

Examiner Recommendation	Reason	Action Taken
<p>Policy 1- Protection of Countryside</p> <p>Modify criterion d to read: “It would maintain the character and appearance of the countryside and its distinction from the built up area”</p>	<p>Criterion d refers to proposals outside the settlement boundary maintaining distinctive views of the surrounding countryside from public vantage points within and adjacent to the built up area. This matter has attracted a representation from Historic England on its clarity and application. As a matter of principle views are not treated as a material planning consideration. In addition, a prospective developer would be unclear how to approach or address this matter on a site by site basis. Nevertheless, the wider issue is of significance to the extent that the criterion is setting out to maintain the distinction between the built up area and the countryside which surrounds that area</p>	<p>Criterion d) has been amended with the suggested text.</p>
<p>Policy 2 – Preventing Coalescence</p> <p>Modify main policy element by replacing ...’would result in increasing the coalescence between’.... with ...’would result in an increase in coalescence between’.</p> <p>Remove ‘that would.... coalescence’ from criterion b.</p>	<p>The policy approach is entirely appropriate. Its clarity would be improved by the related modifications.</p>	<p>The policy wording has been amended as suggested.</p>

<p>Policy 4 – Recreation Space</p> <p>Modify policy to insert ‘Insofar as planning permission is required’ at the start of the policy</p> <p>Delete ‘usually’ from the first part of the policy</p> <p>Replace ‘;’ with ‘or’ in fifth line of the second part of the policy</p>	<p>Recommend three modifications to ensure that the basic conditions are met. The first would remove the word ‘usually’ in the first part of the policy. The use of this word is unnecessary given the wider content of the policy and would provide no certainty to a developer or funder. The second would insert words to identify that not all forms of development that would ultimately support the future uses of these two sites would need planning permission. The third would clarify the intention of the second half of the policy</p>	<p>The policy wording has been amended as suggested.</p>
<p>Policy 6 – Land between 98/104 Maypole Road</p> <p>Modify policy as follows:</p> <p>Replace first paragraph with: Proposals for residential development on land between 98 and 104 Maypole Road will be supported subject to the following criteria:</p> <p>Delete a</p> <p>Replace b with ‘Provide safe access to the site from Mayfield Road together with any necessary traffic calming or other road safety measures; and</p> <p>In c replace ‘as far as is possible and’ with ‘insofar as it is’ and add ‘and’ at the end of the criterion.</p>	<p>The County Council makes a specific comment on the contents and detail in criterion b. I consider that the details on this point are best addressed in the supporting text. The format of the policy is a combination of policy and supporting text.</p> <p>In addition, criterion a requires a potential developer to explain how the development complies with the policies in the Plan. Given that the Plan, and the wider development plan should be read as a whole this element is unnecessary and potentially onerous on any developer.</p>	<p>The policy has been amended as suggested and the supporting text updated.</p>

<p><i>Insert into the supporting text In relation to the development of the Maypole Road site the need or otherwise for site traffic calming or other road safety matters will be expected to be assessed at planning application stage. They should be carried out by a suitably qualified highways engineer and subject to the agreement of the County Council.</i></p>		
<p>Policy 7 – Mount Pleasant Nursery, Cansiron Lane</p> <p>Modify policy as follows:</p> <p>Replace first paragraph with: Proposals for residential development on land at Mount Pleasant Nursery, Cansiron Lane will be supported subject to the following criteria:</p> <p>Delete a</p> <p>Insert new criterion to read: The development of the site should respect the low density of existing dwellings in the immediate locality of the site; and</p> <p>Replace criterion e with 'Provide a tree buffer along the western boundary of the site'</p>	<p>The policy sets out the way in which this site should be developed within the context of its allocation in Policy 5. It addresses a range of key points including the remediation of potential contamination and the protection of the existing trees and hedgerows. My general comments on the design of this policy reflect earlier comments in relation to Policy 6.</p> <p>The issue of the need for low density housing would otherwise be lost with my recommended approach to the start of this and other housing allocation. For this reason, I recommend the inclusion of an additional criterion into the policy on this matter. I also make some other recommendations to simplify the policy and to ensure</p>	<p>The policy wording has been amended as suggested.</p>

<p>Add ‘; and’ at the end of each of the criteria.</p>	<p>clarity to the extent that a developer needs to comply with all the criteria.</p>	
<p>Policy 8 – Willow Trees and Spinney Hill Lewes Road</p> <p>Modify policy as follows:</p> <p>Replace first paragraph with: Proposals for residential development on land at Willow Trees and Spinney Hill, Lewes Road will be supported subject to the following criteria:</p> <p>Delete a</p> <p>Add ‘; and’ at the end of each of the criteria.</p>	<p>The policy sets out the way in which this site should be developed within the context of its allocation in Policy 5. It addresses a range of key points including the positioning of new dwellings within the site and the protection of the existing trees and hedgerows. My general comments on the design of this policy reflect earlier comments in relation to Policy 6.</p>	<p>The policy has been amended as suggested.</p>
<p>Policy 9 – Wealden House, Lewes Road (EDF Site)</p> <p>Modify policy as follows:</p> <p>Replace first paragraph with: Proposals for residential development on land at Wealden House, Lewes Road (EDF site) will be supported subject to the following criteria:</p> <p>Delete a</p> <p>Replace criterion f with ‘Provide and safeguard in perpetuity a buffer zone to protect, safeguard and sustain the Ancient Woodland to the south of</p>	<p>This is plainly an important site within the Plan. It has a significant potential capacity and yet displays a series of environmental challenges. I looked at the site in detail on my visit to the area and in doing so paid particular attention to the representations made in relation to this site by Natural England and Southern Water.</p> <p>Southern Water requests an additional criterion and which is both appropriate and would meet the basic conditions. Natural England raise detailed issues about the relationship between the redevelopment of the site for housing use and the protection of BAP and</p>	<p>The policy wording has been amended as suggested.</p>

<p>the site'</p> <p>Add ‘; and’ at the end of each of the criteria.</p>	<p>Ancient Woodland within and adjacent to the site. The examination allowed a more detailed assessment of the extent of the woodland to be carried out. The outcome of this exercise is that it is common ground that the residential redevelopment of the site can take place without any conflict with paragraph 118 of the NPPF subject to the application of appropriate safeguards.</p>	
<p>Policy 10 – Wealden House, Lewes Road (Life Improvement Centre)</p> <p>Modify policy as follows:</p> <p>Replace first paragraph with:</p> <p>Proposals for residential development on land at Wealden House, Lewes Road (Life Improvement Centre) will be supported subject to the following criteria:</p> <p>Delete a</p> <p>Replace criterion e with ‘Provide and safeguard in perpetuity a buffer zone to protect, safeguard and sustain the Ancient Woodland to the south of the site’</p> <p>Insert additional criterion to read: ‘Ensure that new residential development is sensitively incorporated into the historic character buildings on the site’.</p> <p>Add ‘; and’ at the end of</p>	<p>The policy sets out the way in which this site should be developed within the context of its allocation in Policy 5. It addresses a range of key points which overlap with those of Policy 9. On this site there is also the specific issue of the impact on the amenity of Ashbourne House and Carlton House. My general comments on the design of this policy reflect earlier comments in relation to Policy 6.</p> <p>I looked at the site (with the adjacent site) in detail on my visit to the area and in doing so paid particular attention to the representations made in relation to this site by Natural England and Historic England. The issues raised by the former are identical to those raised (and resolved) in relation to the Policy 9 site. I have reflected the comments of Historic England in my recommended modifications.</p>	<p>The policy wording has been amended as suggested.</p>

<p>each of the criteria.</p>		
<p>Policy 12 – Residential Development outside the built up area</p> <p>Modify policy to read: Proposals for residential development outside the built up area will only be permitted where all of the following criteria are met:</p> <ul style="list-style-type: none"> • The site is a contained or infill site surrounded by existing development and would not generate additional encroachment into the countryside; and • The proposal would not lead to an increased coalescence between the Plan area and East Grinstead and Forest Row; and • The proposal is for up to three dwellings 	<p>Recommend that it is redrafted both to make it simpler and to provide clarity on the scale of development that may be permitted – as drafted the policy refers both to ‘small sites’ and to ‘no more than three dwellings’.</p>	<p>The policy wording has been amended as suggested.</p>
<p>Policy 13 – Residential Development on Garden Land</p> <p>Replace ‘not harmed’ in criterion b with ‘respected’</p>	<p>Recommend a modification to make the approach to the second criteria similar to the positive approach in the first criteria</p>	<p>The policy has been amended with the suggested text.</p>

<p>Policy 14 – Design and Character</p> <p>Modify policy as follows:</p> <p>Replace second sentence with: All proposals will be expected to identify how they address the local surroundings and landscape context by:</p> <p>Insert additional criterion to read: ‘Demonstrating that the design has been addressed and protected the positive features of the character of the local area’.</p> <p>Add ‘; and’ at the end of each of the criteria</p>	<p>I recommend a series of rephrased modifications. Firstly, I have redesigned supporting text in the policy so that it properly becomes policy. Secondly I have added a further criterion to reflect the representation made by Historic England. Thirdly I have clarified that a potential developer has to address all three criteria.</p>	<p>The policy wording has been amended as suggested.</p>
<p>Policy 15 – Affordable Housing</p> <p>In first part of policy insert ‘and’ between ‘site’ and ‘which’</p> <p>Replace final part of policy (unless...percentage) with: Proposals for housing development that do not provide the required level of affordable housing will be required to provide clear evidence to demonstrate the financial or other reasons why the appropriate levels of affordable housing cannot be provided. Any such proposals will be considered on their individual merits given the circumstances of the cases and against other policies in the Plan.</p>	<p>DMH Stallard contend that whilst the proposed 30% affordable provision is appropriate the threshold of four dwellings is unlikely to be either practical or viable. There is common ground that the provision of affordable housing in the Plan area is both required and justified. I have considered the threshold in detail and related it to the range of housing sites directly promoted in the Plan. Several of these are smaller sites where the yield is likely to be low. This reinforces the need and appropriateness of a threshold that is itself low and proportionate to these sites. Nonetheless it will be important to ensure that a mechanistic application of this policy does not prevent the otherwise early delivery of these and other sites and contrary to national policy.</p>	<p>The policy wording has been amended as suggested although the first part now reads “;and it” as opposed to “and” for the sake of clarity.</p>

Appendix B – Ashurst Wood Neighbourhood Plan Modifications Addendum

	<p>On this basis I have recommended a modification to the final element to provide a degree of flexibility and to ensure that the basic conditions are met</p>	
<p>Policy 16 – Ivy Dene Lane Industrial Estate</p> <p>Delete ‘small scale.... Impact’ and insert (Class B1) after ‘business’ and insert (Class B2) after ‘industry’.</p>	<p>The policy is unclear on its coverage. It refers to low impact business uses and general industry. Low impact is not defined. To provide the clarity required by the NPPF I have recommended modifications to relate the permitted activities to the Use Classes Order. The range of criteria are sufficiently robust to ensure that inappropriate development could be resisted.</p>	<p>The policy wording has been amended as suggested.</p>
<p>Policy 17 – Village Business</p> <p>Insert ‘Insofar as planning permission is required’ at the start of the policy</p>	<p>A representation has raised the matter of recent changes to planning legislation in relation to changes of use from offices to residential use and suggest that the policy is deleted. That course of action would affect the integrity and intention of the wider policy as it addresses far more than office premises. I have recommended a modification to address the wider issue or otherwise for planning permission for the variety of proposals that may be affected by this policy.</p>	<p>The policy wording has been amended as suggested.</p>

<p>Policy 18 – New and Expanding Businesses</p> <p>In the main body of the policy replace ‘encouraged’ with ‘permitted’</p> <p>In the two criteria replace ‘harmful’ with ‘unacceptable’</p>	<p>I recommend two modifications to bring the level of clarity required by the NPPF. The first identifies the outcome of planning applications. The second defines the application of the two criteria.</p>	<p>The policy wording has been amended as suggested.</p>
<p>Policy 19 – Brambletye School</p> <p>Replace the policy with the following:</p> <p>Proposals for additional educational buildings or other associated uses within the grounds of Brambletye School will be permitted subject to the following criteria:</p> <ul style="list-style-type: none"> • The proposal does not detract from the architectural character, appearance and integrity of the existing collection of buildings; and • The proposal does not detrimentally impact on the wider setting of the site within the local landscape 	<p>As currently drafted the policy may have unintended consequences as it does not specify that the development supported needs to relate to the educational role of the school. Other types of development on this site would not relate comfortably to national and local planning policy. I address this matter in my recommended modification below</p>	<p>The policy wording has been amended as suggested.</p>

<p>Policy 20 – Impact of New Development on Traffic</p> <p>Replace the first criteria with: Provide safe access for vehicles and pedestrians with adequate visibility</p> <p>Delete final sentence of the second criteria</p> <p>Relocate final sentence of the second criteria into the supporting text</p>	<p>Recommend two changes to ensure that the policy meets the basic conditions and to ensure an appropriate distinction between policy and supporting text.</p>	<p>The policy wording has been amended as suggested and the supporting text revised accordingly.</p>
<p>Policy 23 – Infrastructure</p> <p>Replace the second section of the policy with the following:</p> <p>The future use of developers’ contributions arising from planning permissions granted in the Plan area will be used to provide local infrastructure within the Parish and as set out in Section 5.6 of this Plan</p>	<p>The policy sets out to ensure that new development properly addresses infrastructure requirements. It also highlights how the local element of developer contributions will be applied. In this regard it has usefully anticipated the introduction of a CIL in the wider District and the making of the AWNP itself. This is entirely appropriate and the details in the Plan will provide confidence and assurance to developers and investors.</p> <p>Recommend a modification to the second half of the policy to clarify this matter further and to make an explicit link between the policy and the schedule of local infrastructure projects set out in section 5.6 of the Plan itself</p>	<p>The policy wording has been amended as suggested.</p>