

# **Hassocks Neighbourhood Development Plan 2014-2031**

**A report to Mid Sussex District Council on the  
Hassocks Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by Mid Sussex District Council in July 2019 to carry out the independent examination of the Hassocks Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 2 and 3 October 2019.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and providing a context within which new homes can be accommodated within the context of the recently-adopted Mid Sussex District Plan. It addresses two principal issues – the proposed designation of three Local Gaps and a suite of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Hassocks Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**16 December 2019**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Hassocks Neighbourhood Development Plan 2014-2031 (the 'Plan').
- 1.2 The Plan has been submitted to Mid Sussex District Council (MSDC) and to the South Downs National Park Authority (SDNPA) by Hassocks Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on maintaining the integrity of the village. It proposes three Local Gaps and a suite of local green spaces
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## **2 The Role of the Independent Examiner**

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by MSDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of MSDC, the SDNPA and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the submitted Sustainability Appraisal (incorporating Strategic Environmental Assessment);
- the non-technical summary of the Sustainability Appraisal;
- the MSDC HRA screening report;
- the MSDC Equalities Impact Assessment;
- the Review of Policy 1 (Local Gaps);
- the Review of Policy 2 (Local Green Spaces);
- the Local Green Spaces Policy Review October 2018;
- the Local Green Space Review June 2016;
- the Landscape Character Assessment;
- the broader Evidence Base and other background documents;
- the Parish Council's responses to my Clarification Note;
- MSDC's responses to my Clarification Note;
- the representations made to the Plan;
- the adopted Mid Sussex District Plan;
- the adopted South Downs Local Plan;
- the National Planning Policy Framework (February 2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 2/3 October 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.20 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised MSDC of this decision after receiving the responses to the clarification note.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the second pre-submission version of the Plan (January to February 2019). It captures the key issues raised in a proportionate way in Section 10 of the Statement
- 4.3 The Statement is commendably thorough and comprehensive. It also takes account of the protected nature of the plan-making process. As the Statement describes the initial Pre-submission Plan (Regulation 14) was formally published for consultation in January and February 2016. The Submission Documents were subsequently prepared and submitted to MSDC in June 2016. The Submission Plan and associated documents underwent further public consultation in July 2016-September 2016. In light of feedback from the ongoing Examination of the Mid Sussex District Plan (MSDP), in particular with respect to the overall level of housing need MSDC advised that the District Council considered that the Neighbourhood Plan should not proceed to Examination at that time. It advised that progress should be delayed until agreed housing figures for the overall District requirement and for individual Neighbourhood area totals were available. On this basis progress on the Plan was paused until the District Plan was adopted in March 2018.
- 4.4 The Statement helpfully describes the ways in which the more recent preparation of the Plan built on the consultation exercises undertaken in the earlier period from 2012 to 2016. It sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the initial consultation (November 2012);
  - the organisation of a parish-wide questionnaire (May to July 2014);
  - the organisation of a public event (September 2014);
  - the production of a housing needs document (November 2014);
  - a public stakeholder's event (January 2015);
  - The Young Persons Survey;
  - The Business and Tourism Questionnaire (April 2015); and
  - Consultation on Housing Sites (July 2015)
- 4.5 The Statement provides specific details on the comments received as part of the consultation process on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. This process helps to describe the evolution of the Plan. Tables 1 and 2 of the Statement

set out the comments received within this period and the Parish's Council's responses to the matters raised. The overall assessment is very detailed.

- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. MSDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

#### *Representations Received*

- 4.8 Consultation on the submitted plan was undertaken by MSDC for a six-week period that ended on 16 September 2019. This exercise generated comments from a range of organisations as follows:
- West Sussex County Council Asset Management
  - Batchellor Monkhouse
  - SGN
  - Mackie Avenue Residents Association
  - Southern Water
  - Natural England
  - Hunterspoint and Sayers Parish Council
  - Surrey County Council
  - Clayton with Keymer Parochial Church Council
  - Friars Oak Residents Association
  - Mid Sussex District Council
  - West Sussex County Council – Planning Policy
  - Gladman Developments Limited
  - Environment Agency
  - Mr C Brace
  - Rydon Homes
  - Basic Pause Limited
  - Globe Homes
  - South Downs National Park Authority
  - Mr C.L. Marlow
- 4.9 In addition 49 representations were received from local residents. I have taken all the various representations into account in examining the Plan. Where it is appropriate to do so, I highlight specific representations on a policy-by-policy basis in Section 7 of this report.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area consists of the parish of Hassocks. Its population in 2011 was 7667 persons living in 3414 houses. It was designated as a neighbourhood area in July 2012 by MSDC and in September 2012 by the South Downs National Park Authority. It is an irregular area running in a north to south alignment with the London to Brighton railway running through its middle part. It is located to the south of Burgess Hill, to the east of Hurstpierpoint and to the west of Ditchling. Whilst the neighbourhood area is dominated by Hassocks it is predominantly a rural parish and much of its area is in agricultural use.
- 5.2 The principal settlement in the neighbourhood area is Hassocks. It is located in the centre of the neighbourhood area. It has distinct parts based either on its historic development around the alignment of the railway. The traditional village core is based on and around Keymer Road. It includes the principal commercial facilities in the neighbourhood area and the railway station. Keymer is located to the east of the village centre. Whilst it has now largely been incorporated into the wider village its historic core remains clear around the junction of Keymer Road and Ockley Lane in general, and St Cosmas and St Damian's Church in particular. More modern development is located to the north of both the village centre and Keymer. The separate hamlet of Clayton is located to the south of Hassocks. The history of the Parish is reflected in its two separate conservation areas – one in Keymer and one in Clayton.
- 5.3 The remainder of the neighbourhood area consists of a very attractive agricultural hinterland. The part of the neighbourhood area to the south and east of Hassocks is within the South Downs National Park. In this context the character of the neighbourhood area is dominated by the north-facing steep chalk scarp slopes of the South Downs. They include an important area of species rich chalk grassland. The National Park provides a very clear and obvious southern boundary of Hassocks and Keymer.

### *Development Plan Context*

- 5.4 The development plan covering the neighbourhood plan area is comprehensive. It consists of the adopted Mid Sussex District Plan and the adopted South Downs Local Plan. The neighbourhood plan is in the fortunate place that both of these local plans are relatively recently-adopted.
- 5.5 The Mid Sussex District Plan includes a comprehensive range of policies. Policy DP1 Sustainable Economic Development, DP4 Housing and DP6 Settlement Hierarchy of the District Plan provide key elements of the strategic approach of the District Plan. New growth is largely based around the well-defined settlement hierarchy in the District. Burgess Hill, East Grinstead and Haywards Heath are identified as category 1 settlements. Hassocks and Keymer is one of a series of larger villages (acting as



Local Service Centres) identified as category 2 settlements. The principal new development proposed within the neighbourhood area is that of a strategic allocation to the north of Clayton Mills (Policy DP11). It includes 500 new homes and a new school.

- 5.6 In addition the following policies in the District Plan have been particularly important in influencing and underpinning the various policies in the submitted Plan:

DP12 Protection and Enhancement of the Countryside  
 DP13 Preventing Coalescence  
 DP14 Sustainable Rural Development and the Rural Economy  
 DP15 New Homes in the Countryside  
 DP24 Leisure and Cultural Facilities and Activities  
 DP25 Community Facilities and Local Services  
 DP26 Character and Design  
 DP29 Noise, Air and Light Pollution  
 DP31 Affordable Housing  
 DP35 Conservation Areas

Since the Plan was submitted MSDC has published a consultation draft (Regulation 18) of its Sites Allocations Development Plan document. Its role is to identify additional sites throughout the District to accommodate its residual housing requirement. This document proposes the allocation of land to the north of Shepherds Walk, Hassock (SA24) for approximately 130 dwellings. It is one of 22 proposed housing allocations throughout the District to supplement the strategic allocations already included in the adopted District Plan.

- 5.7 The southern and eastern parts of the neighbourhood area are located within the South Downs National Park. As such future development in this area is controlled by the adopted South Downs Local Plan. The Plan was adopted in July 2019 immediately before the examination of the submitted neighbourhood plan. It is primarily a landscape-led Plan. Strategic Policies SD4,5 and 6 address Landscape Character, Design and Views respectively.
- 5.8 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is also clear that the submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

*Unaccompanied Visit*

- 5.9 I carried out an unaccompanied visit to the neighbourhood area on 2 and 3 October 2019. I was fortunate in selecting dry days in an otherwise very wet week. This gave

me the opportunity to look carefully at those parts of the neighbourhood area affected by the various policies in the submitted Plan.

- 5.10 I drove into the neighbourhood area from Burgess Hill from the north along the A273. This gave me an initial impression of its setting and the character. It also highlighted its connection to the strategic road system and to Burgess Hill. I saw the scale and the nature of the proposed Local Gap between Keymer/Hassocks and Burgess Hill.
- 5.11 I parked in Shepherds Walk off London Road. Given the relatively compact nature of the village and the pleasant nature of the weather I was able to carry out the majority of the visit on foot. I looked initially at the area around the Friar Oak PH. I saw the emerging housing site on the western side of London Road. I then found the footpath on the eastern side of the road and walked into proposed local green space 1 (land to the north of Shepherds Walk). I saw that it was uncultivated agricultural land divided into two separate fields. I saw the well-established trees and hedges on its western and eastern boundaries together with the vegetation along the boundary between the two fields. I followed the well-defined footpath that runs through the southern part of the site adjacent to the dwellings off Shepherds Walk to the south.
- 5.12 Thereafter I continued along the footpath, over the railway line and into proposed local green space 8. I saw its relationship to the Clayton Mills housing development to the immediate south and the associated play area. I saw that it was located at an intersection of several well-used footpaths in this part of the village. I was also able to see the strategic housing site allocated in the District Plan (and as featured in Policy 16 of the submitted Plan). The openness of this part of the village afforded extensive views to the north of the village and into the proposed Local Gap between Keymer/Hassocks and Burgess Hill (in this case to the east of the railway line). I had clear views of the Burgess Hill water tower.
- 5.13 I then walked along the footpath into the Clayton Mills residential development. I saw the proposed local green space 3 and the way in which it provided natural vegetation and associated open space in the heart of the community. I continued along the footpath into Woodslane Road, and Chancellor Park. I saw the Infant School as I walked into the village centre. Once I arrived in the village centre, I walked up to the station. I saw its central importance within the village and the frequency of trains stopping at the station. I also saw the healthy range of national and independent retail and other commercial services in the village centre. I then walked along Grand Avenue up to The Thatched Inn PH. Along the way I looked at Adastra Park and saw its range of recreational facilities.
- 5.14 I then walked through proposed local green space 4 (land to the east of Ockley Lane). I followed the well-defined path along the diagonal route through the middle of the field. I appreciated the impressive views to the South Downs. I was also able to see the scale, extent and the landscape features of the proposed wider Keymer/Hassocks and Ditchling Local Gap within which the proposed local green space is located. I continued along the footpath and found my way into Church Mead and Keymer Road.

- 5.15 I spent some time in and around Keymer village. I looked at St Cosmas and St Damian church. I saw its distinctive apse and its well-maintained churchyard and granite war memorial. I saw the various domestic buildings along Keymer Road and the impressive Old Manor House. I walked down Lodge Lane and saw the various Edwardian and early twentieth century houses in this part of the village. I found the footpath on the west side of the road and followed it through to the proposed local green space 5 (land to the south of Downlands). I saw that it was a very well-maintained community field, owned and managed by the Downlands Community School and the Hassocks Community Partnership.
- 5.16 I traced my steps back along the footpath and Lodge Lane to Adastra Park and the Parish Centre. It was being well-used at the end of the school day. The skateboard park was very popular. I also saw the work being undertaken to fell the Turkey Oak in the Park. I spent a quiet few moments in the well-maintained and peaceful Garden of Remembrance.
- 5.17 I walked through the village centre and under the railway to London Road. I saw the new houses being built to the west of the road. I found the route of the diverted footpath and followed it round to proposed local green space 2 (Land at The Ham). I saw the open grazing land and the storage container in its south eastern corner. I took the opportunity to look at the proposed Keymer/Hassocks and the Hurstpierpoint local gap from the north western corner of the field.
- 5.18 On 3 October I concluded the visit by looking at Clayton village and the two local green spaces between Clayton and Hassocks. I parked in the attractive and well-arranged Clayton Wood Natural Burial ground. I saw its attractive setting to the immediate north of the South Downs. I followed the footpath to the east over the railway line into proposed local green space 7 (land at Pheasant Field). I saw that it was open grassland and meadows surrounded by trees and with footpaths round the edges. It was being well used by dogwalkers. I also saw much evidence of the excellent and on-going work of the Monday Club. I also took the opportunity to walk into the proposed local green space 6 (land to the west of the railway line).
- 5.19 I then drove into Clayton. I saw the church and the attractive grouping of buildings along Underhill Lane.
- 5.20 Given the significance of the importance and geographic scale of the proposed local gaps I drove to Ditchling and Hurstpierpoint. I left the neighbourhood area along the A273 towards Burgess Hill.

## 6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the 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 in the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings.

### National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in February 2019. This approach is reflected in the submitted Basic Conditions Statement.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Hassocks Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Mid Sussex District Plan and the adopted South Downs Local Plan;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance high quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area within the context provided by the District Plan. It seeks to deliver the strategic housing requirement for the neighbourhood area as identified in that Plan. It also proposes a series of local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

#### Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for housing and employment development (Policies 14-17 and 18 & 19 respectively). In the social role, it includes policies on community infrastructure (Policies 10-12). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on local gaps (Policy 1), on local green spaces (Policy 2) and on development in the South Downs National Park (Policy 6) and in conservation areas (Policy 7). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in Mid Sussex and in the South Downs National Park in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.

*Sustainability Appraisal – Details and Findings*

- 6.15 In order to comply with this requirement the Parish Council commissioned the production of a Sustainability Appraisal (SA). It incorporated Strategic Environmental Assessment (SEA). The SA considered three options/alternative strategies as follows:

Option A: To have a strategy that does not support further housing growth beyond existing completions and commitments;

Option B: To have a strategy that supports for small-scale growth/windfall within and adjoining the built-up area boundary subject to HNP criteria and in line with Policy DP6: Settlement Hierarchy of the District Plan; and

Option C: To have a strategy which allocates sites beyond existing completions and commitments in excess of the minimum 882 dwellings required by the District Plan.

- 6.16 The SA concluded that whilst Option A would have a positive effect on environmental objectives it would have neutral impact social and economic objectives. In considering Option C, the SA gave consideration to those sites identified in the MSDC Strategic Housing Land Availability Assessment (SHLEAA) which could potentially deliver housing in excess of District Plan requirements. Option C would result in the allocation of additional sites for housing (beyond existing completions and commitments). Given the level of completions and commitments including the proposed strategic allocation it concluded that the allocation of additional sites within the Parish would negatively impact on the environmental objectives.
- 6.17 The SA concluded that Option B was the most favourable as it provides the most balanced positive option against the range of objectives. It would enable small-scale growth/windfall within and adjoining the existing built up area boundary of Hassocks, subject to criteria identified in the submitted Plan and Policy DP6 of the District Plan. This would facilitate the positive delivery of additional housing within the Parish which would have a positive effect on the social and economic objectives. Whilst there would be some impact on environmental objectives, the SA concluded that would be

minimised and mitigated by the criteria which would need to be met in conjunction with the delivery of such development. The SA also concluded that Option B would also ensure adverse impact on environmental objectives would be minimised and mitigated. This option was therefore considered to provide the most balanced positive option against the range of objectives.

- 6.18 The SA assessed all the policies (and the aims) and the three options identified above against the Sustainability Objectives. The work is incorporated as Appendix 2 of the Appraisal. Whilst a number of the individual policies may have a negative impact, particularly on a specific small number of Objectives, overall the policies in the submitted Plan, taken as a whole will have a significant positive impact on the sustainability of the Parish. The Appraisal comments Appendix 2 demonstrates the overall positive impact of the selected policy option on the social, economic and environmental objectives.

*Sustainability Appraisal – Representations and Commentary*

- 6.19 The SA has generated a series of technical representations from Rydon Homes (Sigma Planning R63), Clayton with Keymer Parish Council (Evison & Company R38) and Globe Homes (Lewis and Company R66). In their different ways the representations contend that the submitted SA does not meet the basic conditions.
- 6.20 The representations suggest that the Plan in general and the SA in particular should have tested either a higher level of growth for the neighbourhood area than that included in the District Plan in general terms or for the development of identified sites in particular. I address these points under a series of headings. In doing so I make reference where appropriate to ‘A Practical Guide to the Strategic Environmental Assessment Directive 2005’ (the ‘Practical Guide’). This document is referenced both by some of the representations and in the response to the clarification note by the Parish Council.

*The failure of the SA to consider reasonable alternatives in a robust way and of individual sites in particular*

- 6.21 Paragraph 6.15 of this report has summarised the alternatives considered in the SA and the wider plan-making process. Option B was selected.
- 6.22 This matter cannot be considered in isolation. It needs to be considered within the round and in the context of the wider preparation of the Plan. The preparation of a neighbourhood plan for Hassocks has been a long and challenging task. As I have described in Section 5 there have been two distinct phases for the Plan preparation process – in effect before and after the certainty provided by the now adopted District Plan. The second phase of the plan-making process has taken account of the strategic housing requirement for Hassocks, the allocation of the site to the north of the village for 500 homes in the District Plan and commitments for residential development on other parcels of land.
- 6.23 In this context, the supporting text in the submitted Plan (paragraphs 6.1 to 6.13) comment on the Plan’s approach to this important matter. In summary they highlight that the minimum requirement for 882 dwellings in Hassocks within the District Plan

period is already met by existing commitments, completions and the strategic allocation in the District Plan. No evidence has been submitted as part of the examination process that disputes this conclusion. Similarly, no evidence has come forward to suggest that the commitments and allocations are incapable of delivery or will not come forward within the Plan period.

- 6.24 Since the SA was finalised and the Plan was submitted, the potential delivery of housing in the neighbourhood area has been enhanced further with the granting of planning permission for the parcel of land to the east of the Friar Oak PH (130 homes).
- 6.25 The Rydon Homes and Globe Homes representations also propose the allocation of specific sites in which they have an interest. In both cases they are included in Appendix 3 of the submitted SA (respectively sites 221 and 210) which identifies sites which have been considered in the Mid Sussex Strategic Housing and Economic Land Availability Assessment April 2018. In this context they were considered in a general fashion as part of the submitted Plan's Option C. A specific assessment of specific sites promoted through the consultation phase of the Plan against the allocated sites is not a statutory requirement of the SA process.
- 6.26 In any event planning permission has now been granted for the Rydon Homes site (SHELAA site 221). This is the Friars Oak site mentioned in paragraph 6.24 of this report. In addition, MSDC is now consulting on its Site Allocations Development Plan Document. Whilst the draft Plan does not allocate the Globe Homes site it has been assessed for its appropriateness for residential purposes. The opportunity will exist through that emerging process for Globe Homes to present a case for the allocation of its site.
- 6.27 In all the circumstances I am satisfied that the SA has taken a proportionate approach to this matter. In general terms there is no need for a neighbourhood plan to assess a housing growth figure beyond that identified in the adopted development plan. In particular, in this case the District Plan is recently-adopted and has considered the level, nature and location of new housing growth in the neighbourhood area in a comprehensive fashion. This contrasts significantly with the preparation of other neighbourhood plans where the development plan is either more historic or where it includes a requirement for neighbourhood plans to deliver their own local and specific allocations.

*The dismissal of the higher growth option*

- 6.28 The representations comment that Option C (the additional growth scenario) was dismissed without any significant evidence or analysis. It is also argued that the scale and level of any additional growth was not specifically tested to allow its environmental effects to be adequately assessed.
- 6.29 I have considered this issue very carefully. In doing so I have concluded that within the wider context of the Plan the SA has taken an appropriate and balanced approach to this matter. Appendix 3 is clear and transparent about the scale, nature and location of potential housing sites in the neighbourhood area (both committed



and SHELAA sites). This matter is specifically addressed in paragraphs 5.7 and 5.8 of the submitted SA

- 6.30 Section B.2 of the Practical Guide provides a context for this matter. It comments that:

*'In conducting SEA, Responsible Authorities must appraise the likely significant environmental effects of implementing the plan or programme and any reasonable alternatives. It is normal practice when developing a plan or programme to propose different ways of fulfilling its objectives. In the UK the term "options" is often used. Each alternative can be tested against the SEA objectives, with positive as well as negative effects being considered, and uncertainties about the nature and significance of effects noted. This will often be an iterative process, with the alternatives being revised as part of the SEA to enhance positive effects and reduce negative ones.*

*Alternatives considered often include scenarios termed 'no plan or programme' and 'business as usual'. It is important to be clear what these alternatives mean in relation to a particular plan or programme. 'No plan or programme' might mean not introducing a plan or programme where none already exists, or it might in effect propose no further action to implement a plan or programme (e.g. no more developments in a particular area). 'Business as usual' usually means a continuation of an existing plan or programme, as an alternative to preparing a new one. It is important to be aware that baselines will change over time under 'no plan or programme' and 'business as usual' alternatives, as well as under new plans or programmes.*

*At this stage it may be possible to drop some alternatives from further consideration and document the reasons for eliminating them. Justifications for these choices will need to be robust, as they can affect decisions on major developments'*

- 6.31 Section B3 of the Practical Guide offers more specific advice on the way in which SA/SEA work should assesses the effects of the Plan and any identified alternatives. It comments that:

*'Predictions do not have to be expressed in quantitative terms. Hard data may enable Responsible Authorities or expert advisers to make detailed quantitative predictions, and this can be particularly useful where a plan's or programme's effects are uncertain, close to a threshold, or cumulative. However, quantification is not always practicable, and qualitative predictions can be equally valid and appropriate. In current practice, these are often expressed in easily understood terms such as 'getting better or worse' or a scale from ++ (very positive) to -- (very negative). It can be useful to link predictions to specific objectives'*

- 6.32 This general approach is further refined in Appendix 6 of the Practical Guide. It has a clear focus on the scale and the nature of the reasonable alternatives. It comments that:

*‘Only reasonable, realistic and relevant alternatives need to be put forward. It is helpful if they are sufficiently distinct to enable meaningful comparisons to be made of the environmental implications of each.*

*Some alternatives are discrete, involving a choice between one alternative and another. These are often the broad options considered early in plan and programme preparation. Other alternatives can be combined in various ways. Alternatives may be grouped into scenarios, for instance rapid economic growth (or the) ‘most sustainable’ option*

*For key plan or programme issues, a hierarchy of options may be considered. Obviation of demand is often environmentally and socially better than providing for demand or rationing consumption through price or limited capacity’*

- 6.33 Having considered all the information available to me as part of the examination I am satisfied that the SA and the wider Plan has taken a proportionate approach to this matter. The SA has looked at the potential for a higher growth option based on the broader context within which the Plan has been prepared, and the various committed and potential SHELAA sites in particular. It has taken a reasonable judgement that any further strategic planned growth in the neighbourhood area (in this case through the submitted Plan) would have environmental consequences which had not been tested in the District Plan.
- 6.34 In coming to this conclusion, I have given considerable weight to the recent adoption of the District Plan and the strategic growth approach that it has taken towards the neighbourhood area (and which is translated into the submitted Plan). The environmental effects of the higher growth option (Option C) are assessed in Appendix 1 of the SA. I am also satisfied that the approach taken on this matter is both robust and proportionate to the issues being addressed in the Plan. I am also satisfied that the SA has taken an appropriate approach on the level of detail required to enable the plan making body to assess the environmental implications of the various options. As described in Part B3 of the Practical Guide it has assessed the implications of Option C on a positive-negative scale and has reached qualitative rather than through detailed quantification judgements.

*Relative merits of committed sites against other potential sites*

- 6.35 It has been suggested in some of the representations that the approach towards testing committed sites against other sites should have been more detailed. It is also suggested that sites identified in the Plan as local green spaces should have been considered for development.
- 6.36 I am not convinced that such an approach has merit. The plan-making process is entitled to come to a balanced judgement on the ability or otherwise of the allocated and committed sites in the neighbourhood area to come forward in the Plan period. As the Parish Council comments in its response to the clarification note ‘the allocated and the committed sites are materially and significantly different from other potential sites in the neighbourhood area’. In addition, irrespective of the approach taken in the Plan on the future direction of housing growth the allocation and the commitments

would be unaffected. In this context the allocated site and the committed sites are properly incorporated within the context of both Option A and B in the SA.

*The iterative nature of the SA and future monitoring*

- 6.37 It has been suggested in some of the representations that the approach to the iterative nature of the SA is underdeveloped. It is also contended that the SA's approach to monitoring is inappropriate.
- 6.38 I am not persuaded by these criticisms of the submitted SA. On the first point the SA reflects the staged nature of the plan-making process. Nevertheless Section 2 of the SA describes the iterative nature of the process that has been followed. In addition, Appendix 4 describes the way in which it has responded to earlier comments received. This matter is also addressed more generally in paragraph 5.13 of the SA.
- 6.39 On the second point the SA is clear in paragraphs 2.9 and 6.3 that monitoring of the Plan will take place in the event that the Plan is made. This is a reasonable approach which takes account of the uncertainties of the examination process in general for the future direction of the Plan, and the potential implications of any recommended modifications in particular.
- 6.40 I comment on the various policies in Section 7 of this report. However, in general terms I am satisfied that the submitted Sustainability Appraisal is a well-prepared document which properly assesses the potential impact of the implementation of the Plan's policies. In particular it assesses reasonable alternatives and makes an informed judgement on which of those alternatives the Plan should take forward. As part of this process it has taken a proportionate approach to the issues raised. Importantly it has done so within the context of an up to date, recently-adopted development plan context which has had significant implications for future development in the neighbourhood area.

*Habitats Regulations Assessment*

- 6.41 The District Council has produced a separate Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.42 The HRA report is very thorough and comprehensive. It took appropriate account of the significance of the Ashdown Forest SPA and SAC. It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters. The Ashdown Forest SPA was classified in 1996. It is a 3,200Ha site comprising predominantly of lowland heathland and woodland. The Ashdown Forest SPA is an internationally important habitat classified because of the presence of breeding populations of Dartford warbler *Sylvia* and European nightjar. Ashdown Forest is also notified as a Site of Special Scientific Interest (SSSI). The Ashdown Forest SAC was designated in 2005 and covers 2,700Ha. It has a different boundary to the SPA, but the two designations overlap. It is also part of the SSSI.

- 6.43 No policies in the submitted Plan were found to have a likely significant effect alone on the Ashdown Forest SPA and SAC. In particular Policies 15 and 16 comment on housing sites which are already allocated or have planning permission are not considered to result in a likely significant effect.
- 6.44 The HRA also considered in combination effects. Other neighbourhood plans and windfall sites within the 7km zone in Mid Sussex will be required to provide mitigation for development where there is a net increase in dwellings and any in combination effect will be taken into account through the overall mitigation strategy. Policies that propose residential development in neighbourhood plans in Mid Sussex outside the 7km zone of influence are considered to have an insignificant effect on the Ashdown Forest SAC and SPA (as previously assessed through the District Plan HRA). Nevertheless, MSDC provides assurance that such matters will be explored in further detail in the HRAs of those neighbourhood plans.
- 6.45 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

#### Human Rights

- 6.46 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. An Equalities Impact Assessment has helpfully been prepared by MSDC. It is an excellent document.
- 6.47 On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

#### Summary

- 6.48 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. The Plan includes a series of Aims. They are appropriately distinguished from the principal land use policies.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. The Aims are addressed after the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial section of the Plan (Sections 1-3)*

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional way. It includes well-selected photographs and maps. A very clear distinction is made between its policies and the supporting text. I make some specific comments on the legibility of the Proposals Map in paragraphs 7.107 and 7.108 of this report.
- 7.9 The Introduction comments about the development of the Plan. It also provides background information on the wider planning policy context. It helpfully comments about the way in which the Plan has been developed in general, and has sought to dovetail with the adopted Mid Sussex District Plan in particular.
- 7.10 Chapter 2 comments about the neighbourhood area and a range of matters which have influenced the preparation of the Plan. It includes a very well-considered Parish Profile. It addresses:

- The Environment and Heritage;
- Community Infrastructure;

- Housing;
- Economy; and
- Transport

The various policies in the Plan are assembled around these key headings.

- 7.11 Section 3 comments about the Plan's Vision and Objectives. It is well-constructed. It describes how the Vision and the Objectives of the Plan were developed. Its key strength is the way in which the objectives directly stem from the Vision.
- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

#### Policy 1: Local Gaps

- 7.13 This policy sits at the heart of the Plan. It proposes the definition of three local gaps as follows:
- Keymer/Hassocks and Ditchling;
  - Keymer/Hassocks and Hurstpierpoint; and
  - Keymer/Hassocks and Burgess Hill
- 7.14 The purpose of the definition of local gaps is to prevent coalescence and to retain the separate identity and amenity of the settlements concerned. The policy then identifies the types of development that would be supported within the defined Local Gaps. The supporting text (paragraph 4.1 to 4.14) provides a comprehensive context to this matter. It is also underpinned by background papers. The proposed Local Gaps are drawn tightly around the edges of Hassocks. In most case the inner boundaries of the Local Gaps follow the defined built up area boundary for Hassocks in the adopted District Plan.
- 7.15 The policy approach included in the submitted neighbourhood plan seeks to follow the approach to local gaps set out in Policy DP13 of the adopted Mid Sussex District Plan. It is conveniently summarised in paragraph 4.9 of the Plan. That paragraph describes the way in which the Plan has sought to provide robust evidence to identify local gaps and to demonstrate that existing local and national policies cannot provide the necessary protection. The SDNPA has also made comments about the way in which the proposed policy would apply in the National Park. In particular it draws attention to the second criterion of the policy which itself refers to Policy DP6 of the District Plan. Plainly that policy does not apply in the National Park.
- 7.16 The supporting text to Policy DP13 of the District Plan comments that the settlement pattern of Mid Sussex makes an important contribution to its distinctive character. As such a strategic objective of that Plan is to promote well-located and designed development that reflects the distinctive towns and villages, retains their separate identity and character and prevents coalescence.

- 7.17 The approach in Policy DP13 supplements that included in Policy DP12 which refers more generally to the protection and enhancement of the countryside. The supporting text to this policy comments that 'the primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there. At the same time, it seeks to enhance the countryside, support the rural economy by accommodating well-designed, appropriate new forms of development and changes in land use where a countryside location is required and where it does not adversely affect the rural environment. New development to meet local needs can be proposed through Neighbourhood Plans where this will support local services and is otherwise compatible with District Plan policies'
- 7.18 The Parish Council has approached its proposed identification of Local Gaps within this broader context. In doing so it has produced a landscape assessment. It reflects the approach in the District Plan supporting text which comments that the Strategy for the West Sussex Landscape (2005, paragraph 2.5) identifies the settlement pattern of the County – a network of small to medium-sized towns, villages and hamlets – as a strong defining characteristic.
- 7.19 In addition the Parish Council has prepared a separate document – Review of Policy 1: Local Gaps. This document takes account of the comments received to the pre-submission Plan. I summarise the findings of these documents in the following sections of this report
- 7.20 A Landscape Character Assessment was prepared as a supporting document for the emerging neighbourhood plan in March 2015. Whilst it does not make any specific recommendations for the definition of Local Gaps it provides detailed evidence on the character and appearance of those parts of the neighbourhood area outside Hassocks and provides a context within which the various parcels of land have been assessed for this purpose. The Assessment clarifies that its ambition is to provide a more local iteration of the Mid Sussex Landscape Character Assessment.
- 7.21 The Review document summarises the findings of the landscape assessment work. In particular it provides an update on national and local policy as it has developed in recent years. In addition, it reviews the comments that were received during the most recent pre-submission phase of the Plan. It also assesses those parts of the neighbourhood area where proposals have come forward for development and which may, individually and cumulatively reduce the separation between the settlements concerned. As an outcome it identifies areas where proposed Local Gaps could be reduced in their size from those included in earlier versions. These findings were translated into the submission Plan.
- 7.22 The policy has attracted a series of representations from the development industry. In summary they are as follows:
- Clayton with Keymer Parish Council and the Chichester Diocese – detailed comments are made about the wording of Policy 1 and its requirement for an 'appropriate landscape buffer' where any proposed housing schemes are in

accordance with Policy DP6 of the adopted District Plan. The representation proposes an additional housing site to the west of London Road.

Gladman Developments Limited – detailed comments are made about the relationship of the proposed policy both to the adopted District Plan, and to national policy. It also comments about the scale and nature of the evidence presented in the Plan. It suggests that if the policy is retained its wording should be modified so that it allows an appropriate balancing act to take place when determining planning applications in the affected areas.

Colin Brace and Philip Harris – detailed comments are made about the proposed size of the Keymer/Hassocks to Burgess Hill Local Gap. In particular the representation suggests that there should be a balance between the definition of a proposed Local Gap to the west and to the east of London Road. It proposes a further housing site in the neighbourhood area on the eastern side of London Road to the north of the Friars Oak PH.

Rydon Homes – makes detailed comments about the planning history on the site in which it has an interest to the east of the Friars Oak PH off London Road. It also comments about the integrity of the policy and suggests that it is either deleted or that the proposed Local Gaps are reduced to area which are necessary to prevent coalescence between the settlements concerned.

BasicPause Limited – makes detailed comments about the way in which the proposed policy approach relates to national and local policy and thereby to the basic conditions. It makes specific comments about the extent to which the policy fails to address the need for rural economic development in the neighbourhood area.

Globe Homes – makes detailed comments about a parcel of land to the rear of 2 Hurst Road and to the west of London Road. It contends that the parcel of land is now heavily influenced by the development of the adjacent Barratt Homes development to the north. It asserts that its removal from the Local Gap would not have any significant effect on the wider policy approach or the wider objectives of the adopted District Plan.

- 7.23 The policy itself identifies the proposed local gaps and comments about the types of development which would be supported in the designated areas. It overlaps with Policy DP6 of the adopted District Plan. Its overall ambition is to safeguard the integrity of the three proposed gaps.
- 7.24 I have also taken account of two changes in circumstances that have taken place since the consultation process ended. The first is that planning permission has been granted for the development of 130 houses on land to the rear (north and east) of the Friar Oak PH, London Road Hassocks. That site is within the proposed Hassocks/Keymer to Burgess Hill Local Gap. The second is that the same site is proposed as a housing allocation (SA24) in the Regulation 18 Consultation Draft Mid Sussex Site Allocations Development Plan Document (October 2019).
- 7.25 Taking all the information into account I am satisfied that there is a case for the designation of Local Gaps in the neighbourhood area. In particular I am satisfied that,



on balance, the Parish Council has submitted robust evidence to justify this approach and as required by Policy DP13 of the adopted District Plan. It has assessed the landscape nature of the countryside and related it to the original work undertaken by MSDC in preparing the former 2004 Local Plan. It has assessed the scale and nature of the planning permissions and development pressures that now exist in the neighbourhood area in general, and with the allocation of the strategic site in the adopted District Plan in particular.

- 7.26 As highlighted earlier in this report circumstances have changed further since the submission of the Plan and the comments made to that Plan. In particular the parcel of land to the east of Friars Oak now benefits from planning permission for residential development. It is also allocated for development in the emerging Site Allocations DPD. Plainly this has a direct impact on the proposed identification of the Hassocks-Burgess Hill Local Gap. In a wider context it also has two related consequences. Firstly, it provides clarity on the scale, the nature and the location of allocated and committed housing sites in the neighbourhood area. Secondly it reinforces the sensitivity and the reduced nature of the open countryside between Hassocks/Keymer and the three settlements to the north west and east to further development within the Plan period. This change has been most noticeable in the proposed Hassock-Burgess Hill in general, and to the immediate north of the built-up area boundary of Hassocks in particular.
- 7.27 In coming to decisions on the strategic site at Clayton Mills and the recent planning appeal on the Friars Oak site planning inspectors have concluded that the sites would not significantly conflict with the separation that exists between Hassocks and Burgess Hill. In the anticipation that the two sites will come forward within the Plan period together with other committed sites I am satisfied that the scale and nature of the residual land between Hassocks and Burgess Hill would be of a residual scale to warrant the definition of a Local Gap. This is particularly relevant given the development pressures arising in the southern part of this local gap (that is to the immediate north of Hassocks)
- 7.28 However in this context I recommend a series of modifications to the policy so that it has regard to national policy. In particular they relate to the following matters:
- the wording used in the policy in general, and the lack of any direct reference to the South Downs National Park in particular;
  - the way in which the policy tackles economic development and tourism activities; and
  - the way in which the policy would be applied to sites which immediately adjoin the built-up area boundary.
- 7.29 On the first matter the submitted policy takes an approach which defines the types of development which would be supported in a Local Gap. In summary they are agricultural uses, other uses which 'have to be located in the countryside' and a housing proposal that would be in accordance with Policy DP6 (1-3) of the adopted District Plan. That policy relates to housing proposals outside any defined built-up area boundary.

- 7.30 In this context I recommend three modifications to the wording used in the policy. The first brings clarity to that part of the first criterion which refers loosely to ‘some other use which has to be located in the countryside’. As submitted, this does not have the clarity required by the NPPF. Neither MSDC nor a developer would immediately understand how this aspect of the policy would be applied. The second relates to the requirement for a landscape buffer to be associated with any proposed housing schemes. In this regard the need or otherwise for landscaping of whatever type would be a matter of judgement for MSDC.
- 7.31 The third incorporates reference to the appropriate policy in the South Downs Local Plan insofar as that policy would apply within elements of the various Local Gaps which fall within the National Park.
- 7.32 The second matter overlaps with the first matter. National policy offers support for sensitive economic development and tourism activities within the countryside. It also offers specific support to any such proposals which may involve the re-use of existing buildings. I recommend that this issue is reflected in the supporting text. There is no reason why such uses cannot be satisfactorily accommodated in the proposed Local Gaps without undermining their principal purpose of retaining the separation of settlements and preventing coalescence. The recommended modification to the policy itself appropriately addresses this issue in a general way.
- 7.33 The third matter seeks to take account of particular circumstances which have been brought forward in two representations on this policy where the parcel of land concerned immediately adjoins the identified BUAB. The first relates to Globe Homes representation on the parcel of land to the rear of 2 Hurst Road and to the west of London Road. In this case it is surrounded by built development on three sides. In particular the recent development of the Barratt Homes development to its north has separated it from the bulk of the proposed Local Gap to the north. The second relates to land at The Paddock and Evergreen to the north of the Friar Oak PH. In both cases the representations comment that the sites should be included for residential development, and that their development can be accommodated without impacting on the separation between Hassocks and Burgess Hill.
- 7.34 Both sites have been assessed for the potential for development as part of the preparation of the emerging Site Allocations DPD. They are not proposed for development in that Plan. For the purpose of this examination my role is simply to assess the appropriateness of its inclusion within the proposed Local Gap.
- 7.35 I have given careful thought to the appropriateness or otherwise of recommending the removal of these parcel of land from the proposed Local Gap. On the one hand to do so would take account of their changed circumstances since the development of the Barratt Homes site and the emerging Golf Course site off London Road. On the other hand, such an approach would depart from the approach taken elsewhere in the Plan of having a common boundary for the relevant Hassocks built up area boundary and the relevant Local Gap.
- 7.36 On the balance of the issues I am satisfied that the sites concerned should remain within the proposed Local Gap. In any event the appropriate mechanism for the

potential development of the sites is the emerging Site Allocations DPD. The sites have already been assessed and the owners have the potential to pursue the sites through that process as they see fit.

- 7.37 In a broader context I also recommend detailed modifications to the wording used in paragraph 4.14. In particular the submitted text's use of 'keep these areas free from development in the longer term' is at odds with the specific support to development in the policy itself. In addition, it fails to take account of the 'Plan period' in its rather loose use of 'the longer term.'
- 7.38 I recommend that the parcels of land to the north of Shepherds Walk as now approved for residential development are excluded from the proposed Hassocks to Burgess Hill Local Gap. This matter is detailed on the map at Appendix 1 of this report.

**In criterion 1 replace 'or some other.... countryside' with 'or other uses which accord with national and local policies for the use of land and buildings in the countryside'**

**In criterion 2**

- **add 'or Policy SD25 of the South Downs Local Plan as appropriate to the location of the proposed development'**
- **delete 'and...Local Gap'**

*In paragraph 4.14 (second sentence) replace 'keep these areas.... Local Gap' with 'ensure that development in these areas is restricted to that which would be appropriate to safeguard the separation of the settlements concerned whilst ensuring that sustainable development take place within the Plan period*

*At the end of paragraph 4.14 add: The policy identifies specific types of development which would be supported within the identified Local Gaps. It seeks to balance the need for policy clarity on the one hand with facilitating the sustainable use of land and buildings in the countryside. This is particularly reflected in the two criteria in the policy. The boundaries of the Local Gaps where they adjoin Hassocks/Keymer are mostly common with the built-up area boundary of the village. Development proposals which may arise in a Local Gap immediately adjacent to built-up area boundary will be determined against both Policy DP6 of the adopted District Plan, Policy SD25 of the South Downs Local Plan and Policy 1 of the HNP. Whilst these policies overlap Policy 1 of this Plan would have a particular focus on ensuring that the proposal would not compromise the integrity of the Local Gap concerned.*

*Remove the parcel of land within the application site of planning application DM/19/1897 and DM/18/2342 from the Hassocks - Burgess Hill Local Gap and as shown in Appendix 1.*

Policy 2: Local Green Spaces

- 7.39 This policy is another important element of the Plan. In this case it proposes the designation of a series of local green spaces (LGSs). They vary in size, location and

character. In particular some are located within the built-up part of the village and some are located in more peripheral locations.

7.40 The Plan provides evidence about the way in which potential sites have been assessed against national criteria for LGS designation. The Parish Council undertook an initial analysis in September 2015. Further work was carried out in October 2018. In the more recent phase of plan-making it reviewed and updated this work in June 2019. This work took account of the comments that had been received to the pre-submission consultation exercise.

7.41 On the basis of the evidence provided in the various studies and my own observations of the proposed LGSs I am satisfied that the following meet the three criteria as identified in the NPPF:

LGS 3	Land to the south of Clayton Mills
LGS 5	Land south of Downlands
LGS 6	Land to the west of the railway field
LGS 7	Land at Pheasant Field
LGS 8	Land at Clayton Mills

7.42 In addition, I am satisfied that their designation accords with the more general elements of paragraph 99 of the NPPF. Firstly, the package of sites is consistent with the local planning of sustainable development. In this context MSDC has recently adopted the District Plan which includes a strategic housing site in the neighbourhood area. It has also more recently granted planning permission for the development of the Friars Oak site. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, in many cases they are established elements of the local environment and are sensitively managed as green spaces in ways appropriate to their particular uses.

7.43 During the examination MSDC granted planning permission for the residential development of land to the north of Shepherds Walk (DM/19/1897). This followed on from the removal of the holding direction on the planning application associated with that site. In November 2019 planning permission was granted on appeal for an earlier proposal on the same site (DM/18/2342). The site includes the proposed LGS1 in the submitted Plan. In the circumstances I recommend the deletion of this proposed LGS. Section 37-008-20140306 of Planning Practice Guidance is clear that LGS designation will rarely be appropriate where land has planning permission for development.

7.44 I looked carefully at proposed LGS 2 (Land at the Ham) and LGS 4 (Land to the east of Ockley Lane) when I visited the neighbourhood area. I saw that they were in agricultural use. I address them in turn in paragraphs 7.45 to 7.50.

7.45 As the 2018 Assessment comments that LGS 2 is a field to the west of London Road and forms part of Ham Farm. The proposed LGS lies to the west of land recently granted permission for residential development at Ham Fields. The proposed area

of LGS 2 has been reduced from that shown in the 2016 pre-submission Plan to reflect this change. I saw the way in which the proposed LGS related to the recently-constructed residential development to the east as part of my visit.

- 7.46 I am satisfied that the proposed LGS is in reasonable proximity to the community that it serves. I am also satisfied at 4.97 hectares that it is local in character and not an extensive parcel of land. However, having considered all the relevant information I am not satisfied that the proposed LGS is demonstrably special. In particular I have taken account of the information in the October 2018 LGS study about the landscape character of the field, the views that can be had from within the space, its heritage and wildlife significance and the access provided by the footpath. Nevertheless, I am not satisfied that either individually or in combination that these factors point to the site being demonstrably special. In essence it is a field on the edge of the village which is not dissimilar to others around this or other villages. On this basis I recommend that it is deleted from the Plan.
- 7.47 The proposed LGS 4 is a field to the immediate east of Ockley Road. It is crossed by a footpath running in a north-west to south-east direction. The pre-submission Plan proposed a more extensive LGS with the incorporation of the field to the immediate east. The various LGS documents explain the circumstances which led to a smaller area being proposed in the submitted Plan. I saw from my visit the way in which the proposed LGS related to the built development off Ockley Road and Damian Way/Church Mead to the west and south respectively. I also saw the extensive views towards the South Downs Scarp to the south of the village from within the proposed LGS.
- 7.48 I am satisfied that the proposed LGS is in reasonable proximity to the community that it serves. I am also satisfied at 5.07 hectares that it is local in character and not an extensive parcel of land. However, having considered all the relevant information I am not satisfied that the proposed LGS is demonstrably special. In particular I have taken account of the information in the October 2018 LGS study about the landscape character of the field, the views that can be had from within the space, its heritage and wildlife significance and the access provided by the footpath.
- 7.49 Nevertheless, I am not satisfied that either individually or in combination that these factors point to the site being demonstrably special. In essence, as with proposed LGS 2 it is a field on the edge of the village which is not dissimilar to others around this or other villages. Plainly the site has extensive views of the Downs scarp to the south. However, this is a view which is enjoyed by many parts of the wider village, and along its southern flank in particular. As such the view is not specifically distinctive.
- 7.50 I have considered this matter carefully. Having done so I have concluded that there is no additional benefit to its designation as LGS in the event that it met the three NPPF criteria. On this basis I recommend that proposed LGS4 is deleted from the Plan.
- 7.51 The policy itself lists the various LGSs and then sets out a policy approach which would resist development which would conflict with the purpose of the LGS designation. Whilst this part of the policy largely follows the approach in national

policy (NPPF paragraph 101), it does not have the necessary clarity for a development plan policy. In particular it fails to identify the types of development which would conflict with the purpose of such designation. I recommend that the policy is modified so that it takes on the matter of fact approach set out in the NPPF. It will be a matter for MSDC's judgement to determine whether any proposals which may come forward within the designated LGSs would conflict with the policy approach.

- 7.52 I also recommend consequential changes to the Proposals Map and to paragraph 4.19. In relation to the latter the modification seeks to ensure that there is an audit trail in terms of those proposed LGSs which were included in the background paper but which do not translate into any made neighbourhood plan.

**In the first part of the policy delete LGS1, LGS2 and LGS4.**

**Replace the final part of the policy with: 'Proposals for development within designated Local Green Spaces will only be supported in very special circumstances'**

*Modify the Proposals Map accordingly.*

*In paragraph 4.19 after the second sentence insert: 'Three of the sites included in the submitted Plan were removed as an outcome of the independent examination.'*

*In the third sentence of paragraph 4.19 replace 'These areas' with 'The remaining five local green spaces'*

Policy 3: Green Infrastructure

- 7.53 This policy comments about green infrastructure. As described in paragraph 4.24 of the Plan the policy seeks to conserve and enhance existing green infrastructure assets and ensure that new development contributes to the enhancement of the network. It has three separate parts. The first two support proposals which would safeguard existing green infrastructure or provide additional provision. The third part seeks to resist proposals which would result in the loss of existing green infrastructure.

- 7.54 I am satisfied that the policy is both appropriate and distinctive to the neighbourhood area. I recommend a detailed modification to the second part of the policy. As submitted, it suggests that any development proposal would need to comply with all the four criteria listed. In many cases this will be impracticable. I also recommend a modification to the wording used in the third part of the policy.

**Replace the opening element of the second part of the policy with: 'Development proposals which include the provision of additional green infrastructure will be supported. Particular support will be given to proposals which'**

**In 1 and 2 delete 'They'**

**In 3 replace ‘Planting contributes’ with ‘includes planting which would contribute’**

**In 4 delete ‘Proposals’**

**At the end of criteria 1/2/3 add: ‘and/or’**

**In the third part of the policy replace ‘be resisted’ with ‘not be supported’**

#### Policy 4: Managing Surface Water

- 7.55 This policy addresses surface water. The supporting text at paragraphs 4.25 to 4.32 comment about the strategic documents to which the policy seeks to add local value. The policy has two parts. The first supports proposals which would reduce the risk of flooding. The Parish Council clarified that this part of the policy relates to specific technical solutions for such purposes. The second part of the policy offers support to the use of sustainable drainage techniques generally in new developments.
- 7.56 I recommend a modification to the first part of the policy to reflect the Parish Council’s response to the clarification note. Otherwise the policy meets the basic conditions.

**In the first part of the policy replace Development proposals with ‘Technical proposals’**

#### Policy 5: Enabling Zero Carbon

- 7.57 This policy sets out ambitious proposals to ensuring zero carbon development in Hassocks. As the supporting text identifies it seeks to provide a local dimension to the MSDC Sustainability Strategy 2018-2023.
- 7.58 It has five components as follows:
- offering support to developments which include sustainable design features;
  - ensuring that new development proposals that modify existing buildings maximise the use of energy-saving measures;
  - the inclusion of Energy Assessments with applications for new dwellings;
  - the specification of heat energy requirements; and
  - the provision for charging electric vehicles
- 7.59 I am satisfied that the first two and the fifth components take an appropriate and supportive approach towards development of this nature. However, I recommend detailed modifications to their wording so that they have the clarity required by the NPPF. The third component is a process matter rather than a land use policy and as such I recommend its deletion. I also recommend that the fourth component of the policy is deleted. I have reached this conclusion for two reasons. The first is that the Written Ministerial Statement (2015) makes clear neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. The second is that this

element of the policy has not been tested for their potential impact on the viability of the proposed development.

**In the first part of the proposal replace ‘Support ...development proposals with ‘Development proposals will be supported’**

**In the second part of the policy delete ‘All’**

**Delete the third and fourth and components of the policy.**

Policy 6: South Downs National Park

- 7.60 This policy concentrates on development proposals in the South Downs National Park. It concentrates on the need to safeguard this important landscape and to conserve and enhance its landscape character, scenic beauty and cultural heritage. Its approach has support from the South Downs National Park Authority.
- 7.61 I am satisfied that the policy properly takes account of the National Park in the neighbourhood area. In particular the scarp slope is a prominent feature throughout the village and the wider landscape. I recommend detailed modifications to the wording of the final criterion of the policy and which also corrects a spelling mistake. As with other policies I recommend that the numbers used for the different criteria are replaced with bullet points. In this case it removes the confusion of the use of 3 and 4 for the first and second criteria of the second part of the policy.

**In criterion 4 (as submitted) replace ‘no significantly’ with not unacceptably’**

**Replace 1/2/3/4 with bullet points.**

Policy 7: Development in Conservation areas

- 7.62 This policy sets out to provide distinctive policy guidance for development proposals in the two conservation areas. They have distinctive characters and appearances. At the heart of the policy is a schedule of special features which define the two conservation areas.
- 7.63 In several respects the policy is a hybrid policy. In places it repeats key elements of the general policy on conservation areas already included in the adopted District Plan. In other places it brings distinctive local information into a policy context. I recommend modifications to ensure that the relationship between the two policy approaches is clear. I also recommend other consequential and layout modifications to the policy. Otherwise it meets the basic conditions. Its implementation within the plan period will do much to ensure that appropriate and sensitive development takes place in the two conservation areas.



**At the beginning of the policy add:**

**‘Development proposals in the Keymer Conservation Area and in the Clayton Conservation Area will be assessed against Policy DP35 of the Mid Sussex District Plan and Policy SD15 of the South Downs Local Plan.**

**In particular development proposals should have regard to the following special features:’**

**Delete the first part of the policy.**

**Delete the two sets of sentences which begin with ‘The following special features’ and ‘Any development’**

**At the start of the schedule 1-8 add a heading to read ‘Keymer Conservation Area.**

**At the start of the schedule 9-18 add a heading to read ‘Clayton Conservation Area.**

**Replace numbers 1-18 with bullet points.**

Policy 8: Air Quality Management

7.64 This policy acknowledges the Air Quality Management Area (AQMA) based around the Stonepounds Crossroads. The policy supports development which would not have an unacceptable adverse impact on air quality in the AQMA.

7.65 The policy meets the basic conditions.

Policy 9: Character and Design

7.66 This policy sets out the Plan’s approach to character and design. The supporting text explains the way in which the policy has been designed to consolidate earlier work on both the Townscape Appraisal and the Village Design Statement. The policy identifies ten design principles with which new development should comply. The range of design principles are both comprehensive in general terms, and distinctive to the neighbourhood area in particular.

7.67 In a broad sense the policy meets the basic conditions. However, I recommend two modifications so that it has the clarity required by the NPPF. The first introduces a general reference to the nature and the scale of the development proposed. As submitted the policy assumes that all developments will impact on each of the design principles. The second clarifies the harm to be assessed in the sixth criterion.

**Replace the opening part of the policy with:**

**‘Development proposals will be supported where they have regard to the Hassocks Townscape Appraisal, and where their character and design takes account of the following design principles as appropriate to the nature, scale and location of the particular proposal:**

**In the sixth criterion replace ‘significant’ with ‘unacceptable’.**

Policy 10: Protection of Open Space

- 7.68 This policy addresses open space. It has three related components:
- offering support to proposals which provide a mix of formal and informal open space;
  - identifying areas of open space;
  - offering support to proposals which would replace the existing identified areas of open space; and
  - resisting proposals which would involve the loss of areas of existing open spaces unless specific circumstances are met.
- 7.69 The Plan has a sharp focus on the benefits which the Parish derives from the various open spaces within the village and the wider neighbourhood area. In this context the policy appropriately seeks to provide a basis against which any development proposals would be assessed.
- 7.70 I am satisfied that the identified areas of open space are appropriate. They are well-established parts of the local environment. In addition, they are managed in a sensitive fashion. The fourth component of the policy is particularly well-developed in the way it anticipates circumstances where new development may present the opportunity for a different provision of open space. The first would be to provide an equivalent or better provision of open space. The second is where the development would be for alternative sports or recreational provision, the needs for which clearly outweigh the loss of open space.
- 7.71 As with other policies I recommend that the numbers used for the different criteria are replaced with bullet points. In this case it removes the confusion of the use of 3/4/5 for the first, second and third criteria of the fourth part of the policy
- 7.72 I also recommend two detailed modifications to the wording of the first and second components of the policy. They will ensure that the policy has the clarity required by the NPPF.

**Replace 1/2/3/4/5 with bullet points.**

**In the first part of the policy (second sentence) replace ‘is to be of’ with ‘should be’**

**In the second component of the policy replace the opening part with:  
‘The neighbourhood plan identifies the following areas of public space. They are shown on the Proposals Map:’**

Policy 11: Outdoor Play Spaces

- 7.73 This policy continues the approach taken in Policy 10. In this case it requires that development proposals of five or more homes should provide play areas and associated equipment. The preference in the policy is that this provision should be made on the development site itself.
- 7.74 MSDC comments that Paragraph A 2.9 of Appendix 2 of its Supplementary Planning Document on open space explains that it is not always practical or appropriate to provide all categories of outdoor playing space, sport and recreation for every development. In addition, the Council would only expect children's playing space to be provided on site for developments of over 50 houses or more. I recommend modifications to address this important matter. In particular it will take account of the flexibility that may exist for new developments to contribute towards more substantial facilities off site but within close proximity to the development concerned.

**Replace 'will be required to' with should'.**

**At the end of the first sentence add: 'on the site concerned'.**

**In the second sentence replace 'This should...site, or' with 'Where on site provision is not practicable' and 'community facilities' with 'play areas and associated equipment'.**

Policy 12: Community Facilities

- 7.75 This policy seeks to safeguard community facilities. In particular its second part supports development proposals for the alteration and/or replacement of community facilities where equivalent or enhanced facilities are provided to serve local needs.
- 7.76 Paragraph 5.12 of the Plan identifies the general nature of community facilities in the neighbourhood area. Through the clarification note the Parish Council advised that the policy was intended to apply generally rather than to specific facilities. On balance I am satisfied that this approach is appropriate and provides sufficient clarity. It has the additional benefit of ensuring flexibility within the Plan period.
- 7.77 The policy meets the basic conditions.

Policy 13: Education Provision

- 7.78 This policy offers support to the development of a two-form entry primary school in the Parish. The supporting text and the Parish Council's very helpful response to the clarification note provide the context to this matter. In summary it reflects the growing pressures on the existing school provision in the neighbourhood area. The policy has overlaps with Aim 2.
- 7.79 I recommend two modifications to the policy. The first removes any reference to 'a two-form entry' school. That matter is already satisfactorily addressed in the supporting text. In any event the organisation and the intake policy of a new school is not a land use matter. The second repositions the second part of the policy into Aim

2. Whilst the joint work that the Parish Council will undertake with the County Council and MSDC will be hugely important to the social well-being of the Parish it is not as land use matter.

**In the first part of the policy delete ‘two-form entry’.  
Delete the second part of the policy.**

*Reposition the second part of the policy so that it sits as a second part of Aim 2*  
Policy 14: Residential Development

- 7.80 This policy sets out the Plan’s approach to new residential development. The supporting text makes extensive reference to the strategic context provided by the Adopted District Plan. The submitted Plan relies heavily on the delivery of existing commitments and on the development of the strategic site in the District Plan to ensure that the neighbourhood areas meets its strategic housing requirement. The supporting text clarifies that completions, commitments and the strategic allocation will collectively meet the strategic housing requirements for the neighbourhood area.
- 7.81 The policy sets out an approach for development proposals both within the defined built up area and elsewhere. In the former category the policy requires that proposed developments are of an appropriate nature and scale and positively respond to the character of the area concerned. In the latter category the policy lists a series of development which would be supported. The defined types of development correspond with existing policies in either the District Plan (fewer than 10 dwellings, contiguous with the built-up area), policies in the South Downs Local Plan, and within the neighbourhood plan (the Local Gap policy).
- 7.82 I am satisfied that the first part of the policy meets the basic conditions. However, the second part of the policy is over-complicated and largely repeats other policies. I recommend modifications accordingly to address this matter.

**Replace points 3-7 inclusive with ‘they are in accordance with Policy DP6 of the Mid Sussex District Plan, Policy SD25 of the South Downs Local Plan and Policy 1 of this Plan.’**

Policy 15: Hassocks Golf Club

- 7.83 This policy sets out to provide clarity on any future planning applications which may come forward on this site. The supporting text and the very helpful responses from the Parish Council to the clarification note provide a context to the planning history on this site.
- 7.84 On balance I am satisfied that a planning policy for this site would serve a useful purpose both generally, and in the event that further planning applications are submitted for its development. However, I recommend modifications to the supporting text to clarify that the development of a planning policy does not affect extant planning permissions on the site.

- 7.85 The policy offers support to residential development on the site subject to the proposals demonstrating compliance with a series of eleven criteria. In general terms the criteria are both appropriate and distinctive to the site. However, I recommend detailed modifications to several criteria so that they have the clarity required by the NPPF. In particular I recommend that the first criterion which relates to the Local Gap is deleted. It is unnecessary as the Golf Club as identified on the Proposals Map is outside the Local Gap. In any event any development which may be proposed adjacent to the Golf Course site in the Local Gap would be assessed against the contents of Policy DP13 of the District Plan and Policy 1 of this Plan. I also recommend the deletion of criterion 8 which refers to the details of the maintenance of open space. Criterion 7 addresses the need for open space. The maintenance of open space is not directly a land-use matter.

**Delete criteria 1 and 8.**

**In criterion 3 replace ‘Allow for the retention of’ with ‘Retain’**

**In criterion 5 replace ‘suitable’ with ‘appropriate’**

**In criterion 6 replace ‘Protect’ with ‘Safeguard’**

*At the end of paragraph 6.22 add: ‘Policy 15 has been designed to ensure that any future applications can be determined within a wider policy context which takes account of the Vision and Objectives of this Plan’*

Policy 16: Land to the North of Clayton Mills and Mackie Avenue

- 7.86 This policy seeks to provide a degree of added local value to the allocation of the strategic site in the District Plan to the north of Clayton Mills and Mackie Avenue (Policy DP11). The policy is clear that the site is already allocated for residential purposes. Paragraph 6.28 of the submitted Plan explains that the policy sets out to ensure that the site is eventually developed in a way which is in line with its Vision and Objectives.
- 7.87 The policy includes a series of thirteen development criteria to shape and influence the layout and design of the site. They include matters relating to landscape buffers, a mix of housing types and sizes, pedestrian and cycle access, open spaces and access and car parking requirements.
- 7.88 The first part of the policy largely restates Policy DP11 of the adopted District Plan in a general fashion and without the detailed criteria associated with that policy. In normal circumstances such an approach would add nothing to the development plan. However, in the case of this policy it provides a context for the local, neighbourhood plan dimension set out in the remainder of the policy. In this context I am satisfied that there is no conflict between the different criteria in the two policies.

- 7.89 In general terms the criteria in the submitted Plan are both appropriate and distinctive to the site. However, I recommend detailed modifications to several criteria so that they have the clarity required by the NPPF. In particular I recommend that the first criterion which relates to the Local Gap is deleted. It is unnecessary as the strategic site as identified on the Proposals Map is outside the Local Gap. In any event any development which may be proposed adjacent to the strategic site in the Local Gap would be assessed against the contents of Policy DP13 of the District Plan and Policy 1 of this Plan.
- 7.90 I also recommend the deletion of criteria 3 (transfer of land to the Parish Council) and 8 (reference to the South Downs National Park). In relation to the first point the preceding criterion addresses the need for a landscape buffer. The ownership of the buffer is not directly a land-use matter. In relation to the latter point the strategic allocation has already been assessed for its impact on the landscape in general, and the neighbourhood plan in particular in its allocation in the District Plan.

**Delete criteria 1/3/8.**

Policy 17: Affordable Housing

- 7.91 This policy comments about the Plan's expectations for the delivery of affordable housing.
- 7.92 I am satisfied that the first part of the policy meets the basic conditions. It provides an overall context within which local housing needs can be met. The policy is in general conformity with Policy DP32 of the Mid Sussex District Plan which addresses this matter.
- 7.93 However I am not satisfied that the second and third parts of the policy meet the basic conditions. The second part is an expression of the MSDC Housing Allocation Scheme (April 2018). Whilst the provision of affordable housing is a land use matter its allocation is not land use matter. In any event paragraphs 6.42 to 6.44 of the supporting text properly describe the local circumstances which apply in Mid Sussex.
- 7.94 The third part of the policy addresses a strategic matter and which overlaps with the Housing Allocation Scheme.
- 7.95 In these circumstances I recommend the deletion of both the second and the third components of the policy.

**Delete the second and third components of the policy.**

Policy 18: Village Centre

- 7.96 This policy recognises the importance of the village centre to the integrity and the well-being of the neighbourhood area. The facilities in the village centre have been instrumental in Hassock's designation as a Larger Village in the Mid Sussex District

Plan settlement hierarchy. The policy looks to support the vitality and viability of the village centre.

- 7.97 I recommend detailed modifications to the wording applied in the policy. Otherwise it meets the basic conditions. It will contribute significantly to the way in which the Plan delivers the economic dimension of sustainable development.

**In the first part of the policy replace ‘seek to’ with ‘would’**

**In the second part of the policy delete ‘This will include...to’. At the end of this part of the policy add ‘will be particularly supported’**

Policy 19: Tourism

- 7.98 This policy sets out to promote tourism in the neighbourhood area. Its approach takes account of the position of Hassocks adjacent to the South Downs and the accessibility provided by the railway station. In particular it builds on the findings of the SDNPA Visitor Accommodation Review (December 2014).
- 7.99 I recommend detailed modifications to the wording applied in the policy. Otherwise it meets the basic conditions. As with Policy 18 it will contribute significantly to the way in which the Plan delivers the economic dimension of sustainable development.

**Replace ‘provided’ with ‘where’ and ‘the’ with ‘their’**

**Include ‘character and appearance of’ before ‘local area’**

Aims

- 7.100 The Plan includes a series of Parish Aims. They are non-land use matters which have naturally arisen during the preparation of the Plan. Their inclusion reflects the advice in Planning Practice Guidance.
- 7.101 The Aims are included in the topic chapters along with any land use policies that exist in that section. National policy advice is that non land use matters should be captured in a separate part of the Plan. However, I am satisfied that their inclusion in the main part of the Plan is appropriate for two principal reasons. Firstly, they identify the ways in which the Parish Council itself will seek to implement the policies in the Plan. Secondly, they are presented in a different colour (grey) from the land use policies (blue).
- 7.102 The Aim are concentrated on the principal themes of the Plan as follows:
- Aim 1: Assets of Community Value
  - Aim 2: Education Facilities
  - Aim 3: Healthcare Facilities
  - Aim 4: Housing Mix

- Aim 5: Non-Car Route Ways
- Aim 6: Public Transport
- Aim 7: Traffic and Accessibility

7.103 I am satisfied that the various Aims are both relevant and appropriate to the neighbourhood area. They are distinctive to its environment, opportunities and challenges. The following Aims are particularly noteworthy:

Aim 1 – to support nominations for buildings to be identified as Assets of Community Value

Aim 5– to support measures to improve the use of rights of way

Aim 6 – to support measures to improve public transport in the Parish.

Other matters

7.104 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for MSDC, the SDNPA and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

The Plan period

7.105 The Foreword and paragraph 1.1 comment about the Plan period. In combination they identify that it is from 2014-2031. I am satisfied that this an appropriate period.

7.106 Nonetheless this matter should be more clearly expressed in the Plan. I recommend that paragraph 1.1 and the front cover of the Plan provides the necessary clarity

*On the front cover of the Plan (after 'Plan') and in paragraph 1.1 identify that the Plan period is 2014 to 2031*

Maps

7.107 The submitted Plan has addressed a series of complex matters. Its various policies are shown on a single Proposals Map which is complicated to understand. This is reinforced as several of the proposed designations overlap. In addition, the map is of a scale which does not provide the clarity required for a development plan document.



- 7.108 In order to remedy this matter I recommend that the Proposals Map is replaced by a Policies Map produced to the same scale and clarity as Map 12/12a in the District Plan.

*Replace the Proposals Map with a Policies Map produced to the same scale and clarity as Map 12/12a in the District Plan.*

#### Foreword

- 7.109 The Foreword to the Plan sets the scene for the wider document.
- 7.110 It makes several statements about the different stages of the preparation of the Plan. It also comments about the way in which the Plan currently includes proposals to meet the strategic housing requirements for the neighbourhood area.
- 7.111 It also includes several general statements about the role and purpose of neighbourhood plans. Some of its statements are factually correct. Others are potentially misleading.
- 7.112 The Foreword has primarily been designed as an explanation of the role of the neighbourhood plan to local residents. It also seeks comments through what was the submission consultation process. In the event that the Plan proceeds to referendum and is made I recommend that the Foreword is either substantially updated or deleted. In that context the Introduction provides an appropriate context for the Plan at that stage.

*Delete Foreword or update its contents so that it relates to the referendum stage of the plan-making process.*

#### Introduction

- 7.113 This part of the Plan provides a context to the wider Plan. It does so to good effect.
- 7.114 Since it was prepared the South Downs Local Plan has been adopted. I recommend consequential modifications to paragraphs 1.12 and 1.13

*Replace paragraphs 1.12 and 1.13 with: 'The South Downs Local Plan was adopted in July 2019'*

#### Monitoring and Review

- 7.115 Section 9 of the Plan comments about its implementation and delivery.
- 7.116 I recommend a series of modifications to the language used in this part of the Plan so that it has the clarity required by the NPPF.
- 7.117 The Plan also comments that MSDC will monitor the Plan. It may do so as part of its District wide monitoring function. Nevertheless, the specific monitoring of any made Plan will be the responsibility of the Parish Council. I recommend a modification accordingly.

- 7.118 The Plan is silent on the need or otherwise for any review. This is perhaps not surprising given that the District Plan was adopted in 2018. Nevertheless, MSDC is now consulting on its emerging Site Allocations DPD. That Plan proposes an additional housing allocation in the neighbourhood area. In practical terms this will have no direct impact as that site already has the benefit of planning permission. However, the final version of the Site Allocations DPD may be different from the October 2019 consultation draft.
- 7.119 In any event this process highlights the importance of any made neighbourhood plan taking into account potential changes to the wider development plan. In this context MSDC has already indicated that it intends to begin a review of the District Plan in 2021. As such I recommend that additional text is included in this part of the Plan to draw attention to this matter.

*In paragraph 9.2 replace the second sentence with: 'It will be used to determine planning applications'*

*In paragraph 9.3 insert 'part of the' between 'become' and 'Development Plan'*

*Replace paragraph 9.4 with 'Once part of the development plan the Parish Council will monitor the effectiveness of the Plan's policies'*

*Add a further paragraph (9.7) to read:*

*Through its monitoring process the Parish Council will take a view of the effectiveness or otherwise of the policies in the Plan. It will also use this information to come to a view on the need or otherwise for a full or a partial review of the Plan to be undertaken. A key event for the consideration of a review process will be the outcome of the adoption of the Mid Sussex Sites Allocation Development Plan Document (and any implications which may arise from the potential allocation of additional sites in Hassocks), the review of the Mid Sussex District Plan starting in 2021 and any review of the South Downs Local Plan.*

*Add a further paragraph (9.8) to read:*

*'In any event the Parish Council will actively consider the need or otherwise for a review of the neighbourhood plan within five years of the making of the Plan or when evidence demonstrates that either committed sites or the strategic allocation in Hassocks in the District Plan will not deliver within the Plan period'*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Hassocks Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

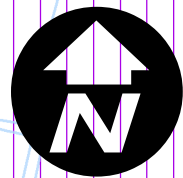
- 8.3 On the basis of the findings in this report I recommend to Mid Sussex District Council and to the South Downs National Park Authority that subject to the incorporation of the modifications set out in this report the Hassocks Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by Mid Sussex District Council in July and September 2012 for the constituent parts of the neighbourhood area in Mid Sussex and the South Downs National Park respectively.
- 8.5 The examination has addressed a series of challenging issues at the end of a protracted plan-making process. I am grateful to everyone who has assisted in any way to ensure that it has run in a smooth and efficient manner. The District Council has been very helpful in managing the process and responding to my various requests for information.

**Andrew Ashcroft**  
**Independent Examiner**  
**16 December 2019**





# Appendix 1 - Recommended amendment to the Hassocks to Burgess Hill Local Gap policy boundary

