

HORAM NEIGHBOURHOOD PLAN

ADDENDUM TO BASIC CONDITIONS STATEMENT

NOVEMBER 2023

INTRODUCTION

Further to submission of the Horam Neighbourhood Plan Wealden District Council (WDC) has advised that the Basic Conditions Statement should also consider the saved policies of the 1998 Local Plan and how the Neighbourhood Plan is in conformity with these. It also notes that the Affordable Housing Delivery Plan should be considered.

SAVED POLICIES OF THE 1998 LOCAL PLAN

Notwithstanding the fact that the Local Plan was adopted a quarter of a century ago with a Plan period covering 1994 to 2004, and set in the context of national and regional guidance existing at the time, including the East Sussex County Structure Plan of 1991, and which have all since been revoked, this addendum has been prepared in response to the request from WDC.

It is not entirely clear which of the saved policies of the 1998 Local Plan are considered strategic. Chapter 2 of the 1998 Local Plan, entitled 'Strategy', establishes a series of aims, but these are not policies. Chapter 3 then establishes 'General Development Principles'. In response to these:

- Policy GD1 of the Local Plan supports development within defined development boundaries, where proposals are in accordance with other policies. Policy GD2 of the Local Plan seeks to resist development outside of development boundaries unless in accordance with specific policies in the Local Plan. This is reflected throughout the Neighbourhood Plan. Policy HCD1 for example seeks to conserve the settlement pattern and landscape character. Policy HCD2 defines local settlement gaps that seek to retain the essential open countryside between settlements.

Further policies are presented in the remainder of the Local Plan. Many of these appear to be non-strategic, development management style policies rather than strategic in nature. However, for the purposes of comprehensiveness, all are considered.

In terms of the Environment section (Chapter 4) of the saved Local Plan:

- Policy EN1 supports sustainable development in respect of the location, layout and design of development, including energy and waste management. This is reflected in Policy HJCD1 of the Neighbourhood Plan, which requires development to respond to the settlement pattern, and in Policy HCD5, which supports efficient use of land where development densities respond to the rural character. Policies HLE1 and HLE2 also support local centre services and employment to help sustain the economy of the Parish.

- Policy EN2 seeks to maintain the existing settlement pattern and minimise movements by directing development towards existing development and areas well served by public transport. This is reflected in Policy HCD1 of the Neighbourhood Plan, which requires development to reflect the existing settlement pattern. Policy HTM 4 of the Neighbourhood Plan also encourages development to be well related in respect of public transport and to incorporate public transport services.
- Policy EN4 seeks to resist development in areas of flood risk, and Policy EN5 says development will only be acceptable where water resources are available and where development will not place these resources at risk. This is reflected in Policy HCE6 of the Neighbourhood Plan which directs development away from areas of flood risk, which requires drainage infrastructure to be in place, and supports the use of sustainable drainage and other flood mitigation measures to minimise flood risk and impacts of this. Policy HCF3 also requires physical infrastructure to be provided where required as a result of major development.
- Policy EN6 seeks to ensure that development in the High Weald AONB conserves or enhances the natural beauty and character of the landscape. This is reflected in the Neighbourhood Plan in various policies. Policy HCD1 for example says that development should conserve and enhance the landscape character, settlement pattern and features of the Parish, and Policy HCD3 identifies the Waldron Ghyll valley as a valued landscape which development should be sensitive to. Policy HCD5 also requires the design of development to respond sensitively to local character and distinctiveness. This policy specifically references use of the High Weald Housing Design Guide to inform development proposals.
- Policy EN7 refers to the Ashdown Forest. This is outside the Neighbourhood Plan area and thus not relevant.
- Policy EN8 says that development in the Low Weald will need to have regard to the character of the landscape. This is reflected in the Neighbourhood Plan in various policies. Policy HCD1 for example says that development should conserve and enhance the landscape character, settlement pattern and features of the Parish, and Policy HCD3 identifies the Waldron Ghyll valley as a valued landscape which development should be sensitive to. Policy HCD5 also requires the design of development to respond sensitively to local character and distinctiveness.
- Policy EN9 refers to the Sussex Downs AONB. This is outside the Neighbourhood Plan area and thus not relevant.
- Policy EN11 is concerned with coastal levels, particularly in respect of the Pevensy Levels area. This is outside the Neighbourhood Plan area and thus not relevant.
- Policy EN12 seeks to retain and enhance the contribution of trees and woodland areas to the landscape character of the District. This is reflected in Policy HCE2 of

the Neighbourhood Plan which seeks to retain and protect existing woodland, and supports new tree planting.

- Policy EN13 seeks to protect ancient semi-natural woodland. This is reflected in Policy HCE2 of the Neighbourhood Plan which seeks to retain and protect existing woodland, and supports new tree planting. Policy HCE1 also seeks to protect and, where appropriate, reconnect isolated areas of woodland to allow movement of species.
- Policy EN14 requires provision of landscaping, as appropriate, in development schemes. This is reflected in Policy HCE1 of the Neighbourhood Plan which says that development should incorporate green infrastructure within the layout. Policy HCE5 of the Neighbourhood Plan also requires provision of new amenity local green space and establishes principles in respect of the design and type of space.
- Policy EN15 seeks to safeguard designated conservation sites, including SSSIs, SINCS and Local Nature Reserves. This is reflected, in so far as it is relevant to designations in the Parish, in Policy HCE1 of the Neighbourhood Plan, which requires development to conserve, restore and enhance priority habitats.
- Policy EN18 seeks to resist the loss of open areas and undeveloped gaps within settlements. This is reflected in Policy HCE4 of the Neighbourhood Plan which designates a series of Local Green Spaces across the Parish that are considered to be of value to the community.
- Policy EN19 seeks to preserve and enhance conservation areas. There are no conservation areas in the Parish and thus this policy is not relevant. However, the Neighbourhood Plan does, at Policy HCD6, seek to conserve and enhance, where possible, buildings and features which add to the character and historic interest of the Parish.
- Policy EN27 promotes high quality development that responds to context and minimises impact on amenity. This is reflected in policy HCD5 of the Neighbourhood Plan which includes criteria in respect of the design of development in Horam Parish and which is underpinned by a set of Design guidelines which establish qualities of the built and natural environment of the Parish that should be responded to in new development.
- Policy EN28 states that buildings open to the public should, as far as possible, provide suitable access for people with disabilities. The Neighbourhood Plan does not have a specific policy on inclusive access and thus defers to the saved policies and national guidance established in the Building Regulations. Policy HCF1 of the Neighbourhood Plan though does specifically state that proposals for community facilities should be inclusive and accessible to all users, ages and abilities.

- Policy EN29 seeks to minimise the impact of external light pollution. This is reflected in Policy HCE3 of the Neighbourhood Plan which establishes criteria in respect of lighting.

In terms of section 5 of the saved policies of the Local Plan, which covers ‘development in the countryside’:

- Policy DC2 is in effect a ‘rural exception site’ type policy which enables proposals for homes for agricultural workers to come forward subject to various criteria being met. The Neighbourhood Plan does not have a similar policy and thus defers to the Local Plan and national guidance in this matter. The suite of policies around settlement pattern, landscape character and design are though important considerations for such proposals.
- Policy DC3 outlines the approach to proposals for agricultural buildings. The Neighbourhood Plan does not include a policy on this and thus defers to the Local Plan and national policy (including permitted development rights in respect of agricultural buildings)
- Policies DC6, DC7 and DC8 concern the conversion of rural buildings.
- Policy DC9 is concerned with recreational development in the Sussex Downs AONB and Ashdown Forest. These are outside the Neighbourhood Plan area and thus not relevant.
- Policy DC11 is concerned with golf driving ranges and the impact of these. The Neighbourhood Plan does not specifically reference such facilities but in Policy HCF2 does support provision of sports, leisure and recreation facilities, but where they are carefully sites and design to minimise any impacts to residential amenity and natural features, including through provision of artificial lighting.
- Policy DC12 is concerned with stables. The Neighbourhood Plan does not include policies on this and thus defers to the Local Plan.
- Policy DC13 is concerned with large equestrian developments. The Neighbourhood Plan does not include policies on this and thus defers to the Local Plan.
- Policy DC14 is concerned with motor and gun sports. The Neighbourhood Plan does not include policies on this and thus defers to the Local Plan.
- Policy DC17 notes that housing development will not be allowed outside development boundaries. This duplicates policy GD2 of the Local Plan. This is reflected throughout the Neighbourhood Plan. Policy HCD1 for example seeks to conserve the settlement pattern and landscape character. Policy HCD2 defines local settlement gaps that seek to retain the essential open countryside between settlements.

- Policy DC18 is concerned with replacement dwellings in the countryside and the design of these. In so far as it is relevant, Policy HCD5 of the Neighbourhood Plan establishes design principles, underpinned by Design guidelines, that seek to ensure that the design of development is sensitive to and responsive to context.
- Policy DC19 establishes principles associated with extensions to homes in the countryside. The Neighbourhood Plan does not have a specific policy on this and thus defers to the Local Plan and national guidance, though Policy HCD5 does establish design criteria that should be used to inform applications for development such that they respond to context.
- Policy DC20 refers to the subdivision of large homes. The Neighbourhood Plan does not include policies on this and thus defers to the Local Plan.
- Policy DC22 does not permit mobile homes and caravans in the countryside, nor the loss of such homes to permanent dwellings. This is reflected in Policy HLE3 of the Neighbourhood Plan, which seeks to resist the loss of camping and caravan sites, including the replacement of these with static units, and also establishes criteria for proposals for new caravan sites, including impact of setting and character.

In terms of section 6 of the saved policies of the Local Plan, which covers housing:

- Policy HG5 says that development should provide a mix of housing sizes. It also says that development should incorporate natural features and open spaces in the layout. This is reflected and further expanded upon in Policy HHD1 of the Neighbourhood Plan which specifies the mix and size of new homes that should be provided in the area. Furthermore, Policy HCE1 requires natural features to be incorporated into development, and Policy HCE5 requires amenity open space to be provided in line with standards established by WDC.
- Policy HG6 says that development should be designed to create safer, more secure places. This is reflected in Policy HCD5 which establishes design principles and which is underpinned by design guidelines for the area. These reflect best practice in terms of active frontages, natural surveillance and building lines etc. This is also reflected in Policy HTM2 which supports walking and cycling networks where they are safely incorporated in development and benefit from natural surveillance, being safe to use for all.
- Policy HG7 notes that consideration should be given to energy conservation in development, through design, construction and layout. It is not in the scope of a Neighbourhood Plan to establish sustainable design and construction standards, and thus the Neighbourhood Plan defers to national guidance and policy. Policy HCD5 of the Neighbourhood Plan does though promote the efficient use of energy and water.
- Policy HG8 seeks to resist the loss of existing housing stock. The Neighbourhood Plan does not include policies on this and thus defers to the Local Plan.

- Policy HG9 allows the subdivision of larger homes into smaller dwellings where consistent with the character of the area. The Neighbourhood Plan does not include policies on this and thus defers to the Local Plan. However, Policy HCD5 does establish design principles such that new development responds to local character.
- Policy HG10 says extensions will be permitted where they respond positively to character and setting. The Neighbourhood Plan does not include policies on this and thus defers to the Local Plan (and permitted development rights). However, Policy HCD5 does establish design principles such that new development responds to local character.
- Policy HG11 says that proposals for special needs housing will be supported within development boundaries and where close to community facilities. Policy HG12 only allows proposals for such uses outside development boundaries where linked to existing accommodation. Policy HHD1 of the Neighbourhood Plan supports proposals for housing for an ageing population, particularly where well related to services and facilities, and where they accord with good practice principles.

In terms of section 7 of the saved policies of the Local Plan, which covers business:

- Policy BS3 identifies a series of town business areas. None of these are in Horam. This is thus not relevant to the Neighbourhood Plan. Policy BS4 and BS5 also relate to towns and are thus not relevant to the Neighbourhood Plan.
- Policy BS6 seeks to concentrate business development in villages at specific locations. This includes the Merrydown site in Horam. Outside of these areas, Policy BS7 supports local employment provision. Policy BS8 seeks to minimise the impact of large scale employment proposals outside of village locations. Policy BS9 seeks to minimise the impact of employment outside development boundaries, in terms of impact on the open countryside and traffic generation. This is all reflected in the Neighbourhood Plan: policy HLE2 sets out the approach to employment and is supportive of such uses subject to criteria, including impact on amenity, traffic impacts, and responding to local character.
- Policy BS10 relates to the Maresfield Business Park and is not relevant to the Neighbourhood Plan.
- Policy BS11 notes that Use Class B1 is appropriate in business areas. Policy BS12 notes that Use Class B2 is also appropriate subject to impact on local amenity and traffic generation. Policy BS13 also notes that Use Class B8 will be appropriate subject to impacts on amenity and traffic generation. Policy BS14 says changes of use in business areas will be suitable subject to impact on amenity and traffic generation, and the character of the countryside. The Use Classes Order has now been updated and this is reflected in the Neighbourhood Plan, which supports retention of and proposals for B2, B8 and E(g) uses subject to impacts on amenity, traffic and character etc.

- Policy BS15 is supportive of home working subject to impact on amenity and parking arrangements. The Neighbourhood Plan does not have a home working policy. Early drafts did include such a policy but were removed upon recommendation from WDC who said much of this was accounted for in permitted development rights. The Neighbourhood Plan thus defers to national policy and Local Plan policy.

In terms of section 8 of the saved policies of the Local Plan, which covers shopping:

- Policy SH2 supports proposal for retail development in the main shopping centres. The Neighbourhood Plan reflects this in Policy HLE1 which supports retail use in the defined Horam Village Centre.
- Policy SH3 notes that Use Classes A2 and A3 will only be appropriate where they do not impact on the function or character of the shopping area. Policy SH4 takes a similar approach in terms of amusement centres. The Use Classes Order has been updated and the Neighbourhood Plan is reflective of this (Policy HLE1), stating that Class E and F uses are appropriate subject to certain design criteria being met and where conflicts between uses are minimised, particularly in mixed use schemes.
- Policy SH5 supports Uses Class B1 developments in shopping areas where they are on upper storeys. Policy SH6 takes a similar approach in terms of residential development. This is reflected in Policy HLE1 of the Neighbourhood Plan which says that residential uses are appropriate on upper storeys.
- Policies SH11 and SH12 are concerned with farm shops and garden centres. The Neighbourhood Plan does not include a policy on this and thus defers to the Local Plan and national policy.

In terms of section 9 of the saved policies of the Local Plan, which covers transport:

- Policy TR1 says that proposals for new roads should reflect the character of the area and consider the impact on local communities. The Neighbourhood Plan reflects this at Policy HTM1 which states that where proposals for development involve provision of new roads, they should be well designed, responding to the rural character of the area, and following standards established by the County Council.
- Policy TR2 says that visual and noise intrusion of new roads should be minimised, with sensitive use of lighting made. This is also reflected in Policy HTM1 of the Neighbourhood Plan, which seeks to minimise the use of engineered solutions to traffic calming, and to retain green verges and infrastructure. Policy HCE3 of the Neighbourhood Plan sets out the approach to dark skies and lighting and seeks to minimise use of street lighting and its impact, other than where it is necessary.
- Policy TR3 requires the impact of traffic from new schemes to be assessed, and supports provision of suitable public transport facilities. The Neighbourhood Plan does not seek to duplicate the requirements for traffic impacts, and which form part of the local validation list for appropriate schemes, but does, at Policy HTM1 support

proposals that help minimise the impacts of road traffic, particularly in terms of speed, volume and congestion.

- Policy TR10 seeks to minimise the impact of heavy good vehicles in villages and on country roads. This is reflected in the Neighbourhood Plan in Policy HTM1 which supports scheme that minimise traffic impacts on streets and lanes in the Parish, and in Policy HLE2, related to employment uses, which states that employment proposals should not result in harm to non-strategic routes through an increase in heavy traffic movements.
- Policy TR13 seeks to secure provision of walking and cycling routes in new developments. This is reflected in Policy HTM2 which supports the provision of walking and wheeling routes in accordance with best practice principles established in Government guidance.
- Policy TR16 establishes parking standards for new development. This is reflected in Policy HCD5 of the Neighbourhood Plan which requires development to be of a high quality of design, and where parking is provided for and designed in line with standards established by the County Council.
- Policies TR17 – 19 concern the safeguarding of former railway lines. None of these are in the Neighbourhood Plan area and are thus not relevant. However, the Neighbourhood Plan, at Policy HTM3, does support use of and improvements to the Cuckoo Trail (a former railway route) for walking and cycling.

In terms of section 10 of the saved policies of the Local Plan, which covers tourism:

- Policy TM1 says that proposals for tourist attractions and facilities will be permitted subject to meeting certain criteria, including character and environmental quality. This is reflected in Policy HLE3 of the Neighbourhood Plan which is supportive of proposals for visitor accommodation and facilities subject to landscape, visual and transport impacts. The Policy also seeks to resist the loss of existing visitor attractions.
- Policy TM2 is concerned with tourist facilities in the South Downs AONB and Ashdown Forest. These are outside of and thus not relevant to the Neighbourhood Plan.
- Policy TM3 supports the conversion of farm buildings to provide overnight accommodation for those walking or cycling in the District. This is not addressed in the Neighbourhood Plan, and thus the Neighbourhood Plan defers to the Local Plan.
- Policy TM4 resists holiday parks in the South Downs and High Weald AONBS. Outside of these, it says they will be permitted subject to certain criteria being met. Policy TM5 states that proposals for static caravan sites will not be permitted.

- Policies TM6 and TM7 relate to the Ashdown Forest, Sussex Downs AONB and coastal areas, and are thus not relevant to the Neighbourhood Plan area.
- Policy TM8 says that proposals for new or extended camping and caravan facilities will be permitted subject to various criteria being met, including access and impact on landscape. This is reflected in Policy HLE3 of the Neighbourhood Plan which supports proposals for campaign or caravan sites, subject to siting, design, access and parking etc, but seeks to resist proposals that would result in the loss of such facilities', or conversion of these into static units.
- Policy TM9 states that proposal for the outside storage of touring caravans will not be permitted in the open countryside. The Neighbourhood Plan does not include a policy on this and thus defers to the Local Plan.
- Policy TM10 says that proposals for 'interpretative facilities' should be sensitive to the site. This is not specifically referenced in the Neighbourhood Plan, although Policy HLE3 is reflective of this in that it states that ancillary facilities to serve visitors should be sensitively designed, reflecting building styles and materials set out in the Design Guidelines accompanying the Plan. Furthermore, Policy HTM3 supports provision of wayfinding, information boards and public art along the Cuckoo Trail where these support its use but also maintain and enhance the character of the Trail.

In terms of section 11 of the saved policies of the Local Plan, which covers leisure and tourism:

- Policy LR1 seeks to retain existing play spaces and provide new outdoor play space as part of development. It also supports provision of artificial pitches in appropriate locations. This is reflected in Policies HCE4, HCE5 and HCF2 of the Neighbourhood Plan which, respectively, designated areas of open space for protection, require new amenity space to be provided in development, and support new sports, leisure and recreation facilities.
- Policy LR2 seeks to resist development that would result in the loss of outdoor play space or other amenity open space. This is reflected in Policy HCE4 of the Neighbourhood Plan which designates a series of Local Green Spaces of value to the community, including outdoor play and amenity spaces
- Policy LR3 requires the provision of child's play space in new development in line with established standards. This is reflected in Policy HCE5 of the Neighbourhood Plan which requires amenity open space to be provided in new development in line with standards established by WDC, and which also sets out design principles such that the space can be enjoyed by all.
- Policy LR4 supports proposals for provision of artificial turf pitches where there are no adverse impacts on amenity. This is reflected in Policy HCF2 of the Neighbourhood Plan which supports sports, leisure and recreation facilities where

they are appropriately sited, accessible to all, and where the impacts of lighting on amenity are minimised.

- Policy LR5 supports provision of informal open space in new development, as well as incorporation of existing landscape features. This is reflected in Policy HCE5 of the Neighbourhood Plan which requires amenity open space to be provided in new development in line with standards established by WDC, and which also sets out design principles such that the space can be enjoyed by all. Furthermore, Policies HCE1 and HCE2 seek to ensure that existing landscape features are retained and integrated within the layout of new developments.
- Policy LR7 resist indoor sports facilities outside of development boundaries unless they are of a small scale and ancillary to existing uses. This is reflected in Policy HCF2 of the Neighbourhood Plan which supports such facilities where they are in suitable locations.
- Policy LR8 supports proposals for new and extended / improved community halls. This is reflected in the Neighbourhood Plan at Policy HCF1 which supports proposals for new community facilities, subject to a range of criteria being met. The Neighbourhood Plan also seeks to resist the loss of such facilities.

In terms of section 12 of the saved policies of the Local Plan, which covers community services:

- Policy CS1 states that works directly required to serve development should be provided at the appropriate time. This is reflected in the Neighbourhood Plan at Policy HCF3 which states that applications for major development should outline how required infrastructure will be delivered, including the mechanisms for this in the event that large sites cross multiple ownerships. It also supports provision of community infrastructure during the early phases of development.
- Policy CS2 says that proposals will only be permitted where adequate drainage provision has been made. This is reflected in the Neighbourhood Plan at Policy HCE6 which requires development to demonstrate that adequate drainage infrastructure is in place, and that sustainable drainage and other surface water management measures have been provided.
- Policy CS3 relates to the Willingdon Levels Drainage Catchment Area. This is outside of the Neighbourhood Plan area and thus not relevant.
- Policy CS4 and CS5 state that developments of a certain size should provide well sites and designed waste and recycling facilities. This is not specifically referenced in the Neighbourhood Plan and thus Local Plan and national guidance is deferred to.

The remainder of the saved policies of the Local Plan refer to specific settlements or villages, none of which cover Horam.

In summary, the Neighbourhood Plan is in conformity with the saved policies (strategic or otherwise) of the 1998 Local Plan.

AFFORDABLE HOUSING DELIVERY PLAN

WDC has requested that Policy AFH1 (Affordable Housing) of the Affordable Housing Delivery Plan (2016) is considered as part of the Basic Condition Statement.

This says that affordable homes should be provided at a level of 35% on sites of five homes or more. However, the Portfolio Holder clarified this position in respect of changes to national policy, stating that the requirement for 35% affordable housing applies to an 11 unit threshold outside the AONB and a six unit threshold in the AONB.

Policy AF1 also says that the affordable housing provided should incorporate a mix of tenure types. It recognises that for viability reasons, the amount and mix of affordable housing sought by the policy may not be achieved. It also notes that affordable housing should be designed such that it is tenure-blind.

The above is reflected in Policy HHD of the Neighbourhood Plan. Part 1 reflects the thresholds and percentage requirement of affordable homes in the Affordable Housing Delivery Plan. Part 2 has been informed by productions of a Local Housing Needs Assessment undertaken via the Locality technical Support Programme for Neighbourhood Plans and represents a more up-to-date and granular position of local housing need. This establishes an appropriate tenure mix for affordable homes in Horam Parish. This is expanded upon in Part 3 which supports provision of the new First Homes products, where viable.

Finally, Part 4 of the Policy requires affordable housing to be well integrated with market housing, to be designed to the same quality.

In summary, the Neighbourhood Plan is in conformity with Policy AF1 of the Affordable Housing Delivery Plan.