

## **SUPPLEMENTARY PLANNING DOCUMENT – HEATH COMMON DESIGN STATEMENT** **STATEMENT OF CONSULTATION – JULY 2018**

### **Introduction**

This statement has been prepared by Horsham District Council and sets out the details of whom the Council consulted following the preparation of the draft Heath Common Design Statement, which was prepared by Heath Common residents in consultation with Washington Parish Council and Horsham District Council<sup>1</sup>. This statement also sets out the issues raised and how the issues have been addressed in the final Heath Common Design Statement which was adopted as a Supplementary Planning Document (SPD) at Cabinet on the 19 July 2018.

Horsham District Council consulted statutory consultees, including adjacent Parish Councils. The local community and other stakeholders were invited to comment through a press notice in the District Post, the display of notices by Washington Parish Council and also via the District Council website. During the four week consultation period, between 16 March and 13 April 2018, the draft document was available to view at Horsham District Council office, Storrington Library and also online. Washington Parish Council also held a hard copy of the draft document. The consultation was conducted in line with Horsham District Council's Statement of Community Involvement (SCI).

Seventeen<sup>2</sup> responses were received. Seven offered support, although three suggested some modification. Four raised objections or significant concerns. Three gave no comment. Three did not provide a clear reference to the design statement but offered support for the protection of Longbury Hill Woods which has been subject to some tree felling and lies within the design statement area. The key issues raised in respect of the draft design statement related to a lack of clarity in its content and map particularly the geographical area covered; the appropriateness of some of the restrictive requirements; traffic and the rights of way; public access; and the protection of Sandgate Country Park and Longbury Hill Woods. The following table sets out the issues raised by respondents and how they have been addressed in the final design statement.

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<sup>1</sup> The Heath Common Design Statement (July 2018) replaces, upon adoption, the Heath Common Village Design Statement adopted in 1999.

<sup>2</sup> Please note that the seventeen responses includes joint submissions from a husband and wife, or similar, as one response.

## Draft Heath Common Design Statement March 2018 – Representations and Proposed Actions

Organisation / Respondent Number	Summary of Comments	Proposed Action / Response
Southern Water	Having reviewed the document, Southern Water have no comments to make on this occasion.	Noted. <b>No Action Required</b>
Environment Agency	No comments to make on the Design Statement itself.	Noted. <b>No Action Required</b>
Natural England	The Design statement is not considered to pose any likely risk or opportunity in relation to Natural England’s statutory purpose, so Natural England does not wish to comment on this consultation.	Noted. <b>No Action Required</b>
West Sussex County Council (WSCC) (Officer response)	<p>WSCC raises concerns (<i>objections</i>) unless amended for the following reasons:</p> <ul style="list-style-type: none"> <li>a) The Lanes – the design statement suggests “The Lanes are at saturation point and a major Traffic Survey has been undertaken”. Appropriate evidence must be provided because ‘narrow lanes’ does not necessarily mean in technical highway capacity terms that they are at saturation point.</li> <li>b) Section 2, Scale of Dwellings, criterion 1 – It is unclear if it is viewed that the maximum level of development has been reached because of traffic implications or plot sizes and housing density levels. Clarification is required. A 1:1 replacement restriction due to the transport implications would not accord with the National Planning Policy Framework (NPPF)<sup>3</sup>. Evidence is required for the claim that the roads within the area “are fully stretched by current traffic levels”.</li> <li>c) Section 2, Scale of Dwellings, criterion 6 – requires that any new single dwelling does not create a new access</li> </ul>	<p>Comments noted and the following actions have been undertaken:</p> <ul style="list-style-type: none"> <li>a) Design statement <b>amended to remove all references to the Lanes being at saturation point</b></li> <li>b) Criterion 1 <b>amended to remove reference to 1:1 replacement of dwellings</b> and the <b>guidance in respect of plot subdivision has been amended to remove undue restrictions</b></li> <li>c) Criterion 6 (now criterion 18) <b>amended to set out a preferred approach to access and to avoid placing an undue blanket ban on new access points</b></li> </ul>

<sup>3</sup> The NPPF states that “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”

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	<p>onto the Lanes network. Unclear if this is for highway or other design, character or ecological reasons. WSCC is unable to put a blanket ban on new access points across the area for transport reasons (each crossover must be judged on its merits).</p>	
<p>West Sussex Local Access Forum (WSLAF)</p>	<p>WSLAF supports the design statement for the following reasons:</p> <ul style="list-style-type: none"> <li>• Safety of PROW users - Housing development increases traffic on local roads/lanes used by walkers, cyclists and equestrians as links in the prowl network and problems are arising in the county. The safety of these users should be taken into account in planning decisions.</li> <li>• Attractiveness of routes for non-motorised users (NMU) – increasing NMU activities is enshrined in policy and infrastructure must be enjoyable/pleasurable experience. The PROW in this area are strategically important safe routes for NMUs and their character should be protected and traffic on the lanes should not increase.</li> <li>• Forum is aware of frequent requests for a safe NMU crossing of the A283, especially for equestrians, from Georges Lane and Hampers Lane to the south.</li> </ul>	<p>Noted. <b>No Action Required</b></p>
<p>South Downs National Park Authority (SDNPA)</p>	<p>SDNPA raises concerns (<i>objections</i>) unless amended for the following reasons:</p> <p>a) Geographical scope of the document and map - this should be made clearer in the text and the map (showing National Park boundary). As it stands the National Park should be excluded unless the design statement and its SEA are to start afresh as joint documents with SDNPA</p>	<p>Comments notes and the following actions have been undertaken:</p> <p>a) The <b>map and design statement amended to provide clarity over the geographical area covered and a clearer focus on the scope of the</b></p>

Organisation / Respondent Number	Summary of Comments	Proposed Action / Response
	<p>with respective links to national park policy. Joint documents may suffer significant delay due to SDNPA's existing work programme.</p> <p>b) "Area of Outstanding Natural Beauty" (which no longer exists) should be amended to read "National Park".</p> <p>c) "Sussex Downs" should be amended to read "South Downs".</p> <p>d) The Sussex Downs: Second sentence is unclear. Suggest amending this section entirely to incorporate text from the South Downs Partnership Management Plan particularly Chapter 2. This sets out the purposes and duty of the National Park and the key areas SDNPA is working on, a number of which may apply to this area.</p> <p>e) Section 2: Guidance Criteria – Could be enhanced by adding criteria relating to the setting of the National Park and any development that may take place close to its boundary – referencing characteristics to be enhanced or features to be avoided.</p> <p>f) The Lanes and Lighting – "unlit parish status" is not a designation recognised by SDNPA or WSCC. The National Park is an International Dark Sky Reserve. Instead could refer to the emerging South Downs Local Plan policy SD8 Dark Night Skies or incorporate some of its text.</p>	<p><b>document.</b> The area does not include any land within the National Park</p> <p>b) The <b>reference to "Area of Outstanding Natural Beauty" has been amended to read "National Park"</b>.</p> <p>c) The <b>reference to "Sussex Downs" has been amended to read "South Downs"</b>.</p> <p>d) The document has been amended to provide clarity over the area and scope of the design statement. The South Downs fall outside the design statement area and the respective text has been moved into the appendices. It is considered the suggested inclusion of text from the South Downs Partnership Management Plan would add undue detail given the scope of the design statement. <b>Text from the South Downs Partnership Management Plan has not been added for the reasons detailed but reference to the future planning and management of the landscape has been included to provide clarity.</b></p> <p>e) <b>A criterion has been included to address proposals within the setting of the National Park</b></p>

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		<p>f) WSCC classifies some areas as “unlit” and in February 2015 the County Council’s street lighting team included Washington Parish as an unlit area. <b>The criterion relating to lighting has been amended to add clarity.</b></p>
Thakeham Parish Council	<p>Thakeham Parish Council supports the intentions of the design statement. However some concerns (<i>objections</i>) are raised over its format and scope and how it will sit alongside local Neighbourhood Plans (NPs) in the current planning framework. These are as follows:</p> <p>a) The design statement updates rather than re-writes the original, which predated NPs. As a result it may not fit the ‘modern’ remit which is a document subsidiary to planning policies in relevant local NP focussing on design issues (see Nuthurst DS). The document makes several substantive and restrictive planning statements which should be in a NP (subject to validation by independent examination) and don’t belong in a design statement because they will be set aside via legal challenge. This could be counter-productive to the authors’ intentions and should be reconsidered. In particular the document indicates:</p> <ul style="list-style-type: none"> <li>○ There should be zero further ‘windfall’ gains – this implies an exemption to the general planning framework</li> <li>○ Forbids the creation of any new access points onto the lanes in the area</li> </ul>	<p>Comments notes and the following actions have been undertaken:</p> <p>a) <b>The design statement has been reformatted and amended to provide clarity over its scope and focus. The unduly restrictive criteria have been amended to accord with the status of the design statement as a supplementary planning document. The appendices have been deleted whilst much of the draft revised design statement’s main report forms new appendices.</b></p> <p>b) <b>The map and design statement document have been amended and reformatted to provide clarity over the geographical area covered and scope of the design statement.</b></p> <p>c) <b>The query regarding residents’ profile is addressed via the reformatting of the document and removal of undue restrictions.</b></p>

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	<p>b) Geographical Scope of the HCDS and map – this should be made clearer in the text and the map (showing parish boundaries). Query the map on page 2 which inaccurately shows land within the BUAB in Thakeham Parish west of Bracken Lane labelled/coloured as ‘Countryside Policy’</p> <p>c) Residents’ profile - Query if the ‘policies’ of the design statement apply, in a reasonable way, to its residents’ profile. Document seeks to resist infill and control property modifications when existing plots may be larger than residents can cope with in future.</p> <p>d) Traffic volume management in The Lanes – suggest reviewing the ‘home working’ statement (or deletion) as it could be counter-productive, it could lead to changes of use from C3 dwellings.</p> <p>e) Section 2, Scale of Dwellings, criterion 1 – second sentence may be clearer if written in terms of plots ‘not being sub-divided’ rather than ratio of 1:1 replacement.</p> <p>f) Section 2, Scale of Dwellings, criterion 3 – ‘open plan development’ has not be defined and this could be an unreasonable stipulation.</p> <p>g) Section 2, Scale of Dwellings, criterion 6 – unclear if intended to mean ‘additional’ as opposed to ‘new’ access</p> <p>h) Public access and value to informal recreation – text does not always succeed in balancing support for public access, fundamental to area’s history as a Common and facilitated by National trust, with a wish to restrict access to outsiders. The document may benefit from review to avoid suggesting the area has a special ‘exclusive’ or</p>	<p>d) The <b>‘home working’ reference has been amended</b> to provide clarity.</p> <p>e) <b>Criterion 1 amended and the reference to 1:1 replacement deleted.</b></p> <p>f) The <b>reference to ‘open plan development’ has been deleted</b> for reasons of clarity.</p> <p>g) The <b>criterion relating to access has been amended</b> to add clarity.</p> <p>h) The query regarding <b>public access and informal recreation are addressed via the reformatting of the document and the amendments to clarify its scope.</b></p> <p>i) <b>A criterion has been included to address emergency vehicles</b></p>

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	<p>'superior' aspect which is not an appropriate planning consideration.</p> <p>i) Emergency vehicle access – given the private status, nature and condition of the bridleways suggest the document acknowledge the potential difficulty for emergency vehicles.</p>	
Heath Common Residents Association	Heath Common Residents Association welcome the updated design statement.	Support welcomed and noted. <b>No Action Required.</b>
Sandgate Conservation Society	<p>Sandgate Conservation Society supports the design statement, in particular, the reference to the Sandgate Country Park proposal. However request the following modifications:</p> <p>a) Inclusion of the formation of Water Lane Country Park – believe the condition imposed on Millford Grange permission requires provision of two country park areas comprising Millford Grange Country Park (north of development site) and Water Lane Country Park (south of Sandgate Park and north of secured Cemex and Britanniacrest quarries – its future use is referenced in the District's 2014 open space assessment). These form Phase 1 of Sandgate Country Park.</p> <p>b) Water Lane Country Park should be designated a Local Green Space in the neighbourhood plan and the design statement should support such designation and give it greater prominence as part of phase 1 of Sandgate Country Park</p> <p>c) Page 4 – replace “RMC” with “Cemex” who are now the owners of the quarry referenced</p>	<p>Support welcomed and noted. The following actions have been undertaken:</p> <p>a) The document has been amended to provide clarity over the area and scope of the design statement as sought by other respondents. Sandgate Country Park falls outside the design statement area and the respective text has been moved into the appendices. It is considered the suggested referencing of a specific area within the Country Park would add undue detail given the scope of the design statement. For the above reasons <b>no reference to Water Lane Country Park has been added.</b></p> <p>b) For the above reason and because the design statement cannot designate a Local Green Space the document has not been amended to offer support for</p>

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	<p>d) Page 5 – amend to reflect Red Kites are seen more often than ‘occasional’</p> <p>e) Page 6 – Sandgate Park, generally referred to as Sandgate Woods in the Design Statement, is not a SSSI but a LWS (formerly referred to as SNCI) – correctly described on pages 4 and 10. Sullington Warren is the SSSI.</p> <p>f) Ensure Millford Grange is spelt with two “L’s” throughout document.</p>	<p>the designation of Water Lane County Park as a Local Green Space. <b>No respectful amendment undertaken.</b></p> <p>c) The <b>reference to ‘RMC’ has been amended to read ‘Cemex’</b> as suggested.</p> <p>d) Due to the amendments to the document, as raised above, the reference to Red Kites has been moved into the appendices. The suggestion would require the rewriting of the section which is considered disproportionate to the merits of the outcome given the lack of submitted evidence. <b>No respectful amendment undertaken.</b></p> <p>e) The <b>status of Sandgate Park/Woods has been amended from SSSI to LWS.</b></p> <p>f) All <b>references to Millford Grange have been amended to include two 2 “L’s”</b></p>
01	<p>Support the design statement and provide the following comments and suggested modifications:</p> <p>a) The map is an improvement on previous version</p> <p>b) Hazelwood Close and Blueberry Hill - not public footpaths/bridleways but should be included in the Lanes ‘definition’ for clarity</p>	<p>Supported welcomed and comments noted. The following actions have been undertaken:</p> <p>a) <b>Further improvements to the map undertaken to address other responses.</b></p>



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	<p>c) non-resident vehicular access - unclear if document seeks to constrain such access to the Warren Hill Car Park. Clarification required. Suggest public/non-resident pay and display or equivalent to allow donations to go to the Lanes road repair funds</p> <p>d) Longbury Hill area - fully support its designation as Green Space</p> <p>e) Hampers Lane and The Lanes road repairs – suggest inserting in the document a strong message of inherent/expected obligation on Hampers Lane and The Lanes residents to donate to the lane’s repair</p> <p>f) Support the Sandgate Country Park proposal and green walkway and agree vehicle access should be controlled – see comments above</p> <p>g) Thakeham Tile Works – agree Washington Parish Council must be a consultee on any development. Suggest Heath Common residents, particularly on Hampers Lane and lanes to the west, are also notified of any development</p> <p>h) TPO’s and special trees – works to these trees should automatically step to committee level decision at HDC. Suggest additional emphasis on ‘important trees’ and trees subject to TPO</p> <p>i) List of planning applications in appendices – concern over potential misuse of this information if retained in document. Clarification should be given for why items are listed eg merely to indicate the increase in traffic or to indicate that ‘major rebuilds’ do not meet the document’s guidelines which is disputed in the case of Mulberry.</p>	<p>b) <b>Reference to the Hazelwood Close and Blueberry Hill have been included.</b></p> <p>c) Non-resident vehicular access and parking charges fall outside the scope of the design statement. <b>No Action Required.</b></p> <p>d) The designation of Local Green Space falls outside the scope of the design statement. <b>No Action Required.</b></p> <p>e) The repair of the private lanes falls outside the general scope of the design statement. <b>No Action Required.</b></p> <p>f) Support for the Sandgate Country Park and green walkway are noted. <b>No Action Required.</b></p> <p>g) The notification of planning proposals relates to service delivery and falls outside the scope of the design statement. <b>No Action Required.</b></p> <p>h) The suggestions regarding trees relate to service delivery, legislative requirements and matters that are addressed in development plan policies. <b>No Action Required.</b></p> <p>i) <b>The appendix listing planning applications has been deleted</b></p>

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02	<p>Support the Heath Common Design Statement for the following reasons:</p> <ul style="list-style-type: none"> <li>• Rural nature of area is special – it should be kept semi-rural with low density housing and plenty of green spaces.</li> <li>• Biodiversity and wildlife.</li> <li>• Walking – on quiet lanes, footpaths and Bridleways.</li> <li>• Quietness and tranquillity.</li> <li>• Longbury Hill Wood – particularly special green space which should be retained (habitat for badgers, foxes, woodpeckers, nuthatches owls, buzzards and bats). The trees cleared are subject to replanting – suggest this done ASAP.</li> <li>• Traffic- Rock Road has become busier any extra housing would contribute to road noise, air pollution and difficulty at the several lane junctions with Rock Road. Suggest including traffic calming on Rock Road.</li> </ul>	<p>Supported welcomed and comments noted. The replanting of recently felled trees and traffic calming falls outside the scope of the design statement. <b>No Action Required.</b></p>
03	<p>Object to the Design Statement for the following reasons:</p> <p>a) Cannot say area has reached saturation point. In past 30 years never experienced gridlock on the lanes. Sandy/Hampers/Bracken Lanes work well given patience and willingness to pull in to allow passing. Agree no possibility of widening the lane nor is it desirable. However the Horsham District Council requirement for additional development to provide more passing places on Hampers Lane eases impact on the Lanes. Consideration could be given as to how to halt unlawful vehicular access by those with no rights to use them.</p>	<p>Comments noted and the following actions have been undertaken:</p> <p>a) Taking into account the comments from West Sussex County Council and the lack of evidence all <b>references to the area/lanes being at saturation point have been removed from the design statement.</b></p> <p>b) The <b>reference to 1:1 replacement of dwellings has been removed and the guidance in respect of plot</b></p>

Organisation / Respondent Number	Summary of Comments	Proposed Action / Response
	b) Area is unique and overcrowding should be avoided however should not be over restrictive - plot subdivision will be acceptable in some instances.	<b>subdivision has been amended to remove undue restrictions.</b>
04	Support the adoption of the design statement as an SPD - particularly important given the proposed redevelopment of the Thakeham Tiles site on Rock Road adjacent to Heath Common.	Support welcomed and noted. <b>No Action Required.</b>
05	Support the adoption of the Heath Common Design Statement as a SPD. Specific reasons given: <ul style="list-style-type: none"> <li>• Longbury Hill Wood should be allocate a green space.</li> <li>• This beautiful area should not be developed.</li> </ul>	Support welcomed and noted. The design statement is not seeking the development of the woods or seeking to undermine the protection already afforded the woods. A design statement to be adopted as a supplementary planning document cannot 'allocate' or 'designate' land as green space, this is a matter for the Development Plan (for example a Neighbourhood Development Plan and/or Local Plan). <b>No Action Required.</b>
06	<ul style="list-style-type: none"> <li>• Longbury Hill Wood – should be protected. Not opposed to felling and replanting. Opposed to housing development because it would: <ul style="list-style-type: none"> <li>○ increase pollution in Storrington/closest shopping area;</li> <li>○ cause rural overload given the proposed 100 homes at Thakeham Tiles Ltd;</li> <li>○ be too much too soon - the area/District has done its bit and needs respite;</li> <li>○ ruin the rural ambience – already affected by development at the old engineering</li> </ul> </li> </ul>	Support for the protection of Longbury Hill Wood is noted. For the reasons detailed above - <b>No Action Required.</b>

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	<p>works/Hampers Lane which increased traffic and pollution</p> <ul style="list-style-type: none"> <li>○ over populate the area that lies 6 miles from a supermarket (the demand for one more local would increase with population)</li> </ul>	
07	<ul style="list-style-type: none"> <li>• Longbury Hill Wood – should be a Local Green Space. Live in the area for its wooded and secluded nature (and consequent quality of life). The woods provide: <ul style="list-style-type: none"> <li>○ aesthetic beauty;</li> <li>○ wildlife habitat;</li> <li>○ sound and pollution buffer.</li> </ul> </li> </ul>	Support for the protection of Longbury Hill Wood is noted. For the reasons detailed above - <b>No Action Required.</b>
08	<ul style="list-style-type: none"> <li>• Support the use of Longbury Hill Wood as a local “Green Space” for the following reasons: <ul style="list-style-type: none"> <li>○ it is a unique opportunity to provide access to a historic and beautiful place in the Sussex countryside</li> <li>○ development would be disastrous and the site should be preserved for future generations</li> <li>○ Given the extent of development in surrounding villages and towns (Billingshurst, Thakeham, Southwater etc.) it can only improve on the paucity of open space available to the community</li> </ul> </li> </ul>	Support for the protection of Longbury Hill Wood is noted. For the reasons detailed above - <b>No Action Required.</b>

**Other consultees from whom responses were not received include the following<sup>4</sup>:**

Arun District Council	Ashington Parish Council	Coal Authority	EDF
EMF (Vodafone and O2)	English Heritage	Findon Parish Council	Forestry Commision
Highways England (which replaces the Highways Agency)	Homes England (which replaces the Homes and Community Agency)	Marine Management Organisation	Mobile UK
National Trust	Network Rail	NHS	NHS/CCG
Scotia Gas Networks	Scottish Southern	Sport England	Storrington & Sullington Parish Council
Sussex Police	UK Power Networks (UKPN)	Wiston Parish Council	

### **Strategic Environmental Assessment Screening Opinion**

With regard to the Strategic Environmental Assessment screening opinion the three statutory consultees<sup>5</sup> were consulted and the document was made available for comment, alongside the draft design statement, during the four week consultation period detailed above.

### **Strategic Environmental Assessment (SEA) for the revised draft Heath Common Design Statement March 2018 - Representations and Proposed Actions**

<b>Organisation / Name of respondent</b>	<b>Summary of Comments</b>	<b>Proposed Action / Response</b>
Environment Agency	Environment Agency endorse the SEA screening opinion decision and confirm that as the document is implementing policies already assessed through the Local Plan process further assessment is not required at this stage.	Noted. <b>No Action Required</b>

<sup>4</sup> NB Washington Parish Council was involved in the writing of the design statement.

<sup>5</sup> SEA statutory consultees: Environment Agency, Natural England and Historic England.

Organisation / Name of respondent	Summary of Comments	Proposed Action / Response
Natural England	Natural England agree with the conclusion that the draft Heath Common Design Statement does not require an SEA under the Assessment of Environmental Plans and Programmes Regulation (2004).	Noted. <b>No Action Required</b>
Historic England	Historic England's view, in light of the Environmental Assessment of Plans and Programmes Regulations 2004, is that a SEA is not required in this instance.	Noted. <b>No Action Required</b>
South Downs National Park Authority (SDNPA)	There is a lack of clarity over the geographical area to which the design statement relates and consequently whether the design statement is to be taken forward as a joint Supplementary Planning Document (SPD) with the SDNPA. If it is progressed as a joint document an amendment to the SEA screening opinion would be required because it currently makes no reference to the National Park.	Comments noted. Clarification has been included within the design statement to make clear the geographical area covered by the design statement. The design statement area does not include land within the National Park. As highlighted in the SEA the design statement does not introduce any new policy requirements. Instead it provides supplementary guidance on policies already assessed. It does not have any additional impacts on the value or vulnerability of social, economic or environmental features that have been previously considered. <b>No Action Required</b>