

NIGEL SMITH



**Horsham  
District  
Council**

## Representation Form

**West Chiltington Neighbourhood Plan (2031)  
Regulation 16 Consultation - The Neighbourhood  
Planning (General) Regulations 2012 (as amended)**

West Chiltington Parish Council has prepared West Chiltington Neighbourhood Development Plan (WCNDP). The Plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally.

In accordance with Regulation 16 of the Neighbourhood Planning Regulations 2012 (as amended), the West Chiltington Neighbourhood Development Plan and associated supporting documents will go out to consultation from **18 October 2024 to 29 November 2024** for 6 weeks inviting representations on the submission draft WCNDP, basic conditions statement, consultation statement and the SEA/AA and HRA assessment. Copies of the West Chiltington Neighbourhood Plan and supporting documents are available to view on the Horsham District Council's website and at selected deposit points. To view the plan, accompanying documents and to download the comment form please view:

<https://strategicplanning.horsham.gov.uk/WestChiltingtonReg16/consultationHome>

Hard copies of the documentation are available upon prior request for inspection at **Horsham District Council offices**; Parkside, Chart Way, North Street, Horsham, RH12 1RL between 9am and 5pm Monday to Friday (01403 215398), **West Chiltington Parish Office**, The Parish Office, Church Street, West Chiltington, RH20 2JW, Opening 10am-1pm Tues & Wed (01798 817434). **West Chiltington Village Hall**, Mill Road, West Chiltington, RH20 2PZ.

### There are a number of ways to make your comments:

1. Download and complete the comment form available from the link above and email it to: [neighbourhood.planning@horsham.gov.uk](mailto:neighbourhood.planning@horsham.gov.uk); or
2. Print the comment form available to download by clicking on the link above and post it to: Neighbourhood Planning Officer, Horsham District Council, Parkside, Chart Way, North Street, Horsham, RH12 1RL

**All comments must be received by 5:00pm on 29 November 2024**


### NOTIFICATION

All comments will be publicly available, and identifiable by name and (where applicable) organisation. Please note that any other personal information provided will be processed by Horsham District Council in line with the Data Protection Act 1998 and General Data Protection Regulations. Horsham District Council will process your details in relation to this preparation of this document only. For further information please see the Council's privacy policy: <https://www.horsham.gov.uk/privacy-policy>

**How to use this form**

Please complete Part A in full, in order for your representation to be taken into account at the Neighbourhood Plan examination.

Please complete Part B overleaf, identifying which paragraph your comment relates to by completing the appropriate box.

<b>PART A</b>	<b>Your Details</b>
Full Name	Nigel J Smith
Address	
Postcode	
Telephone	
Email	
Organisation (if applicable)	
Position (if applicable)	
Date	04/12/2024

**PART B**

To which part in the plan does your representation relate?

Paragraph Number: All Paragraphs and Policies of the West Chiltington Neighbourhood Plan (2031) as outlined in the Comments section below	Land for Housing	Policy Reference:H2b	Land at Smock Alley
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Do you support, oppose, or wish to comment on this plan? (Please tick one answer)

Support  Support with modifications  Oppose  Have Comments

Please give details of your reasons for support/opposition, or make other comments here:

**Specifically I cannot support the inclusion of the Land at Smock Alley for Development with reference to The West Chiltington Reg 15 Submission Plan 2024 revised October Policy H2b (page 29)**

The Reasons are as follows:-

The Draft Plan is flawed in that it has been drawn up contrary to due process with a lack of transparency, hasty decision masking, little local community consultation and imposed sites from HDC Planning Dept.

**Insufficient Consultation** This plan was completed without input from the local community as WCPC did not engage with them in relation to the Policy H2 Land for Housing.

There was supposed to be 14 Pre-Regulation Consultations before site selection, prior to the preparation of the Draft 2021 Draft Neighbourhood Plan. These did not take place.

There were no emails sent, nor posters located on local notice boards seeking the local community ideas for the DNP.

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There were no Public Meetings held in the Village Hall.

### **Regulation 14 Survey**

Dated 26th July 2021 this Survey was sent to Parishioners after the Draft Plan had already been approved about two weeks earlier by the Parish Council on July 13th.

On this Draft Neighbourhood Plan two sites were added, one in Smock Alley and one at the Hatches which were not on any previous Plan shown to the Parishioners. I understand the Smock Alley Site was forced on the Parish Council by the HDC PLanning Dept who put it in their Local Plan.

The Smock Alley site had already been subject to two previous Planning Applications, in 2014 and 2015 which were Refused, as were the two subsequent Appeals by the Govt Inspectors. Hence this site had been totally rejected by Parish Councillors as being unsuitable for inclusion in the Neighbourhood Plan based on those HDC Planning Application Refusals and Appeal Refusals.

The inclusion of both Smock Alley and Hatches sites in the Public Domain without reference to the Community, happened after the WCPC had prior approved the DNP, so there was no consultation, which contravenes the Neighbourhood Planning (General) Regulations 2012.

The Regulation 14 Survey was therefore invalid, as Parishioners were not given any opportunity to make their observations known on the early stage site selection or planning thereof, as they had not been consulted about them.

### **Regulation 16**

Most people living in the Parish of West Chiltington do not know of the Expiry Date of 6th December 2024 for this consultation.

The WCPC did have a display re Neighbourhood Plan and Reg16 consultation at the Meet and Greet meeting in Cricket Pavillion they held recently, and it is on their website, but the Meet and Greet is not advertised in any way, except for the website and is very poorly attended.

Therefore with no Posters on Village Notice Boards, or Signs that could have been placed on the village entry points, (it being so important), nor Emails I doubt there will be a large response to this REG 16 Consultation period. Surely in this day and age all Parishoners should either be contacted by email or a leaflet dropped through each letterbox to ensure they know of this Reg 16 Consultation.

One way the WPC could have highlighted the NP Reg 16 closing date for consultations could be by use of local Magazines.

In the Dec 24 Sussex Local Magazine which is delivered to 6,100 homes every month there are sections for the Parish councils covered to make comments on Local matters.

Pulborough Parish Council first item mentioned that HDC was finalising its Local Plan and asking for input.

WCPC had a whole page (52) - Not a Mention of the Neighbourhood Plan or the Reg 16 closing Date.

This Neighbourhood Plan is out of date, and this is of more significance in West Chiltington than Horsham District as a whole, because of the demographics. WC has a very significant population of retired people and if, as expected the proportion of 65 to 80 year old residents has been increasing there will be a higher % who shuffle off the Planet, than those with a more mixed age profile.

It is highly likely therefore that those who have replaced the above departed souls, will not have had any opportunity to have input to the NP.

### **Smock Alley Site - Reasons for it to be withdrawn from Local and Neighbourhood Plans**

**Firstly - The Site has been determined as unsuitable for development in Planning Applications by HDC and by Govt PLanning Inspectors in Appeals.**

**Also, the Site has been incorrectly added to the Neighbourhood Plan without Consultation.**

**Specific Points :-**

- **Site refused Planning Applications in 2014 and 2015**
- **Site refused by Planning Inspectors in 2015 and 2016**
- **Site rejected by WCPC prior to 2021 for all reasons as detailed in above 2 HDC planning refusals and subsequent 2015 and 2016 Appeals**
- **Ex Head Of HDC Planning Dept produces his Vision for Smock Alley Site 2021**
- **Following the above the Site imposed by Planning Officers on WCPC prior to Reg 14 Survey 25th July 2021**
- **No Consultation on Site inclusion prior to Reg 14 Survey**
- **WCPC approved Neighbourhood Plan prior to Reg 14 Survey Plan invalid**
- **Site Refused Planning Permission April 2024 by HDC Planning Committee South**

**The Site was deemed Unsuitable for Development for multiple reasons in the above Planning Applications and Appeals these and others observations include:-**

- **Greenfield Site** - These should be the last areas to be considered for development and this is outside the built up area boundary.
- **Location** - It forms part of the Settlement Separation Zone between West Chiltington Village and The Common which is against HDPF Policy 4 and in Para 34 of the 2015 Appeal he said it was against both Policy 4 and 26 with the comment it was development in the countryside and this would be true of any form of housing on the suite whether 19 or 14 units
- **Limited access to sustainable modes of transport** - The Site is located along Smock Alley with northern boundary adjoining Haglands Lane. The access is proposed to be in Smock Alley so residents are over half a mile from local shops and bus stop and even further from the school.

There are no footpaths or lighting to any of these. Haglands Lane, (which is the route to the Common shops), is initially only passable by one vehicle at a time, so pedestrians have to get off the road and into the hedge, to allow cars to pass. No one would walk to the school, as again, once you go up Southlands Lane to the Old Village it is highly dangerous, for both walkers and cyclists. Because of the above, almost all journeys will be by car.

- **Traffic** - There are already 1000 vehicular transits per day past this site, which would likely generate a further 100 journeys per day, further increasing the risks to pedestrians/cyclists in Smock Alley/Haglands Lane.
- **Pollution** - Unless all residences install electric Heat Pumps and Drive Electric Cars there will be additional local pollution from any gas/oil heating, or ICE cars used.
- **Visual Amenity** - The site rises significantly, by around 11 metres, so from Smock Alley the properties at the top of the site would appear to be placed on top of the ones in front, which would look absolutely awful, and also be very visually intrusive coming down the hill from Southlands Lane (an extension of Smock Alley), to the north of the Site.

**Looking at this draft WC Reg 15 Submission Plan the inclusion of the Smock Alley Site for Housing Development goes against so many of the Policies and would result in the destruction of the wildlife habitats and wildlife corridors contained in it so I would highlight a number.**

Page 9 - Para 2.11 BUAB Old Village and West Chiltington Common are two quite distinct settlements ... each with its own BUAB. These should be respected.

**South Downs National Park Authority - Policies considered relevant to the WC Parish**

**SD6** - Views - Development of Smock Alley would breach that Policy

**SD9** - Biodiversity and Geo-diversity - This seeks to retain, protect and enhance Features of biodiversity. This is the polar opposite of what developing Smock Alley would achieve.

**SD12** - Historic Environment - This development would detract from two local historic buildings settings

**SD20** - This development would further detract from safeguarding or encouraging of walking cycling or horseriding.

**Page 10 - Para 3. About the Village Para 3.6** - "Walking in the Lanes is a hazardous business throughout the village".

As above, this site is unsustainable, as only suitable for vehicular access for most purposes.

**Page 13/14 - Environment and Heritage - Para 3.13** - Features of the Parish is its broad range of wildlife habitats connected by a network of corridors.

**3.15 - Biodiversity Survey** - The Parish supports a number of rare and declining species etc, then closes with the Parish - also supports protected species such as bats [REDACTED] slow worms and dormice, and their habitats.

The remaining 3 Paragraphs of 3.15 describe how there is a need to protect and enhance, now, and for future generations, and also the need to protect, enhance and manage habitats and species, and also, all want to see the environment and heritage protected, and enhanced.

**The Smock Alley Site is one of the most important of these wildlife reserves and corridors that the Parish has, having been rewilded over 50 years, and the species living on it include all the above protected species.**

**Why suggest therefore that this wildlife sanctuary be destroyed?**

**Page 15 - Flooding and Drainage - Para 3.24** - This site does not have proper drainage and the ditch which is supposed to drain it, is often blocked and water from it flows down Smock Alley contributing to the flooding. (note this ditch only joins the main surface drainage system through inadequate underground drains, via Hollybrook)

**Page 17 - Getting Around - Para 3.35** - The Parish suffers from Rat Runs etc, some lanes very dangerous to pedestrians, cyclists and horse riders.

The Smock Alley Site is the main Rat Run, so developing this will only make it more dangerous for people including those who would potentially live there.

**Page 21 Core objectives 4.3 - Para 2 - Environment**

- a. Protect agricultural Land
- b. Protect and enhance existing green spaces
- c. Protect and enhance the Parish's biodiversity and rural setting
- d. Minimise the risk of flooding

Developing the Smock Alley Site goes in the face of all the above.

**Page 23 - 5. Neighbourhood Plan Policies - Presumption of Sustainable Development**

There are 3 points - the economic, the social and the environmental objectives. With all the points as above developing this Smock Alley Site does not meet those criteria.

**Page 24 - 6. Housing Policies - Objectives - 6a, 6b. and 6c.** - Developing the SA site, as proposed, would go against them.

**Policy H1- Spatial Strategy and Built up Area Boundaries - Policies a to e** - Developing SA site again would not meet the criteria in this plan as already evidenced by the views of councillors in the rejection of the site 3 times, and as specifically laid out in the observations of the Planning Inspectors, (with two Refusals), **except d water neutrality** which is a later requirement.

Again, the evidence leads to this site not being water neutral, in spite of the sinking of a borehole. Due to the Strata of Greensand, above and below the site, all water taken from the site will contribute to loss of water to the Hardham extraction site, and of course any resident can request connection to the mains supply.

Due to the cost of maintaining the proposed water processing plant, that will inevitably happen, so that provision is just cynical.

**Policy H1.1 Sustainable Development** - As in comments re Page 23 5 above H1.1 also says Consultation with the local community has identified a significant desire to preserve our unique natural environment ..... two individual settlements surrounded by rural land.

**Also Policies H1.2 to H1.6** - Again developing the SA site would go against all these Policies

**Page 25 - Policy H2 - Para 5 and 6** - unfortunately the fact that the site has rewilded over 50 years means that as soon as you start to dig up any soil on the site you lose the unseen biodiversity, (as has been demonstrated at the Knepp Estate and others), so Para 5 does not go far enough to provide the required protection and Para 6 cannot be achieved.

Not enough has been said about the Fields as used by the inhabitants of the **Protected Woods** above the site as these fields contribute significantly to food sources of those creatures (inc rare bats), and there are dormice on this site as previously evidenced and 5 badger setts.

**Page 29 Policy H2b - Land at Smock Alley**

This Policy is written in the most unenthusiastic way for a Proposal as you could imagine, probably because it was imposed by HDC Planning Dept, as documented in the Consultation Statement of July 2021 - Point 14 restarting the Project 2020 14.5 and 14.6 and 14.7.

This inclusion of Smock Alley in the District Plan would appear to originate when the former head of HDC Planning, Dr Chris Lyons, teamed up with the developer, and produced the Vision for Smock Alley Plan. After the previous 2 HDC Planning Refusals and 2 subsequent Refusals by the Planning Inspectorate for this site, what convinced the current HDC Planning Dept that this was a good idea?

**This Policy - Para 3** says - development will be supported if the below are met - a to h

If the site was to be developed you would have to agree to those, but the problem lies with **h - all other relevant policies in this Plan are met**. They are not.

We now come to Page 33/46 - **7. Environment and Heritage Policies**. I could go through each of those and comment but it would just repeat time after time why the Smock Alley Site does not comply, but all of Policy **EH1** - Green Infrastructure and Ecosystems Services, **EH2** - Flooding Drainage and New Development, **EH3** - Protection of Trees and Hedgerows, Policy **EH7** - Sunken Lanes - Haglands Lane and Southlands Lane are adjoining the site, **EH9** - Agricultural Land, **EH10** - Settlement Separation, **EH11** Water Neutrality would all be compromised if the Smock Alley Site was developed.

**I think all the above shows that you cannot possibly meet the criteria of Policy H2b h - All other Policies in this Plan are met, so for that alone the H2b Policy Land at Smock Alley should be rejected from the Neighbourhood Plan.**

**NB - Since the Refusal of PA DC/21/2007 on 3rd April 2024 (unanimously) to reject this site for development, against HDC Planning Dept wishes there was a Appeal instigated by the developer, once again. ( It is now thought that the reason for this application prior to Inspection of the Local Plan by the LPA was that the site may be rejected).**

Those opposed had started to prepare for this, only to hear at short notice that there was to be a Planning meeting (held on Sept 26th 2024) with the public excluded from it, to hear an 80 page Report by the Planning Dept to agree that HDC would not defend the Appeal as per normal, (which is almost without precedent), based as far as we can ascertain, on the possible Financial implications of the threat by the developer to obtain costs.

Following this the Appeal has now been withdrawn, probably because it is highly likely that the Planning Inspector would, once again, refuse it.

Now we have a new Planning Application DC/24/1619, identical to that refused in April, which has stirred up a great deal of opposition to the actions of HDC Planning Dept, as shown in the many comments in relation to the new Application, as seen on the HDC Planning Portal.

There is also a Petition with, as at 4th December, well over 1000 signatures against development of this Smock Alley Site as well!

I also confirm that there are additional issues I have been unable to cover, relating to process and factual matters which I did not have access to and are also worthy of note.

The additional evidence which I would make reference to is contained in the Representation Form submitted by Sharon Davis [REDACTED] so I would request that anything of additional note in her Representation Form over and above the points I have made in this Representation Form can be considered as my representation also.

#### **What improvements or modifications would you suggest?**

##### **Future Housing Development Sites**

**Page 15 - Housing** - This section shows the slow development of West Chiltington over the years and indeed, it has grown substantially, so any further significant growth will detract from its charm and facilities and negate all the Environmental and Heritage Policies as laid out in the NP which (apart from the Smock Alley Proposal) has a lot to commend it.

The addition of any significant numbers of new properties cannot be accommodated because of the narrow lanes. You cannot get out of the old Village or up Southlands/Haglands Lane without several stops to let other vehicles pass and that applies along East Street, all the way along, until it meets West Chiltington Road shortly before Kinsbrook Wineyard.

It is only from the south from Storrington up to the shops at the Common and east to west to Pulborough that there is any ability for a reasonable traffic flow, so development would be better off there, but West Chiltington Common cannot expand without ruining the agricultural land to the south towards Storrington and the natural boundaries of Monkmead Woods and the River Chilt.



South Mill site opposite the Village Hall has been suggested, and this, although it may encroach on the BUAB, would be barely hidden from view, and the traffic flow would be reasonable southwards.

The Hatches - If carefully designed this could be further extended to provide more housing, and you can get out of the Village, (to the north), better than any other part of the Old Village, so that may be a solution.

(Continue on separate sheet if necessary)

If you have additional representations feel free to include additional pages. Please make sure any additional pages are clearly labelled/ addressed or attached.

Do you wish to be notified of the local planning authority's decision under Regulation 26 of the Neighbourhood Plan (General) Regulations 2012 (as amended) in relation to the West Chiltoningon Neighbourhood Development plan?

Please tick here if you wish to be notified:

