



*Working together to secure the value of nature in Sussex*

# Neighbourhood Plan Guidance

5<sup>th</sup> August 2020

*Sussex Local Nature Partnership Vision*

*'The purpose of the Sussex Local Nature Partnership is to work across sectors and organisations to secure the healthiest ecological system possible thereby protecting and enhancing the natural environment and all that it gives us.'*

## **Contents**

1.0 Why has the Sussex LNP produced guidance on Neighbourhood Plans?

2.0 A Natural Capital Approach to Neighbourhood Planning

3.0 Wording Planning Policies

4.0 Case Studies from Sussex Neighbourhood Development Plans

Appendix A: Potential Policy Areas

Appendix B: Sources of Information

## 1.0 Why has the Sussex LNP produced guidance on Neighbourhood Plans?

- 1.1 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. These Neighbourhood Development Plans must be in general conformity with the strategic policies of the Local Plan for the area but are a great opportunity to use local knowledge to improve the local environment, including protecting and enhancing existing assets, such as local parks, nature reserves and other green spaces. A Neighbourhood Development Plan can allocate sites for development and/or make sure that the design of all new development reflects and complements the wider countryside and provides space for people and nature.
- 1.2 National Guidance has recently been published by Localities on Neighbourhood Planning for the Environment –written by the Environment Agency, Forestry Commission, Historic England and Natural England. This can be accessed at <https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/> The Sussex LNP guidance adds a ‘local flavour’ to this national guidance.
- 1.3 There have been a number of Neighbourhood Development Plans prepared in Sussex since 2012 and many have been made part of the statutory Development Plan so that local planning authorities must have regard to them when they make decisions on planning applications. This guidance draws on the experience of these Plans and others across the country to suggest ways in which Neighbourhood Development Plans can enhance their environment.
- 1.4 **Neighbourhood Planning is a voluntary activity and the scope of these Plans is for local communities to decide in consultation with their local planning authorities.** These Plans are then examined to see if they comply with the ‘basic conditions’ which include ensuring that they contribute to achieving sustainable development. The following are some ideas for communities to consider to make their Plan more sustainable and enhance the natural capital of their area.

## 2.0 A Natural Capital Approach to Neighbourhood Planning

*“All of us and our communities get many benefits from natural capital – food, clean water, clean air, and many others we do not see... Natural capital is what makes our lives possible and worth living. It is also the basis for our economy. Natural capital is derived from the basic elements that make up our environment:*

- *The rock types*
- *The soil*
- *Water, its location, and the way it flows*
- *Type of vegetation such as trees, grasses, flowers*
- *Extent of vegetation such as woodland, grassland and wetland*
- *Microbes, plants and animals that live on the vegetation*
- *The relationship between all these and the activities that connect them”.*

[Lewes Neighbourhood Plan page 33].

- 2.1 The Sussex Local Nature Partnership has produced a Natural Capital Investment Strategy which can be accessed at [sussexlnp.org.uk](https://sussexlnp.org.uk) This identifies the natural assets of Sussex and the goods and services they provide, highlights those that are at risk and selects those that would benefit from investment. This strategy can provide the background for a more detailed assessment of the natural capital within a neighbourhood plan area. Policies can then identify how development can protect and enhance these assets and the benefits that they provide for the area.

### **3.0 Wording Planning Policies**

- 3.1 Many Neighbourhood Planning Groups gather large amounts of environmental evidence about their area, and have significant ambitions about how they want their area to improve, but find it difficult to translate these into planning policies that will pass examination. Often this means that they can only be 'community aspirations' which are not a formal part of the Neighbourhood Development Plan and carry less weight. This can be very frustrating to groups that have put a lot of time and energy into evidence gathering and really want to make a difference to their environment.
- 3.2 The important thing to remember is that this is a Neighbourhood Development Plan, and its planning policies must be focused on activities that comprise development and require planning permission. The purpose of the planning policies is to provide direction to those who are determining planning applications and to guide those who are preparing them. Many of the activities that can improve our environment do not fall into this category, because they are about encouraging a change in behaviour or ways of managing land that do not require planning permission.
- 3.3 Neighbourhood Planning Groups should think of ways that development within the area can facilitate improvements to the environment. Examples of potential policy areas are included at Appendix B. Some of these suggestions may require professional support, for example from ecologists or landscape architects. It is worth finding out whether such expertise exists within the community before sourcing external consultants.
- 3.4 National guidance on how to write planning policies can be accessed at <https://neighbourhoodplanning.org/toolkits-and-guidance/write-planning-policies-neighbourhood-plan/> Drafting planning policies so that they achieve the intended result is a specialist skill and you are strongly advised to seek advice from a chartered Town Planner on the wording of your policies before submitting your Plan for examination.

## 4.0 Case Studies from Sussex Neighbourhood Development Plans

### 4.1 Hurstpierpoint and Sayers Common Neighbourhood Plan, February 2015

The first chapter of this plan sets out policies for the conservation and enhancement of the countryside in the plan area. The six countryside policies and supporting text set the context for the rest of the plan and provide a robust evidence base. A site-specific countryside policy is reproduced below.

Chapter 2 provides policies for the protection of existing and creation of new amenity assets in the parish. This has allowed the parish to secure a significant new area of multifunctional green infrastructure for the benefit of the community and wildlife.

The plan is informed by a Habitats Regulations Assessment Screening Report against which all the plan policies are assessed for potential habitat impacts.

Key biodiversity and GI policies are reproduced below:

#### ***Little Park Woodland***

*The area of ancient and other woodland, at Little Park, The Wilderness and Tilley's Copse is a valuable component of the landscape adjacent to the built-up area in Hurstpierpoint. With the allocation of future housing sites HP07 and HP08 to the east of the woodland, there is an additional need to ensure its continued protection and linked to the development of those sites, measures are necessary to ensure the ongoing protection and preservation of this area.*

#### **POLICY Countryside Hurst C6 Little Park and Tilley's Copse Woodland:**

In conjunction with the development of housing (POLICY H3) the area of ancient and other woodland, at Little Park and Tilley's Copse shall be permanently protected and conserved by the creation of a management trust.

#### ***Areas of Conservation and Countryside interest – Pondlye***

*The water feature of Pondlye, Cuckfield Road, lies alongside a public right of way within the countryside and is a Site of Importance for Nature Conservation (SNCI). Being the largest such feature in the Parish, and because of its setting, the pond and its immediate surroundings are valuable and diverse habitat for flora and fauna and of conservation interest.*

#### ***Amenities***

##### ***'Hurst Meadows' countryside public open space***

*The countryside around the Parish has a comprehensive network of public rights of way, footpaths and bridleways. However, opportunities for more extensive informal recreation (walking, picnicking, games) in the countryside is limited, which the creation of an area of 'country park' would help to address, by allowing easy access from the built-up areas. Also, a parcel of land in a sensitive landscape area, owned*

*and managed by the community, would provide protection from development in the future, and provide a long term legacy to later generations in the Parish. The area of agricultural land north of the ridgeline of Hurstpierpoint, and towards Hurstpierpoint College, has landscape value, sloping downwards towards the north, and affording long-distance views from the 'Millennium Walk' from Hurst Wickham to St Georges Chapel and west. As part of the housing development of Little Park and land north of Highfield Drive (see Policy H3) a parcel of approximately 16 Ha (40 Ac) would be designated as 'Hurst Meadows' countryside public open space, to be owned by the community (either the Parish Council or a purpose-formed trust) in perpetuity, for the benefit of the residents of the Parish for informal recreation. The area would be provided with footpaths and picnic areas, as well as areas for specific flora and fauna conservation habitats. A Management Plan would be prepared and implemented by the Parish Council and other local special interest groups."*

#### **POLICY Amenities HurstA1: Hurst Meadows:**

In conjunction with the development of housing (POLICY H3) a new area of countryside public open space for informal recreation ('Hurst Meadows') should be provided as follows:

- a) To be owned by the Parish Council or other specially created trust.
- b) To be covenanted against development or building in perpetuity. However, the provision of essential infrastructure will be supported where it can be demonstrated that there are no reasonable alternative sites available.
- c) A 'Management Plan' shall be prepared in conjunction with local special interest groups, to decide the layout and any special features.
- d) To include areas for the conservation and preservation of flora and fauna.
- e) To have a financial fund to provide for its maintenance for not less than 20 years.

#### **Hurst Meadows**

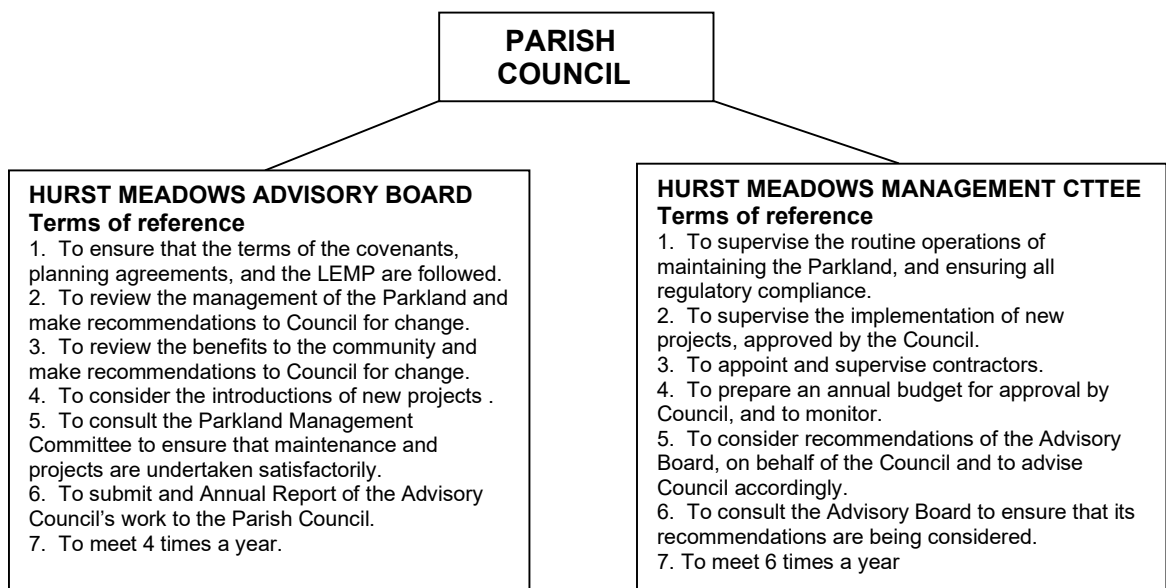
As part of the approval of developments of new houses at Highfield Drive and Little Park Farm an agreement was reached with the developer to transfer ownership to the Parish Council of two significant areas of farmland and woodland - one north of Highfield Drive of about 9 Ac and the second at Little Park of about 40 Ac including the area of ancient woodland and Tilley's Copse.

On completion the entire area became strictly covenanted against construction of any kind in perpetuity, in accordance with the policies and aims of the Neighbourhood Plan. The Council took the view that the developments would go ahead anyway and by agreeing to the land transfer we would be able to limit the scope of approved developments and prevent any further development in this area of our countryside.

The Parish Council has set a broad strategy for the future management and use of the parkland which in summary is to:

- Manage the parkland in a naturalistic manner with low key maintenance inputs to ensure that the visual separation between Hurstpierpoint and Hurst Wickham is maintained as well as providing a pleasant local amenity and increasing local biodiversity and wildlife habitat;
- Secure the long-term health, safety and screening quality of the important landscape character of the site provided by existing and new hedgerows, woodland shaw, and tree cover.

The first lesson is that management of such an asset costs money. The transfer of land to the Council also brought funding for land management totalling approximately £400,000 and adequate funding must accompany any transfer of land. Secondly we have learned the importance of open governance and management of the open space. The Council, as owner and custodian of the land and the funds, has the responsibility to balance the hopes and aspirations of individuals and groups with the obligations of the planning permission and the covenants. We are determined to make sure that the right balance between ecological and human benefits from this open space is achieved and we have put in place a broad based and inclusive governance structure to achieve this;



The Advisory Board has been set up with the following membership;

**Advisory Board Membership**

**Public Members:** Five residents selected after local advertising

**Society Members:** Representatives of the following were appointed: Sussex Wildlife Trust, Hurstpierpoint Society, Millennium Garden Trust Woodland Flora and Fauna Group, MSDC

**Parish Council:** Five representatives of the Parish Council

Thirdly we have been very keen to involve young people of the community in how the parkland should be developed. We have begun discussions with local schools and the University of Brighton on how best to consult with, and get the views of, young people. We hope to set up a sustainable long term 'youth council' to engage our young residents and ensure that their ideas are fully taken on board in the development of an amenity which will be an important part of their lives in the future.



#### 4.2 Ditchling, Streat and Westmeston Neighbourhood Development Plan, April 2018.

The three parishes neighbourhood plan focuses on land use policies which should ensure conservation and enhancement of the important green infrastructure assets in the NP area. The policies are informed by maps of the important habitats which have been sourced from the Sussex Biodiversity Record Centre. The plan is also informed by maps of green infrastructure and key countryside recreational links. These maps provide the evidence base for Policy CONS 13, Protect and enhance links to the countryside. The background studies and mapping provide a comprehensive evidence base for the land use policies in this plan. The policies consider the range of assets in the three parishes and the protection and enhancement of natural assets for both people and wildlife. The plan is informed by The Statement of Local Landscape Character which provides a detailed assessment of the exceptional landscapes and views within the three parishes.



The key biodiversity and GI policies from the plan are reproduced below.

#### **CONS 9: Protect and enhance habitats and biodiversity**

1. Habitats and biodiversity will be protected and where possible enhanced in accordance with LDC, SDNPA and national policies. New development should be designed to provide a net gain for nature conservation, noted in the NPPF as a key component of sustainable development.

2. In particular proposals should clearly demonstrate that particular regard is given to the core elements of local ecological networks (designated sites, protected species, priority habitats – see [Figure 3.7/4](#)), areas important for ecological connectivity and areas with high potential for priority habitat restoration or creation.

3. They should be designed to retain ancient trees or trees of arboricultural and amenity value, and be accompanied by a tree survey that establishes the health and longevity of any affected trees.

Development within the vicinity of trees should accord with BS5837 and BS3998. Proposals must thus satisfy three conditions:

*a) retain, protect and where possible enhance features of biodiversity interest and ensure appropriate management of those features;*

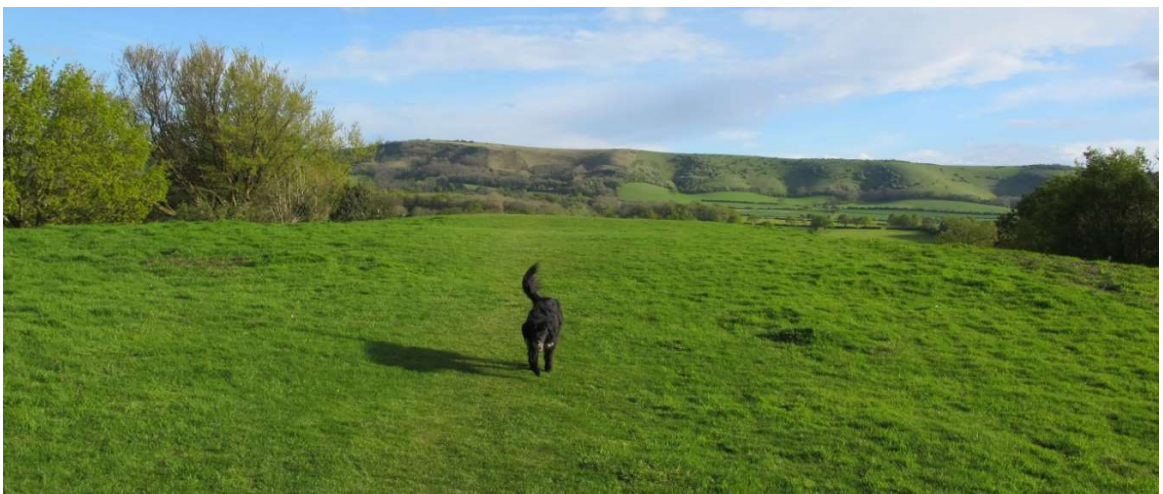
*b) demonstrate how existing biodiversity corridors and networks are retained and enhanced; and*

*c) ensure that if adverse effects are unavoidable, that these are minimised through mitigation.*

4. Development that damages or results in the loss of ancient trees or trees of good arboricultural and amenity value will not normally be permitted.

#### **CONS 12: Safeguard and enhance green infrastructure**

1. The existing green infrastructure network will be safeguarded from adverse effects of new development, and opportunity will be taken to secure enhancements to the network and connectivity to it. Proposals that would result in the loss of existing green infrastructure will be resisted unless they include suitable replacement green infrastructure, so the community gains equivalent benefit.



Lodge Hill Local Green Space Ditchling

### 4.3 Lewes Neighbourhood Plan 2015-2033

The Lewes Neighbourhood Plan provides a comprehensive background description of the qualities that make the town and surrounding area special. This includes a summary of the unique history of the town, the creative and cultural aspects and its relationship to the Ouse Valley and surrounding downland. This creates a strong justification and context for the policies which follow.

The need to build in resilience to climate change and maximise opportunities to maximise the benefits of ecosystem services are a thread throughout the plan. These aims are reflected through the plan objectives and are carried into the policies.

The plan includes sections on Natural Capital, ecosystem services and biodiversity which include definitions and detailed policies such as:

#### *Policy LE1*

##### *Natural Capital*

- 1) For larger sites (i.e. sites of 5 houses or more) development proposals should include a detailed assessment of the existing natural capital and the scope to provide a net gain in natural capital.*
- 2) Where appropriate to the site concerned, the ecosystem services provided by the development should enhance those that the site already contains. Planning proposals should explain the extent of each benefit.*
- 3) Support will be given to proposals that demonstrate a net gain in the existing natural capital.*

#### *Policy LE2 Biodiversity*

- 1) Development proposals will be expected to demonstrate how they will provide a net gain in biodiversity, habitats and species on the site, over and above the existing biodiversity situation.*
- 2) The following hierarchy of designation will apply in the consideration of development proposals:*
  - a) International sites (the Lewes Downs SAC — see map on page 41). Development proposals with the potential to impact this international site will be subject to a Habitats Regulations Assessment to determine the potential for likely significant effects. Where likely significant effects may occur, the development proposals concerned will be subject to Appropriate Assessment. Development proposals that will result in adverse effect on the integrity of any international site will not be supported unless it can be demonstrated that: there are no alternatives to the proposal; there are imperative reasons of overriding public interest why the proposal should nonetheless proceed; and adequate compensatory provision is secured.*

## Public Realm Strategies

The Lewes NP recognises the importance of the contribution that green infrastructure in the town can make to wellbeing and biodiversity.

### *Green Links*

*The following identified routes are proposed as enhanced green links: along Hill Road and towards Church Lane; from Western Road to Cliffe High Street and the A26; and from Southover High Street to the open green spaces to the south and southeast of the town.*

*Establishing enjoyable walking and cycling routes through tree planting and connections to the countryside will enhance the environment and encourage people to engage with their natural surroundings.*

*Lewes Neighbourhood Plan's Policy SS3 Green Spaces uses two designations for green spaces in the town: Local Green Spaces and Local Community Spaces.*

### *Local Community Spaces (LCS)*

*The Lewes Neighbourhood Plan includes a second designation of Local Community Spaces. These spaces have a lower level of protection.*

*This designation is used for school playing fields, churchyards and cemeteries, where limited development is allowed which is in keeping with the existing use and community value of the site. For example, a school may wish to build a sports pavilion on its playing field, or a church may wish to build a church hall in its churchyard.*

The plan uses a tabular criteria matrix to inform whether the spaces meet the requirements of LGS protection and provides a specific policy for green spaces.

### *Policy SS3*

#### *Protection & Enhancement of Green Spaces*

*1) Local Green Spaces in Lewes identified on the Designated Open Spaces map will be protected from built development except in very special circumstances.*

*2) Local Community Spaces in Lewes identified on the Designated Open Spaces map will be protected from development except where there is an existing building/structure within the Community Space and the works are needed to maintain its viability/use into the future (e.g. church, sports pavilion); or where the proposed development will be for the benefit of the community and will preserve the particular*

*local significance of the space for which it was designated. Essential small scale utility infrastructure will be supported where the existing use and community value of the space is not detrimentally affected.*

*3) Proposals for the development of new green infrastructure to assist with flood protection and/or to contribute towards public enjoyment and health, and/ or to create corridors for wildlife will be supported.*

*4) Proposals for new housing development should include well-designed outdoor space, both private and community gardens to development plan standards, and contribute where appropriate to providing tree cover and improving biodiversity.*

*5) New development that is located within the setting of the town should respect*

*key views from the town to the countryside (as shown in Appendix 5), and towards the town from the surrounding Downland. The sensitivity of the landscape quality should be recognised and enhanced where appropriate, in any development proposals.*

*6) Wildlife corridors and priority habitats will be protected from development proposals that would result in their loss or harm to their character, setting, accessibility, appearance, quality, or amenity value.*

*7) Support will be given to proposals that benefit community food production, such as allotments and community orchards.*



Lewes Railway Land and the River Ouse viewed from the golf course.

#### 4.4 **Crowhurst Neighbourhood Development Plan, May 2019**

The Crowhurst plan includes a specific policy for the High Weald Area of Outstanding Natural Beauty as well as biodiversity and important natural features in the parish.

##### **The Natural Environment Environmental Objectives**

1. To preserve, and where possible enhance, the distinct rural landscape character of Crowhurst and the High Weald AONB and its setting including its rural lanes, important open spaces and views and the distinct settlement pattern of the village.
2. To conserve, and where possible enhance, the biodiversity value of the Parish, including the creation or protection of green corridors and wildlife connectivity and notable areas within the Parish including but not limited to the SSSI at the Fore Wood RSPB reserve, Crowhurst Nature Reserve (Quarry Wood) and Combe Valley Countryside Park. New

- development will be required to achieve net gain in biodiversity where possible.
3. To protect important landscape features within the Parish such as trees, hedgerows, verges, ponds and watercourses and the wider rural landscape and setting of the village including that of the High Weald AONB and the strategic gap.
  4. Ensure that development is safe from flooding and other environmental impacts such as contamination and pollution and, equally, that development does not impact upon the high environmental quality of the parish. Where possible, development should aim to reduce flood risk elsewhere.
  5. To promote sustainable development including the use of sustainable drainage systems (SuDS), sustainable construction techniques and renewable energies.
  6. To preserve and where possible enhance the heritage assets of the village including listed buildings and their settings, non-designated heritage assets, below ground archaeology, ancient and historic routes and the form of the village settlement pattern.
  7. Ensure development is well designed and new development is consistent with the local architectural vernacular and local character in general.
  8. Ensure development is landscape and ecologically led so the rural character of the village is maintained.

**Policy CE2- The High Weald Area of Outstanding Natural Beauty (AONB)**

Development within the High Weald Area of Outstanding Natural Beauty (AONB) will only be supported where it conserves or enhances the natural beauty of the parish and has regard to the High Weald AONB Management Plan. In particular development must demonstrate that it:

1. Takes opportunities to restore the natural function of watercourses to improve water quality; prevent flooding and enhance wetland habitats;
2. Respects the settlement pattern of the parish and uses local materials that enhance the appearance of development and will help to connect occupiers with the landscape;
3. Relates well to historic routeways and seeks to ensure access is maintained or improved, and their rural character is not degraded by loss of banks, hedgerows, verges or other important features.

Landscape enhancements related to these would be supported;

4. Does not result in the loss or degradation of Ancient Woodland or historic features within it and, where appropriate will contribute to its ongoing management;
5. Conserves and enhances the ecology of fields, trees and hedgerows; retains and reinstates historic fields; and, where possible, directs development away from fields that have been in use since the medieval period or earlier, especially where these form coherent field systems with other medieval features.

**Policy CE3 - Biodiversity**

Any new development will be required to demonstrate that the biodiversity of the site and its surroundings is conserved and opportunities for the enhancement of the natural environment are maximised.

1. Development will not be supported where it adversely affects the ecological interests of the Fore Wood Reserve SSSI, Quarry Wood Nature Reserve, Combe Haven, Priority Habitats or areas with a Biodiversity Action Plan (BAP) or where development will affect the ecological integrity of the site, including protected species habitats;
2. Where appropriate, new development is required to meet the following criteria:
  - (i) New development is expected to be supported by an initial ecological appraisal in line with Rother DC policy and, if required, by further ecology surveys, having regard to the site context or type of development;
  - (ii) The design of the scheme should be informed by current ecological concerns and opportunities to create enhancements on the site such as, but not limited to, new hedgerow and tree planting, native wildflower planting and habitat creation;
  - (iii) Existing wildlife corridors should be retained, buffered, restored and strengthened, and new wildlife corridors should be created as part of the new development, where possible; Opportunities to connect with wildlife corridors on adjacent land should be explored and, if possible, porous boundaries used;
  - (iv) New development should take opportunities to incorporate new habitat within buildings and across the site. This could include those integral within the structure of the building such as bat and bird boxes, wildlife friendly fencing and hedgehog refugia, wildflower patches, new native planting such as tree and hedgerow planting;
  - (v) Any lighting should conform to the principles of the Bat Conservation Trust guidance;
  - (vi) Any new drainage should be wildlife friendly and opportunities should be grasped to combine SuDS and wildlife opportunities;
  - (vii) Any new planting should incorporate native planting and those which are defined as good pollinators for native species;Where appropriate, applicants for planning permission are encouraged to complete the CNDP Environment Planning Application checklist in Appendix 2. This will help ensure all Environmental Policies in the Neighbourhood Plan, the NPPF and the Core Strategy are considered prior to proposed developments.

#### **Policy CE4 – Natural Features**

New development will only be supported where it does not adversely affect or result in the loss of natural features which are important from a landscape or ecological perspective. This can include, but not be limited to, Veteran and Aged Trees, Ancient Woodland, significant trees, hedgerows and ponds. New development will be expected to:

1. Retain important features as part of the development scheme and these features to inform the design and layout of the development;
2. Demonstrate that the features can be protected and enhanced over the construction and lifetime stages of the development;

Where the benefits or need for the development are considered to justify the removal of important local features, development will only be supported where appropriate mitigation and compensatory measures are put in place to address their removal. This will not normally be appropriate for nationally protected features and Ancient Woodland.

#### 4.5 **Fittleworth Neighbourhood Development Plan, November 2019**

Part of Fittleworth parish sits within the boundaries of the South Downs National Park and this includes areas of nationally important lowland heath habitat. The neighbourhood plan includes policies to protect the distinctive character and biodiversity of these landscape areas. As these habitats support nationally rare species of bat the plan has a specific policy to ensure the protection of bats.

##### **POLICY FITT1 LANDSCAPE CHARACTER**

Development proposals which conserve and enhance the landscape character of Fittleworth parish and comply with all other relevant policies will be permitted. Applicants will be required to demonstrate, to the extent which is proportionate to the size and scale of the development and its likely landscape impact, how the proposal has regard to:

- a) The key characteristics, sensitivities and development and management considerations for the landscape character area in which the development is located as set out in the South Downs Integrated Landscape Character Assessment;
- b) The retention and reinforcement where appropriate of natural, cultural and historic landscape features on the site such as trees, hedgerows, heathland and topography;
- c) Conserving and enhancing the tranquillity of Fittleworth, particularly in the north west and south east of the parish.

##### **POLICY FITT2 BIODIVERSITY**

Development proposals which conserve, enhance and provide net gain in the biodiversity of Fittleworth, and comply with all other relevant policies will be permitted. It should be clearly demonstrated that development proposals have had regard to:

- a) The requirements of the Habitat Regulations, in particular the need to carry out an 'Appropriate Assessment' where development is likely to have a significant effect on the integrity of The Mens Special Area of Conservation and Ebernoe Common Special Area of Conservation;
- b) The requirement to carry out an Ecological Impact Assessment if the proposal affects an SSSI or SNCI; and
- c) The need to protect and take opportunities to enhance the biodiversity of Fittleworth including existing habitat networks and wildlife corridors.
- d) The protection of statutorily designated sites, including irreplaceable habitats such as ancient woodland. Development which would have an adverse impact on irreplaceable habitat should be refused unless the need for and benefits of the development in that location clearly outweigh the loss and a suitable compensation strategy exists.

Development proposals which could support or are in close proximity to protected species will be required to incorporate necessary surveys and ensure that National and SDNPA guidelines are followed in full. If a site survey indicates that habitat on or adjacent to any development site constitutes key features for the barbastelle or Bechstein bats, appropriate design and mitigation should be put in place including retaining such key features and limiting light spill onto key features within or outside of the boundaries of the development site to no greater than 0.5 lux.



## Appendix A: Potential Policy Areas

### General

- Seek to achieve **net environmental gain** from all development.
- Locate development in areas of **least environmental value**.
- Locate development to mitigate and adapt to **climate change** and support a low carbon future – i.e. away from areas prone to flooding and close to services and facilities that reduce the need to travel.
- Encourage **sustainable design** such as efficient water and waste management systems in new buildings, and the use of locally sourced wood fuel for heating. You could also help to promote the use of sustainable materials in construction, and encourage energy efficiency measures for new builds. Nb such policies should be worded as positively supporting these measures as Government Guidance is that neighbourhood plans should not impose minimum standards for sustainable construction methods because these matters are covered by Building Regulations . (See Locality Guidance at <https://neighbourhoodplanning.org/toolkits-and-guidance/low-carbon-neighbourhood-planning-create-happier-healthier-greener-communities/>)
- Encourage **high quality design** of developments so they are locally distinctive to the area. Produce a Character Assessment to establish the local vernacular and what specific design features exist then create a design policy around these features. Creating a design code or design guide / village design statement may also be useful. These can either be submitted as an appendix to the neighbourhood plan or produced afterwards as a Supplementary Planning Document for adoption by your local planning authority. You can also support the use of existing guidance such as the [High Weald Housing Design Guide](#) by referencing it in your design policies. See Locality guidance <https://neighbourhoodplanning.org/toolkits-and-guidance/good-design-neighbourhood-planning/> and.

### Landscape and Settlement Character

- Use Landscape Character Assessments (where available) and Management Plans (in National Parks and AONBs) to identify what is important about the landscape that should be conserved and potential areas for enhancement. Both the South Downs National Park Authority and the High Weald AONB Unit also provide landscape character maps to inform and include in your Plan. Note that 'landscape' is not just about scenic beauty but also includes topographic features; flora and fauna; land use; perceptions (such as tranquillity) and historic and cultural associations. These overarching documents can be enhanced through community input to a **local landscape character assessment**. See guidance from Cornwall Council <https://www.cornwall.gov.uk/media/31663676/llca-guidance-loaded-on-web-v12.pdf> . Make sure that your local landscape character assessment does not conflict with the strategic landscape character assessments but rather adds local detail and knowledge to them.
- Create **Character Assessments** which include features of importance to local people such as important views and gaps between settlement areas that should be protected and describes the distinct appearance and feel of a settlement or an area. It should communicate the key physical features and characteristics that combine to give a particular settlement or an area its local distinctiveness and unique identity. Note that Examiners will expect important views and gaps to be clearly identified and justified with evidence as to why they are important and which features within them need to be protected. See Planning Aid guidance on how to create Character Assessments [https://www.rtpi.org.uk/media/1271765/how\\_to\\_prepare\\_a\\_character\\_assessment.pdf](https://www.rtpi.org.uk/media/1271765/how_to_prepare_a_character_assessment.pdf) .

## Biodiversity

- Use information from the local Biodiversity Records Centre to identify and protect
  - areas of biodiversity and geological value within the plan area, both designated and potentially worthy of designation.
  - existing ecological networks and opportunities to connect isolated areas of biodiversity value.
- If you have local volunteers willing and able to record species and habitats, use this information to supplement the local Biodiversity Records Centre information (don't forget to also submit the information to the Records Centre).
- If you are allocating sites we would encourage the ecological value of sites to be part of the site selection criteria and for a Phase 1 ecological survey to be carried out on shortlisted sites to make sure development is located in areas of least environmental value.
- Have policies that protect the areas of value and secure biodiversity net gain especially as part of allocations for development (this will become a statutory requirement for developers once the Environment Bill is enacted).
- Have policies that require the design of new development to incorporate measures that support local wildlife, see [https://www.wildlifetrusts.org/sites/default/files/2018-05/homes\\_for\\_people\\_and\\_wildlife\\_lr\\_-\\_spreads.pdf](https://www.wildlifetrusts.org/sites/default/files/2018-05/homes_for_people_and_wildlife_lr_-_spreads.pdf)
- Identify and have policies to protect important trees, particularly ancient and veteran trees, not currently protected by Tree Preservation Orders (TPOs) or by being in a Conservation Area. These could also be put forward to your local authority for consideration for TPOs.
- Identify and have policies to protect historic hedgerows, especially those that may meet the criteria in the [Hedgerow Regulations](#).

## Green Infrastructure

- Use and amplify LPA green infrastructure studies to identify networks within the plan area.
- Undertake a Local Green Spaces study to identify those areas that meet the criteria in paragraph 99-100 of the NPPF. Note that this needs to be done in the context of a plan that provides for social and economic needs as well. See Locality guidance <https://neighbourhoodplanning.org/toolkits-and-guidance/making-local-green-space-designations-neighbourhood-plan/>
- Identify other areas of community, recreational or environmental value that, whilst they may not meet the LGS criteria, still add to the character of the area. This can be done as part of a Character Assessment that includes settlement and building character. These areas could include grass verges, allotments, cemeteries and landscaped areas of previous developments.
- Allocate new sites for community and green infrastructure such as open space, green corridors, allotments, community gardens, community orchards etc.

## Watercourses

- The Lead Local Flood Authority has responsibility for regulating activities on ordinary watercourses, and managing surface water, ordinary watercourse and groundwater flooding. It is also a statutory consultee to the planning system on drainage and local flood risk. Guidance on these matters can be found here <https://www.eastsussex.gov.uk/environment/flooding/> and <https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extreme-weather/flooding/flood-risk-management/>
- Use LPA infrastructure studies and maps to identify coasts, rivers, streams, reservoirs and ponds. These can be supplemented by local knowledge of springs and ditches of importance to the area.

- Flood information can be obtained from the Environment Agency on coastal, river, reservoir and surface water flooding. This can be supplemented by local knowledge of areas prone to flooding in storm conditions. However, policies restricting development or applying specific design criteria should only relate to Flood Zone 2 and 3 as identified by the Environment Agency or areas of particular concern to the Lead Local Flood Authority.
- Where the plan area includes coast or rivers the appropriate management plan should be taken into account and where possible its aims facilitated by the neighbourhood plan.
- Policies can protect the watercourses (blue infrastructure) including any habitats and public access routes alongside them. Opportunities can also be taken to provide flood alleviation by restoration of flood plains and river meanders and tree planting in wet areas. This can help your area to manage environmental risks and improve its resilience to climate change by providing landscaping to manage and store water, and by promoting the use of sustainable drainage systems.

#### Public Access and Recreation

- Include policies that protect and enhance existing public rights of way and support the creation of new routes for non-motorised users, particularly to link existing routes or access community facilities from residential areas. The identification of new routes must be done in consultation with the Local Highway Authority as they will be responsible for maintenance costs and Examiners will expect to see evidence of deliverability (i.e. willing landowners) for these to be included as a planning policy rather than a community aspiration.
- Identify and protect quiet lanes that are used for walking, cycling and horse-riding.
- Ensure existing open access areas are protected and take opportunities to create new areas especially as part of allocations for new development,

#### Dark Skies

- Where there is evidence of the plan area having dark skies (such as CPRE data supplemented by locally collected light readings) policies can be included to protect these by restricting unnecessary lighting and promoting the use of appropriately designed and controlled lighting where and when it is needed. Such policies are more likely to be successful at examination if there is support for protecting dark skies within the Local Plan.

#### Tranquillity

- Where there is evidence of the plan area having high levels of tranquillity (such as CPRE data supplemented by locally collected noise readings) policies can be included to restrict noise from development and traffic in those areas.

#### Air Pollution

- If part of the plan area is designated as an Air Quality Management Area then the neighbourhood plan should facilitate the changes recommended in the Action Plan. If these actions are not related to development then they may need to be community aspirations rather than planning policies.

#### Soils

- Include in site selection criteria and policies the need to avoid developing Grade 1, 2 and 3a agricultural land where possible (data available on Defra's MAGIC site).
- Include in site selection criteria and policies the need to avoid developing on steep slopes that would require significant cut and fill.
- Include provisions in policies and allocations to minimise areas of hardstanding or built development that sterilise soil and include the requirement for construction management plans that minimise disturbance and compression of soils.

## Heritage

- Take account of any existing Conservation Area Appraisals and consider whether there are opportunities to extend or create new Conservation Areas (this would be a separate process to the neighbourhood plan and carried out by the local planning authority, but support for initiating this process could be referenced as a 'community aspiration').
- Identify opportunities to promote the repair and re-use of historic buildings, and where appropriate allow public access.
- Include impact on heritage features as part of your site selection criteria.
- Identify buildings and other structures which should be considered for statutory listing or placed on a local list with your local authority. Such listing would be carried out by Historic England or the local planning authority, but support for initiating this process could be referenced as a 'community aspiration'. See <https://historicengland.org.uk/listing/> and <https://historicengland.org.uk/get-involved/protect/>

## **Appendix B: Sources of Information**

Environment Agency

[www.environment-agency.gov.uk/homeandleisure/37793.aspx](http://www.environment-agency.gov.uk/homeandleisure/37793.aspx)

Natural England

<http://magic.defra.gov.uk>

Historic England

<https://historicengland.org.uk/>

Forestry Commission

[www.forestry.gov.uk/website/forestry.nsf/byunique/infd-6dfkmm](http://www.forestry.gov.uk/website/forestry.nsf/byunique/infd-6dfkmm)

East Sussex County Council

<https://www.eastsussex.gov.uk/environment/>

West Sussex County Council

<https://www.westsussex.gov.uk/land-waste-and-housing/landscape-and-environment/>

Brighton and Hove City Council

<https://new.brighton-hove.gov.uk/>

South Downs National Park Authority

<https://www.southdowns.gov.uk/>

High Weald AONB Partnership

<http://www.highweald.org/>

Sussex Biodiversity Records Centre

<https://sxbrc.org.uk/home/>

Campaign to Protect Rural England

<https://www.cpre.org.uk/resources>

Your local District or Borough Council