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and examinations

# **Report on Ashington Neighbourhood Plan 2019 - 2031**

**An Examination undertaken for Horsham District Council with the support of the Ashington Parish Council on the April 2020 submission version of the Plan.**

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Date of Report: 9 March 2021

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## **Main Findings** - Executive Summary

From my examination of the Ashington Neighbourhood Plan (the Plan/ANP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – Ashington Parish Council;
- The Plan has been prepared for an area properly designated – the Neighbourhood Plan Area as identified on Figure 1.1;
- The Plan specifies the period to which it is to take effect, 2019-2031; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *Ashington Neighbourhood Plan 2019-2031*

- 1.1 Ashington is a comparatively small settlement located in the southern part of Horsham District. I saw on my visit that there has been some recent growth in the village and the Ashington Neighbourhood Plan confirms that about 700 dwellings have been built in Ashington since the by-pass was completed in 1995. The by-pass appears to successfully ensure that through traffic in the village is not a significant issue. A new school was opened in 2000 and a new community centre in 2003. To the south of the Parish lies the South Downs National Park, which contributes significantly to the attractive setting of the village.
- 1.2 Ashington is identified as a 'Medium Village' in the Horsham District Planning Framework (November 2015). This is a settlement that has a moderate level of services, facilities and community networks. Some day to day needs for residents are available in the village but reliance is placed on small market towns and larger settlements to meet a number of the resident's requirements. Ashington is the only identified settlement within the Parish.

- 1.3 Progress on the preparation of the ANP has been steady since a lead manager was appointed in October 2015. The Consultation Statement (May 2020) clearly sets out the route taken with regard to consultation on the ANP but it should be recorded that the Parish Council has been proactive in considering the needs and aspirations of the local community for many years, with for example, village surveys having been undertaken in 1995 and 2006.

#### *The Independent Examiner*

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the ANP by Horsham District Council, with the agreement of the Ashington Parish Council.
- 1.5 I am a chartered town planner and former government Planning Inspector, with extensive experience in the preparation and examination of development plans and other planning policy documents. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

#### *The Scope of the Examination*

- 1.6 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)('the 1990 Act'). The examiner must consider:
- Whether the plan meets the Basic Conditions.
  - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended)('the 2004 Act'). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;

- it does not include provisions and policies for 'excluded development'; and
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
  - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)('the 2012 Regulations').
- 1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### *The Basic Conditions*

- 1.9 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - Contribute to the achievement of sustainable development;
  - Be in general conformity with the strategic policies of the development plan for the area;
  - Be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>1</sup>; and
  - Meet prescribed conditions and comply with prescribed matters.
- 1.10 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.<sup>2</sup>

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<sup>1</sup> The existing body of environmental regulation is retained in UK law.

<sup>2</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

## 2. Approach to the Examination

### *Planning Policy Context*

- 2.1 The Development Plan for this part of Horsham District, not including documents relating to excluded minerals and waste development, is the Horsham District Planning Framework 2031 (HDPF) (adopted November 2015) and the Site-Specific Allocations of Land (2007).
- 2.2 The Council has started work on the Horsham District Local Plan (2019-2036) (HDLP)<sup>3</sup>, which when adopted will supersede the HDPF. However, work is at a relatively early stage, with a pre-submission draft anticipated for publication in Spring/Summer this year.<sup>4</sup>
- 2.3 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 February 2019, and all references in this report are to the February 2019 NPPF and its accompanying PPG .

### *Submitted Documents*

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which include:
  - the draft Ashington Neighbourhood Plan 2019-2031, April 2020;
  - Figure 1.1 of the Plan, which identifies the area to which the proposed Neighbourhood Development Plan relates;
  - the Consultation Statement, May 2020;
  - the Basic Conditions Statement, April 2020;
  - all the representations that have been made in accordance with the Regulation 16 consultation;
  - the Sustainability Report that incorporates the Strategic Environmental Assessment (April 2020) and the Habitats Regulations Assessment Screening Report (June 2019);
  - the supporting evidence documents that have informed the preparation of the Plan, including the Housing Needs Assessment (July 2017) and the Final Site Selection Report (July 2018);
  - the Statement of Common Ground between Ashington Parish Council, Horsham District Council, West Sussex County Council and the Lower family (December 2020); and
  - Ashington Parish Council's response of 25 January 2021 and the responses of Horsham District Council and West Sussex County Council, both of 4 February 2021, to the examiner's questions of 14 January 2021.<sup>5</sup>

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<sup>3</sup> I have seen a number of variations to the title of this document but for the avoidance of doubt I call it the HDLP throughout this Report.

<sup>4</sup> See [www.horsham.gov.uk/planning/local-plan/local-plan-review-timetable](http://www.horsham.gov.uk/planning/local-plan/local-plan-review-timetable)

<sup>5</sup> View at: <https://www.horsham.gov.uk/planning/neighbourhood-planning/ashington>  
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### *Site Visit*

- 2.5 I made an unaccompanied site visit to the Neighbourhood Plan Area on 25 January 2021 to familiarise myself with the locality, and to visit relevant sites and areas referenced in the Plan and evidential documents.

### *Written Representations with or without Public Hearing*

- 2.6 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

### *Modifications*

- 2.7 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

## **3. Procedural Compliance and Human Rights**

### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The Ashington Neighbourhood Plan has been prepared and submitted for examination by Ashington Parish Council, which is a qualifying body for an area that was designated by Horsham District Council on 25 February 2014.
- 3.2 It is the only Neighbourhood Plan for Ashington and does not relate to land outside the designated Neighbourhood Plan Area.

### *Plan Period*

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2019 to 2031.

### *Neighbourhood Plan Preparation and Consultation*

- 3.4 The Consultation Statement very clearly summarises the consultation that has taken place. A Steering Group was established in March 2016, which included local community representatives and Focus Groups were set up to consider specific topics. There was an earlier open letter to all residents in August 2014 and again in February 2015. Surveys were undertaken and particular emphasis was placed on engaging with young people (12-18 year olds) and with local businesses. A range of surveys were conducted, and it is pleasing to record that a stall was set up at the Ashington Festival in 2016 to engender greater local interest.



- 3.5 The consultation undertaken has been thorough and inclusive. The opportunity to contribute to the Plan making process has been available to all interested parties at all the relevant stages, including at both the Regulation 14 stage (22 June 2019 to 17 August 2019) and the Regulation 16 stage (17 June 2020 to 12 August 2020).
- 3.6 I consider that, in all respects, the approach taken towards the preparation of the ANP and the involvement of interested parties in consultation, has been conducted through a transparent, fair and inclusive process. The relevant PPG advice on plan preparation and community engagement has been heeded and I am satisfied that all the relevant requirements in the 2012 Regulations have been met.

#### *Development and Use of Land*

- 3.7 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

#### *Excluded Development*

- 3.8 The Plan does not include provisions and policies for 'excluded development'.

#### *Human Rights*

- 3.9 No party has raised issues regarding a breach of, or incompatibility with Human Rights and no representations have been submitted to that effect. From my independent assessment of the draft Plan and supporting evidence, I am satisfied that proper regard has been given to the fundamental rights and freedoms guaranteed under the European Convention of Human Rights and that the Plan complies with the Human Rights Act 1998.

### **4. Compliance with the Basic Conditions**

#### *EU Obligations*

- 4.1 The Sustainability Report (April 2020) incorporates the Strategic Environmental Assessment (SEA). This is a very thorough analysis of how the policies in the ANP will contribute to the achievement of sustainable development (a non-technical summary has also been published). It is clear to me that Ashington Parish Council is fully committed to ensuring that the principles of sustainability remain at the forefront in the consideration of policies for the village. I am not aware of any concerns having been raised regarding the conclusions of the Sustainability Report and commend the Parish Council on the detailed approach that it has adopted on this issue.

- 4.2 The ANP was screened for Habitats Regulations Assessment (HRA) in June 2019. It was concluded that the ANP would have no significant effects in respect of European sites and that, as such, the ANP does not require a full HRA to be undertaken. There was no objection from Natural England on this matter and from my independent assessment, I have no reason to disagree.

### *Main Issues*

- 4.3 I have approached the assessment of compliance with the Basic Conditions of the Ashington Neighbourhood Plan as two main matters:
- General issues of compliance of the Plan, as a whole; and
  - Specific issues of compliance of the Plan policies.

### *General Issues of Compliance of the Plan*

#### National Policy, Sustainable Development and the Development Plan

- 4.4 The policies in the ANP are set out under five main headings: Overall Spatial Strategy; Transport and Movement; Environment; Community and Economy; and Site Allocations. The Basic Conditions Statement satisfactorily explains how the policies in the ANP have regard to national policies; are in general conformity with the strategic policies of the HDPF; and meet European Union obligations.
- 4.5 The achievement of sustainable development is a key national objective and, subject to the recommended modifications set out below, I am satisfied that all three dimensions of such development (economic, social and environmental) have been appropriately taken into account in the preparation of the ANP. The Basic Condition in this regard has been met.
- 4.6 Subject to the detailed comments (and associated PMs) on the individual policies that I set out below, I conclude that the ANP has had proper regard to national policy and guidance. I also conclude that, subject to the modifications that are set out below:
- the ANP is in general conformity with the strategic policies of the HDPF and that overall, the document provides an appropriate framework that will ensure the satisfactory achievement of the objectives of the ANP; and
  - that the policies (as modified) are supported by appropriate evidence, are sufficiently clear and unambiguous and that they can be applied consistently and with confidence.<sup>6</sup>

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<sup>6</sup> PPG Reference ID: 41-041-20140306.

## *Specific Issues of the Plan's Policies*

### Introduction and Local Context

- 4.7 The Introduction to the ANP succinctly explains the status and purpose of the document and there is an informative section which summarises the public consultation that has been undertaken. The Plan Area is clearly identified in Figure 1.1.
- 4.8 In the interests of clarity, it would be appropriate to confirm what the initials NPSG stand for (last sentence of paragraph 1.2) and I recommend accordingly in **PM1**. Similarly, it would strengthen the document if a brief reference is made to the imminent review of the adopted HDPF – thus leaving the reader in no doubt that there may be changes to the planning framework for the area in the relatively near future. **PM2** is therefore recommended.
- 4.9 In order to assist the reader the specific HDPF policy, obliquely referred to in the second sentence of paragraph 1.9 (i.e. HDPF Policy 3), should be fully referenced and this is recommended in **PM3**. In paragraph 1.10 a specific reference to the Consultation Statement should be included because that document sets out in detail the extensive approach taken by the Parish Council towards public consultation (**PM4**).
- 4.10 Chapter 2 explains the history of the village and provides a clear assessment of the settlement, for example in terms of population profile, economic activity, housing and local infrastructure. However, since the publication of the submission ANP there has evolved greater clarity regarding the need for expanded primary school facilities in the village. The Statement of Common Ground (SOCG) dated December 2020<sup>7</sup> confirms that in order to meet future educational needs, provide flexibility and secure the future of the existing school, a total of 0.54ha of land adjoining the existing primary school should be safeguarded for school expansion. In order to reflect this revised approach, there should be a brief reference to the potential for expansion at Ashington Primary School in paragraph 2.20 and I recommend accordingly in **PM5** (see also PM24).
- 4.11 There then follows, on page 13, a short section summarising the contents of the HDPF which are of particular significance to Ashington. However, in order to ensure a clearer understanding of the current situation with regard to the Review, I consider it would be appropriate to confirm that the HDPF is currently under review and, again, that there may consequently be a need to reconsider the policies in the ANP. A foot-note giving the appropriate web-site for news about the HDPF Review should also be included. These modifications are recommended in **PM6**.

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<sup>7</sup> Between Ashington Parish Council, Horsham District Council, West Sussex County Council and the Lower Family.

## Objectives

4.12 The challenges for the village are summarised in paragraph 3.1 and the Objectives are set out in paragraph 3.2. The issues to be addressed are clear and the objectives for the Parish are appropriately based on the feedback from the numerous public consultation exercises. For clarity, in paragraph 3.2, the words Neighbourhood Plan should be inserted after 'Ashington' and this is recommended in **PM7**.

## Overall Spatial Strategy (Policy ASH1)

4.13 Chapter 4 summarises the overall strategy for the Parish and paragraph 4.3 refers to the Housing Needs Survey<sup>8</sup> commissioned by the Parish Council. That Survey recommended that between 123 and 200 new dwellings should be provided in Ashington between 2017 and 2031. In the event, about 225 dwellings are being proposed in the ANP. This figure should ensure that the infrastructure priorities of the community can be satisfactorily delivered. The reason for adopting this approach is clearly explained and the emphasis being placed on the provision of new or improved infrastructure and community facilities appears to be fully justified.

4.14 Policy ASH1 identifies the two sites allocated for development at Chanctonbury Nursery (about 75 dwellings) and land west of Ashington School (about 150 dwellings). The reader is also introduced to the identified 'Community Cluster', where community facilities will be focussed. Finally, the policy sets out the approach to be taken to proposed development outside the built-up area boundary. I consider that the policy clearly establishes the broad strategy for the village and its environs and that it meets the Basic Conditions.

## Transport and Movement (Policies ASH2 and ASH3)

4.15 There is a significant reliance on the private car by the residents of the village, with no nearby rail services and only limited bus services. Consequently, emphasis is placed on improving the situation for pedestrians. Figure 5.1 identifies a number of existing Walkway Routes, together with some 'new' routes from the proposed development sites.

4.16 Policy ASH2 confirms that new development should maximise the potential for sustainable movement and that consideration should be given to retaining and improving the identified Walkway Routes. Such an approach is compatible with the promotion of sustainable transport, as set out in chapter 9 of the NPPF. In order to emphasise the Parish Council's approach, I recommend that reference is made in the policy to supporting appropriate sustainable accessibility improvements for walkers, cyclists and horse riders (**PM8**). However, there is no value in making reference

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<sup>8</sup> By Navigus Planning 2017.

to the Neighbourhood Plan Area in clause A of the policy and in the interests of clarity I recommend in **PM9** that this reference is deleted.

- 4.17 Parking is an issue of particular concern to local residents, as evidenced for example in the Regulation 16 consultation responses. Policy ASH3 places the emphasis on the provision of off-street parking and having seen the narrow width of some of the village centre roads, I concur that this is a reasonable approach.
- 4.18 On page 22 there is a spending priority for Community Transport, set out in a green box. It is clear to me that this is an aspiration of the Parish Council (rather than a specific policy).<sup>9</sup>
- 4.19 The policies in the chapter on Transport and Movement, as proposed to be modified will contribute to the achievement of sustainable development and will meet all the other Basic Conditions.

#### Environment (Policies ASH4, ASH5, ASH6 and ASH7)

- 4.20 The Environment is the focus of chapter 6. The Methodist Church and the Old School and Old School House, Rectory Lane, are identified as local heritage assets.
- 4.21 There is a reference in paragraph 6.2 to the 24 listed buildings within the Parish (including the Parish Church of St Peter and St Paul) and also to two 'scheduled monuments'. In the interests of consistency, it would be beneficial to confirm that there is a relationship between one of the scheduled monuments and the proposed housing site to the West of Ashington School. **PM10** is recommended accordingly.
- 4.22 Policy ASH4 affords appropriate protection to the two local heritage assets referred to above. Having seen the buildings and read the relevant supporting text it is clear to me that their designation as heritage assets is justified. However, I consider that the first sentence in policy ASH4 lacks clarity for the decision-maker and I therefore recommend, in **PM11**, that the wording is revised.
- 4.23 Bearing in mind the character and setting of the village, the need for appropriate landscaping and improved access to the countryside is clear. In the interests of consistency, the words 'National Park' should be inserted after South Downs, in the second sentence of paragraph 6.16 and I recommend accordingly in **PM12**.
- 4.24 Policy ASH5 emphasises the need for the appropriate design and landscaping of new development that abuts open countryside. I agree that the sensitivity of such locations justifies the requirements of the policy. However, in order to improve the strength of the policy, I recommend, in **PM13**, that it should be a requirement for evidence to be submitted that

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<sup>9</sup> PPG Reference ID: 41-004-20190509

demonstrates how proposed development would be sympathetic to the setting of the development and the character of the countryside.

- 4.25 The impact of noise is another issue that has been raised by local residents and Policy ASH6 seeks to ensure that any impacts are mitigated. In order to ensure that the decision-maker is in no doubt, the policy would benefit from improved clarity and therefore I recommend **PM14**.
- 4.26 Flooding in Mill Lane is the subject of Policy ASH7, but both the supporting text and the policy would benefit from being more precise and therefore I recommend **PM15** and **PM16**.
- 4.27 I am satisfied that the policies on the Environment as proposed to be modified have appropriate regard to national policies and advice and meet the other Basic Conditions.

#### Community and Economy (Policies ASH8 and ASH9)

- 4.28 Chapter 7 provides further information about the Ashington Community Cluster. This is an area in the vicinity of the Recreation Ground where it is anticipated that a range of community facilities can be provided. I agree with the Parish Council that this is an ambition which deserves significant support because it will provide the village with a community 'heart' – a heart which at the current time does not exist in any significant way. However, the location of the various facilities is not sufficiently clear to the reader and therefore I recommend, in **PM17**, that a plan<sup>10</sup> be inserted into chapter 7 that identifies the location of existing community facilities.
- 4.29 Paragraph 7.3 refers to an 'Audit of Community Assets' but no further detail is given. In order to assist the decision maker there should be a cross-reference to the specific document itself (Community Needs May 2018 – A Summary of Evidence). This is an important document because it will be used by the Parish Council to plan new facilities and as a blueprint for expenditure.<sup>11</sup> Therefore, I recommend the inclusion of such a cross-reference in **PM18**.
- 4.30 To aid the interpretation of paragraph 7.9 (page 31), I recommend the inclusion of a specific cross-reference to policy ASH2 (**PM19**).
- 4.31 Policy ASH8 relating to the Community Cluster is clear and the accompanying Table 7.1 adequately establishes the impetus to achieving the provision of the various facilities. However, clause B of the policy implies to me that Table 7.1 provides all the advice that is required in terms of community facility provision. I consider that to be unlikely and

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<sup>10</sup> The plan identified as Appendix 1, as attached to the Parish Council's response to my Questions dated 25 January 2021:

[https://www.horsham.gov.uk/\\_data/assets/pdf\\_file/0005/95585/Letter-to-HDC-Examination-Questions-January-2021.pdf](https://www.horsham.gov.uk/_data/assets/pdf_file/0005/95585/Letter-to-HDC-Examination-Questions-January-2021.pdf)

<sup>11</sup> See Parish Council's response to my Question 4.

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therefore I recommend that, in the interests of flexibility and accuracy, the word 'shown' (in clause B) be replaced by 'summarised' (**PM20**).

- 4.32 Policy ASH9 relates to the provision of small-scale and 'move-on' employment development. I agree that, in a location such as Ashington, small-scale sustainable local employment provision should be encouraged, and the policy establishes an appropriate approach towards the issue. There are, however, a number of references to office space being provided on 'flexible terms'. It is not clear to the reader, however, what such terms might entail. Therefore, I recommend in **PM21** that a brief explanation of what is meant by 'flexible terms' is included in paragraph 7.17.
- 4.33 Subject to the modifications recommended in **PM17-PM21** above, the policies on the Community and Economy contribute towards sustainable development and meet all the other Basic Conditions.

#### Site Allocations (Policies ASH10 and ASH11)

##### Chanctonbury Nursery (Policy ASH10)

- 4.34 Chapter 8 on the Site Allocations re-introduces the matter of housing need (see also paragraph 4.3 of the ANP) and makes reference to the need for housing for the elderly. The matter of design is then addressed, in particular the need to satisfactorily assimilate any new development into the existing fabric of the village. There then follows advice and policies relating to the two allocations.
- 4.35 Policy ASH10 allocates land at Chanctonbury Nursery for about 75 dwellings. I saw on my visit that the land is no longer used as a nursery. The policy is sufficiently detailed and addresses all the appropriate issues, for example dwelling mix; community infrastructure provision; up-grading of the adjacent Public Right of Way; and the submission of Reports regarding land contamination and mineral resources. However, there is a lack of clarity regarding the dwelling mix as referred to in clauses i and ii. I therefore recommend in **PM22** that the wording of clause ii be clarified.
- 4.36 Whilst the provision of lighting (as required in clause v) is to be supported, it is important that the amenity of the occupiers of nearby properties is not significantly diminished and therefore I recommend **PM23**.
- 4.37 Subject to the clarifications referred to above, I am satisfied that the requirements set out in Policy ASH10 are all justified and that the Basic Conditions have been met.

##### Land West of Ashington School (Policy ASH11)

- 4.38 The allocation in policy ASH11, for about 150 dwellings, is on land to the west of Ashington School. Since the publication of the submission ANP, a SoCG has been agreed between Ashington Parish Council, Horsham

District Council, West Sussex County Council and the Lower family (dated 17 December 2020). The SoCG confirms that West Sussex County Council have requested the safeguarding of land for the expansion of Ashington Primary School. Firstly, an allocation of 0.1ha is required to meet the needs arising from the growth proposed in the ANP and secondly a further 0.44ha is required for growth beyond the Plan period. The land should adjoin the existing primary school site.

- 4.39 I am satisfied that the safeguarding of this land is justified, accords with sustainability requirements (see amendment to the Strategic Environmental Assessment attached to the SoCG) and meets the other Basic Conditions.
- 4.40 To accommodate this revision, the SoCG includes some amendments to the policy itself, the supporting text and the Policies Map (including the inset map). The modifications set out in the SoCG are agreed by all interested parties.
- 4.41 With regard to the supporting text it would be appropriate to include reference to the up-to-date situation regarding the potential safeguarding of land for educational purposes at Ashington Primary School. I therefore recommend **PM24**.
- 4.42 Turning to the policy itself there are a number of recommended modifications. Firstly, in the section entitled 'Employment and community infrastructure' there should be two additional clauses that refer to the allocation of 0.1 ha adjoining the Primary School and to the safeguarding of a further 0.44ha. This will therefore accurately reflect the current position and on that basis, I recommend **PM25**.
- 4.43 In order to align Policy ASH11 with Policy ASH10 (see last sentence of paragraph 4.35 above), it is recommended that the wording in clause ii, with regard to housing mix, be modified in the interests of clarity and consistency (**PM26**).
- 4.44 Clause vi refers to the provision of a 'suitable management plan', with regard to open space. However, in order to provide greater clarity, it is recommended, in **PM27**, that it is made clear that any such plan is subject to the agreement of the local planning authority.
- 4.45 Clause xiii refers to football pitches, but I am told that only one full-size pitch is proposed.<sup>12</sup> I therefore recommend in **PM28** that the wording be amended accordingly.
- 4.46 Clause xx refers to the scheduled monument and archaeological remains to the south of the site, but they are not identified on Figure 8.2. In order to assist the decision maker and for the avoidance of doubt, I recommend that these features are identified on the plan on page 39 (**PM29**).

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<sup>12</sup> In representation 70 (Regulation 16).



- 4.47 It is important that these proposed modifications (as set out in the SoCG)<sup>13</sup> are accurately reflected on the Policies Map, the Inset Map and Figure 8.2. To that end I therefore recommend, in **PM30**, that the necessary alterations to these Maps are undertaken.
- 4.48 A number of respondents to the Regulation 16 consultation expressed concerns regarding the increase in traffic through the village as a result of the proposed development. The site was considered by the Highways and Transport officers of West Sussex County Council, who concluded that because of the number of dwellings proposed and the effectiveness of the Ashington by-pass no significant congestion in the village would be caused. I have seen no substantive evidence that would lead me to challenge the aforementioned conclusions.
- 4.49 Concerns were also raised regarding the potential for on-street parking to hinder the flow of traffic. I saw on my visit that some of the roads are comparatively narrow but at that time there were no significant highway safety problems caused by inconsiderate parking. There is no evidence that would lead me to conclude that the development of about 150 dwellings would significantly change the current situation. In any event, Policy ASH2 requires development proposals to include a strategy to mitigate the impact of additional traffic movements on the safety and flow of pedestrians. Specific reference is also made to reducing vehicular parking where it might obstruct pedestrian access.
- 4.50 The NPPF, in paragraph 108, advises (in summary) that the promotion of sustainable transport modes should be taken up; safe access to an allocated site should be achievable; and that any significant impacts on the transport network or highway safety should be capable of acceptable mitigation. I am satisfied that these matters have been appropriately addressed in the ANP (as proposed to be modified).
- 4.51 A number of respondents have raised concerns regarding the impact of new development on the listed buildings at Church Farm House and St Peter and St Paul's Church and their settings. Issues of light, noise and air pollution have also been raised. Having visited the location I agree that it is an important objective to ensure that there would be no harmful impact from the development on these features. However, I note that clauses xix and xxi of Policy ASH11 afford appropriate protection and I also note that the Indicative Access Plan<sup>14</sup> demonstrates that, for example, the stone wall boundary to the Church would not be harmed. I am satisfied that there is no substantive evidence that would lead me to conclude that the consequences of the proposed development, in terms of the matters referred to above, would be significant. My conclusion on this matter is strengthened by the fact that Historic England has confirmed it supports Policy ASH11.<sup>15</sup>

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<sup>13</sup> View at: [https://www.horsham.gov.uk/\\_data/assets/pdf\\_file/0005/94109/20.12.18-Land-west-of-Ashington-School-SOCG-FINAL.pdf](https://www.horsham.gov.uk/_data/assets/pdf_file/0005/94109/20.12.18-Land-west-of-Ashington-School-SOCG-FINAL.pdf)

<sup>14</sup> Attached to representation 70 (Regulation 16).

<sup>15</sup> Representation 73 (Regulation 16).

## Other Potential Allocations

- 4.52 A representation was submitted regarding a potential site for about 70 dwellings off Rectory Lane (Rep 75). I am told by the Parish Council that this site 'emerged' well after the 'call for sites' and after the preferred sites had been identified. I am satisfied that the proposed development sites in the ANP meet the necessary criteria for allocation and I concur with the Parish Council that it is not necessary for well-advanced plans to be up-dated every time a new site is submitted for consideration. The opportunity for further consideration of this site is imminent, as part of the current Local Plan Review. I am satisfied that the proposals in the ANP do not prejudice the consideration of any longer-term potential for growth in the village.
- 4.53 I am mindful that a number of local residents expressed a preference for development to the north of the village. It was suggested, for example, that this option would generate fewer traffic and parking issues. However, I am satisfied that the Parish Council has undertaken a clear site selection process and has fully taken into account of, for example, sustainability issues, housing need, the Vision for the village and the consultation responses.

## *Monitoring and Review*

- 4.54 The monitoring and review of plans is an important component in the plan-making process, particularly in circumstances where changes to the policy framework are imminent (i.e. the Local Plan). I therefore recommend, in **PM31** the inclusion of a paragraph entitled 'Monitoring and Review', to be included at the end of the document.

## **5. Conclusions**

### *Summary*

- 5.1 The Ashington Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

### *The Referendum and its Area*

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. I conclude that the

ANP, as modified, has no policy or proposal which I consider to be significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond that boundary. I recommend that the boundary for the purposes of any future referendum on the Plan, should be the boundary of the designated Neighbourhood Plan Area.

### *Overview*

- 5.4 It is evident to me that significant effort has been expended in the preparation of the ANP. A pragmatic and justified approach towards new development has been taken by the Parish Council, whilst ensuring that any new development will make the necessary contributions towards improving community facilities for existing and 'new' residents alike.
- 5.5 In particular the Parish Council should be commended for preparing a clear, easily readable document. The maps are all decipherable, the identification of the policies is clear, and the inclusion of relevant photographs enlivens the text. I am confident that this Neighbourhood Plan, if made, will provide a valuable component in the Development Plan.

*David Hogger*

Examiner

## Appendix: Modifications (31)

Note: Deletions are shown in ~~strikethrough~~ and additions in **bold**.

<b>Proposed modification number (PM)</b>	<b>Page no./ other reference</b>	<b>Modification</b>
PM1	Page 1 Paragraph 1.2	After NPSG add: <b>(Neighbourhood Plan Steering Group)</b> .
PM2	Page 2 Paragraph 1.8	Add an additional sentence to paragraph 1.8 to read: <b>It should be noted that the Horsham District Planning Framework is at an early stage of review.</b>
PM3	Page 2 Paragraph 1.9	At the end of the second sentence in paragraph 1.9 add: <b>(see HDPF Policy 3 - Strategic Policy: Development Hierarchy)</b> .
PM4	Page 3 Paragraph 1.10	Add a second sentence to paragraph 1.10 to read: <b>Details of the approach taken towards consultation are included in the published Consultation Statement (May 2020).</b>
PM5	Page 10 Paragraph 2.20	Add a new sentence to the end of paragraph 2.20 to read: <b>West Sussex County Council, as education authority, has confirmed that land for the extension of the Primary School should be safeguarded.</b>
PM6	Page 13	Add a new paragraph after 2.34 to read: <b>The adopted Horsham District Planning Framework is currently under review<sup>1</sup>. Although the review is at an early stage of preparation there is the possibility that in the future, housing allocations within the Parish may increase. If that were to be the case it may be necessary</b>

		<p><b>to undertake a review of this Neighbourhood Plan.</b></p> <p><sup>1</sup> See: <a href="http://www.horsham.gov.uk/planning/local-plan">www.horsham.gov.uk/planning/local-plan</a></p>
PM7	Page 15 Paragraph 3.2	Insert <b>Neighbourhood Plan</b> after Ashington.
PM8	Page 20 Policy ASH2 A	Add a new sentence to clause A to read: <b>Support will be given to improving appropriate sustainable accessibility for walkers, cyclists and horse riders.</b>
PM9	Page 20 Policy ASH2 A	Delete from clause A: <del>particularly within the Neighbourhood Plan area</del>
PM10	Page 23 Paragraph 6.2	Modify the last sentence of paragraph 6.2 to read: There are also two scheduled monuments <sup>3</sup> , <b>one of which lies close to the allocated housing site Policy ASH11.</b>
PM11	Page 25 Policy ASH4	Modify first sentence to read: Development proposals affecting local heritage assets, either directly or indirectly, should respect the significance of <del>and context</del> of the <b>local</b> context of the asset as well as the positive contribution that the heritage asset makes to local character and the distinctiveness <del>of the area.</del>
PM12	Page 25 Paragraph 6.16	In second sentence insert <b>National Park</b> after South Downs.
PM13	Page 26 Policy ASH5 B	Include an additional sentence at the end of clause B, to read: <b>Proposals must demonstrate how the development is sympathetic to the landscape setting and the intrinsic character and beauty of the countryside.</b>

PM14	Page 27 Policy ASH6	Modify last sentence of Policy ASH6 to read:  This includes <del>both indoor and outdoor i.e. garden</del> , <b>noise impacts in both indoor and outdoor locations.</b>
PM15	Page 28 Paragraph 6.21	In first sentence replace <del>such</del> with <b>appropriate.</b>
PM16	Page 28 Policy ASH7	Modify policy ASH7 to read:  <b>Appropriate</b> <del>development</del> <b>which is in accordance with the policies of the Development Plan</b> and which <b>satisfactorily</b> addresses or contributes towards mitigating localised flooding issues in the Mill Lane area will be supported.
PM17	Page 29 or 30	Insert a plan identifying the location of the existing community facilities. <sup>16</sup>
PM18	Page 29 Paragraph 7.3	Insert a footnote after 'Audit of Community Assets' to read:  <b>Community Needs May 2018 A Summary of Evidence</b>
PM19	Page 31 Paragraph 7.11	After first sentence add cross-reference ( <b>see Policy ASH2</b> ).
PM20	Page 32 Policy ASH8 B	In clause B:  Delete <del>shown</del> and replace it by <b>summarised.</b>
PM21	Page 33 Paragraph 7.17	In second sentence of paragraph 7.17, after 'on flexible terms' add:  <b>(for example, the inclusion of an automatic break clause within the first 3 or 6 months or guaranteed rental rates for the first two years),</b>
PM22	Page 37 Policy ASH10 ii	Modify sub-section ii to read:  <del>as part of that mix</del> , at least 25% of <b>all</b> units are designed to meet the needs of older people, <b>with an appropriate split of the</b>

<sup>16</sup> See footnote 10.

		<b>provision based on the mix of market and affordable properties;</b>
PM23	Page 37 Policy ASH10	Add a new sentence to clause v to read: <b>Such lighting must be designed to protect the amenity of neighbouring residents;</b>
PM24	Page 38 After paragraph 8.14	Insert a new paragraph of supporting text to read: <b>The growth of Ashington requires additional educational provision, including primary school provision. West Sussex County Council (WSCC), as education authority, has advised that a minimum of 0.1 hectares of land adjoining the Ashington Primary School site, closest to the existing school buildings, is required to support the growth of the school by 0.5 forms of entry. However, this scale of growth would not represent the optimal operations requirement for school expansion. Additional land may therefore be required in order to provide further forms of entry depending on the requirements of the school. It is considered prudent and necessary, in order to retain primary education provision in its current location in the heart of the village adjacent to the Community Cluster, to safeguard land for potential school expansion. WSCC has advised that a further 0.44 hectares of safeguarded land, adjoining the existing school site, could enable future expansion if required (a total of 0.54 hectares).</b>

PM25	Page 40 Policy ASH11	Add two new clauses in the section of the policy entitled 'Employment and community infrastructure' to read:  <b>xviii. contributions for education as well as the allocation of 0.1 hectares of land adjoining the Ashington Primary School site, closest to the existing school buildings, to enable school expansion to mitigate allocated development;</b>  <b>xix. safeguarding of a further 0.44 hectares of land adjoining the existing school site for further school expansion if required.</b>  Renumber the clauses that follow as appropriate.
PM26	Page 40  Policy ASH11 ii	Modify sub-section ii to read:  <del>as part of that mix,</del> at least 25% of <b>all</b> units are designed to meet the needs of older people, <b>with an appropriate split of the provision based on the mix of market and affordable properties;</b>
PM27	Page 40 Policy ASH11	Modify clause vi by adding at the end of the sentence:  <b>to be agreed by the local planning authority;</b>
PM28	Page 40 Policy ASH11 xiii	Modify criterion xiii to read:  The provision of <b>a</b> full-sized (11 a-side) grass football pitches for community use;
PM29	Page 39 Figure 8.2	Identify on Figure 8.2 the location of the scheduled monument and archaeological remains.
PM30	Pages 39,42 and 43  Figure 8.2; Policies	Modify these maps to identify the land allocated and safeguarded for school expansion (as set out in the Statement of Common Ground dated December 2020). <sup>17</sup>

<sup>17</sup> See footnote 13.



	Map; and Inset Map	
PM31	Page 41	<p>Insert paragraph entitled: <b>Monitoring and Review</b> to read:</p> <p><b>Ashington Parish Council (working with Horsham District Council) commits to undertaking annual monitoring of the Neighbourhood Plan with a view to then undertaking a review of the Plan if any policies are either (i) resulting in outcomes detrimental to the achievement of the Plan’s objectives; or (ii) clearly out of date. This monitoring will take into account any emerging development plan document being prepared by Horsham District Council and the stage it has reached in its preparation (and therefore the weight that could be afforded to it).</b></p>