

BRAMBER NEIGHBOURHOOD PLAN 2018 – 2031 HEALTHCHECK COMMENTS
November 2019



Thank you for submitting a draft of the Bramber Neighbourhood Plan to HDC for an informal health check. It is clear that a great deal of hard work has gone into the preparation of the plan to date.

The comments set out below provide a number of more general and detailed comments on the plan, together with an explanation as to why the comment has been made.

The level of work and effort put into the Neighbourhood Plan and the attempts to make the evidence base is to be commended. Nevertheless, there are some inconsistencies within the plan, most namely

Summary of Key Issues:

- Paragraph numbers from the NPPF 2019 are missing when referring to them whilst other paragraphs need to be referred to, to reinforce
- The Core Strategy 2007 is no longer relevant now that the South Downs Local Plan 2014 –33 has been formally adopted
- The plan is lacking in reference to the special qualities of the South Downs National Park
- Some policies have criteria which are deemed to be restrictive (Policy B2)
- Policy B3 focuses only on housing design, it may be considering the design of other uses
- Some criteria (namely in Policy B4) is deemed to exceed what is expected in the HDPF and covered by Building Regulations
- Policy B5 is deemed to have criteria which is too prescriptive and requires some flexibility
- Both St. Nicholas Church in Policy B13 and St. Mary's House in Policy 14 does not mention that the buildings are Grade I Listed

Paragraph / Policy	Suggested Change / Comment	Reason for comment
General	<p>The plan is viewed to be particularly lacking in reference to the special qualities of the South Downs National Park. As set out in the Countryside Act 1968:</p> <p style="padding-left: 40px;"><i>(a) the provision and improvement of facilities for the enjoyment of the countryside,</i> <i>(b) the conservation and enhancement of the natural beauty and amenity of the countryside, and</i> <i>(c) the need to secure public access to the countryside for the purpose of open air recreation</i></p> <p>Please note that the current aims and purposes of the National Park are:</p> <ul style="list-style-type: none"> • 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 	<p>Please note where there is a conflict between statutory purposes, statute requires the Sandford Principle to be applied and the first purpose of the National Park will be given priority. National Parks should go beyond simply 'protecting' and should extend to enhancing the SDNP. The majority of Bramber lies within National Park, including the character areas of Annington and St Botolphs, so it is not inconceivable that development proposals would be located within the SDNP.</p>
1.2	<p><i>'The other parts are, the 2015 Horsham District Planning Framework, and, for the National Park area, the adopted Core Strategy and General Development Control Policies 2007 <u>South Downs Local Plan 2014 - 33</u>'.</i></p>	<p>South Downs Local plan was adopted and superseded the Core Strategy on 2 July 2019.</p>
1.4	<p><i>It is noted in 1.4 tabulation that only some of the 'strategic policies' in HDPF and SDLP. Questions are raised as to why SDLP policy SD5 been referenced (design) but not HDPF policy 32 (design). Please note that both fall under the heading of 'strategic policies' and are directly comparable and relevant.</i></p>	<p>To meet the basic conditions</p>
1.5	<p><i>Neighbourhood Development Planning <u>(General)</u> Regulations 2012 <u>(as amended)</u>.</i></p>	<p>For sake of clarification and consistency</p>

Paragraph / Policy	Suggested Change / Comment	Reason for comment
1.13	<i>'with a view to adopting a new document in 2020 <u>2021</u>'</i>	Typo
2.4	The sentence regarding <i>'Access for walkers and cyclists between the Downs Link and Steyning is made via Castle Lane'</i> could be useful to add to the landscape site assessment section to reinforce the value of Castle Lane as a Rural Lane.	For a strong and robust evidence base
Objectives	Objective 1: <i>Protect <u>and enhance</u> the rural character of the parish, the qualities of its landscape setting and its biodiversity, managing the impacts of any future growth.</i> Objective 6: <i>'to_and_enjoyment_of_the_national_park_for_recreation_and_leisure'</i> .	To strengthen policy Formatting
B1: Location of Development	b. Please insert some reference to the heritage importance of the historic building.	For sake of clarification and consistency
5.6	The housing numbers mentioned do not tally with those mentioned in 'Bramber Housing Report incorporating site assessments' (point 1.9 on page 1).	For sake of consistency and clarification
Policy B2: Character of Development	Criterion 2 (c) – <i>'demonstrate how they will contribute to the conservation and enhancement of the heritage asset <u>through the most viable and sustainable method</u>'.</i> Criterion 3 – <i>'...This could either be <u>achieved</u> through the siting of lower density development at the rural boundary of the site in order to provide a gradual transition from the built form to the open countryside, or <u>by other means such as through a layout that clearly minimises the visual impact of any larger buildings</u>'.</i>	For sake of consistency and clarification To meet the basic conditions. Suggestion made to help broaden the means to achieve the desired outcome that aren't expressly covered currently in B2(3). Narrow interpretation of NP might lead to objections to otherwise suitable schemes

Paragraph / Policy	Suggested Change / Comment	Reason for comment
6.7	'The Building for Life 12 (BfL 12) January 2015 third edition ⁶ clarification is sought on footnote 6 added in this line.	For sake of clarification and consistency
Policy B3: Design of Development	<i>General comment: the policy focuses on just housing and doesn't regard design for other uses such as employment and leisure.</i> <i>'b. The guidance contained within the Bramber Neighbourhood Plan Design Guidelines¹³'</i>	For sake of clarification and consistency As with 6.7 clarification is sought on the footnote for this sentence.
Policy B4: Energy Efficiency and Design	1.(b) Reference to using thermally efficient building materials and Passivhaus exceeds HDPF requirements as it gives the impression that all new builds are expected to exceed current standards. 1.(c) Reference to the use of double glazing or loft /wall insulation - could be misread as a requirement within NP and lead to objections. Please note that such matters are covered under current Building Regulations. 1.(e) Limitations of water consumption through grey water exceeds the HDPF. 1.(h) The Council has concerns that sustainable construction is misread as being a requirement for planning when this is covered by Building Regulations.	To meet the basic conditions This already covered by Building Regulations.
Policy B5: Protecting Flora and Fauna	1.(a) Please note that paragraph 175 (c) of the NPPF 2019 states the loss Ancient woodland ' <i>should be refused unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists; and</i> ' paragraph 175 (d). <i>1 (b). Where trees and/or shrubs are replaced with new plantings, native or semi-native varieties attractive to insects, birds and other wildlife must be used; in</i>	The policy is deemed to be prescriptive and requires some flexibility.

Paragraph / Policy	Suggested Change / Comment	Reason for comment
	<p>general, broadleaf trees will be preferred to coniferous types and disease-prone types (such as elm, ash or horse chestnut) should be avoided.</p> <p>The council views restricting new plantings to solely deciduous trees to be restrictive with no regard of the placing the right tree in the right place; especially where there are ericaceous soils, the planting of coniferous trees could be most appropriate. Please remove the following text</p> <p style="padding-left: 40px;"><i>c. 'Development that would result in the loss of, or the deterioration in the quality of, hedgerows will not normally be permitted <u>with exception of removal for vehicular access</u>'.</i></p> <p>If a hedgerow is found to be 'important', as defined under the 1997 Hedgerows Regulations, then it is in essence irreplaceable. Hence the idea that "replacement provision should be of a commensurate value to that which is lost" is unachievable. It is suggested that 'normally' is removed,</p> <p>It is considered that should a site be considered suitable for development with safe for site access, provided the hedgerow is designed into the development, for instance by being integrated with public open space this could be retained without damage or deterioration of the quality of the hedgerows. With regards mitigation as result of removal for access, the policy could ask for the access to include trees at either end of the retained hedgerow to aid some of the wildlife to cross overhead from crown to crown. It is suggested 'with exception of removal for vehicular access'.</p> <p>Reference to intrinsic landscape qualities, and the highest status of protection of SDNP is missing.</p>	

Paragraph / Policy	Suggested Change / Comment	Reason for comment
	2. Please also note that reference to the potential for an open space management agreement via Section 106 agreement also ties into South Downs Local Plan policies.	
Policy B6: Green Infrastructure	Please insert reference to wider landscape value, connection to and conservation of the National Park, paragraph 172 of the NPPF2019.	To strengthen policy
Policy B8: Protecting The Adur River Corridor	<i>Development proposals in the River Adur Corridor, showing in Figure 7.3, that take advantage of opportunities to improve the environment for leisure activities, including access for walking, cycling and horse riding, are encouraged, subject to ensuring that they do not have a significantly detrimental effect on the local ecological networks, <u>character and setting</u>.</i>	To strengthen policy
8.6 (i)	<i>'in compliance with NPPF <u>paragraph 98</u>'</i>	Please add NPPF paragraph numbers
8.9	Concerns are raised with the suggestion of parking off Castle Lane and the removal of trees and undergrowth to be facilitated that which will create a 'hole' in what is now a strong, mature and very well-established landscape boundary and buffer, that forms part of the Bramber's Castle setting.	To meet the basic conditions
9.7	Whilst recognition is given to the lack of facilities for children and teenagers in Bramber with provision in neighbouring settlements. Perhaps joint working on achieving ease of access to community recreation facilities could be considered as an action going forward.	Suggestion
10.5	<i>'Government has recognised that there is a significant gap in the availability of basic and superfast broadband, particularly in rural areas where British</i>	The text is deemed to be unnecessary

Paragraph / Policy	Suggested Change / Comment	Reason for comment
	<p><i>Telecom (BT) and other national providers have not invested in upgrades to the network.</i></p>	
<p>Policy B13: Community Facilities at St. Nicholas Church</p>	<p><i>The upgrading and expansion of <u>the Grade I Listed</u> St Nicholas Church, to provide a flexible community space and accessible toilet facilities, shall be supported, subject to the following criteria:</i></p> <p><i>The heritage value of Grade I should be top priority of the three listings (Grade II, Grade II* and Grade I).</i></p> <p><i>'c. the proposal would not have significant harmful impacts on the heritage aspects, including the setting, of the church'.</i></p> <p>Any proposal will have to be considered with respect of the legislation and national and local policies.</p>	<p>To meet the basic conditions</p>
<p>B14: Support the Creation of an Education Centre at St. Mary House and Gardens</p>	<p><i>Proposals to develop an Education Centre at <u>the Grade I Listed</u> St. Mary's House, Bramber, shall be supported, subject to the following criteria:</i></p> <p><i>The heritage value of Grade I should be top priority of the three listings (Grade II, Grade II* and Grade I).</i></p> <p><i>'c. the proposal would not have significant harmful impacts on the heritage aspects, including the setting, of the church'.</i></p> <p>Any proposal will have to be considered with respect of the legislation and national and local policies.</p>	<p>To meet the basic conditions</p>

Paragraph / Policy	Suggested Change / Comment	Reason for comment
Policy 15: Commercial Premises and Land	Please note that requirements to provide details to show inactivity for at least 12 months, at least 6 months of marketing and detailed valuation report exceed current HDPF requirements (HDPF policies 7, 9, 12 and 13) and the NPPF. Please also note that the South Downs Local Plan (policy SD35) requires 18 months of 'robust' marketing.	To meet the basic conditions
Appendix B – Local Green Spaces	<p>The box on site allocations should refer that the site has been put forward for consideration under this Neighbourhood Plan. This would be more open and clearly make the examiner or reader aware that notwithstanding not qualifying for development it was considered to meet the requirements for Local green space.</p> <p><i>Clays Field offers a valued tranquil space between the two settlements of Bramber and Steyning, in an otherwise developed area <u>and not withstanding some intrusion from the A283</u> (pp. xxii)</i></p> <p>It is worth adding a photo with views from within the site towards the SDNP.</p>	For sake of clarification and consistency
Sustainability Appraisal	11.4 The potential sites for identified <u>identification</u>	Grammar and spelling