

Lewes

Strutt & Parker LLP
201 High Street, Lewes
East Sussex, BN7 2NR
Telephone 01273 475411
Facsimile 01273 478995



lewes@struttandparker.com
www.struttandparker.com

West Chiltington Parish Council
Church Street
West Chiltington
Pulborough
RH20 2JW

Direct dial: 01273 407009

Direct fax: 01273 478995

Email: emma.challenger@struttandparker.com

Our ref: EC/CB

21 June 2017

Dear Sir/ Madam,

Pre-Submission Consultation on West Chiltington Neighbourhood Plan (Regulation 14) Representations Submitted On behalf of Nyetimber Ltd

On behalf of our client, Nyetimber Ltd., we are pleased to submit this representation to West Chiltington Parish Council in respect of the current Regulation 14 Pre-Submission Consultation on the West Chiltington Neighbourhood Plan.

The main objectives of these representations are threefold. First, to write in general support for the preparation of the plan, second, to support the Parish Council's approach in Policy EE5 and the Plan's recognition of vineyards and the importance these have in attracting visitors to the local area, and lastly to object to Policy EE6 in relation to residential conversions in rural areas.

In preparing these representations, weight has been given to national and local planning policies set by the National Planning Policy Framework (NPPF) (March 2012) and the Horsham District Planning Framework (2015), which provide over-arching policies in which the Neighbourhood Plan should be in accordance with. For the avoidance of doubt and before considering the specific content of the Regulation 14 Pre-Submission Consultation on West Chiltington Neighbourhood Plan, we firstly wish to clarify the Neighbourhood Plan making guidance within the NPPF that is of specific relevance to our representations.

Neighbourhood Plan Making

Paragraph 183 in the NPPF states that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver a sustainable development they need. Parishes and neighbourhood forums can use Neighbourhood Planning to: -

- *“Set planning policies through neighbourhood plans to determine decisions on planning applications; and*
- *“Grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order”.*

Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. West Chiltington Neighbourhood Plan must therefore be in general conformity with the strategic policies of the Horsham District Planning Framework 2015. To

facilitate this, Local Planning Authorities should clearly set out their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and should plan positively to support the Local Plan (**Paragraph 184**).

Neighbourhood Plans should be able to shape and direct sustainable development in their area. Once a Neighbourhood Plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local Planning Authorities should avoid duplicating planning processes for non-strategic policies where a Neighbourhood Plan is in preparation (**Paragraph 185**).

The Horsham District Planning Framework (HDPF) forms the foundation for the preparation of Neighbourhood Plans, having been prepared with community and key stakeholder involvement. **Paragraph 1.8** of the HDPF states that *“Neighbourhood Plans will be in general conformity with the Strategic Policies in this plan and will therefore help the delivery of this strategy, giving communities the opportunity to plan pro-actively for their local area, and build on the many Parish and Community Plans which are already in place. Neighbourhood Plans give local communities the power to make decisions over key issues in their area, and bring forward development sites for particular uses including, employment, housing and community facilities in order to meet their area’s needs”*.

Comments on Proposed Neighbourhood Plan Policies

Nyetimber Ltd generally supports the preparation of the West Chiltonton Neighbourhood Development Plan (WCNDP). The plan accurately recognises the qualities and character of the Neighbourhood Plan Area, and it proposes policies that contribute to the achievement of sustainable development. Extensive background work and stakeholder engagement has been undertaken to facilitate the production of the Neighbourhood Plan that meets the needs of the Plan area and the aspirations of local stakeholders, whilst having regard to the constraints of the Parish.

Policy EE5

We write in specific support of draft Policy EE5 (Sustainable Recreational and Tourism Activities), as drafted in the Neighbourhood Plan. Policy EE5 states that *“Development proposals that provide facilities for recreation and tourist activities will be supported provided that: -*

- *the siting, scale and design respect the character of the surrounding area, including any historic and natural assets;*
- *the local road network is capable of accommodating the additional traffic movements;*
- *adequate parking is provided on the site; and*
- *the proposal conforms with other policies of the development Plan.”*

The Neighbourhood Plan supports sustainable tourism, which is appropriate to the overall character of the village and will benefit the local economy in the Plan area. The Plan recognises the need to balance the amount of tourism generated by these activities, against the need to protect the existing character of the built environment, the rural landscape and biodiversity.

Turning to our client’s interests, the Neighbourhood Plan accurately identifies Nyetimber Manor as an important ‘heritage asset’ and acknowledges the significance of Nyetimber’s vineyards at bringing visitors to

the area. Indeed, Nyetimber Ltd. has produced award-winning English sparkling wines in the region for over thirty years, providing sustainable tourism and supporting the rural economy. Nyetimber Ltd. is a growing rural business, and has recently purchased additional land on which to grow vines to meet growing demand for their sparkling wine both nationally and internationally. This naturally means that additional buildings may be required in the future to support additional wine production, whilst continuing to attract tourists to the area for wine tasting events. Where buildings have been acquired along with new land acquisitions, there is the potential for them to be re-used for tourism uses which are related to the business. Policy EE5 provides the necessary support for such proposals.

Policy EE6

We also write to object to Policy EE6 (Rural Buildings) as it does not recognise or support the conversion of rural businesses into residential use, particularly where residential uses are tied to rural businesses.

Policy EE6 states that *“The re-use, conversion and adaptation of rural buildings for small businesses, recreation, or tourism purposes will be supported subject to the following criteria: -*

- *The building is structurally sound and capable of conversion without substantial reconstruction;*
- *The use proposed is appropriate to a rural location;*
- *The conversion/adaptation works respect the local character of the surrounding area and/or buildings;*
- *The use proposed will not have an adverse impact on any archaeological, architectural, historic or environmental features; and*
- *The local road system is capable of accommodating the traffic generated by the proposed new use and adequate parking can be accommodated within the site.*

There are a number of farms within the area with buildings which could be suitable for a variety of uses which would be appropriate to a rural location. These could include the following: -

- *Small businesses - craft or artisan related workshops, studios and small shops, farm shops, micro-breweries;*
- *Recreation - health or exercise studios, rural educational centres, artist studios; and*
- *Tourism - niche market holiday accommodation, specialist interest holiday bases.*

Whilst seeking to reuse existing buildings, it is important to retain and protect the existing character of buildings and to ensure that the development is compatible with its countryside location and designed to minimise potential impact on the countryside. Proposals where substantial re-building works are required will not be supported as these can often intrude on a landscape where there has been no significant structural presence for many years.”

We note that the Horsham District Development Framework contains a similar policy (Policy 10), which has been adopted and therefore tested at Examination. The approach to the re-use of rural buildings set out in Policy 10 is similar to Policy EE6 of the Neighbourhood Plan, in that it identifies a preference for conversions for business and commercial uses. Policy 10 does, however, state that such uses would “be considered favourably over residential in the first instance” [our emphasis]. This is important as it provides an alternative use for redundant rural buildings where commercial or business uses are not appropriate or viable. Neighbourhood Plan Policy EE6 does not provide this fall-back option which we believe to be important for



the continued use and maintenance of attractive rural buildings, particularly where they make a positive contribution to the landscape and where their conversion would provide an enhancement to their setting.

Policy EE6 (Rural Buildings) should be amended to include reference to the re-use of rural buildings for residential use, setting out the criteria for when such a use would be acceptable. A residential use that is tied to a business should be considered as favourably as a business, recreation or tourism use, whereas we accept that an unrestricted residential use may be the least preferred option.

Conclusion

Nyetimber Ltd. supports the draft Neighbourhood Plan's key objectives and policies, such as Policy EE5, which acknowledges the importance of vineyards at bringing visitors to the local area. We welcome the Plan's recognition of our client's site and the significant role it plays in the rural economy.

We also write to object Policy EE6 as it does not make provision for the re-use or conversion of rural buildings to residential use, which does not reflect the spirit of the NPPF or the policies contained in the Horsham District Planning Framework (2015).

We would be very pleased to answer any queries you may have regarding the above and if you require any further information, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink that reads "E. Challenger".

**Emma Challenger BA (Hons) MA MRTPI
Associate Partner**