



Horsham District Council Local Planning Authority

Slinfold Parish Neighbourhood Plan 2014-2031

FINAL DECISION STATEMENT

Date: 8 June 2018

1.0 INTRODUCTION

- 1.1 The Slinfold Neighbourhood Development Plan (SNDP) relates to the area that was designated by the Council as a Neighbourhood Area on 20 May 2014. This area is coterminous with the parish council boundary that lies within the Horsham District (see Plan A).
- 1.2 Horsham District Council (“the Council”) has a statutory duty¹ to support Parish Councils and Qualifying Bodies in the preparation of Neighbourhood Development Plans (NDP’s) and Orders and to take NDP’s and Orders through a process of examination and referendum.
- 1.3. The Pre-Submission Slinfold Neighbourhood Plan underwent consultation in accordance with Regulation 14 from 25 April 2016 – 6 June 2016.
- 1.4 Slinfold Parish Council (“SPC”) then submitted the submission draft plan to the Council. The submission draft SNDP was publicised and representations were invited 11 March 2017 to the 22 April 2017 with a further consultation on the draft plan held between 11 September 2017 and 23 October 2017.
- 1.5 Andy Mead of Intelligent Plans and Examinations (IPE) was appointed by Horsham District Council with the consent of SPC, as ‘the Examiner’ to undertake the examination of the Slinfold Neighbourhood Development Plan and to prepare a report of the independent examination.
- 1.6 The Examiner’s report received on the 29 January 2018 concludes that the SNDP, subject to a number of recommended changes meets the basic conditions set out in the legislation, and can therefore proceed to referendum.
- 1.7 Under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, (“the Regulations”), Horsham District Council is required to make a decision on the next steps. As set out in the Neighbourhood Planning Regulations these are:

¹ The Town and Country Planning Act 1990 (as amended)

- a) to decline to consider a plan proposal under paragraph 5 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or a modification proposal under paragraph 5 of Schedule A2 to the 2004 Act;
- b) to refuse a plan proposal under paragraph 6 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or a modification proposal under paragraph 8 of Schedule A2 to the 2004 Act;
- c) what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) in relation to a neighbourhood development plan or under paragraph 13 of Schedule A2 to the 2004 Act in relation to a proposed modification of a neighbourhood development plan;
- d) what modifications, if any, they are to make to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or paragraph 14(6) of Schedule A2 to the 2004 Act;
- e) whether to extend the area to which the referendum is (or referendums are) to take place; or
- f) that they are not satisfied with the plan proposal under paragraph 12(10) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or the draft plan under paragraph 14(4) of Schedule A2 to the 2004 Act.

1.8 It is therefore clear that the Council is responsible for deciding what action to take in response to the Examiner's recommendations. As has already been indicated, Regulations 17A and 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the local planning authority to outline what action to take in response to the recommendations of an Examiner following the formal examination. The Regulations provide that where the Council disagrees with the Examiner's report it can make alternative modifications, which must be subject to re-consultation and if required further examination. There is no requirement to consult on those modifications recommended by the Examiner where Horsham District Council is in agreement with his recommendations.

2.0 MODIFICATIONS CONSULTATION

2.1 In his report, the Examiner proposed a number of significant changes to the submission draft Slinfold Neighbourhood Plan. These included

- the deletion of Policy 1: Preventing Coalescence between Slinfold and Broadbridge Heath;
- Removal of Policy 9: End of West Way housing allocation
- Removal of a number of Local Green Spaces including LSG1: Central Fields; LGS2: Field East of Hayes Lane and LGS 3: The Llama Field.
- Removal of the criteria supporting the remaining housing allocations, including the anticipated number of homes and site and design criteria.

2.2 The full text of the Council's initial response to this report is set out in the Decision Statement which was published on 5 March 2018 is available to view on the Council's [website](#). In summary however, the Council, in consultation with Slinfold Parish Council agreed with

most of the recommendations proposed by the Examiner, including the deletion of removal of Policy 1, Land at West Way and the removal of the three local green spaces. It was however considered that it would still be appropriate to specify housing numbers and retain some site criteria for the remaining housing allocations. It was considered that this would provide locally specific detail as to the scale, form and character of development on each site, to support the delivery of sustainable development. To reintroduce policy criterion for each of the allocations would guide development which is acceptable to the community; take a robust account of site specific local constraints and opportunities; and would guide applicants in the development management process. This approach satisfied both the Parish and District Council while still meeting the statutory 'basic conditions' test required when 'making' a neighbourhood plan.

2.3 The Regulations provide that where the Council disagrees with the Examiner's report it can make alternative modifications, which must be subject to re-consultation and if required further examination.

2.4 The modifications proposed by Horsham District Council were published for a seven-week consultation in accordance with paragraph 13a of Schedule 4B of the 1990 Town and Country Planning Act for a period of 7 weeks starting on the **16 March 2018** and concluding on the **4 May 2018**. The consultation documentation is available to view on the Council's [website](#).

3.0 SUMMARY OF CONSULTATION RESPONSES AND NEXT STEPS

3.1 Over 70 representations were received in response to the proposed modification. A summary of these comments has now been published on the Council's website. Please click on following [link](#).

3.2 A significant proportion of the representations received were concerned with Land at West Way with the majority opposing the reinstatement of this site back into the plan. A number of representations also commented on land at Spring Lane and land at Hayes Lanes and the issues relating to those sites questioned the principle of development on either site. Further issues raised included the appropriate quantum of development for each allocation made in the plan and the requirement for infrastructure to be in place before any development should be considered with insufficient road capacity and inadequate drainage cited in particular. It is the Council's consideration that site specific criterion relating to constraints and opportunities will be restored to guide development, as set out in Section 4. Issues relating to detailed design and layout will also be dealt through the development management process. Limited comments were received on a number of the modifications proposed by Horsham District Council in relation to the site specific criteria.

3.3 During and following the consultation period, Horsham District Council has taken the opportunity to update the Sustainability Appraisal in light of the new evidence submitted during the consultation and to test the options that were proposed by the Examiner. This has enabled the Council to ensure that the final decision has considered a range of sustainability impacts and therefore demonstrate that the plan meets the basic conditions tests.

4.0 DECISION

4.1 Taking account of the consultation responses and the updated Sustainability Appraisal, Horsham District Council is now able to issue a revised Decision Statement as prescribed by the Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 and set out in paragraph 1.7 of this report.

- 4.2 The Council's position on each of the Examiner's recommendations, is set out in full in Appendix A. Having considered each of the recommendations made in the Examiner's report and the reasons for them, the Council, following consultation with Slinfold Parish Council, has decided to accept the majority of the Examiner's modifications to the draft SNDP.
- 4.3 As has already been indicated in this report, the Examiner has proposed a number of significant changes to the submission draft Slinfold Neighbourhood Plan. These, together with the final decision following the modifications consultation and updated sustainability appraisal are summarised below:

I. Policy 1: Preventing Coalescence between Slinfold and Broadbridge Heath

The Examiner concluded Policy 1 did not bring additional weight to existing HDPF Policy 27 and the policies map did not delineate accurately the proposed strategic gap which he concluded to be ambiguous and undefined. The Council is in agreement with this assessment. Following consultation with the steering group it was agreed by HDC to change the status of Policy 1 from a planning policy to a 'community aim' which does not carry statutory weight but nevertheless strongly reflects the local community's position on this issue. This decision is supported by the updated sustainability appraisal which found the HDPF policy provides sufficient protection in planning policy terms in meeting this aim, with no additional benefit in sustainability terms of an additional local policy. There was no significant representation made regarding this issue.

II. Policy 9: End of West Way (PDS9)

Policy 9: End of West Way was recommended for deletion by the Examiner. His reasoning for doing so was based upon the Sustainability Appraisal which was produced to support the plan. The Council referred to this documentation when considering the Examiner's recommendations and on the basis of evidence which was before the Council at that time agreed with the Examiner's approach (please refer to the 5 March Decision Statement for detailed reasoning). In response to the modifications consultation, new proposals for a smaller scheme were proposed. These have therefore been considered through an updated sustainability appraisal as have the impact of additional development on other allocated sites. Further details are set out in the updated appraisal documentation.

In summary however, the outcome of the updated Sustainability Appraisal found that all sites proposed for development will have some negative impacts on the environment. On balance, however it was found that the End of West Way site performs less well against the sustainability objectives than other proposed development locations. In particular it was found development on this site would have a greater negative impact on landscape / rural character and settlement form even when taking account of the potential for higher numbers of houses to come forward on the remaining development sites. In addition, the cumulative impact of development over more greenfield sites would be greater than the same number of homes on fewer greenfield locations.

Horsham District Council is therefore of the view that the housing needs of Slinfold can be provided within the remaining four allocations, and can do so in accordance with National and Local policy and will achieve sustainable development, which will therefore ensure that the Neighbourhood Plan meets the basic conditions.

III. Policy 3: Protection of Local Green Spaces

LSG1: Central Field: LGS1 is closely linked with allocation PDS9. The Examiner has recommended deletion of LGS1 following the deletion of the PDS9. The Council agrees with the Examiner's reasoning that although the site may meet some of the designation criteria set out within the NPPF, without the proposed allocation the form of the western boundary is illogical. It has been considered whether a more logical area of land could be identified, but given the extent of the area over three interlinking fields, determination of a boundary that would not constitute an extensive tract of land would be difficult. The Council therefore agrees with the Examiner that LGS1 should be deleted.

LSG2: Field East of Hayes Lane: The Council agrees with the Examiner's assessment that the proposed LGS2 is relatively peripheral to the main core of the village. As set out in the NPPF, local greenspaces should be within reasonable proximity to the local community. The Council therefore agrees with the Examiner that this criterion is not met and that the site should be deleted as a Local Greenspace.

LSG3: The Llama Field. The Council agrees with the Examiner that this site is relatively peripheral to the village, and does not accord with the criterion in the NPPF that the site should be within reasonable proximity to the local community. The Council also agrees with the Examiner that the evidence as to why the site is demonstrably special to the community and therefore worthy of designation as a LGS, is limited. The Council therefore agrees with the Examiner that the site should be deleted as a Local Greenspace.

- 4.4 Alongside the above deletions, the Examiner recommended in his report that the dwelling limits for each of the allocations together with the development criterion to support each allocation (paragraphs 4.6 to 4.18 of his report, relating to modifications PM2, PM4, PM5, and PM6) be removed leaving the policy details relating to the allocations to the Horsham District Planning Framework (HDPF) in terms of implementation and delivery. Whilst the Council recognises that some of the criteria set out in the Submission Slinfold Neighbourhood Development Plan are covered by the HDPF and do not need to be repeated, many relate to site specific details which would provide clarity to both the local community, developers and development management decision making process as to the appropriate scale, layout and design of development on each of the allocations. To include such criteria is in accordance with the principles of localism which aims to allow communities to guide and shape development and the absence of any more detailed guidance could lead to development that is radically different to that envisaged by the community who have worked to produce the Neighbourhood Plan. HDC therefore proposed the reintroduction of policy criterion for each of the allocations to guide development which is acceptable to the community; takes a robust account of site specific local constraints and opportunities; and guide applicants in the development management process. This will also provide mitigation against potential negative effects which may otherwise arise, as identified in the Sustainability Appraisal.
- 4.5 The proposals to retain housing numbers on allocations or remove such requirements has been considered through the updated Sustainability Appraisal. Taking into account all available evidence and outcomes it was found that an approach which allocates sites but does not ascribe a housing limit will perform better in meeting housing needs, but that there could be a greater impact on environmental objectives. In order to ensure that sustainable development can be best achieved, it was found allocating sites without specified housing numbers, but **with** specific criteria to mitigate or protect specific environmental features affecting a particular site would be the most sustainable way of meeting needs and meeting social and environmental objectives. The Council has therefore decided that the housing numbers should not be specified for each site, but in order to mitigate any adverse

environmental or other impacts, the other criteria which it sought to re-introduce in the Decision Statement published on 5 March 2018, should be retained.

- 4.6 The local community was clear in its representations that local community facilities such as the scout hut was considered to be integral to the village and wished to ensure delivery and implementation of a new or upgraded facility. To help ensure the long-term retention of a Scout Hut site, the Council considered that it would be an appropriate measure to reintroduce a development criterion to PDS12 stipulating the replacement of the scout hut. Having undertaken further sustainability appraisal work, it is clear that there is potential for a scout hut to be provided on a number of sites. The criterion has therefore been amended to reflect the potential for such a facility to be delivered elsewhere, but enable the replacement of a Scout Hut in this location if no other site comes forward.

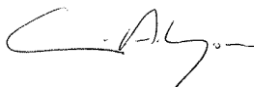
5.0 The Referendum Area

- 5.1 The Council is in agreement with the Examiner's recommendation that there is no policy or proposal significant enough to have an impact beyond the designated neighbourhood plan area, and that any referendum that takes place in due course be contiguous with the boundary of the designated neighbourhood plan area.
- 5.2 The Council is therefore of the view that the draft Slinfold Neighbourhood Plan as modified complies with the legal requirement and may now proceed to Referendum.

6.0 Conclusion

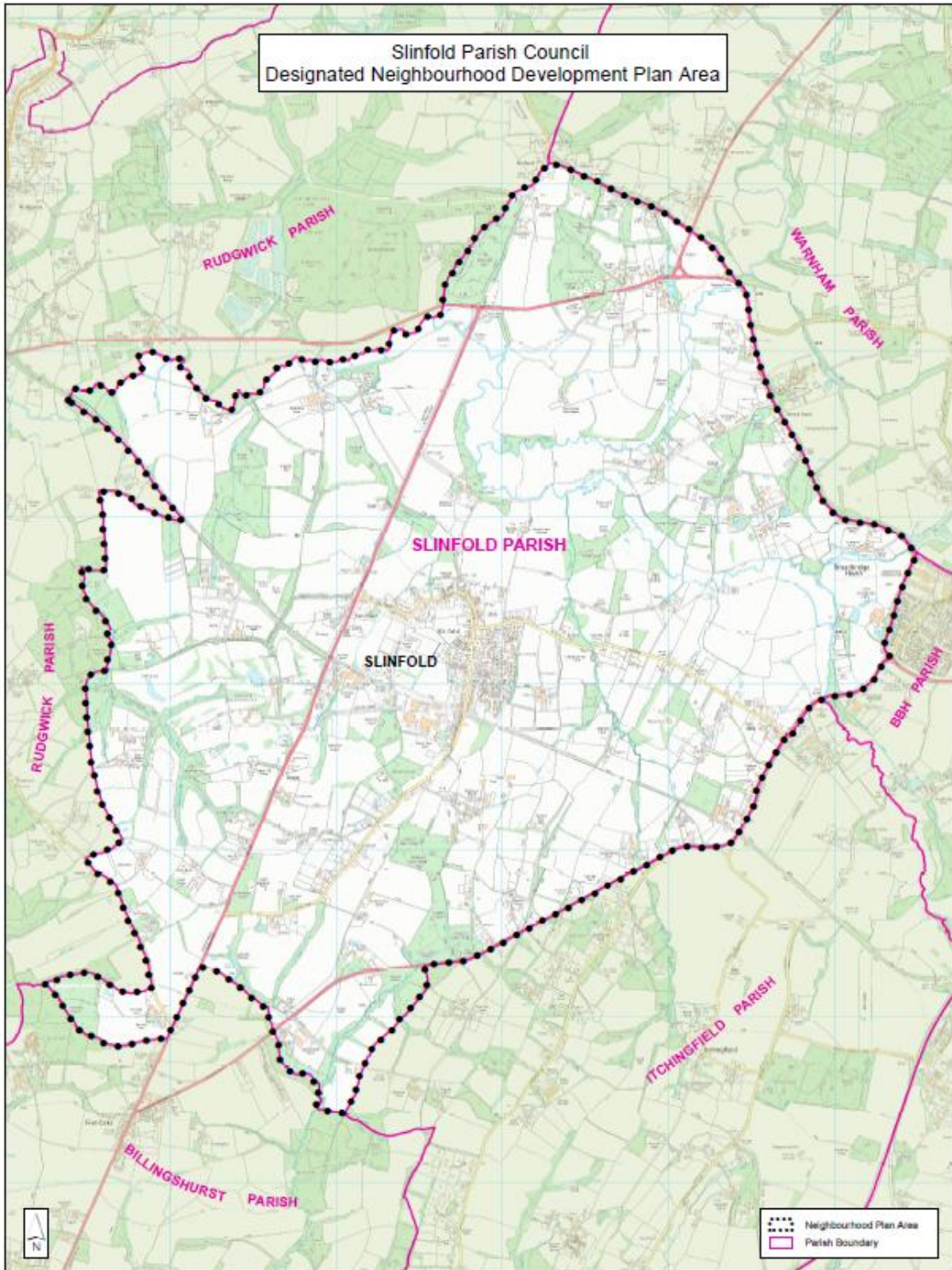
- 6.1 Horsham District Council is of the view following analysis of the representations, and further sustainability appraisal work to take account of updated options that the Slinfold Neighbourhood Plan as modified in Appendix A: Final Modifications Schedule to the Slinfold Neighbourhood Plan 2014-2031, June 2018, are such that the plan meets the basic conditions and may now proceed to Referendum.

Signed:



Director of Planning, Economic Development and Property

Date: 8 June 2018



Plan A: Slinfold Neighbourhood Plan Area