

Reference No. {for Democratic Services use}

NOTICE OF DECISION OF THE CABINET MEMBER FOR PLANNING AND INFRASTRUCTURE

Pursuant to Regulation 13(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and Section 9G(4) of the Local Government Act 2000

Joint Neighbourhood Plan Area Application for Southwater and Shipley Parish

Decision	To designate the Southwater and Shipley Neighbourhood Area (as shown in Appendix B to the report) as a neighbourhood area in place of the Southwater Neighbourhood Area and the Shipley Neighbourhood Area.
Reasons for Decision	The Council has received a valid neighbourhood area application and considers that a neighbourhood area covering the entirety of the Southwater and Shipley parish boundaries represents a logical and coherent geography for the purpose of neighbourhood plan-making. The parishes share economic, social and environmental links and consider that a neighbourhood plan covering both areas is the most effective way to address cross-boundary issues, including potential development growth, green infrastructure and transport connectivity.
Possible alternatives considered but rejected	Not to designate the neighbourhood area. This has been rejected as the designation is considered appropriate for the reasons outlined in the report.
Conflicts of interest and any dispensations granted	None
Date of Decision	9 September 2026
Date by which decision may be implemented	9 September 2026

The Chairman of the Finance and Performance Policy and Scrutiny Committee has agreed that the making of this decision is urgent and cannot reasonably be deferred. A decision is considered urgent if any delay in its implementation would pose a risk of harm to residents or prejudice the interests of the Council. Urgent decisions are exempt from the call-in procedure outlined in the Policy and Scrutiny Committees Procedure Rules in the Council's Constitution. The decision is considered urgent as the Council has a finite amount of time within which to undertake the review.

The decision is considered urgent as the Council has a statutory duty to determine the application by 18 September 2026.

Signed:

A solid black rectangular box used to redact the signature of the Cabinet Member.

Cabinet Member for Planning and Infrastructure

Not Exempt

1. Proposal:

- 1.1 Neighbourhood planning was introduced by the Localism Act 2011. The Act allows communities to influence the development and growth of their local area in a number of ways including the preparation of neighbourhood plans. Neighbourhood plans have development plan status, and their preparation is subject to the provisions of the Town and Country Planning Act ('TCPA') 1990, the Planning and Compulsory Purchase Act ('PCPA') 2004 and the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').
- 1.2 On 19 June 2026, Southwater Parish Council, with the consent of Shipley Parish Council, submitted an application to Horsham District Council to designate a neighbourhood area covering the entirety of both parish administrative areas. The application has been submitted in accordance with regulation 5 of the 2012 Regulations. This stipulates that where a relevant body (which includes a parish council) submits an area application to the local planning authority it must include the following: a map which identifies the area to which the area application relates; a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the TCPA 1990. It is considered the application submitted by Southwater Parish Council has met these requirements.
- 1.3 The two parishes share economic, social and environmental connections and consider that a neighbourhood plan covering both parish council areas represents the most effective way to address cross-boundary issues, including potential development growth, green infrastructure and transport connectivity.
- 1.4 Both Southwater Parish Council and Shipley Parish Council have neighbourhood plans in place and were both made on the same day (21 June 2021) at Full Council by Horsham District Council. Both plans are now more than five years old but will remain in force until a review of the neighbourhood plan begins in earnest.
- 1.5 Following receipt of the neighbourhood area application, the Council undertook a seven week consultation which commenced on 19 June 2026 and concluded on 7 August 2026, inviting comments from the local community. The results of the consultation are detailed in section 4 of this report.
- 1.6 In determining the application, the Council is required by section 61G(4) of the TCPA 1990 to have regard to (a) the desirability of designating the whole of the area of a parish council as a neighbourhood area and (b) the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas. The Council has had regard to these factors and considers that a neighbourhood area covering the entirety of the Southwater and Shipley parish boundaries represents a logical and coherent geography for the purpose of neighbourhood plan-making. Aligning the neighbourhood area with the full parish boundaries provides clarity for residents, businesses, service providers and decision-makers, avoids the artificial division of planning issues that operate across parish-wide communities, and ensures that future planning policies can be prepared, implemented and monitored consistently across the whole area.

- 1.7 The Council is required by regulation 6A of the 2012 Regulations to determine the application by 18 September 2026, being 13 weeks from the date immediately following that on which the application was first publicised.

2. Council Policy Alignment:

- 2.1 The Council has a statutory power to designate neighbourhood areas.
- 2.2 The designation of a neighbourhood area facilitates the making of a neighbourhood plan for that area. The preparation of neighbourhood plans is consistent with the Council Plan's objectives, in particular that of supporting people and communities as it creates opportunities for local residents to engage with the planning process and shape their local environment.

3. Next Steps:

- 3.1 The designation will be publicised in accordance with regulation 7(1) of the 2012 Regulations.
- 3.2 Southwater Parish Council or Shipley Parish Council will be able to formally initiate the process of making a neighbourhood plan covering both parish council areas, with the consent of the other parish council.

4. Consultation and Engagement:

- 4.1 Under regulation 6 of the 2012 Regulations, the Council is required to publicise any application for the designation of a neighbourhood area and to allow representations to be made for a minimum of six weeks.
- 4.2 The Council held a consultation which ran from 19 June 2026 to 7 August 2026. The consultation was conducted over seven weeks to account for the summer holiday period. The Council also posted on social media (via Next Door and Facebook) to target local residents and businesses to publicise the consultation and encourage engagement. Social media posts were issued on 14 July, 25 July and finally on 4 August 2026. Shipley Parish Council alongside Southwater Parish Council also held an open community event on 4 August at Coolham Village Hall to discuss the issues regarding the neighbourhood plan action.
- 4.3 Copies of the application form and accompanying documents on how to respond were made available on the Council's website, with hard copies also made available at the Council's offices and a number of deposit points at locations within each respective parish and at the library located in Horsham town centre.
- 4.4 The Council received 45 responses to the consultation. 20 responses supported the designation, 22 responses objected to the designation and 3 responses made observational comments. Further details are provided in the Consultation Summary (Appendix A). All comments have been noted.

5. Resource Consequences:

Financial:

- 5.1 The costs related to evaluating the neighbourhood area, associated area application documents and conducting the statutory consultation are minimal (printing and social media posts) and are covered by the existing staffing and revenue budgets.

Other:

- 5.2 There are no other resource consequences for the Council.

6. Legal Considerations:

- 6.1 Section 61G of the TCPA 1990 and Part 2 of the 2012 Regulations contain provisions relating to the designation of neighbourhood areas.
- 6.2 The Council is a local planning authority under section 1 of the TCPA 1990.
- 6.3 Section 61G(1) of the TCPA 1990 empowers a local planning authority to designate an area as a neighbourhood area following an application by a relevant body. Section 61G(2) of the TCPA 1990 provides that 'relevant body' includes a parish council.
- 6.4 Section 61G(3)(a) of the TCPA 1990 provides that the area to be designated as a neighbourhood area must consist of, or include the whole or any part of, the area of the parish council.
- 6.5 Section 61G(4) of the TCPA 1990 requires the local planning authority, in determining the application, to have regard to (a) the desirability of designating the whole of the area of a parish council as a neighbourhood area and (b) the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas.
- 6.6 Section 61G(6) of the TCPA 1990 authorises the local planning authority, in determining the application, to modify designations already made, provided that it has the consent of the relevant parish council(s) to do so.
- 6.7 Section 61G(6A)(c) of the TCPA 1990 provides that the power to modify designations already made includes the power to replace two or more existing neighbourhood areas with a single neighbourhood area.
- 6.8 Section 61G(6C) of the TCPA 1990 provides that a neighbourhood area created by virtue of section 61G(6A)(c) of the TCPA 1990 may have (i) the boundary created by combining the existing areas or (ii) a different boundary.
- 6.9 Section 61G(6D) of the TCPA 1990 (as applied to neighbourhood development plans by section 38C(5A) of the PCPA 2004) provides that a modification of a designation already made under section 61G(6) of the TCPA 1990 does not affect the continuation in force of a neighbourhood development plan for that area.

6.10 Therefore:

- i) Southwater Parish Council was able to make an application to Horsham District Council to designate an area covering the whole of the parishes of Southwater and Shipley as a neighbourhood area.
- ii) Horsham District Council is able to replace the Southwater Neighbourhood Area and the Shipley Neighbourhood Area with a new neighbourhood area (to be known as 'the Southwater and Shipley Neighbourhood Area'), Shipley Parish Council having given their consent to the creation of the new neighbourhood area.
- iii) The designation of the Southwater and Shipley Neighbourhood Area will not affect the Southwater Neighbourhood Plan 2019-2031 or the Shipley Neighbourhood Plan 2019-2031 which will remain in force.

6.11 Section 38A(1) of the PCPA 2004 empowers a qualified body to initiate a process for the purpose of requiring a local planning authority to make a neighbourhood development plan. Section 38A(12) of the PCPA 2004 provides that 'qualified body' includes a parish council authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area.

6.12 Section 61F(1) of the TCPA 1990 (as applied to neighbourhood development plans by section 38C(1) and (2)(a) of the PCPA 2004) provides that a parish council is authorised to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of the council. Section 61F(2) of the TCPA 1990 (as applied to neighbourhood development plans by section 38C(1) and (2)(a) of the PCPA 2004) provides that if that neighbourhood area also includes the whole or any part of the area of another parish council, the parish council is authorised to act in relation to that neighbourhood area only if the other parish council have given their consent.

6.13 Therefore, the designation of the Southwater and Shipley Neighbourhood Area will enable Southwater Parish Council or Shipley Parish Council to formally initiate the process of making a neighbourhood development plan covering both parish council areas, with the consent of the other parish council.

6.14 Otherwise, the legal considerations are as contained elsewhere in this report.

7. Risk Analysis and Mitigation:

7.1 The Council is currently undertaking a Community Governance Review, with the Stage 2 consultation running from 24 July 2026 to 7 September 2026. Any proposed changes to parish boundaries arising from the review would likely take effect from 1 April 2027. Whilst any such changes could affect the administrative boundaries of Southwater Parish, Shipley Parish, or both, this does not present a significant risk to the designation process. Similar circumstances have occurred previously during the preparation of the Shipley Neighbourhood Plan (April 2016), where parish boundary changes were introduced part-way through the neighbourhood planning process.

7.2 Should the Community Governance Review result in changes to either parish boundary, the designated neighbourhood area would no longer align with the parish boundaries. In these circumstances, Southwater Parish Council or Shipley Parish

Council could submit a neighbourhood area application for the amended area. This would require a further statutory consultation (minimum 6 weeks) before a revised neighbourhood area designation could be approved. The Council would work closely with the relevant parish council to ensure that any application would meet the statutory requirements to minimise any area of risk. However, this would not prevent the parish councils from continuing to work jointly on the preparation of a neighbourhood plan for the revised area.

8. Procurement Implications:

- 8.1 There are no procurement implications arising from the designation of the Southwater and Shipley Neighbourhood Area.

9. Equalities, Human Rights & Public Sector Equality Duty Considerations:

- 9.1 The designation of the Southwater and Shipley Neighbourhood Area will not in itself impact equality, human rights or the public sector equality duty. The designation enables Southwater Parish Council and Shipley Parish Council the option to produce a neighbourhood plan covering both parish council areas. Any equalities, human rights or public sector equality duty considerations would need to be assessed as part of that process.

10. Environmental Implications:

- 10.1 There are no direct environmental implications from the designation of the Southwater and Shipley Neighbourhood Area. The designation enables Southwater Parish Council and Shipley Parish Council with the option to produce a neighbourhood plan covering both parish council areas. Any environmental implications would need to be assessed as part of that process, with appropriate mitigation measures applied.

11. Other Considerations:

- 11.1 There are no other considerations.

Background Papers:

1. Appendix A: Consultation Responses
2. Appendix B: Map of Proposed Neighbourhood Plan Area
3. Appendix C: Application documents including a statement explaining why the area is considered appropriate to be designated as a neighbourhood area.

Wards Affected: Southwater South and Shipley

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