPA/SAC/SSSI would need to undergo appropriate HRA screening.</p>	Policy already changed

<p>EN1</p>	<p>We support the measures laid out in Policy EN1, Ecological Sites (p23). However, this should also reference the need to protect the Amberley Wildbrooks Ramsar/Spa/SSSI site. Policy needs to reflect the NPPF which confirms that any proposal that adversely effects a European site, or causes significant harm to a SSSI, will not normally be granted permission. In terms of European designation this will involve the precautionary principle as outlined in the Habitats Regulations. In addition, the plan should include criteria based policies for protected biodiversity sites, distinguishing between international, national and local sites so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks (<i>NPPF, Para 113</i>). This should also be reflected in Policy HD6, Windfall sites (p34).</p>	<p>Policy amended. No need to add it to Windfall sites as all of the policies apply across all developments.</p>
<p>FI5 (now FI4)</p>	<p>Surface Water Management should also stress the need to ensure water treatment provision is adequate and that surface water run-off is managed so that it does not threaten water quality status on the Amberley Wildbrooks site.</p>	<p>Policy 1st sentence amended : New development, within areas at risk from flooding (apart from minor householder and commercial extensions), will not be permitted unless it can be demonstrated that it will not increase the risk of flooding, either to the development site or to other land, or threaten the water quality status on the Amberley Wildbrooks site.</p>

HD1	The Presumption in Favour of Development. Note that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined – i.e. any proposal with potential to result in significant negative impact upon the Ramsar/SAC/SPA site (<i>NPPF, Para 119</i>).	That is enshrined in the NPPF and a given.
4. Southern Water		
EN7	Suggest amend policy as follows: Proposals for the development of these areas will not be permitted <i>unless it is essential to meet specific utility infrastructure needs, and where it has been demonstrated that no suitable alternative location is available</i>	Don't agree. SWS have sufficient statutory powers to enable them to carry out essential infrastructure works
Additional policy FI7	<i>Utility Infrastructure.</i> <i>New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community.</i>	Don't agree. SWS have sufficient statutory powers to enable them to carry out essential infrastructure works
5. Environment Agency	We are pleased to see that the proposed allocation has been directed to an area of lowest probability of flooding and is located within Flood Zone 1. We therefore have no specific comments to make on this document.	Noted

6. Highways England		
7. Horsham DC		
EN6	There are no planning controls on lighting on dwellings, unless the dwellings are listed and therefore this policy cannot be applied.	See SDNPA comments

F14

Whilst this policy is supported HDC would point out that the only building that is on the Council's statutory list of Assets of Community Value is the Village Pottery.

The Black Horse pub is no longer listed for the following reasons:

1. There was a relevant disposal of the property on 30th August 2013 to Cregagh Properties LLP
2. The local authority must remove the entry so as to exclude any land included in the list which has been the subject of a relevant disposal (Regulation 2 (b))

The Village Stores and Post Office are not listed at the current time.

Noted

H8	<p>Whilst the spirit of this policy is supported planning permission is not always necessary for the installation of a satellite dishes and solar panels, notwithstanding planning constraints such as the Conservation Area and the National Park.</p> <p>Meter boxes do not require planning permission</p>	Agreed but the policy applies where a planning application for development is submitted
H9	<p>Horsham District Council is the strategic housing authority for Amberley parish. As currently drafted the policy does not comply with the NPPF and in particular paragraph 50.</p> <p>As currently drafted the policy does not comply with Horsham's District Council's Registrations and Nominations Policy and therefore HDC cannot support the NP policy at this time. Further advice and clarification should be sought from Horsham District Council's Housing Department.</p>	Policy removed

ET1	Bearing in mind that planning permission is not always required to convert commercial buildings (B1a offices to residential), it is suggested that the policy is pre-fixed with the words “where planning permission is required....” In the interests of clarity.	Policy removed
8. Parham Estates	Put forward a proposal for housing on land at Rackham for three dwellings	Land is considered in the housing sites assessment document