



BASIC CONDITIONS STATEMENT

ABSTRACT

This statement sets out how the Neighbourhood Plan has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and meets the basic conditions in paragraph 8(2) of Schedule 4B to the 1990 Act as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

Prepared by Squires Planning

About

This document has been prepared for Rudgwick Parish Council by Squires Planning.

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1. Introduction

- 1.1 This Basic Conditions Statement has been produced by Squires Planning for Rudgwick Parish Council. It accompanies the Rudgwick Neighbourhood Development Plan (hereafter referred to as the RNDP) at Submission.
- 1.2 The RNDP's Plan Area is the Parish of Rudgwick. The Parish takes in five adjoining hamlets as well as Rudgwick itself: these are Bucks Green, Cox Green, Rowhook, The Haven, and Tisman's Common. Rudgwick is the largest community in the Parish. The village is 6 miles west of Horsham mainly on the north side of the A281 road, and west of the A29 at Roman Gate. It is 6 miles from the A24 and 19 miles from the A3 providing road links via Guildford to the M25, London and the south coast.
- 1.3 The Plan Area is wholly located within Horsham District and Horsham District Council is the Local Planning Authority.
- 1.4 The Neighbourhood Plan covers the period from 2020 - 2031 and is therefore aligned with the Horsham District Planning Framework (HDPF) which was adopted in November 2015. It does not include provision for development that is excluded development¹ and only relates to the designated Plan Area as shown in Figure 1 of the RNDP.
- 1.5 This statement sets out how the Neighbourhood Plan meets the basic conditions in paragraph 8(2) of Schedule 4B to the 1990 Act as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. These conditions are:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order
 - the making of the order contributes to the achievement of sustainable development
 - the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
 - the making of the order does not breach, and is otherwise compatible with, EU obligations.
- 1.6 This document considers each in turn.

¹ Excluded development is defined at para 61K of the Localism Act 2011 as (a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1, (b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description, (c) development that falls within Annex 1 to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (as amended from time to time), (d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008), (e) prescribed development or development of a prescribed description, and (f) development in a prescribed area or an area of a prescribed description.

2. Conformity with national policies and guidance

2.1 The Neighbourhood Plan has been prepared in conformity with national policies and guidance as set out in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

2.2 Achieving sustainable development is at the heart of the NPPF, this is concisely set out in paragraphs 7 and 8 which state:

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

2.3 In addition, paragraph 11 sets out the presumption in favour of sustainable development and how this applies to plan making. This is set out below for clarity:

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

- a) *plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b) *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

2.4 Reference is also brought to the following NPPF paragraphs:

13. The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic Page 3 of

12 policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

- 18. Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.*
- 29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.*
- 30. Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.*
- 37. Neighbourhood plans must meet certain 'basic conditions' and other legal requirements before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.*
- 65. Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need retesting at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.*

2.5 Set out below are the policies contained within the submission neighbourhood plan cross referenced to national policies and guidance to demonstrate conformity. It should be noted that the table below is not exhaustive and there may be other cross-references that are not included in the table below:

Rudgwick Neighbourhood Plan National policies and guidance			
Policy No.	Policy Title	References	Comments on conformity
RNP1	Spatial Strategy	NPPF para 11, 127, 170	This policy supports sustainable development and seeks to retain the settlement pattern and distinct identity of each settlement. This is supported by the NPPF which requires that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.
RNP2	Housing Mix	NPPF 61,	Policy has regard to NPPF requirement for housing size to be assessed and reflected in planning policies.
RNP3	Homes For Older People	NPPF par 8, 61, 127, 130	Given the locally ageing population this policy ensures housing is fit for all users in line with the NPPF.
RNP4	Affordable Housing	NPPF 62, 63, 64.	Policy has regard to NPPF requirement for at least 10% affordable home ownership.
RNP5	Housing Density	NPPF 122, 123,	Policy has regard to NPPF requirement to make efficient use of land whilst taking into account the desirability of maintaining the prevailing character and setting.

Rudgwick Neighbourhood Plan National policies and guidance			
Policy No.	Policy Title	References	Comments on conformity
RNP6	Materials	NPPF para 8, 125, 130	Policy provides local requirement so that development respects the heritage and character of the plan area.
RNP7	Architectural Style	NPPF para 8, 125, 130	Policy provides local requirement so that development respects the heritage and character of the plan area.
RNP8	Development Height	NPPF para 8, 125, 130	Policy provides local requirement so that development respects the heritage and character of the plan area.
RNP9	Street Scene	NPPF para 8, 125, 130, 180	Policy provides local requirement so that development respects the heritage and character of the plan area and limits light pollution.
RNP10	Local Economy	NPPF para 8, 80, 81	Policy provides a clear vision and strategy for economic growth within the Plan Area whilst building in flexibility where needed.
RNP11	Telecommunications	NPPF para 8, 80, 81, 112	Policy supports telecommunications infrastructure whether it is fibre broadband or for the mobile phone network. This is in line with the NPPF which support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.
RNP12	Accessibility	NPPF para 8, 96	Policy ensures that the community will have access to open spaces and the outdoors.
RNP13	New Non-Motorised Routes	NPPF par 8, 98, 102(c)	Policy seeks to enhance accessibility for all, protect the joy people have when spending time outdoors and decrease reliance on motorised vehicles.
RNP14	Sports Facilities	NPPF par 8, 83, 91, 92	Policy seeks to ensure that social and recreational facilities required by new development is provided whilst taking local knowledge and experience into account. The NPPF states that planning policies should address health and well-being needs and support a prosperous rural economy through the provision of sports facilities.
RNP15	Allotments	NPPF par 8, 91, 92, 97	Policy seeks to provide support for social and recreational facilities for the community. The NPPF supports proposals for allotments as they enable and support healthy lifestyles.
RNP16	Local Green Space	NPPF para 8, 97, 99, 100, 101	Policy designates spaces as Local Green Space having been assessed against the criteria contained in paragraph 100 of the NPPF.
RNP17	Green Infrastructure & Trees	NPPF para 8, 9, 91, 149, 150, 170, 175, 181	Policy ensures development respects the character of the area whilst promoting the retention, and creation, of new Green Infrastructure. The NPPF requires the maintaining and enhancement of green infrastructure.

3. Contribution to sustainable development

3.1 Sustainable development is defined as “*development that meets the needs of the present without compromising the ability of future generations to meet their own needs*”. It is about ensuring better quality of life for everyone, now and for generations to come. In doing so, social, environmental and economic issues and challenges should be considered in an integrated and balanced way.

3.2 The NPPF states at paragraph 8 what sustainable development means in the UK planning system by way of three overarching objectives, it says:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

3.3 There is no specific legal requirement within the Regulations² for Neighbourhood Development Plans to undertake their own Sustainability Appraisal (SA) and one has not been prepared to accompany this plan at submission. The table below therefore considers how each policy will contribute to the objectives of sustainable development as set out in the NPPF.

3.4 Each neighbourhood policy has been assessed against the three overarching objectives as set out in paragraph 8 of the NPPF using a simple criterion as detailed below.

++	Significant Positive Impact
+	Positive Impact
+?	Possible Positive or Slight Positive Impact
0	No Impact
/	Neutral Impact
?	Uncertain Impact
-?	Possible Negative or Slight Negative Impact
-	Negative Impact
--	Significant Negative Impact

² Neighbourhood Development Planning Regulations 2012 <http://www.legislation.gov.uk/ukxi/2012/637/contents/made>

Policy No.	Policy Title	an economic objective	a social objective	an environmental objective	Commentary
RNP1	Spatial Strategy	+	+	+	Policy supports sufficient land of the right types is available in the right places and at the right time, meeting housing need and protecting and enhancing our natural, built and historic environment
RNP2	Housing Mix	0	+	0	Such a policy promotes mixed and balanced, more cohesive communities.
RNP3	Homes For Older People	0	+	0	Such a policy promotes mixed and balanced, more cohesive communities.
RNP4	Affordable Housing	0	+	0	Policy ensures a locally relevant affordable offer is made available, and may help reduce future dependency on social housing.
RNP5	Housing Density	0	+	+	Policy supports housing to meet need, making efficient use of land by directing to built up areas and also protects the built environment.
RNP6	Materials	0	+	+	Policy encourages a well-designed built environment and protects historic character.
RNP7	Architectural Style	0	+	+	Policy encourages a well-designed built environment and protects historic character.
RNP8	Development Height	0	+	+	Policy could reduce development potential slightly, but creative design could identify opportunities for additional development and encourage further investment via an improvement to the built environment. Policy protects the built environment in line with the environment objective.
RNP9	Street Scene	0	+	+	Policy protects/enhances built environment, reduces flooding by minimising run off, increases biodiversity and minimise climate change through planting.
RNP10	Local Economy	++	+	+	Policy protects employment sites but allows flexibility where there is no reasonable prospect of the site being used for that purpose. Contributes towards the reduction of car journeys, and promotion of

Policy No.	Policy Title	an economic objective	a social objective	an environmental objective	Commentary
					sustainable communities and minimisation/ adaptation to climate change.
RNP11	Telecommunications	++	0	+	Telecommunications through the use of teleconferencing and working from home can reduce car journeys which can also benefit climate. By designing for the provision of such infrastructure from the outset, this will help minimise disruption, costs and the use of resources to retrofit it, into development.
RNP12	Accessibility	?	+	+	Policy ensures that each development sufficiently meets its access needs. This could reduce car journeys (and therefore CO2 emissions), may assist in sport participation and creating cohesive communities. Minimises usage of transport infrastructure. Housing could however be unviable in such locations where this is not possible and so this is an uncertain impact on delivery of housing which reduces the positive impact slightly.
RNP13	New Non-Motorised Routes	+	+	/	Policy promotes sustainable journeys and encourages active lifestyles and prevents adverse impacts on landscape, amenity and heritage.
RNP14	Sports Facilities	0	++	/	Policy supports open space provision to meet identified need whilst protecting residential amenity, character and highway network. This contributes to health, social and cultural well-being.
RNP15	Allotments	0	++	+	Policy supports allotment provision whilst encouraging sustainable transport access. Encourages local growing of food which reduces impact on climate change.
RNP16	Local Green Space	0	++	+?	Policy protects locally valued green spaces. This significantly contributes to the health and social well-being of the local community.
RNP17	Green Infrastructure & Trees	0	/	+	Policy has a positive impact on minimising climate change and increasing biodiversity.

- 3.5 The policies protecting the environment and the character of the Plan Area work harmoniously to protect both the built and natural environment. However, the combined effect of these policies could limit the overall amount of land which is available for development. This is not an issue however as Horsham District Council are currently in the process of identifying housing and employment sites within the emerging Local Plan to meet as much of the objectively assessed needs as is considered to constitute sustainable development.
- 3.6 The policies in the neighbourhood plan have combined to have an overall positive impact in meeting economic, social and environmental objectives that make up sustainable development. It is clear that the policies protecting employment sites will assist the local economy, and policies protecting the environment and character of the Plan Area will sustain the attractiveness of the local area, thereby encouraging people to live and work in Rudgwick.
- 3.7 It is therefore considered that the plan contributes towards the achievement of sustainable development.

4. General conformity with strategic policies in the development plan

4.1 The Development Plan consists of:

- i) Horsham District Planning Framework 2015
- ii) West Sussex joint Minerals Local Plan 2018

HORSHAM DISTRICT PLANNING FRAMEWORK

4.2 The Horsham District Planning Framework was adopted in November 2015 and *'is the overarching planning document for Horsham district outside the South Downs National Park'*. The current plan period runs until 2031 and Horsham District Council are currently preparing a new Local Plan for the district.

4.3 Para 3.22 of the HDPF confirms that the *'strategy seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible, including through the re-use of previously-developed land (brownfield land). The policies seek to give priority to locating new homes, jobs, facilities and services within Horsham town, but also ensure that the investment which has and is taking place in smaller towns and villages... can continue, allowing these settlements to evolve to meet their needs.'*

4.4 The RNDP has sought to be in conformity with all policies contained within the HDPF. However, for the purposes of this document and the requirements of the basic condition it is noted that the RNDP only needs to be in *'general conformity'* with those policies in the HDPF which are considered strategic.

4.5 The following strategic policies are considered to be particularly relevant to this plan:

- i) **HDPF Policy 1 Strategic Policy: Sustainable Development** This policy provides general support and outlines the presumption in favour of sustainable development.
- ii) **HDPF Policy 2 - Strategic Policy: Strategic Development** This provides the overarching strategy for development across the district in 14 criterion. Importantly, it confirms that development should be focussed in and around the key settlement of Horsham, and allow for growth in the rest of the district in accordance with the identified settlement hierarchy (set out in Policy 3).
- iii) **HDPF Policy 3 - Strategic Policy: Development Hierarchy** This policy seeks to classify existing settlements into 5 bands ranging from 'Main Town', which is Horsham, to 'Unclassified settlements' which encompasses everywhere not included in the preceding classes. The policy requires development to be within towns and villages which have defined built-up areas and to be of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy.
- iv) **HDPF Policy 4 - Strategic Policy: Settlement Expansion** This policy sets out that the growth of settlements across the District will continue to be supported in order to meet identified local housing, employment and community needs. Outside built-up area boundaries, the expansion of settlements will be supported where they meet five criteria, one of which is that the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
- v) **HDPF Policy 7 - Strategic Policy: Economic Growth** This policy provides support for the retention of Employment land including the allocation of Key Employment Areas (one in the

Plan Area) whilst encouraging sustainable local employment growth through Neighbourhood Development Plans. It also seeks to redevelop, regenerate, intensify and grow existing employment sites.

- vi) **HDPF Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres** This policy seeks to protect and promote the existing shopping hierarchy throughout the District. The hierarchy of retail centres will be supported and enhanced through promotion and encouragement of activities in town and village centres so they continue to be the prime focus for community life.
- vii) **HDPF Policy 15 - Strategic Policy: Housing Provision** This makes provision for the development of at least 16,000 homes and associated infrastructure within the period 2011-2031. It confirms that this figure will be achieved by:
 - (a) *Housing completions for the period 2011 – 2015;*
 - (b) *Homes that are already permitted or agreed for release;*
 - (c) *Strategic Sites:*
 - (i) *At least 2,500 homes at land north of Horsham*
 - (ii) *Around 600 homes at Land West of Southwater*
 - (iii) *Around 150 homes at Land South of Billingshurst*
 - (d) *The provision of at least 1500 homes throughout the district in accordance with the settlement hierarchy, allocated through neighbourhood planning.*
 - (e) *750 windfall sites.*
- viii) **HDPF Policy 16 - Strategic Policy: Meeting Local Housing Needs** Provides requirements to achieve the correct mix of development in terms of housing sizes, types and tenures.
- ix) **HDPF Policy 25 - Strategic Policy: The Natural Environment and Landscape Character** Policy seeking to protect the environment and maintain and enhance Green Infrastructure among other things. The RNDP seeks to promote new Green Infrastructure and retain the rural feel of the parish through a number of proposed policies.
- x) **HDPF Policy 26 - Strategic Policy: Countryside Protection** Provides protection for area considered to be Countryside (outside of the Built Up Area Boundary).
- xi) **HDPF Policy 27 - Strategic Policy: Settlement Coalescence** Seeks to protect areas from development which would result in the coalescence of settlements. The RNDP provides support for this policy at the local level.
- xii) **HDPF Policy 32 - Strategic Policy: The Quality of New Development** Requires development to have high quality and inclusive design for all development. Policies in the RNDP seek to reinforce this policy, providing locally specific detail where relevant.
- xiii) **HDPF Policy 35 - Strategic Policy: Climate Change** Requires adaptation and mitigation of climate change in new development. The RNDP provides support for this policy at the local level.
- xiv) **HDPF Policy 39 - Strategic Policy: Infrastructure Provision** Requires sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new

development, or suitable necessary mitigation arrangements for the improvement of the infrastructure, services and community facilities caused by the development being provided.

- xv) **HDPF Policy 42 - Strategic Policy: Inclusive Communities** Requires positive measures which help create a socially inclusive and adaptable environment for a range of occupiers and users to meet their long-term needs. RNDP has identified a pressing need for suitable accommodation for older people and has included measures in its policies. RNDP is in conformity with this policy.

- 4.6 Set out below are the policies contained within the RNDP cross referenced to the HDPF and where general conformity has been established. It should be noted that the table below is not exhaustive and there may be other cross-references that are not included:

Rudgwick Neighbourhood Plan		Horsham District Planning Framework	
Policy No.	Policy Title	Strategic Policy No.	Comments on conformity
RNP1	Spatial Strategy	1, 2	Policy in general conformity with P1 which supports sustainable development and P2 which prevents merging or settlements (6) and retains settlement pattern (5).
RNP2	Housing Mix	16	The proposed housing mix reflects the Housing Matters paper which is an up to date assessment of local need. HDPF Policy 16 requires provision of a mix of housing sizes to meet the needs of the districts communities as evidenced in the latest Strategic Housing Market Assessment. This is the November 2019 North West Sussex SHMAA which states in paragraph 13.31 ' <i>...the SHMA recommends that its findings should be considered alongside up-to-date local evidence including on the existing mix of housing at a neighbourhood or settlement level, the development pipeline in the area and extent to which this will support a range of sizes of homes, and the location and nature of the development site</i> '. Policy RNP2 is based on local evidence (Housing Matters Paper) at the neighbourhood level and is therefore in general conformity with HDPF Policy 16.
RNP3	Homes For Older People	18, 42	Policy RNP3 reflects HDPF policy 18 which considers housing needs for the elderly. RNP3 specifically focusses on retaining/providing bungalows and, whilst more specific in achieving the aims, it is in general conformity with HDPF 18.
RNP4	Affordable Housing	16	Policy RNP4 does not conflict with HDPF Policy 16 requirements for affordable housing and is therefore in general conformity with it.
RNP5	Housing Density	16(2), 33	RNP5 is in general conformity with HDPF policies which require development to be sympathetic with built surroundings whilst making the best use of land.
RNP6	Materials	14, 33, 34, 37	RNP6 is in general conformity with HDPF policies which require that development respects the character of the surrounding area and use high standards of building materials.
RNP7	Architectural Style	1, 25, 32, 33, 42	RNP7 is in general conformity with HDPF policy which also requires a high standard of architectural

			design which compliments locally distinctive character and heritage.
RNP8	Development Height	32, 33	RNP8 provides spatial detail but is in general conformity with HDPF policies which require that the scale of development relates sympathetically with the built surroundings.
RNP9	Street Scene	24, 32, 33, 38	RNP9 provides spatial detail on how development can respect the rural character of the street scene which is in general conformity with HDPF policies which requires that development respects the character of the locality, reduces flood risk and avoids light pollution.
RNP10	Local Economy	1, 7, 9, 10.	RNP10 safeguarding of employment sites, resisting loss unless surplus to requirements and encouraging home/start up businesses is in general conformity with HDPF policies which seek to retain employment uses unless no longer needed and supports small start-up businesses. RNP10 also conforms with HDPF policies that require development respect local character and be sympathetic to built heritage.
RNP11	Telecommunications	1, 37, 42	RNP11 is in general conformity with HDPF policy which requires the provision of high-speed broadband where available for new homes and employment.
RNP12	Accessibility	1, 37	RNP12 requires that new major development is accessible to Important Local Facilities. This is in general conformity with HDPF policy which seeks to re balance the transport network in favour of non-car modes and supports development which achieves this.
RNP13	New Non-Motorised Routes	1,35, 31, 32, 40.	RNP13 supports new non motorised routes. This is in general conformity with HDPF Policy which supports enhancement of the green infrastructure network and encourages sustainable transport.
RNP14	Sports Facilities	1, 25, 43	RNP14 supports new and improved sports facilities which do not result in unacceptable impacts. This is in general conformity with HDPF policies which supports facilities which met the identified needs of the local community but must also be well related to existing settlement and the only practicable option.
RNP15	Allotments	1, 31, 43	RNP15 supports allotment provision. HDPF policy supports the enhancement of existing green infrastructure and provision of new or improved community facilities. The additional requirements within RNP15 are in conformity with this requirement.
RNP16	Local Green Space	1, 25	Local Green Spaces are not addressed in HDPF. However, the HDPF clearly supports the protection of valued green space and therefore RNP16 is in general conformity.
RNP17	Green Infrastructure & Trees	26,31, 32,33, 34, 35	RNP17 requires no net loss of trees or hedgerows. This is in conformity with HDPF policy which protects the pattern of woodland/hedgerows in the countryside and requires replacement planting.

			RNP17 requirement to replace trees with a greater number is necessary to ensure no net loss.
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- 4.7 Having considered the above policies it is considered that the RNDP is in general conformity with the strategic policies in the Development Plan.

5. Compatibility with EU legislation

5.1 The compatibility with EU obligations is set out below:

ENVIRONMENTAL IMPACT AND HABITAT REGULATIONS

5.2 With respect to EU relevant directives the following applies:

- i) With regard to Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive. Horsham District Council have advised that Neighbourhood Development Plans allocating sites for housing development undertake an SEA (see Appendix 1). As the RNDP does not allocate sites an SEA is not required.
- ii) With regard to Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive). No neighbourhood development orders are proposed by the qualifying body, so the directive does not apply.
- iii) With regard to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively), the conclusion of the HRA screening statement confirms that *'it is not considered that an Appropriate Assessment of the Rudgwick Neighbourhood Plan is required.'* (see Appendix 2).
- iv) With regard to the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) and the Water Framework Directive (2000/60/EC). There are no policies contained in the RNDP that are within the scope of the directives.

HUMAN RIGHTS

5.3 An equalities impact assessment has not been undertaken, as no longer required under the Equalities Act 2010, and it is not considered the Plan discriminates unfairly or in a manner which is contrary to the Human Rights Act 1998.

Appendix 1 – SEA Screening Opinion



**Horsham
District
Council**

Strategic Environmental Assessment

Screening Opinion

Many thanks for your screening opinion and for providing an indication of what the Neighbourhood Development Plan (NDP) is aiming to achieve.

The EU legislation under Strategic Environment Assessment (SEA) Directive 2001/42/EC, Paragraph 2 of the SEA Regulations 2001/42/EC states that an SEA is mandatory for plans/programmes which are: are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use and which set the framework for future development consent of projects listed in the EIA Directive.

To ensure compliance with the legislation, HDC have taken a uniform approach to screening and require all NDP's allocating sites for housing development to undertake an SEA.

We also recommend a Sustainability Appraisal (SA) is also carried out as this will help demonstrate how the NDP accords with the principles of sustainable development. These two processes can be carried out in conjunction in a combined SA/SEA, which is our preferred approach.

We would welcome the opportunity to provide comments on the Scoping Report and would be happy to review a Draft prior to the formal submission of the NDP. We recommend the District's SA Scoping Report is used as a starting point for your SA work.

With regard the Habitats Regulation Assessments (HRA), if the Plan area is within a 15 km search area of internationally important sites designated for their ecological status (Natura 2000 (N2K) sites or European Sites), a HRA may be required.

Please refer to the HRA: A toolkit to support HRA Screening and Appropriate Assessment of Plans http://www.caerphilly.gov.uk/pdf/Environment_Planning/LDP-Examination-Documents/SEW4.pdf

Should a HRA be required we would advise early consultation with Natural England.

Appendix 2 - Habitat Regulations Assessment Screening

Habitat Regulations Assessment Screening Neighbourhood Development Plans in Horsham District Rudgwick Screening 17 January 2020

1.0 Introduction

- 1.1 In order to protect biodiversity at an international scale, European wide legislation¹ has established a network of nature conservation sites which have been designated for their ecological importance. Sites that have been designated to conserve wild bird species are known as Special Protection Areas (SPAs); other habitats and species are protected through designations known as Special Areas of Conservation (SACs). In addition wetlands of worldwide importance for biodiversity have been designated as RAMSAR sites. This HRA Screening relates to emerging Rudgwick Neighbourhood Plan which carried out a Regulation 14 consultation in accordance Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended) between 23 December 2019 and 17 Feb 2020.
- 1.2 In order to ensure that there is no deterioration in the integrity of SPAs, SACs or RAMSAR (hereafter referred to as international sites) sites, legislation² requires that when plans or programmes are being prepared, it is considered whether the effects arising from the plan could have a significant impact on the internationally designated sites. This process is known as Habitat Regulations Assessment. The process can be broken down into four stages set out in the table below:

Table 1: Stages of Habitat Regulation Assessment

Stage	Description
Stage 1: Screening	This stage considers whether a plan alone or in combination with other plans is likely to have a significant effect on an international site. If not the process stops at this stage. If impacts may arise then a more detailed 'Appropriate Assessment' is needed. It should be noted that the Habitat Regulation Assessment Process is based on the 'precautionary principle'. This means that where it is not certain whether or not a plan will have adverse impacts, the potential for adverse effects is assumed.
Stage 2: Appropriate Assessment	This process looks how a plan could be fine-tuned as it emerges to ensure that significant impacts to nature conservation sites are avoided . For example this could include changing the wording of a planning policy. If impacts can be avoided, stages three and four are not required

¹ European Directive (92/43/EEC)

² The Conservation of Habitats and Species (Amendment) Regulations 2012, SI2012 No. 1927

Stage 3: Assessment of Alternative Solutions	If a plan is found that it would have an adverse impact on the integrity of an international site, alternatives to the plan should be considered from the earliest possible stage.
Stage 4: Compensation Measures	If there are no alternatives to a plan, and it can be demonstrated that the plan is necessary for 'imperative reasons of overriding public interest' compensation measures to offset the adverse impacts are required. It is unlikely that a Local or Neighbourhood Plan would meet this test.

- 1.3 Within Horsham District, a number of Neighbourhood Development Plans are being prepared. These plans will identify sites for housing and employment development and it must therefore be considered whether these plans will have any adverse impacts on any international site. This report therefore sets out the results of the Habitat Regulations Screening Assessment for the Neighbourhood Development Plans that are being prepared in Horsham District.

2.0 Background to Habitat Regulation Assessment in Horsham District

Higher level development Plans

- 2.1 Neighbourhood Development Plans do not exist in isolation, and instead sit within the wider national and district level framework for planning. The National Planning Policy Framework 2019 (NPPF) sets the broad social, environmental and economic policies in which development can take place. It has a presumption in favour of sustainable development, although paragraph 177 makes it clear this does not apply where development requiring appropriate assessment is being considered, planned or determined.
- 2.2 Within Horsham District, it is anticipated that the strategic policies against which planning proposals are considered is the Horsham District Planning Framework (HDPF) which was adopted on the 27 November 2015. The HDPF was subject to Habitats Regulation Assessment Screening and Appropriate Assessment (Table 1 - stage 1 and 2).
- 2.3 Neighbourhood Development Plans prepared in Horsham District to date have been written to be in conformity with strategic policies identified in the Horsham District Planning Framework. In terms of assessing whether Neighbourhood Plans will have any adverse impacts on an international site the starting point for this screening assessment has been the Habitat Regulation Assessment (April 2015) undertaken for the HDPF, **and this report should be read in conjunction with that document.** This assessment considers the impact of strategic development and the general requirement for at least 1,500 homes to be identified and delivered through Neighbourhood Development Plans across the district, in cumulation with other District level plans.

Horsham District Council Habitats Regulation Assessment April 2015

- 2.4 The Habitat Regulations Assessment of the HDPF identified two key international sites which could be impacted by development of the quantum identified in the HDPF. These sites and their reason for designation are set out in table 2 below.

Table 2 – International Sites

Name of site	approx. distance (km) from Horsham DC boundary	Reason for designation
Arun Valley SPA/Ramsar	inside HDC boundary (but within South Downs National Park)	Internationally important wintering population of Bewick swan. Additionally the SPA qualifies as over winter the area regularly supports 27,241 individual waterfowl (5 year peak mean for 1992/93 to 1996/97).
Arun Valley SAC	inside HDC boundary (but within South Downs National Park)	Ramshorn snail (<i>Anisus vorticulus</i>) for which this is considered to be one of the best areas in the United Kingdom.
The Mens SAC	2 straight line 3.5 by road	Extensive area of mature beech woodland rich in lichens, bryophytes, fungi and saproxylic invertebrates. One of the largest tracts of Atlantic acidophilous beech forests in the south-eastern part of the habitat's UK range. Also supports Barbastelle bats.

- 2.5 As part of the screening of the HDPF, it was considered whether other international sites within 20km of the HDC boundary could be affected by development in Horsham district. Taking into account the reasons for the designation of these sites, it was concluded that development of land within Horsham district, which includes sites in neighbourhood plans, was too distant to have any impact on their integrity and they were screened out of any further assessment. These sites were therefore screened out of the need for further Appropriate Assessment (Table 1 stage 2) of NDPs during the initial Appropriate Assessment Screening. It was however recognised that further screening may be appropriate in the future as part of the Local Plan Review.
- 2.6 Since the initial Screening was undertaken, Wealden District Council have objected to some planning applications in Horsham District on the basis that the traffic increases generated by these developments may, in combination with other development in the south east, have an adverse impact on the Ashdown Forest.

Ashdown Forest

Name of site	approx. distance (km) from Rudgwick Parish boundary	Reason for designation
Ashdown Forest SAC	Approx. 47 km at the closest point to A275 / A22 Junction	European dry Heaths – for which this is considered to be one of the best areas in the UK together with North Atlantic Wet Heaths with <i>Erica tetralix</i> for which this is considered to be one of the best areas on the UK. The site also supports a significant presence of great crested newts although this is not a primary reason for designation

2.7 Some of Ashdown Forest is also designated as a SPA due to the population of Dartford Warblers. This element remains screened out of the assessment as they are primarily at risk from disturbance when nesting, and the recreational pressure on the Ashdown Forest from a 47km distance is considered not to be sufficiently close to generate impacts. (This is currently accepted to be within a 7km radius).

2.8 A number of conservation objectives have been identified for the Ashdown Forest SAC to ensure the site achieves favourable conservation status for its qualifying features by maintaining or restoring:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species;
- Supporting processes on which qualifying natural habitats and habitats of qualifying species rely;
- The populations of qualifying species;
- The distribution of qualifying species within the site.

As of [21 January 2020](#), the status of the SSSI (which includes the Ashdown Forest SAC) was as follows

% Favourable	% Unfavourable recovering	% Unfavourable no change	% Unfavourable declining	% Destroyed / part destroyed
20.31%	79.29%	0.00%	0.40%	0.00%

2.9 The key risk from development plans on the conservation objectives of the Ashdown Forest SAC is from Atmospheric pollution. This is a widespread issue and includes transboundary sources over which the neighbourhood plan has no control. Local pollutant sources can affect designated sites, particularly in relation to protected

habitats within SACs, and especially from road traffic emissions. Rudgwick is some considerable distance from the Ashdown Forest, but road traffic emissions depending on the scale, location and distribution of development, may (in combination with other plans) affect the way in which locally emitted pollutants reach the site.

- 2.10 Qualifying habitats most sensitive to air pollution within Ashdown Forest are European dry heaths and North Atlantic wet heaths. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. Oxides of nitrogen (NOX) (or sulphur dioxide) reacting with rain/cloudwater to form nitric (or sulphuric) acid, and is caused primarily by energy generation, as well as road traffic and industrial combustion. Both wet and dry acid deposition have been implicated in the damage and destruction of vegetation (heather, mosses, liverworts and lichens are particularly susceptible to cell membrane damage due to excessive pollutant levels) and in the degradation of soils and watercourses (including acidification and reduced microbial activity).
- 2.11 The Horsham District Planning Framework already contains measures to seek to ensure that there are no adverse impacts on the Integrity of international sites. These will also apply to any applications for development in Rudgwick Parish. In relation to air quality Policy 24 (Environment Protection) requires that development

“ minimises exposure to and emission of pollutants including ... air... and ensure that they....

“minimise air pollution and greenhouse gas emissions in order to protect human health and the environment”

Policy 40 – transport, also seeks to provide for a range of sustainable transport measures.

Although both these policies contain measures that will minimise impacts in relation to air quality, further screening has been undertaken in the context of the Rudgwick Neighbourhood Development Plan and the potential for impacts to arise on the Ashdown Forest.

Arun Valley and the Mens

- 2.12 As both the Arun Valley and the Mens SPA had the potential to be adversely impacted by the plans and policies in the HDPF, an Appropriate Assessment of the HDPF was undertaken. This assessment process resulted in suggested changes to the HDPF after which it was concluded that the HDPF (alone or in combination with other plans) will not have an adverse impact on the European sites. The impacts and mitigation proposed are summarised in table 3.

Table 3 –Measures to avoid adverse impacts on the integrity of International Sites

Site potentially affected	Impact	Effect	Mitigation in the HDPF
Arun Valley SPA/SAC/Ramsar	Increased water demand from new housing.	Low river flows/ groundwater levels and consequent water availability issues in wetland sites.	HDPF Policy (38) Flooding – requires that water quality and availability is maintained.
	Increased water demand from new housing.	Water quality deterioration in wetland sites, especially eutrophication through high phosphorus levels.	Policy 37 38 24 – These policies require that there is no pollution of watercourses, groundwater accord with the WFD and provide necessary upgrades to e.g. sewage works before development can take place. Policy 37 also limits demand for water usage from new housing.
	Increased housing development causing faster run- off and higher flood peaks.	Heightened downstream flood risk in wetland sites, damaging vegetation through prolonged deep flooding in winter, while summer floods threaten invertebrates and make essential site management difficult or impossible.	Policy 35 and 38 Policies require that technically feasible solutions to reduce flood risk (and Suds) are incorporated into developments, and design measures are incorporated into developments to ensure water vulnerability is minimised.
The Mens SAC	Housing development.	Disrupted flight paths and feeding areas for bat populations present within sites.	Policy 25 and 31 –specific requirements that any development does not affect integrity of these sites and identifies a bat sustenance zone.

- 2.13 Although it was concluded that with mitigation the HDPF would not have any impact on international sites, it was also highlighted that, given that the precise number and location of development to be brought forward through Neighbourhood Development Plans had not been finalised, there was therefore some potential for sites identified in NDPs to have additional impacts on the European sites that could not be identified as part of the higher level assessment undertaken for the HDPF. In particular, it was noted that the Parishes of Pulborough, West Chiltington, Thakeham and Storrington & Sullington, which are located in close proximity to the Arun Valley SAC/SPA/Ramsar site and/or water courses which flow into the site, are likely to require especially close examination if any significant proposal was to arise through the Neighbourhood Plan process.

3.0 Neighbourhood Development Planning in Horsham District

- 3.1 Horsham District now has over 80% coverage of Parishes or Neighbourhoods across the District progressing Neighbourhood Development Plans (NDP's). In total there are 24 Neighbourhood Plan areas across the District, some of which are clustered. Seven Neighbourhood Plans (Nuthurst, Thakeham, Woodmancote, Slinfold, the Wineham and Shermanbury, Warnham and Storrington & Sullington) have been "made" and the remainder are at various stages of preparation. Warnham, Storrington & Sullington and Washington, Ashington, Henfield, Shipley and Rusper Neighbourhood Plans were subject to a Habitats Regulation Assessment Screening during their plan preparation, and it was concluded that their plans would not have any adverse impacts on any international site. The remaining designated parishes have not yet been subject to screening. Each neighbourhood development plan will be examined on its own merits (in combination with any other plans or development) as set out in part two of this report.
- 3.2 All neighbourhood Development Plans that are prepared must be in general conformity with the Council's Local Plan. Where a NDP is silent on an issue, the policies in a Council's Local Plan (in this case the HDPF) apply. As stated in paragraph 2.3, the Neighbourhood Development plans that have been prepared to date have been written to be in conformity with both the HDPF.
- 3.3 In screening the emerging NDPs the following issues will be considered:
1. Do any of the proposed policies increase quantum of development beyond 1500 homes which are due to be delivered through Neighbourhood Planning? If this is the case, are there additional impacts arising from additional sites not assessed in the Appropriate Assessment of the HDPF?
 2. Will the development locations on the plan have any direct or indirect impacts on the Arun Valley SAC/SPA/RAMSAR or the Mens SAC or the Ashdown Forest SAC that cannot be avoided by the application of the policies in the HDPF?
 3. Are there any additional policies within the plan which could impact alter the mitigation measures set out in the Council's HDPF?
 4. Do any of the above apply in combination with other plans or programmes?

PART TWO – SCREENING ASSESSMENTS FOR NDPs in HORSHAM DISTRICT

Table 4 below sets out a summary of the screening assessments undertaken for NDPs in Horsham District, and the date that this assessment was undertaken. The detailed assessments are set out on the following pages.

NDP Area	Plan Status	HRA Screening Outcome	Date of screening
Ashington Parish	Regulation 14 consultation completed.	Appropriate Assessment not required	June 2019
Ashurst Parish	Not designated	N/A	
Billingshurst Parish	Regulation 14 consultation completed	Awaiting Screening	
Bramber Parish	Regulation 14 consultation ongoing (21 September to 2 November 2019)	Awaiting Screening	
Broadbridge Heath	Not designated	N/A	
Colgate	Not designated	N/A	
Cowfold	Regulation 14 consultation completed.	Awaiting Screening	
Henfield Parish	Regulation 14 consultation completed.	Appropriate Assessment not required	September 2019
Horsham Blueprint	Progressing to reg 14 consultation	Awaiting Screening	
Itchingfield Parish	Progressing to reg 14 consultation	Awaiting Screening	
Lower Beeding	Progressing to reg 14 consultation	Awaiting Screening	
North Horsham	Withdrawn from NP	n/a	
Nuthurst Parish	Plan Made October 2015. Land identified for max 51 homes	Appropriate Assessment not required	May 2014
Pulborough Parish	Awaiting Screening	Preliminary screening November 2015. Update necessary to take account of more recent plans which have now been made.	
Rudgwick	Progressing to reg 14 consultation	Appropriate Assessment not required	January 2020
Rusper	Regulation 14 consultation completed.	Appropriate Assessment not required	September 2019
Shermanbury Parish	Plan made June 2017. Land allocated for max 20 homes	Appropriate Assessment not required	August 2016

NDP Area	Plan Status	HRA Screening Outcome	Date of screening
Shipley Parish	Regulation 14 consultation completed.	Appropriate Assessment not required	May 2019
Slinfold Parish	Plan 'Made' on 5 September 2019 – land allocated for 77 homes	Appropriate Assessment not required following updated screening– see below	1) June 2017 2) February 2018 (update)
Southwater Parish	Regulation 16 consultation completed.	Appropriate Assessment not required following updated screening.	Updated January 2019.
Steyning	Regulation 14 consultation ongoing	Appropriate Assessment not required	October 2019
Storrington Sullington and Washington	Plan 'Made' on 4 September 2019. Examiner had requested rescreening following additional allocation of land for residential development. – Land allocated for 146 homes.	Appropriate Assessment not required following updated screening.	February 2018 Updated Screening 14 December 2018. NE has no further comment to make on the HRA rescreening on the proposed modifications (May 2019)
Thakeham	Plan made April 2017 – Land allocated for 50 homes	Appropriate Assessment not required.	October 2015
Upper Beeding Parish	Progressing to reg 14 consultation	Appropriate Assessment not required following screening.	December 2019
Warnham Parish	Plan made on 26 June 2019 – Land allocated for 50 homes	Appropriate Assessment not required following screening.	Nov 2018
West Chiltington Parish	Submitted on 19 November 2019	Awaiting Screening	
West Grinstead Parish	Progressing to reg 14 consultation	Awaiting Screening	
Woodmancote Parish	Plan to be made June 2017. No land allocated for housing development.	Appropriate Assessment not required	January 2016

Rudgwick Neighbourhood Plan

- 1. Do any of the proposed policies increase quantum of development beyond 1500 homes? If this is the case, then what are the additional impacts of additional numbers not assessed in the Appropriate Assessment of the HDPF?**

This NDP does not identify land for development. With no quantum of development proposed in the emerging plan it is concluded that there will be no additional, cumulative impacts on the International sites will arise in this respect.

- 2. Will the development locations on the plan have any direct or indirect impacts on the Arun Valley SAC/SPA/RAMSAR, the Mens SAC or the Ashdown Forest SAC that cannot be avoided by the application of the policies in the HDPF?**

There are no development sites identified in this plan which impact on the Arun Valley or the Mens Woodland. The river Arun and some of its tributaries do flow through the Parish, but there are no sites that have been identified for development which are on or near these watercourses. It is therefore considered that there are no additional impacts arising from this development that would not have been identified and mitigated by the policies in the Horsham District Planning Framework. If the Neighbourhood Plan is 'made' the HDPF policies will still be relevant as part of any planning application and ensures there is no adverse impact on this European site.

Rudgwick parish falls outside the bat sustenance zone which was identified as a mitigation measure in the HDPF to ensure that there were no adverse impacts on the Mens Woodland. Any development proposal or windfall will therefore need to ensure that it accords with the requirements set out in policy 31 (Green Infrastructure and Biodiversity) of the Horsham District Planning Framework. There are no additional impacts arising from the Neighbourhood Plan that would not be covered by the existing policy framework. It is not considered the policies proposed in the Rudgwick NP will impact on the Arun Valley SPA nor have any additional direct or indirect impacts on these sites.

In terms of the Ashdown Forest SAC there are policies in the HDPF which seek to minimise air quality impacts and encourage sustainable transport solutions. This cannot however entirely rule out the potential that new development in Rudgwick area could generate additional car journeys which may include trips through the Ashdown Forest and therefore contribute to nitrogen deposition in this area although this is highly unlikely given no significant development is proposed within the plan.

- 3. Are there any additional policies within the plan which could impact alter the mitigation measures set out in the Council's HDPF?**

This plan does not propose any policies which conflict with the requirements of the HDPF policies as set out in Table 3.

4. Do any of the above apply in combination with other plans or programmes?

- a) Question 1 considers the total level of development in combination with all neighbourhood development plans that have reached Regulation 16 stage consultation in Horsham District. In addition Local and Neighbourhood Plans are being prepared in adjoining authorities. The cumulative impact of these plans was considered as part of the HRA which was undertaken for the Horsham District Planning Framework. The total number of homes identified for each District includes homes which will or have been delivered through Neighbourhood Planning.
- b) Rudgwick Parish is located in the northern part of Horsham District and adjoins a number of Parishes (the Parishes of Billingshurst, Warnham and Slinfold). Warnham and Slinfold respectively have already undergone the HRA screening process and concluded no further requirement for Appropriate Assessment was required.
- c) The potential air quality impacts on the Ashdown Forest SAC arise from additional nitrogen deposition resulting from increased traffic emissions as a consequence of new development. Major roads which pass through Ashdown Forest and on which there is the potential that residents from Rudgwick parish could potentially use are the A22, A26 and A275, B2188, B2026, B2110 and Coleman's Hatch Road. If none of the roads in the network experience an increase in traffic as a result then the air pollution impact of the scheme is considered not to be significant and no further work is needed.
- d) In March 2017, the High Court handed down a judgment in relation to nitrogen deposition on the Ashdown Forest SAC. Wealden District Council brought a legal challenge against the Joint Core Strategy prepared by Lewes District Council and the South Downs National Park Authority. The legal challenge centred on the assessment of air quality impact on the Ashdown Forest SAC which was based on advice provided by Natural England. The Wealden judgment found that the advice provided by Natural England on the combination assessment was flawed and the outcome was that the judge quashed part of the Joint Core Strategy.
- e) Natural England had advised that the Design Manual for Roads and Bridges could be used to assess air quality impacts, applying the 1,000 Annual Average Daily Traffic methodology. It was advised that if the development proposals in a Plan by itself were calculated to be below 1,000 AADT, then the air pollution impacts could be considered not significant and no further work would be needed.
- f) The judge found that the advice provided by Natural England was erroneous and that an assessment of air quality impact should include other development proposals thus considering the in combination effect of nitrogen deposition from increased traffic. However, the judge gave no ruling as to the practical effects of the judgment. The parameters for any assessment of traffic impact are now unclear beyond a general presumption that any development that is likely to lead to air quality impacts on the Ashdown Forest SAC in the form of additional traffic will need to be considered through a Habitats Regulations Assessment.
- g) It is concluded that Rudgwick Neighbourhood Plan and the policies proposed within it would not have an adverse impact on the Ashdown Forest as a result of increased vehicle movements through the area.

Conclusion

On the basis of the above it is not considered that an Appropriate Assessment of the Rudgwick Neighbourhood Plan is required following this screening. It may however be

helpful for the Parish Council cross refer to the relevant HDPF policies to further strengthen the mitigation for the Arun Valley SPA and the Mens Woodland SPA.

It is also suggested that a further modification is made to the plan to ensure that any future development proposals area make a reconsideration as to whether the proposal may impact on the International Sites as follows:

"Any development with the potential to impact, either individually or in combination, the integrity of any SPA or SAC will be required to undertake a Habitat Regulations Assessment including an Appropriate Assessment if required"