



**Horsham District Council
Lower Beeding Neighbourhood Plan 2014-2031**

FINAL DECISION STATEMENT

Date: 23 September 2021

1.0 INTRODUCTION

- 1.1 Horsham District Council (“the Council”) (HDC) has a statutory duty¹ to support Parish Councils and Qualifying Bodies in the preparation of Neighbourhood Development Plans (NDPs) and Orders and to take NDPs and Orders through a process of examination and referendum.
- 1.2 This decision statement relates to the Lower Beeding Neighbourhood Plan 2014 -2031 produced by Lower Beeding Parish Council (LBPC). Under the Town and Country Planning Act 1990 (as amended), (“the 1990 Act”) the Council has a statutory duty to support Parish Councils and Qualifying Bodies in the preparation of NDPs and Orders and to take NDPs and Orders through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the responsibilities under Neighbourhood Planning.
- 1.3 Following the Examination of the Lower Beeding Neighbourhood Plan 2014 -2031 and the receipt of the Examiner’s Report, HDC is required to make a decision on the next steps. As set out in the Neighbourhood Planning Regulations these are:
- 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;

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

- 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.

1.4 In accordance with the Regulations, this report forms the Council's Decision Statement (Regulation 18(2)) and sets out the Council's decision and the reasons for this.

1.5 Appendix A of this document is a map of the Lower Beeding Neighbourhood Plan (LBNP) Area. Appendix B sets out the Examiner's Proposed Modifications to the LBNP along with the actions taken and revised modifications.

2.0 BACKGROUND

2.1 The LBNP relates to the area that was designated by the Council as a neighbourhood area on 23 December 2015 (please refer to Appendix A).

2.2 The Lower Beeding Neighbourhood Plan group published the Pre-Submission LBNP for consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The consultation was held between 25 November and 17 January 2020.

2.3 The Lower Beeding Neighbourhood Plan group then submitted the submission draft plan to the Horsham District Council. The submission draft LBNP was publicised and representations were invited for eight weeks between 17 December 2020 and the 11 February 2021.

2.4 Andrew Ashcroft was appointed by HDC with the consent of Qualifying Body, as 'the Examiner' to undertake the examination of the LBNP and to prepare a report of the independent examination.

2.5 The Examiner's report was received on the 1 July 2021. It concludes that the LBNP, subject to a number of recommended changes meets the basic conditions set out in the legislation and can proceed to referendum.

2.6 As noted in paragraph 1.3 of this report, 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.

3.0 DECISION

3.1 Having considered the recommended modifications made by the Examiner's Report, and the reasons for them, the Council, with the consent of Lower Beeding Neighbourhood Planning group has considered each of the recommendations and agreed the action to take in response to each recommendation. It was decided to accept all the modifications made to the draft Plan by the Examiner under paragraph 12(2)(4) of Schedule 4B to the Town

and Country Planning Act 1990. The Examiner's proposed modifications are set out at Appendix B alongside the reason why the modifications are accepted.

- 3.2 The Council is also in agreement with the Examiner that the SEA has considered an appropriate range of alternatives, and in addition makes reference to cumulative impacts. On this basis, it agreed that the SEA meets the regulatory requirements.

4.0 THE REFERENDUM AREA

- 4.1 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 (Please refer to Appendix A).

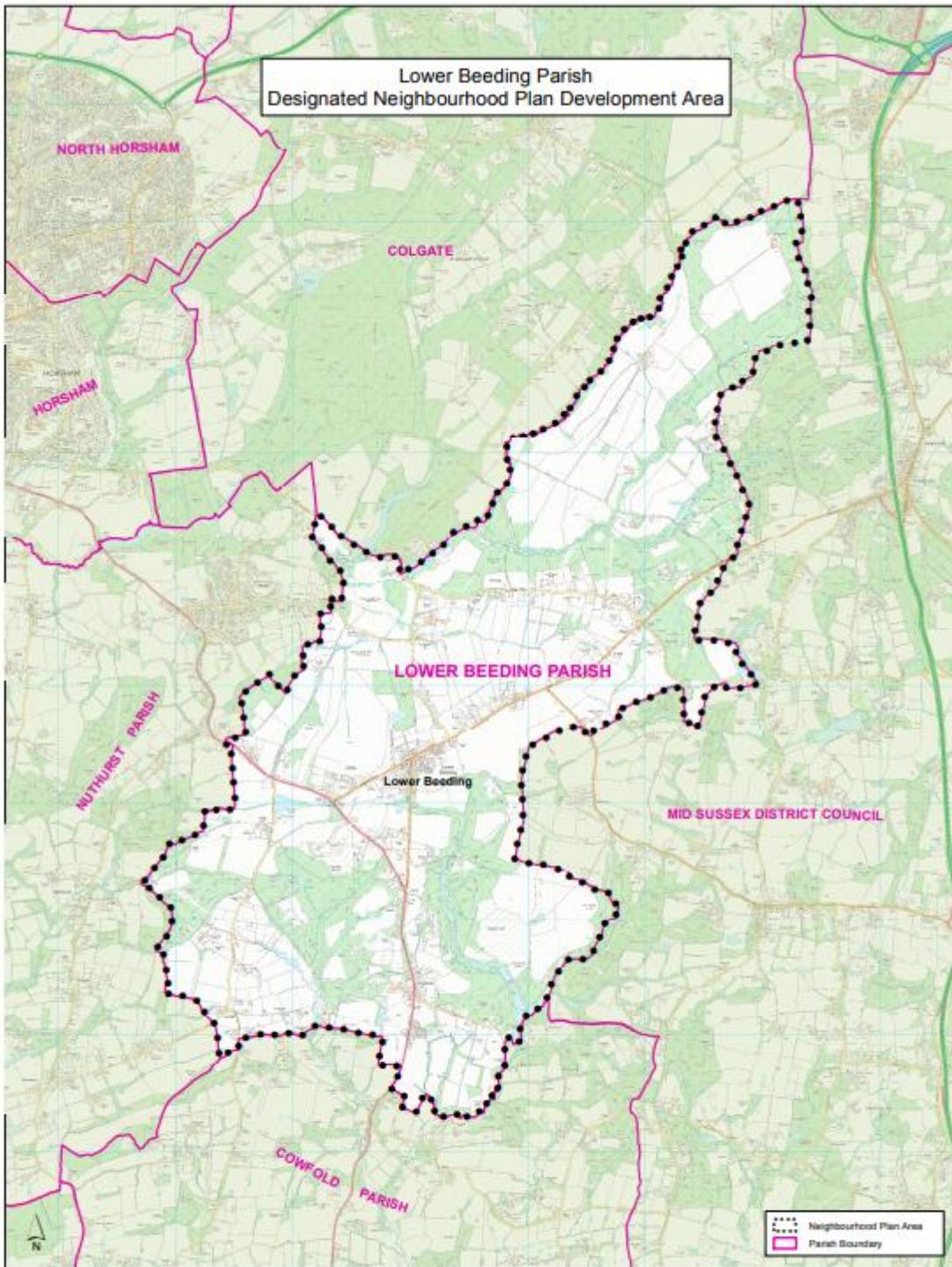
5.0 CONCLUSION

- 5.1 The Council is of the view that the draft submission LBNDP as modified in Appendix B: Examiner's Proposed Modifications to the Lower Beeding Neighbourhood Plan 2014-2031, complies with the legal requirement and may now proceed to Referendum.

Signed:



Barbara Childs
Director of Place
Date: 23 September 2021



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Confirmed by Horsham District Council under The Neighbourhood Planning (General) Regulations 2012 Regulation 5			
Reference No :	Date : 05/11/2015	Scale : 1:30,000 (At A3)	
Drawing No :	Drawn :	Checked :	Revisions : 18/01/2016

Appendix A: Lower Beeding Neighbourhood Plan Area

Appendix B: Examiner's Proposed Modifications to the Lower Beeding Neighbourhood Development Plan

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
Chapter 1, paragraph 1.15	<p><u>'Policies are land use issues which will form part of the development plan in the event that the Plan is made after a public referendum. Policies are highlighted in blue.</u></p> <p><u>Aims are issues where the residents of the parish have expressed a strong view about the issue concerned during the plan making process but which are not land use-based matters. They will not form part of the development plan in the event that the Plan is made. However, they may form the basis of actions which the Parish Council will pursue within the Plan period. Aims are highlighted in pink</u></p> <p><u>The various policies and the Aims are incorporated within the relevant chapters of the Plan. This approach recognises that in several cases the Aims are complementary to the policies.'</u></p>	HDC agree with the Examiner's recommendation – which will provide clarity to users of the plan.	Modification to be taken forward to the final plan.
Policy 1 Biodiversity	Development proposals which protect and where possible provide net gains in biodiversity and enhance the ecological network in the Parish will be supported.	No modification proposed.	No further action required.
Policy 2 Landscape Character	Development proposals which conserve and enhance the natural environment and landscape character of the Parish will be supported subject to compliance with other policies in the LBNP.	No modification proposed.	No further action required.
Policy 3 Green Infrastructure	<p>Development proposals which seek to conserve, maintain or enhance existing green infrastructure networks will be supported.</p> <p>Development proposals which incorporate landscaping and provide additional trees and hedging consistent with the rural nature of the Parish will be supported.</p> <p>Proposals which would result in the loss of existing green infrastructure will not be supported unless it can be demonstrated</p>	No modification proposed.	No further action required.

	that the development proposals bring new opportunities which mitigates or compensates any loss, whilst ensuring the protection of the existing ecosystem.		
Policy 4 Sustainability	Development proposals which incorporate sustainable resource measures designed to adapt to the impacts of climate change in order to improve the sustainability of development will be supported.	No modification proposed.	No further action required.
Policy 5 Energy Efficiency	Lower Beeding Parish Council will support Development proposals which incorporate measures to maximise energy efficiency of new buildings <u>in accordance with the energy hierarchy</u> will be supported.	HDC agree with the Examiner's recommendation. For clarity and to ensure compliance with the basic conditions.	Modification to be taken forward to the final plan.
Policy 6 Cyder Farm	Development proposals for around 6 residential units on land at Cyder Farm (as identified on the Policies Map) will be supported where: <ol style="list-style-type: none"> 1. Proposals provide a suitable mix of dwelling type and size to meet the needs of current and future households; 2. The design positively responds to and enhances the prevailing character of the surrounding area; 3. Proposals ensure that the scale, massing and appearance is of a high standard of design and layout and are visually attractive; 4. Proposals have been prepared with special regard to the need to conserve the significance of the Crabtree Conservation Area and clearly have a design that has scale, form, layout and materials that will contribute positively to its character or appearance; 5. Proposals allow for the retention of existing mature trees and hedgerows on the southern and western boundary (where appropriate); 6. Access to the site is maintained via existing arrangements, if appropriate; 7. Proposals provide suitable parking arrangements to the satisfaction of the Highway Authority; and 	No modification proposed.	No further action required.

	8. Parking respects the residential amenity of occupiers.		
Para. 5.32	<u>To reflect the outcome of the habitat regulations assessment and appropriate assessment process developers are advised to engage in pre-application discussions with Southern Water to evaluate whether changes to the Hardham abstraction would have any impacts for the timing of delivery of their developments in order to keep pace with infrastructure investment.</u>	HDC agree with the Examiner's recommendation.	Modification to be taken forward to the final plan.
Policy 7 Land at Trinity Cottage	Development proposals for around 7 residential units on land at Trinity Cottage (as identified on the Policies Map) will be supported where: 1. Proposals provide a suitable mix of dwelling type and size to meet the needs of current and future households; 2. The design positively responds to and enhances the prevailing character of surrounding area; 3. Proposals ensure that the scale, massing and appearance is of a high standard of design and layout and are visually attractive; 4. Proposals respect the setting of the Grade II Listed Holy Trinity Church, which lies to the immediate south; 5. Proposals respect the wider views into and out of the Grade II Listed Holy Trinity Church; 6. Proposals allow for the retention of existing mature trees and hedgerows (where appropriate); 7. Proposals provide a landscape buffer on the northern and southern boundary; 8. Suitable access, which avoids harm to the setting of the church and churchyard is provided; 9. Proposals provide suitable parking arrangements to the satisfaction of the Highway Authority; and 10. Proposals provide an access link to the existing Public Right of Way on the eastern boundary.	No modification proposed.	No further action required.
Paragraph 5.37	<u>To reflect the outcome of the habitat regulations assessment and appropriate assessment process developers are advised to engage in</u>	HDC agree with the Examiner's	Modification to be taken forward to the final plan.

	<u>pre-application discussions with Southern Water to evaluate whether changes to the Hardham abstraction would have any impacts for the timing of delivery of their developments in order to keep pace with infrastructure investment.</u>	recommendation. To ensure compliance with the basic conditions	
Policy 8 Land north of Sandygate Lane	<p>Policy 8: Land north of Sandygate Lane</p> <p>Development proposals for around 20 residential units on land north of Sandygate Lane (as identified on the Policies Map) will be supported where:</p> <ol style="list-style-type: none"> 1. Proposals provide a suitable mix of dwelling type and size to meet the local need as identified in the most recent survey/ evidence at the time of the planning application; 2. The design positively responds to and enhances the prevailing character of surrounding residential property; 3. Proposals ensure that the scale, massing and appearance is of a high standard of design and layout and are visually attractive; 4. Proposals respect the setting of the Grade II Listed Holy Trinity Church; 5. Proposals respect the wider views of the Grade II Listed Holy Trinity Church; 6. Proposals allow for the retention of existing mature trees and hedgerows (where appropriate); 7. A landscape buffer is provided on the northern, southern and western boundary; 8. Suitable access to the site is provided off Sandygate Lane which is sympathetic to existing properties and respects residential amenities; 9. Proposals provide suitable parking arrangements to the satisfaction of the Highway Authority; and 10. Provide a pedestrian link to the existing footpath along Sandygate Lane as part of the new site access. 	No modification proposed.	No further action required.

Paragraph 5.41	<p><u>To reflect the outcome of the habitat regulations assessment and appropriate assessment process developers are advised to engage in pre-application discussions with Southern Water to evaluate whether changes to the Hardham abstraction would have any impacts for the timing of delivery of their developments in order to keep pace with infrastructure investment.</u></p>	HDC agree with the Examiner’s recommendation. To ensure compliance with the basic conditions	Modification to be taken forward to the final plan.
Policy 9: Land at Glayde Farm (Field B)	<p>Development proposals for around 14 residential units on land at Glayde Farm (Field B) (as identified on the Policies Map) will be supported where:</p> <ol style="list-style-type: none"> 1. Proposals provide a suitable mix of dwelling type and size to meet the needs of current and future households; 2. The design positively responds to and enhances the prevailing character of surrounding residential property; 3. Proposals ensure that the scale, massing and appearance is of a high standard of design and layout and are visually attractive; 4. Proposals respect the setting of the Lower Beeding Parish Church; 5. The design positively responds to and enhances the prevailing character of surrounding development and has special regard to the Grade II Listed Holy Trinity Church; 6. Proposals respect the wider views of the Grade II Listed Holy Trinity Church (where appropriate); 7. Proposals allow for the retention of existing mature hedgerows unless there is a demonstrated need to remove a section. Replacement screening will be required if deemed necessary; 8. Proposals provide connections to existing adjacent public footpaths; 9. Sufficient and safe access is provided off the B2110; and 10. Proposals provide suitable parking arrangements to the satisfaction of the Highway Authority. 	No modification proposed.	No further action required.

Paragraph 5.44	<u>To reflect the outcome of the habitat regulations assessment and appropriate assessment process developers are advised to engage in pre-application discussions with Southern Water to evaluate whether changes to the Hardham abstraction would have any impacts for the timing of delivery of their developments in order to keep pace with infrastructure investment.</u>	HDC agree with the Examiner's recommendation. To ensure compliance with the basic conditions	Modification to be taken forward to the final plan.
Policy 10: Windfall Development	Development proposals for residential development on unidentified sites within the defined built-up area of Lower Beeding will be supported where proposals <u>they</u> : 1. Are proportionate in scale and relate positively to the character of the area; 2. Ensure the design is in keeping with the character of the area; and 3. Avoid unacceptable harm to the amenity of the existing dwelling and nearby properties.	HDC agree with the Examiner's recommendation. This will ensure greater clarity.	Modification to be taken forward to the final plan.
Policy 11: Housing Mix	Development proposals for residential development which seek to include a mix of dwelling types and sizes to meet local needs as indicated in the most recent Survey will be supported.	No modification proposed.	No further action required.
Policy 12: Design	Development proposals which are in keeping with the local vernacular <u>traditions and materials</u> will be supported.	HDC agree with the Examiner's recommendation. To ensure clarity and compliance with the basic conditions	Modification to be taken forward to the final plan.

Paragraph 5.59	<u>The existing building style and architecture is valued locally. Throughout the parish, the walls of many houses and buildings are partly tile-hung or rendered, and roofs (more often gabled than hipped) frequently feature red clay tiles. In the past, bricks have been heavily used as a building material and there are many examples of them being used creatively to create patterns in local colours, such as warm reds and light browns. Horsham Stone also features prominently throughout the Parish. Wood has also been used either structurally or as feather edge board to cover the upper storeys of houses, or as barge boards to embellish the roof lines. Using this preferred mix of natural materials creates a recognisable common sense of design that contributes to the distinct rural style of the parish. The Parish Council supports the use of traditional and local building materials in new developments. Materials which are sympathetic to nearby structures and in keeping with traditional and local style will be supported.</u>	HDC agree with the Examiner's recommendation. To ensure clarity and compliance with the basic conditions	Modification to be taken forward to the final plan.
Policy 13: Density	Development proposals which reflect the prevailing density of the surrounding area will be supported.	No modification proposed.	No further action required.
Paragraph 5.65	<u>This is captured in Policy 13. Plainly the District Council will need to determine planning applications on their individual merits in the context of the policy. The potential may exist within the Plan period for housing schemes to come forward at slightly higher densities on smaller sites and/or where particularly innovative designs can be successfully incorporated into the local street scene.</u>	HDC agree with the Examiner's recommendation. To ensure clarity and compliance with the basic conditions	Modification to be taken forward to the final plan.
Policy 14: Recreation Areas	Proposals which involve the loss of existing recreation areas will not be supported, unless and until, a new facility of equivalent quality/quantum is provided within the Parish.	No modification proposed.	No further action required.
Policy 15: Protection of Local Green Spaces	The LBNP designates the following locations as Local Green Spaces: 1. Land Area at the Entrance to Church Close Opposite The Plough Public House (LGS1); and 2. Brick Kiln Pond (LGS2).	HDC agree with the Examiner's recommendation. To ensure compliance with the basic conditions	Modification to be taken forward to the final plan.

	Development proposals which conflict with the purpose of this designation will be resisted in these areas. Development proposals within the designated local green spaces will only be supported in very special circumstances'		
Paragraph 6.17	<u>Policy 15 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy.</u>	HDC agree with the Examiner's recommendation. To ensure compliance with the basic conditions	Modification to be taken forward to the final plan.
Policy 16: Broadband and Telecommunications	Proposals which would provide access to a super-fast broadband network will be supported. Proposals for above ground network installations which would provide access to a super-fast broadband network will be supported where their location is sympathetically located and designed to reflect the character of the local area.	No modification proposed.	No further action required.
Policy 17: Existing Employment Sites	Development proposals which seek to maintain and/or expand existing businesses will be supported where proposals: 1. Are in keeping with the character of the area; 2. Avoid unacceptable harm to the amenity of the existing dwelling and nearby properties; and 3. Do not have an unacceptable impact on the highway.	No modification proposed.	No further action required.
Policy 18: Economic Growth	Development proposals for employment uses will be supported where: 1. Development proposed is on previously developed land; 1. Is in keeping with the rural character of the local area; 2. Proposals have no significant detrimental impact on residential amenity; and 3. Would not have unacceptable impact on the local road network.	HDC agree with the Examiner's recommendation. To ensure compliance with the basic conditions	Modification to be taken forward to the final plan.

<p>Chapter 9: Monitoring and Review Paragraph 9.5</p>	<p>LBPC have confirmed agreement to this approach and are committed to a review in 2021. <u>As part of this process the Parish Council will monitor the delivery of the sites allocated in the Plan and the delivery of windfall sites. The Parish Council will assess the need for a review of the neighbourhood plan within six months of the adoption of the emerging Horsham District Local Plan. As part of this process, it will consider the way in which windfall sites are assessed in terms of their contribution towards the strategic housing target for the District in the emerging Local Plan'</u></p>	<p>HDC agree with the Examiner's recommendation.</p> <p>To ensure compliance with the basic conditions</p>	<p>Modification to be taken forward to the final plan.</p>
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