
HDCIR:7779: Internal Review Response: Sustainability Appraisal, NPPF and HDLP Strategic Policy compliance

From FOI <FOI@horsham.gov.uk>

Date Tue 10/09/2024 16:28

To [REDACTED]

Cc FOI <FOI@horsham.gov.uk>; Horshamdc@messagestore.co.uk <Horshamdc@messagestore.co.uk>

Dear Phil Jones,

Further to below, we have now completed the review of our response to your request for information. Your request, our original response and your request for a review are all in the email trail below. For ease of reference, these are summarised here, together with our Internal Review response:

Summary:

- You asked for: “ *the unpublished working notes that were developed into HDC’s published HDLP assessments of the STO1 site. In particular..... the notes that supported the Sustainability Appraisal, and more generally NPPF and HDLP Strategic Policy compliance.*”
- In response, we stated that we did not hold any unpublished information which falls within the remit of your request. We provided you with a link to published information.
- In your request for a review, you stated that you were aware that we did have unpublished material relating to the STO1 site because we previously sent you photos of a site visit. You therefore asked for the working notes of those involved in that visit, and personnel undertaking the:
 1. Sustainability Appraisal;
 2. Site Assessment; and
 3. Habitat Regulations Assessment.

Internal Review Response:

1. Sustainability Appraisal

We confirm that there are no notes in relation to the Sustainability Appraisal (SA). As a means of clarification, we advise that the document itself is continually reviewed throughout the preparation of the Local Plan, therefore there is no need to have ‘working notes’ as all updates would be contained within the same document. To confirm once again, there is no unpublished information, all documentation is available on our website:

<https://www.horsham.gov.uk/planning/local-plan/local-plan-examination/Examination-Library>

2. Site Assessment

In terms of the Site Assessment Report, as previously advised a site visit was undertaken on 29 August 2019. We can confirm that officers made written notes whilst out on site, all of which fed into the published site assessment of STO1. To clarify, once a site assessment is drafted any hardcopy written notes

are recycled given that they are a duplication of the information contained within the published site assessment, a copy of which is available to view on our website via link provided above.

3. Habitat Regulations Assessment

With regards to the Habitats Regulation Assessment (HRA); we can confirm that the Council does not hold any 'working notes' in relation to this document. As with the Sustainability Appraisal, the HRA has been updated throughout the preparation of the Local Plan. All information in relation to proposed site allocation STO1 is contained within the published HRA, a copy of which is available to view on our website via the link provided above.

It is therefore concluded that our original response was correct, and we do not hold any information within scope of your request.

This Internal Review response has been approved by [REDACTED] Head of Strategic Planning

If you remain dissatisfied that your request or review has been dealt with correctly, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, SK9 5AF. Further details of this process are available on the ICO website at www.ICO.org.uk

There is no charge for making an appeal.

Yours sincerely

[REDACTED]
Information Governance Officer



Horsham District Council, Parkside, Chart Way, Horsham, West Sussex RH12 1RL

Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton

The Council will only accept service of documents by email if they are sent to legal@horsham.gov.uk. Any documents sent to individual email addresses will not in any circumstances be accepted. Please contact us in advance if your email, including any attachments, is going to exceed 30MB.

From: FOI <FOI@horsham.gov.uk>

Sent: 15 08 2024 15:50

To: Phil Jones [REDACTED]

Cc: Horshamdc@messagestore.co.uk; FOI <FOI@horsham.gov.uk>

Subject: HDCIR:7779: (Internal Review) Sustainability Appraisal, NPPF and HDLP Strategic Policy compliance

Dear Phil Jones,

We acknowledge receipt of your *email below*, requesting a review of our response under reference 7779.

We aim to complete our review and provide a substantive response within 20 working days of receipt; by **11/09/2024**.

If we find that the issue requires more lengthy consideration then you will be notified of the outcome within the 40 working day limit set out in the ICO guidance on reviews under the Environmental Information Regulations 2004 and we will advise you accordingly.

Kind regards

[REDACTED]
Legal Assistant



Horsham District Council, Parkside, Chart Way, Horsham, West Sussex RH12 1RL

Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton

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From: Phil Jones [REDACTED]
Sent: 13 August 2024 12:48
To: FOI <FOI@horsham.gov.uk>
Cc: Horshamdc@messagestore.co.uk
Subject: Re: HDCIR:7779: Sustainability Appraisal,NPPF and HDLP Strategic Policy compliance

Dear [REDACTED]

I am aware that you do have unpublished material relating to the STO1 site because you previously sent me photos of a site visit. I would expect that HDC officers, or personnel sub-contracted by HDC, would have made written notes either during, or after the visit, for example to assess the accuracy of published documents and comments made during the Regulation 18 consultation. If no notes were made, what was the purpose of the visit?

I therefore request you ask those involved in that visit, and personnel undertaking the Sustainability Appraisal, Site Assessment and Habitat Regulations Assessment to provide their working notes.

If there are genuinely none, please also ascertain whether they have been deliberately deleted, and if so, why?

Kind regards,

Philip Jones

On 13 Aug 2024 12:09, FOI <FOI@horsham.gov.uk> wrote:

Dear Mr Jones

Freedom of Information Act 2000 and Environmental Information Regulations 2004

Request for Information: unpublished working notes that were developed into HDC's published HDLP assessments of the STO1 site.

Thank you for your Information Request dated 18 July 2024 concerning the above. The request has been handled under the Environmental Information Regulations 2004 as the information relates to land use and is therefore of an environmental nature.

We have dealt with your request in accordance with our 'duty to make available environmental information on request' under part 2 (5) Environmental Information Regulations 2004 (EIRs), which entitles you to be provided with a copy of any information 'held' by a public authority. Please note that under part 3 of the EIRs a public authority may refuse to disclose environmental information if an exception under Regulation 12 (4) or 12 (5) applies and in all circumstances of the case the interest in maintaining the exception outweighs the public interest in disclosing the information.

Your request is as follows:

"I have requested to see the unpublished working notes that were developed into HDC's published HDLP assessments of the STO1 site. In particular, I am interested to see the notes that supported the Sustainability Appraisal, and more generally NPPF and HDLP Strategic Policy compliance."

The Council does not hold any unpublished information which falls within the remit of your request.

The Sustainability Appraisal process uses the evidence from the other assessments which are publicly available as detailed in the Sustainability Appraisal Scoping Report available from the link below.

<https://www.horsham.gov.uk/planning/local-plan/local-plan-review-evidence-base>

When the Local Plan is submitted for examination by a government appointed PINS Inspector it will be accompanied by a Planning Advisory Service Local Plan Legal Compliance Checklist which will cover all points of compliance with the National Planning Policy Framework.

If you are dissatisfied with this response and wish to request a review of our decision or make a complaint about how your request has been handled you should write to Head of Legal & Democratic Services, Parkside, Chart Way, Horsham, RH12 1RL or by email to foi@horsham.gov.uk

Your request for internal review should be submitted to us within 40 working days of by receipt by you of this response. Any such request received after this time will be considered at the discretion of the Head of Legal & Democratic Services.

If having exhausted the review process you are not content that your request or review has not been dealt with correctly, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, SK9 5AF. Further details of this process are available on the ICO website at www.ICO.org.uk

Yours sincerely



Planning Officer

Horsham District Council, Parkside, Chart Way, Horsham, West Sussex RH12 1RL

Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton

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From: Phil Jones <[REDACTED]>
Sent: 18 July 2024 10:33
To: Strategic Planning <Strategic.Planning@horsham.gov.uk>
Subject: Freedom of Information requested

[REDACTED]

On a number of occasions I have requested to see the unpublished working notes that were developed into HDC's published HDLP assessments of the STO1 site. In particular, I am interested to see the notes that supported the Sustainability Appraisal, and more generally NPPF and HDLP Strategic Policy compliance. These haven't been forthcoming to-date. I therefore request them again.

Kind regards,

Phil Jones

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