



**Horsham  
District  
Council**

**Horsham District Local Plan 2023-2040 Regulation 19  
stage (January 2024)**

**Frequently Asked Questions and Guidance for making  
representations**

### **What is the Horsham District Local Plan Regulation 19 stage?**

Horsham District Council has prepared the Horsham District Local Plan 2023-2040.

This version of the Local Plan has been published inviting representations (i.e. written comments) on whether the plan complies with the necessary legislation, and complies with national planning policy (known as the soundness of the Plan).

This publication is carried out in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The plan is therefore often referred to as the Regulation 19 Plan or Regulation 19 Stage.

### **Which documents have been published?**

- **Horsham District Local Plan 2023-2040 Regulation 19 (January 2024).** This is the emerging Local Plan for Horsham.
- **Horsham District Local Plan: Policies Map.** This is a map which shows sites that have been allocated for residential, employment, or other uses. It also shows designations that are mentioned in the Plan such as, built-up area boundaries and environmental designations. It is available in two formats: an online 'interactive' map, where you can pan around and zoom in and out to look at specific features, and as PDF files which you can view, print and download. The PDF version consists of an overview map of the whole District, and multiple 'inset maps' which show smaller areas in more detail.
- **Horsham District Local Plan: Sustainability Appraisal.** This report assesses the effects that the Regulation 19 Local Plan has on environmental, social and economic issues. It is a legal requirement.
- **Horsham District Local Plan: Habitats Regulation Assessment.** This report identifies and assesses any aspects of the Regulation 19 Local Plan that would have an adverse effect on the integrity of European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs), candidate Special Areas of Conservation (cSACs), potential Special Protection Areas (pSPAs) and Ramsar sites). It is a legal requirement.

A copy of each of these documents is available to view on our website from the start of the period for representations: [www.horsham.gov.uk/localplanreg19](http://www.horsham.gov.uk/localplanreg19).

In addition to these key documents, you may also wish to view the Horsham District Local Plan: Evidence Base. This is a collection of documents that support the production of the Local Plan: [www.horsham.gov.uk/planning/local-plan/local-plan-review-evidence-base](http://www.horsham.gov.uk/planning/local-plan/local-plan-review-evidence-base).

### **When can I comment?**

Representations on the consultation documents must be submitted during the six-week period:

**Starts 9:00am on Friday 19 January 2024**

**Ends 5:00pm on Friday 01 March 2024**

Comments received outside of this period will not be accepted. The Council is unable to make exceptions or allowances for postal delays or external problems with electronic communications. So please try to reply well ahead of the final deadline.

### **How can I have my say?**

Once the Regulation 19 period starts, you can make representations using our **online consultation portal**. This is the best way to comment as it ensures that your comments are summarised and recorded accurately and are processed quickly. The online system allows for attachments to be uploaded (e.g. for more detailed comments, or supplementary evidence). Officers will process representations submitted online, before processing email or postal correspondence.

You can access the online consultation portal by going to the Local Plan Regulation 19 website:

[www.horsham.gov.uk/localplanreg19](http://www.horsham.gov.uk/localplanreg19)

and following the link given there.

### **Other ways of responding**

If you cannot reply to the consultation using the online consultation system, please complete an electronic Word version of the response form and email it to:

[localplan@horsham.gov.uk](mailto:localplan@horsham.gov.uk)

Filling in the form makes sure that we have all the correct information to register and process your views and to keep you informed of progress on the Horsham District Local Plan 2023-2040.

Alternatively, you can print out a copy of the form to complete with a pen (using black ink), and then send to:

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

To ensure that the Local Plan Inspector is clear on what each comment relates to, please fill in a separate 'Part B' form for each different part of the Local Plan that you are commenting on.

**PLEASE DO NOT SUBMIT MULTIPLE COPIES OF THE SAME RESPONSE (e.g. Online and email, or online and hardcopy). This wastes valuable officer time and slows down processing the responses from other respondents. Office space is very limited, and we do not have storage space to hold hard copies.**

### **I have general questions or queries about the process – who should I contact?**

If you have any queries, please contact Strategic Planning:

**Email:** [strategic.planning@horsham.gov.uk](mailto:strategic.planning@horsham.gov.uk)

(please do not send formal Regulation 19 representations to this email address – use the online consultation portal, or the email address given on the previous page, for that)

**Tel:** 01403 215398

**Website:** [www.horsham.gov.uk/localplan](http://www.horsham.gov.uk/localplan)

### **Why does the form ask questions about Legal Requirements, Test of Soundness and the Duty to Co-operate?**

The representation form will ask you a series of questions. These questions are a requirement of the legal requirements of the Local Plan regulations and the National Planning Policy.

For each section of the local plan (policy or paragraph(s)) that you wish to respond on, you will be asked to state whether you think this part of the plan has met the necessary legal requirements placed upon the authority, or whether the plan is in accordance with national planning policy (or is 'sound'). A box will be provided where you can tick 'Yes' or 'No'. If you are objecting to the policy or paragraph(s), you must answer 'No' to at least one of these questions. If you are supporting the policy or paragraphs, you should answer all the questions with 'Yes'.

You will then be asked to provide reasons as to why you do or do not support the plan, and also suggest how the plan might be changed to resolve any objection you may have.

### **Is it legally compliant?**

There are various Legal requirements that the that the Council must comply with when preparing a Local Plan. These include:

- Whether the process of community involvement for the Plan in general accordance with the Council's Statement of Community Involvement (SCI). The SCI can be found on the Council's website:  
<https://www.horsham.gov.uk/planning/planning-policy/statement-of-community-involvement>.
- Whether the Plan complies with all other relevant requirements of the Planning and Compulsory Purchase Act (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended (the 'Regulations').
- Whether the plan meets other legislative requirements such as the Conservation of Habitats and Species Regulations 2017 (to which the Habitat Regulations Assessment relates).

The regulations referred to above can be found by searching on the website: [legislation.gov.uk](http://legislation.gov.uk).

If you do not consider the plan has met the legal requirements, you will need to identify the relevant legislation and where you consider the requirements have not been met.

### **Is it 'sound'? (i.e., does it meet the tests of soundness?)**

Local Plans must be prepared in accordance with the **National Planning Policy Framework**. The National Policy Planning Framework (NPPF) states that a Plan is 'sound' if it meets the following tests:

- **Positively prepared** - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with National Policy** - enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, where relevant.

If you do not consider the plan has been prepared in accordance with these requirements, you will need to identify which of these criteria have not been met and why.

*Please note that the Government requires that local plans at an advanced stage of preparation, including the Horsham District Local Plan 2023-2040, will be examined in accordance with the previous NPPF, dated September 2023. This can be accessed from the website:*

<https://webarchive.nationalarchives.gov.uk/ukqwa/20230929144819/https://www.gov.uk/government/publications/national-planning-policy-framework--2>

### **Does it comply with the Duty to Cooperate?**

Planning legislation states that the Council has a duty to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The Council has provided evidence of how they have complied with this duty.

If you do not consider that the Local Plan has met the Duty to Co-operate requirements, you will need to identify how this has failed.

### **Providing your reasons and requesting modifications**

As explained above this section of the form is to allow you to set out why you do or do not support policies in the Local Plan. There is no right or wrong answer, provided that you give reasons for your view. You should also support your answer with evidence as far as you are able.

If your comments relate to legal compliance or soundness, you should set out clearly what changes you think should be made to remedy the problem. Please be as precise as you can, for example, you could use crossed-through font for proposed deletions, and underline text for proposed additions.

### **Appearing at the Examination**

The form will ask you whether you would like to attend the future examination of the Local Plan, which will be held by an independent Local Plan inspector. To assist the planning inspector in organising the examination we ask that you briefly set out your reasons for wishing to attend.

There is no requirement for you to attend the examination if you do not wish to. The Planning Inspectorate make clear that all representations submitted as part of the Regulation 19 process will be considered by the Local Plan inspectors and have equal weight to those made in person at the Examination.

### **Can my representation be rejected?**

It is very rare that comments are not accepted. However, we **cannot** accept representations which:

- Except for your own and / or clients details (which are put into Part A), divulge any personal information such as someone's home address, email address or phone number.
- Include any photos or images of people's faces, or of anything that might allow people to be identified (e.g. car registration plates, or house names or numbers on front doors).
- Use any expletive (swearing), discriminatory or offensive language.
- Make any statements that could be seen as defamatory (that is, do not attack or question any individual's personal reputation).
- Make any statements that may be libellous (that is, do not make comments about an individual or organisation that may be challenged as untruthful).
- Are anonymous.

### **Providing attachments**

You may provide attachments to supplement your representation. These should be provided as electronic documents (file type 'PDF') and should not be of excessive file size (**upper file size limit of 10Mb**). As outlined above, they must not include any text or images that may be considered personal information – the Council cannot accept such material due to data protection legislation.

### **Can I comment anonymously?**

No.

All representations submitted will be considered as part of a formal examination of the Local Plan. This is, by law, a public examination, so no formal representation can be made anonymously. The Local Plan Inspector and others will need to know who has made representations to enable a fair and effective examination.

### **Your privacy and data protection**

Whilst comments cannot be made anonymously, no other personal details (i.e., personal (home) addresses, phone numbers, email addresses etc.) will be made public.

All comments are published together with names and (where applicable) organisations; therefore, all comments are publicly available and attributable. Horsham District Council will process your details in relation to the preparation of this documentation only. We will only share personal data in accordance with the Data Protection Act 1998 and the UK General Data Protection Regulations.

You can view the Council's Privacy Policy and the Strategic Planning Privacy Notice here: [www.horsham.gov.uk/privacy-policy](http://www.horsham.gov.uk/privacy-policy).

### **What will happen to my representation?**

All comments received will be reviewed to ensure that they have been made in the proper way as outlined in this note. (We call these comments 'duly made'.) These representations will be published online.

We expect to receive a high volume of representations, which officers will review and read. To undertake this task thoroughly is a time-consuming process. This means there may be a delay of a few weeks between when you send in your response to it being reviewed and published. We thank you in advance for your patience in this matter.

### **Will I receive a reply to my representation?**

Responses which are submitted online or via email will receive an acknowledgement once your representation has been processed. This will contain your personal reference numbers corresponding to your representation(s). These reference numbers must be given on any future correspondence about your representations.

Unfortunately, we are unable to acknowledge representations sent by post, as our online portal does not generate postal acknowledgement letters. However, you are welcome to contact us to check that we have received your form.

We will not provide individual responses on matters of detail on any representations submitted as part of the Regulation 19 period of representation.

### **What happens next?**

Once the representation period has finished, and all the representations have been processed, the Horsham District Local Plan 2023-2040 will be submitted to the Secretary of State for Levelling Up, Housing and Communities, together with all the Regulation 19 representations and the background evidence base documents.

At this point, a Local Plan Inspector (or possibly two Inspectors) will be appointed on behalf of the Government, who will undertake an independent examination of the plan and then make recommendations on what happens next with the Local Plan.

Further information about this will be made available on the Council's website in due course.