

Horsham District Council Local Planning Authority

Cowfold Neighbourhood Development Plan 2019-2031

FINAL DECISION STATEMENT

Date: 8 November 2024

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 Cowfold Neighbourhood Plan 2019-2031 produced by Cowfold Parish Council (CPC). 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 Cowfold Neighbourhood Plan 2019-2031, 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) whether 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) whether 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) determine 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 Cowfold Neighbourhood Plan Area. Appendix B sets out the Examiner's Proposed Modifications to the Neighbourhood Plan along with the actions taken and revised modifications.

2.0 BACKGROUND

2.1 The Cowfold Neighbourhood Plan 2019-2031 relates to the area that was designated by the Council as a neighbourhood area on 16 May 2018 (please refer to Appendix A).

2.2 The Cowfold Neighbourhood Plan group published the Pre-Submission Cowfold Neighbourhood Plan for consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The initial consultation was held from 19 August to 14 October 2019 with a second Regulation 14 consultation held between 12 November and the 24 December 2019.

2.3 The Cowfold Neighbourhood Plan group then submitted the submission draft Cowfold Neighbourhood Plan 2019-2031 to Horsham District Council. The draft plan and supporting documentation was publicised and representations were invited for 9 weeks between the 23 March and the 25 May 2020. This consultation was undertaken in line with the Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

2.4 In light of a representation from Historic England during this consultation period, HDC and the Neighbourhood Plan group decided to update the evidence base, elements of the plan and the SEA and particularly in relation to the historic environment and then re-consult on it. A further Regulation 16 consultation was then held. This consultation ran for 8 weeks from 17 December to 11 February 2021.

2.5 Andrew Ashcroft was appointed by HDC with the consent of Cowfold Neighbourhood Plan group, as 'the Examiner' to undertake the examination of the Cowfold Neighbourhood Plan 2019-2031 and to prepare a report of the independent examination.

2.6 The Examiner's report was received on the 19 April 2021. It concluded that the Cowfold Neighbourhood Plan, subject to a number of recommended changes, meets the basic conditions set out in the legislation and can proceed to referendum.

3.0 WATER NEUTRALITY

- 3.1 On 14 September 2021, Horsham District, (together with a number of other local planning authorities in north west Sussex) received a Position Statement from Natural England on water neutrality. The Position Statement explained that information collected by Natural England shows that water abstraction for drinking water supplies is having a negative impact on the wildlife sites in the Arun Valley. Natural England advised that any new development that takes place must not add to this negative impact in order to comply with the Habitat Regulations 2017. One way of preventing any further negative impact to this habitat is to ensure that all new development which takes place is water neutral.
- 3.2 It is a requirement of the Basic Conditions that Neighbourhood Plans do not breach and are otherwise compatible with EU obligations. Although no longer part of the European Union, the Habitat Regulations 2017 remain part of UK law, and to accord with the Basic Conditions, Neighbourhood Plans must demonstrate that they will not have an adverse effect on sites protected by this legislation. Without considering Water Neutrality, any neighbourhood plan would not meet the Basic Conditions. As the Cowfold Neighbourhood Plan makes provision for new development, this meant progression of the plan to referendum was suspended until an appropriate solution was found.
- 3.3 A Habitats Regulation Assessment (HRA) Screening report for the Cowfold Neighbourhood Development Plan was first undertaken in April 2020. The impact of water abstraction on the Arun Valley Habitats Sites was taken into account as part of the initial HRA assessment that was assessed by the Neighbourhood Plan Examiner. Further HRA work was undertaken in response to the Natural England Position Statement. This work was completed in June 2024 and put forward a number of recommendations. All other impact pathways and discussions within the original 2020 HRA are unaltered.
- 3.4 In response to the HRA recommendations, an additional policy (Policy 17) and supporting text is incorporated within the Cowfold Neighbourhood Development Plan to demonstrate commitment to support the delivery of water neutrality in line with the emerging Horsham Local Plan in order to protect the Arun Valley SAC/ Ramsar designation. The Cowfold Neighbourhood Development Plan Policies 10, 11, 12 and 14 have also been amended to make explicit the need for all residential and employment development be compliant with Strategic Policy 9: Water Neutrality within the Horsham District Regulation 19 Local Plan. A six-week consultation was undertaken between **2 September 2024 to 14 October 2024** inviting representations to comment on the HRA and the proposed changes to the Cowfold Neighbourhood Plan in relation to Water Neutrality only. The consultation received 11 representations and are summarised in the schedule accompanying this decision statement (Appendix C).
- 3.5 The incorporation of these into the final Cowfold Neighbourhood Plan document alongside the recommendations put forward in the April 2020 HRA report, mean that it can be concluded that the Cowfold Neighbourhood Development Plan will not cause adverse effects on Habitat sites integrity either alone or in-combination with other plans or projects and is compliant with the Conservation of Habitats and Species Regulations 2017 (as amended).

4.0 DECISION

- 4.1 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.

4.2 Having considered the recommended modifications made by the Examiner's Report, and the reasons for them, the Council, with the consent of the Cowfold 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)(6) of Schedule 4B to the Town and Country Planning Act 1990 and complies with the provisions made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Examiner's proposed modifications are set out at Appendix B alongside the reason why the modifications were accepted.

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 (Please refer to Appendix A).

6.0 CONCLUSION

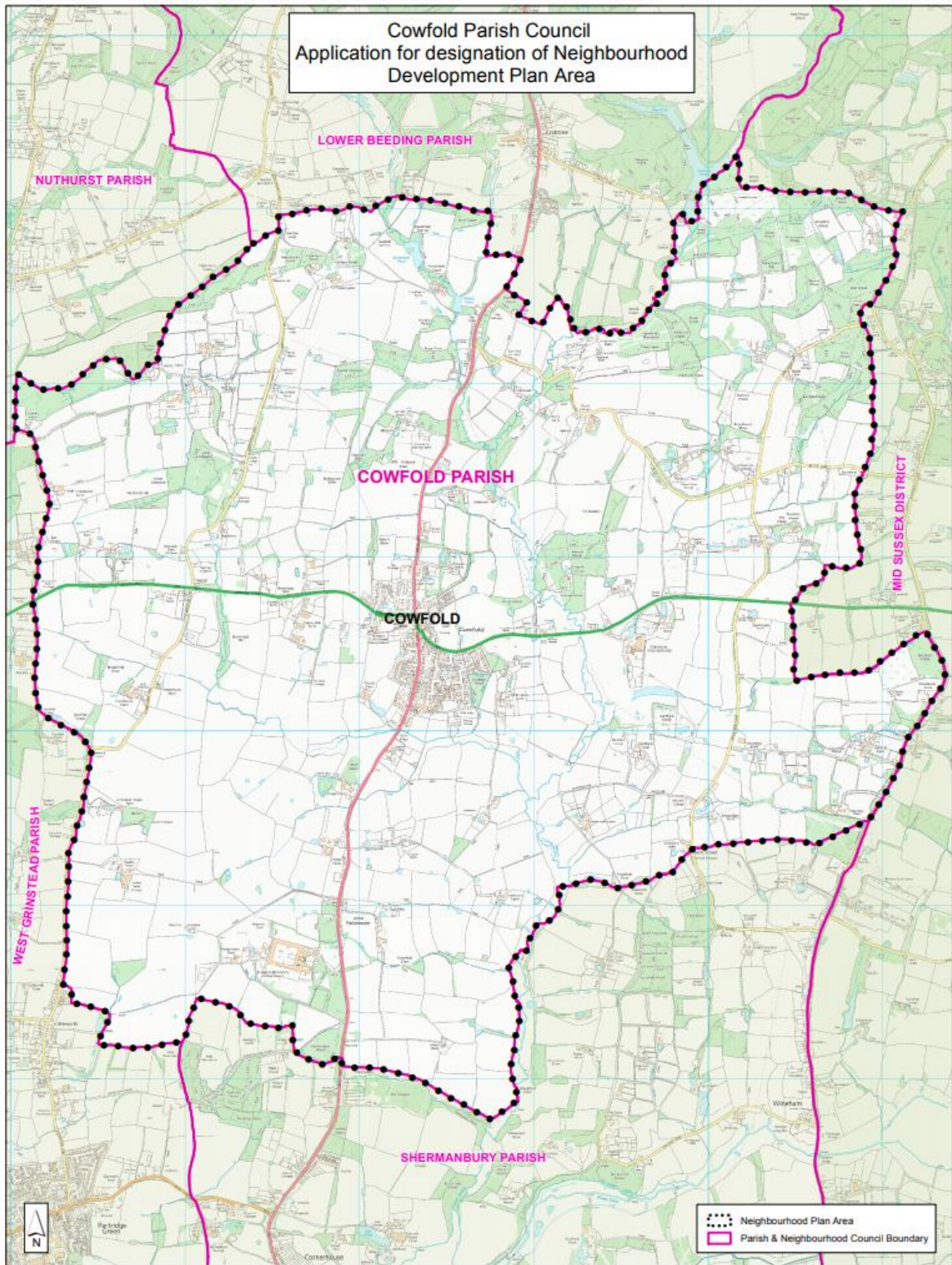
6.1 The Council is of the view that the draft submission CNDP as modified in Appendix B: Examiner's Proposed Modifications to the Cowfold Neighbourhood Plan 2014-2031, complies with the legal requirement and may now proceed to Referendum.

Signed:



Barbara Childs
Director of Place
Date: 8 November 2024

Appendix A: Cowfold Neighbourhood Plan Area



Horsham District Council
 Park North, North Street, Horsham,
 West Sussex. RH12 1RL
 Rod Brown : Head of Planning & Environmental Services

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Application to the Horsham District Council under The Neighbourhood Planning (General) Regulations 2012 Regulation 5.			
Reference No :	Date : 30/03/2016	Scale : 1:20,000 (at A3)	
Drawing No :	Drawn :	Checked :	Revisions :

Appendix B: Schedule of Examiner’s Proposed Modifications to the Cowfold Neighbourhood Development Plan and Proposed Modifications Made following the Focussed Consultation on Water Neutrality

Policies	Examiner’s Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
Policy 1: Groundwater and Surface-water Flood Risk	<p>Policy 1: Groundwater and Surface-water Flood Risk</p> <ul style="list-style-type: none"> i. Development proposals that incorporate sustainable drainage techniques to manage surface water and mitigate groundwater flood risks will be supported. ii. Development proposals that reduce the risk of flooding, either on site or to adjacent areas, will be supported. iii. Development proposals that are <u>should be</u> located in areas at the lowest risk of flooding in accordance with national and development plan standards will be supported <u>policies</u>. 	HDC agrees with this recommendation. To accord with national policy and comply with the basic conditions	Modification to be taken forward to the final plan.
Policy 2: Green Infrastructure	<p>Policy 2: Green Infrastructure</p> <ul style="list-style-type: none"> i. Development proposals, which seek to conserve or enhance existing Green Infrastructure network will be supported. ii. Proposals that will deliver a net gain in Green Infrastructure will be supported. iii. Proposals that seek to improve access for pedestrians and cyclists through Green Infrastructure linkages will be supported. iv. Development proposals that would result in the loss of existing Green Infrastructure will not be supported unless it can be demonstrated that they secure new opportunities that: <ul style="list-style-type: none"> a) deliver an overall net gain in Green Infrastructure; 	No change	No further action required

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p>b) incorporate provisions to deliver an equivalent carbon-sink capability in the short term; and</p> <p>c) deliver a net gain in Biodiversity.</p>		
Chapter 4: Environment and Heritage	<p>Chapter 4: Environment and Heritage – Paragraph 4.7.6</p> <p><i>Paragraph 4.7.6:</i> <i>The CNP seeks to both conserve and enhance existing Green Infrastructure assets and ensure new development contributes to the enhancement of this network. <u>The third part of the policy comments about proposals which would result in the loss of existing green infrastructure. In coming to judgement on any such proposals it is acknowledged that the District Council will need to reach a balanced decision based on the matters identified in this part of the policy. As part of this process, it will need to assess the existing value of the element of green infrastructure which would be lost if permission is granted for the development proposal.</u></i></p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.
Policy 3: Local Green Space	<p>Policy 3: Local Green Space</p> <p>i. The CNP designates the following locations as Local Green Spaces (as identified on the LGS Policies Map). Development proposals which conflict with the purpose of this designation will be resisted unless they <u>Development proposals within the designated local green spaces will only be supported in very special circumstances:</u></p> <p><u>LGS01 Bakers Shaw</u> <u>LGS02 The Bowling Green</u> <u>LGS03 Village Green</u> <u>LGS04 Recreation Field</u> <u>LGS05 Alley Groves Green</u> <u>LGS06 Brook Hill Wood</u></p>	HDC agrees with this recommendation. To comply with the Basic Conditions and to provide clarity.	Modification to be taken forward to the final plan.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p><u>LGS07 Brook Hill Strip</u> <u>LGS08 Three Oaks Pond</u> <u>LGS09 Alley Groves Pond</u> <u>LGS10 Acorn Avenue Green</u> <u>LGS11 Kicking Field</u> <u>LGS12 Eastlands Wood (HDC TPO1520 – Mixed Woodland)</u> <u>LGS13 Eastlands Lane (HDC TPO1519)</u></p> <p>a. <u>complement the purpose of the designation;</u> b. <u>are ancillary to the use of the land for a public recreational purpose;</u> c. <u>have a positive impact on the biodiversity of the designated area;</u> <u>or</u> d. <u>are required to fulfil a statutory utility infrastructure purpose.</u></p>		
Chapter 4: Environment and Heritage	<p>Chapter 4: Environment and Heritage – Paragraph 4.8.3</p> <p><i>Paragraph 4.8.3:</i> <i>Having regard to these criteria, it is considered that there are a number of green spaces in the parish that meet this test and merit special designation and protection. CPC have identified 13 areas within the parish where they wish to protect the special qualities of that area. <u>Policy 4 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></i></p>	HDC agree with this recommendation. To comply with the Basic Conditions and to provide clarity.	Modification to be taken forward to the final plan.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
Policy 4: Conservation Area	<p>Policy 4: Conservation Area</p> <p>i. Development proposals within or affecting the setting of the Cowfold Conservation Area will be supported where they preserve or enhance the character or appearance of the Conservation Area and comply with the requirements in policy 34 (Cultural and Heritage Assets) of the HDPF.</p> <p>ii. Development proposals that safeguard the following features:</p> <ul style="list-style-type: none"> a. St Peter's Church and surroundings b. Church Path cottages c. Margaret cottages d. St Peter's School e. The Gables, Huntscroft and Oakfield cottages f. Fairfield Court g. The Village Hall h. The Street i. Brook Hill j. Potters Green <p>will be supported where such proposals would conserve or enhance the specific part of the Conservation Area and its immediate setting.</p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.
Chapter 4: Environment and Heritage	<p>Chapter 4: Environment and Heritage – Paragraph 4.9.9</p> <p><i>Paragraph 4.9.9:</i> <i>CNP seeks to protect the Conservation Area by ensuring that proposals within the area or its setting are appropriate in nature and scale.</i> <u><i>Development proposals that safeguard the following features:</i></u></p> <ul style="list-style-type: none"> <i>k. <u>St Peter's Church and surroundings</u></i> <i>l. <u>Church Path cottages</u></i> <i>m. <u>Margaret cottages</u></i> <i>n. <u>St Peter's School</u></i> 	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p>o. <u>The Gables, Huntscroft and Oakfield cottages</u></p> <p>p. <u>Fairfield Court</u></p> <p>q. <u>The Village Hall</u></p> <p>r. <u>The Street</u></p> <p>s. <u>Brook Hill</u></p> <p>t. <u>Potters Green</u></p> <p><u>will be supported where such proposals would conserve or enhance the specific part of the Conservation Area and its immediate setting.</u></p>		
Policy 5: Open Space	<p>Policy 5: Open Space</p> <p>i. Development proposals that should <u>provide</u> a mix of high quality formal and informal open space to meet local needs will be supported.</p> <p>ii. Development proposals that result in a loss of open space will not be supported <u>Development proposals should be designed and arranged to respect, and where practicable connect to, existing open spaces in their immediate locality.</u></p> <p>iii. Development proposals including the replacement of open space will be supported where:</p> <p>a. equivalent (in quantitative and qualitative terms) or enhanced open space is provided to serve local needs; and</p> <p>b. the proposed replacement open space is made available before the loss of the existing.</p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.
Policy 6: Community Services and Facilities	<p>Policy 6: Community Services and Facilities</p> <p>i. Development proposals that result in the net loss of community services or facilities will not be supported <u>unless it can be demonstrated that the premises are not viable for community use.</u></p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<ul style="list-style-type: none"> ii. Development proposals including the alteration and/or replacement of community services or facilities will be supported where: <ul style="list-style-type: none"> a. they result in equivalent (in quantitative and qualitative terms) or enhanced services or facilities serving local needs; b. any replacement service or facility is made available before the closure of the existing one; c. any replacement service or facility is readily accessible by the community by non car modes of transport; d. where necessary there is safe and adequate vehicular access with sufficient parking to meet the needs of the users; e. there is no unacceptable adverse effect on any local amenity; and f. heritage assets and their setting are protected. iii. Development proposals that bring redundant buildings back into use for the benefit of the community will be supported <u>subject to conformity with other development plan policies</u>. 		
Policy 7: Youth Facilities	<p>Policy 7: Youth Facilities</p> <ul style="list-style-type: none"> i. Proposals to enhance or provide new facilities for the benefit of young people, including but not limited to, children's play areas, sporting facilities and youth club activities will be supported. 	No change	No further action required.
Policy 8: Potters Allotments	<p>Policy 8: Potters Allotments</p> <ul style="list-style-type: none"> i. Proposals for the development of the allotments at Potters (as identified on the Policies Map) will be supported where: <ul style="list-style-type: none"> a. the development is required for community use; 	No change	No further action required.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<ul style="list-style-type: none"> b. equivalent (in quantitative and qualitative terms) or enhanced allotments are provided to serve local needs; c. the replacement allotments are located in close proximity to the existing; and d. the replacement allotments are made available for use at least one planting season before the loss of the existing. 		
Policy 9: Residential Development Principles	<p>Policy 9: Residential Development Principles</p> <ul style="list-style-type: none"> i. Residential Development proposals will be supported where <u>they are within the built-up area of Cowfold and:</u> <ul style="list-style-type: none"> a. are of a sympathetic scale, relating positively to the character, function and layout of the area; b. maintain appropriate distances between buildings to avoid unacceptable adverse impacts on existing facilities or amenity of adjacent residential properties; c. Incorporate the use of high quality building materials and finishes consistent with high thermal efficiency; d. are of a density that is appropriate to its location and has regard to current levels in the immediate area; e. are designed to account for the unavailability of mains gas; and f. Provide appropriate infrastructure to facilitate EV charging for car parking spaces without the need for further groundworks. 	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.
Policy 10: Windfall Housing	<p>Policy 10: Windfall Housing</p> <ul style="list-style-type: none"> i. Development proposals, for residential development on unidentified sites within the defined built-up area boundary of Cowfold, will be supported subject to compliance with other development plan policies. 	Additional HRA recommendation also taken forward to include the requirement for any proposal to account for water neutrality and ensure	<p>No further action required. Modification to be taken forward to the final plan.</p> <p>Policy 14 will be renumbered accordingly.</p>

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	ii. <u>All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. All proposals should look to be compliant with the Horsham Strategic Policy 9: Water Neutrality with Horsham District Local Plan (2023-2040).</u>	the Policy is in compliance with the habitat regulations.	
Policy 11: Brook Hill, CNP01 – see Policies Map	Policy 11: Brook Hill, CNP01 – see Policies Map i. Development proposals for up to 35 residential units on land at Brook Hill, as shown on the Policies Map, will be supported where: <ul style="list-style-type: none"> a. the housing density reflects the character and setting of the site and its surroundings; b. proposals provide safe and suitable access for vehicles, cyclists and pedestrians; c. proposals provide traffic calming, as necessary, at the junction of the access with the A281; d. proposals protect the landscape character of the ridgeline along the northern boundary of the site; e. proposals allow for the retention and enhancement of existing mature trees and hedgerows within the setting of the site and its surroundings. f. proposals provide a robust soft landscape buffer to protect the character of the area, particularly on the western and open northern boundary of the housing area; g. there is no unacceptable adverse impact on the Bakers Shaw LGS; h. the amenity of all existing residential properties bordering the site is protected; 	Additional HRA recommendation also taken forward to include the requirement for any proposal to account for water neutrality and ensure the Policy is in compliance with the habitat regulations.	No further action required. Modification to be taken forward to the final plan. Policy 11 will be renumbered accordingly.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<ul style="list-style-type: none"> i. proposals provide public open space, as detailed on the Policies Map, that is to be transferred to the ownership of the Parish Council or other specially created trust; j. proposals allow for a high quality, illuminated, all weather, non vehicular access to the existing PRoW to the west of the site; and k. a mineral resource assessment is undertaken to ascertain whether economically viable mineral resources are present and whether extraction is practicable, as required by Policy M9 of the West Sussex Joint Minerals Local Plan; and l. Provide a Transport assessment at the planning application stage. m. <u>All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. All proposals should look to be compliant with the Horsham Strategic Policy 9: Water Neutrality with Horsham District Local Plan (2023-2040).</u> 		
Chapter 6: Housing	<p>Chapter 6: Housing - Paragraph 6.7.6 and 6.7.7</p> <p><i>Paragraph 6.7.6:</i> <i>This site has good compliance to HDPF policy, has limited visibility from other village areas while being within 500m of key amenities. However, only part of the site is listed in SHELAA as developable. Careful consideration needs to be given to the site's access to the A281 to reflect the topography of Brook Hill and to ensure safe access and egress for all modes of transport. There is concern that the access to the A281, via a roundabout located on the brow of the hill, may not meet safety needs; the Highways Authority consider that due to the unbalanced traffic flows a roundabout junction is unlikely to be considered an appropriate access solution.</i></p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p><i>Paragraph 6.7.7: The site is located on Flood Zone 1 agricultural land and has good conformance to HDPF policies, of particular note are policies 2, 3, 4, 25, 31, 35 and 40. The proposals preserve existing woodlands, trees and ponds. There are no undue impacts on heritage assets. The SHELAA December 2018 lists part of the site, SA083 as developable. SA076 is listed as not developable with concerns expressed regarding the ridgeline; the proposals seek to address this. All key village facilities, with the exception of the public house, are located in the order of 800m or less of the site, thus providing good accessibility. Proposals include a landscape buffer to the west, separating the development from the existing woodland and planted buffer to the north providing visual containment. A substantial tract of land to the north of this buffer is proposed as community land. <u>As part of the planning application process a mineral resource assessment should be undertaken to ascertain whether economically viable mineral resources are present and whether extraction is practicable, as required by Policy M9 of the West Sussex Joint Minerals Local Plan. Similarly, a Transport assessment should be prepared to assess any specific impacts of the development of the site and any mitigation required.</u></i></p>		
<p>Policy 12: Potters, CNP03 – see Policies Map</p>	<p>Policy 12: Potters, CNP03 – see Policies Map</p> <ul style="list-style-type: none"> i. Development proposals for up to 35 residential units on land at Potters, as shown on the Policies Map, will be supported where: <ul style="list-style-type: none"> a. the housing density reflects the character and setting of the site; b. proposals provide safe and suitable access for vehicles, cyclists and pedestrians; c. proposals provide for traffic calming at the junction of the access with the A272; d. proposals include a safe and accessible 'drop-off' point to serve the adjacent school and children's nursery 	<p>Additional HRA recommendation also taken forward to include the requirement for any proposal to account for water neutrality and ensure the Policy is in compliance with the habitat regulations.</p>	<p>No further action required. Modification to be taken forward to the final plan.</p> <p>Policy 12 will be renumbered accordingly.</p>

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p>including an associated high-quality, illuminated, all-weather non-vehicular access from the drop off point to the school and nursery;</p> <p>e. proposals allow for the retention and enhancement of existing mature trees and hedgerows within and around the edge of the site;</p> <p>f. proposals provide a robust soft landscape buffer to protect the character of the area, particularly on the western and southern boundary of the housing area;</p> <p>g. the amenity of all existing residential properties bordering the site is protected;</p> <p>h. proposals provide appropriate children's play space to meet the needs of the development;</p> <p>i. proposals provide public open space, as detailed on the Policies Map, to be available for use as such, in perpetuity, for example, by transfer of the ownership to the Parish Council or other specially created trust; together with mechanism/commitments for ongoing management and maintenance to ensure that the space remains of a high quality;</p> <p>j. the layout results in a high quality frontage with the A272;</p> <p>k. a mineral resource assessment is undertaken to ascertain whether economically viable mineral resources are present and whether extraction is practicable, as required by Policy M9 of the West Sussex Joint Minerals Local Plan;</p> <p>l. provide a Transport Assessment at the planning application stage;</p> <p>m. k. the design of the development, including the layout of buildings and open spaces is demonstrably informed by an appropriate archaeological investigation to preserve and, where not possible, record in-situ remains;</p>		

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p>n. l. the design, layout and form of the development preserves or enhances the character of a Conservation Area and the contribution made by its setting, and</p> <p>o. <u>All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. All proposals should look to be compliant with the Horsham Strategic Policy 9: Water Neutrality with Horsham District Local Plan (2023-2040).</u></p>		
Chapter 6: Housing	<p><i>Chapter 6: Housing – Paragraph 6.7.12</i></p> <p><i>Paragraph 6.7.12:</i> <i>The developer has agreed to incorporate an appropriate children's play space within the development boundary. <u>As part of the planning application process a mineral resource assessment should be undertaken to ascertain whether economically viable mineral resources are present and whether extraction is practicable, as required by Policy M9 of the West Sussex Joint Minerals Local Plan. Similarly, a Transport assessment should be prepared to assess any specific impacts of the development of the site and any mitigation required.</u></i></p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.
Policy 13: Housing Mix	<p>Policy 13: Housing Mix</p> <p>i. Development proposals, which include a mix of dwellings, types and sizes as indicated in the latest housing needs survey, will be supported.</p>	No change	No further action required.
Policy 14: Employment	<p>Policy 14: Employment</p> <p>i. Proposals that enable the development or enhancement of small-scale businesses will be supported where schemes are:</p> <ol style="list-style-type: none"> a. within the built-up area boundary; <u>or</u> b. contained within existing buildings; <u>or</u> c. on previously developed sites; 	Additional HRA recommendation also taken forward to include the requirement for any proposal to account for water neutrality and ensure the Policy is in compliance with the habitat regulations.	No further action required. Modification to be taken forward to the final plan. Policy 14 will be renumbered accordingly.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p>d. in appropriate sustainable rural locations.</p> <p>ii. Proposals for business development will be supported where: a. development does not involve the loss of dwellings; b. they are in keeping with the character and vitality of the local area; c. they safeguard local residential amenity; and d. they would not have an unacceptable effect on the local road network in terms of highway safety or residual cumulative impacts.</p> <p>iii. Development proposals that would result in the loss of any land, currently in business or other employment use, in the Parish will be resisted <u>not be supported</u> unless it can be demonstrated that business use is no longer viable.</p> <p>iv. <u>All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. All proposals should look to be compliant with the Horsham Strategic Policy 9: Water Neutrality with Horsham District Local Plan (2023-2040).</u></p>		
Policy 15: Communications	<p>Policy 15: Communications</p> <p>i. Proposals that would provide access to super-fast broadband networks to serve the Parish will be supported.</p> <p>ii. Proposals that would provide a high level of mobile/cellular infrastructure to serve the Parish will be supported.</p> <p>iii. Proposals that would provide underground ducting to facilitate future communication networks will be supported.</p> <p>iv. Proposals for above ground network installations that would provide access to either a super-fast broadband network or a</p>	No change	No further action required.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	mobile/cellular network will be supported where their location is sympathetically chosen and designed to respect the character of the local area.		
Chapter 7: Economy and Employment	<p><i>Chapter 7: Economy and Employment – Paragraph 7.3.3</i></p> <p><i>Paragraph 7.3.3:</i> <i>To facilitate employment within the Parish, in particular working from home, all dwellings and business premises within the Parish would benefit from super-fast broadband and a high level of mobile/cellular connectivity. <u>Policy 15 offers support for a wide range of telecommunication equipment in a balanced way which takes account of appropriate environmental matters. Some of the works captured in the policy may benefit from permitted development rights.</u></i></p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.
Policy 16: Car Parking Provision	<p>Policy 16: Car Parking Provision</p> <p>i. Residential development proposals that should provide off-street parking in accordance with the following minimum standards will be supported <u>Residential development proposals should provide off-street parking in accordance with the following minimum standards:</u></p> <ul style="list-style-type: none"> a. Residential 1 Bed dwellings; 2 spaces; b. Residential 2 Bed dwellings; 3 spaces; and c. Residential 3+ Bed dwellings; 4 or more spaces <p>ii. Development proposals that demonstrate that off road parking provision is sufficient so as to minimise on-street parking will be supported.</p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.	Modification to be taken forward to the final plan.
Policy 17 Water Neutrality	<p><u>Policy 17: Water Neutrality</u></p> <p>1. <u>All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water</u></p>	New Policy 17 incorporated into the final neighbourhood plan document in light of additional HRA recommendations.	HRA recommendation taken forward to include the requirement for any proposal to account for water neutrality and

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p><u>efficient design and offsetting of any net additional water use of the development. This is to be achieved by ensuring that:</u></p> <p><u>Water Efficient Design</u></p> <ul style="list-style-type: none"> a) <u>New residential development is designed to utilise no more than 85 litres of mains supplied water per person per day;</u> b) <u>New non-domestic buildings to achieve a score of 3 credits within the water (WAT01 Water Consumption) issue category for the BREEAM Standard or an equivalent standard set out in any future update; and</u> <p><u>Offsetting Water Use</u></p> <ul style="list-style-type: none"> c) <u>Development proposals must demonstrate that having achieved water efficient design, any mains-supplied water use from the development is offset such that there is no net increase in mains-supplied water use within the WRZ compared with pre-development levels.</u> <p><u>Water Neutrality Statement</u></p> <ul style="list-style-type: none"> 2. <u>A water neutrality statement will be required to demonstrate how policy requirements have been met in relation to water efficient design and offsetting. The statement shall provide, as a minimum, the following:</u> <ul style="list-style-type: none"> a) <u>baseline information relating to existing water use within a development site;</u> b) <u>full calculations relating to expected water use within a proposed development; and</u> c) <u>full details of how any remaining water use will be offset.</u> <p><u>Offsetting Schemes</u></p> <ul style="list-style-type: none"> 3 <u>A local authority-led water offsetting scheme will be introduced to bring forward development and infrastructure supported by Local and Neighbourhood Plans. The authorities will manage</u> 	<p>Modification required so it can be concluded that the neighbourhood plan will not cause adverse effects on Habitat site integrity either alone or in-combination with other plans or projects.</p>	<p>ensure the Policy and Plan is in compliance with the habitat regulations.</p>

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p><u>access to the offsetting scheme to ensure that sufficient water capacity exists to accommodate planned growth within the plan period.</u></p> <p>4 <u>Development proposals are not required to utilise the local authority-led offsetting scheme and may bring forward their own offsetting schemes. Any such development proposals will need to have regard to the local authority-led offsetting scheme and associated documents.</u></p> <p>5 <u>Offsetting schemes can be located within any part of the Sussex North Water Resource Zone, with the exception that offsetting will not be accepted within the Bramber/Upper Beeding area identified in the Policies Map, unless the application site is located within the Bramber/Upper Beeding area.</u></p> <p>Alternative Water Supply</p> <p>6 <u>Where an alternative water supply is to be provided, the water neutrality statement will need to demonstrate that no water is utilised from sources that supply the Sussex North WRZ. The wider acceptability and certainty of delivery for alternative water supplies will be considered on a case-by-case basis. Area of Water Stress</u></p> <p>Area of Water Stress</p> <p>7 <u>Should the need to demonstrate water neutrality no longer be required, new residential development must be designed to utilise no more than 110 litres of mains supplied water per person per day, as per the Building Regulations optional requirement for tighter water efficiency. For non-domestic buildings, the minimum standards for BREEAM 'Excellent' within the Water category will apply. Should tighter national standards be introduced during the Local Plan period applicable for areas of serious water stress, they will be applied.</u></p>		
Chapter 8: Transport	<p><i>Chapter 8: Transport – Paragraph 8.10.3</i></p> <p><i>Paragraph 8.10.3:</i></p>	HDC agrees with this recommendation. This will reflect evidence based	Modification to be taken forward to the final plan.

Policies	Examiner's Modifications (insertion <u>underline</u> , omission as strikethrough)	Decision and Justification	Action Taken and Revised Modification
	<p>WSCC residential parking requirements are:</p> <ul style="list-style-type: none"> • 1 bedroom dwellings; 1 space • 2&3 bedroom dwellings; 2 spaces • 4 bedroom dwellings; 3 spaces • <u>1-bedroom dwellings 1.5 spaces</u> • <u>2-bedroom dwellings 1.7 spaces</u> • <u>3-bedroom dwellings 2.2 spaces</u> • <u>4-bedroom dwellings 2.7 spaces</u> <p><u>These figures are based on the West Sussex County Council Guidance on Parking at New Developments (August 2019) as applied to locations identified within Zone 1. West Sussex data from the 2011 census indicates that 38.8% of households have 2 or more cars.</u></p>	<p>guidance and comply with the Basic Conditions.</p>	
<p>Monitoring and Review of the Plan</p>	<p>Chapter 1: Introduction – Paragraph 1.5.1</p> <p>Paragraph 1.5.1: The CNP is prepared within the context of the overall development strategy set by Horsham District Council. At the current time, this is set out in the HDPF. A review of this plan is underway but is in its early stages. It is due to be completed by 2021. At that point, a new Development Plan will be in place, and this will become the key overarching document that will set the development strategy for the District up to 2036 <u>The CNP is prepared within the context of the overall development strategy set by Horsham District Council. At the current time, this is set out in the HDPF. A review of this plan is underway. It is due to be completed by 2022. Section 9 of this Plan sets out the way in which a made neighbourhood plan will be monitored and then reviewed once the emerging Local Plan has been adopted.</u></p> <p>Delete paragraphs 1.5.2 and 1.5.3</p> <p>Chapter 9: Monitoring and Review – Paragraph 9.4</p>	<p>HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions.</p>	<p>Modification to be taken forward to the final plan.</p>

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	<p><i>Paragraph 9.4:</i> <i>Within the context of the monitoring and review process it is acknowledged that HDC is preparing a revised development plan that will establish the overall growth strategy up to 2036. This is due to be completed for the district by 2021. CPC recognize that in light of this the housing numbers may change. Acknowledging this potential change, the CNP is proposed to commence a review within 3 years of being made or following the adoption of the HDPF review, whichever is the later <u>In this context, the Parish Council will commence a review of the neighbourhood plan within twelve months of the adoption of the Horsham Local Plan.</u></i></p>		
Other Matters	<p><i>Other Matters – Specific</i></p> <p><i>Foreword – Third paragraph:</i> <i>Under the Localism Act <u>2011</u>, Parish Councils and qualifying bodies have been given powers to deal with the local issues of planning and to inform planning authorities on these matters. The process began with the designation of the Neighbourhood Plan Area in May 2016 followed by a number of informal meetings. The first meeting of the CNPWG was not until October 2017.</i></p> <p><i>Seventh paragraph:</i> <i>In essence, to be considered sustainable most new developments should include the following: be located within easy walking distance of the village facilities; not have any measurable negative impact on Air Quality or Biodiversity <u>unless adequate mitigation is secured through the planning process to compensate for such impacts</u>; and should provide groundwater management that reduces the risk of flooding within the development or to adjoining areas.</i></p> <p><i>Chapter 1: Introduction - Paragraph 1.1.3:</i> <i>The Pre-submission <u>Submission</u> CNP has been prepared following extensive background work and public consultation. It has been prepared</i></p>	HDC agrees with this recommendation. This will ensure compliance with the Basic Conditions and makes consequential updates following the Examination of the plan.	Modification to be taken forward to the final plan.

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	<p><i>having regard to the Neighbourhood Planning (General) Regulations 2012, the National Planning Policy Framework (NPPF) and is in 'general conformity' with the District's adopted Development Plan Document, which includes the Horsham District Planning Framework (HDPF).</i></p> <p><i>Paragraph 1.1.5:</i> <i>The CNP sets out the policies that will influence development, the development principles and the allocation of land for housing and designation of Local Green Space. Where important issues for the Parish cannot be featured as Policies they have been included as Aims ensuring that all issues of importance to the residents are included. <u>The Aims within the Plan will not become part of the development plan. Nevertheless, they will form the basis for the Parish Council to work with other bodies to secure their ambitions within the Plan period. The various land use policies and the associated Aims are included within each of the themed chapters of the plan. They are distinguished by the use of separate colours.</u></i></p> <p><i>Paragraph 1.2.4:</i> <i>The HDPF sets out the strategic policies, which the CNP must be in conformity with. It sets out the planning strategy for Horsham District (excluding South Downs National Park) to deliver the social, economic and environmental needs of the Plan area up to 2031. It sets out the policy framework and seeks to facilitate the delivery of 16,000 new homes over the plan period of which "at least" 1500 are to be delivered across the District through neighbourhood planning. <u>The District Council is now preparing a new Local Plan which will eventually replace the HDPF.</u></i></p> <p><i>Paragraph 1.3.10:</i> <i>Public Consultation on the Regulation 14 Pre-Submission took place between August 19th and October 14th 2019 with a further period between November 12th and December 24th 2019 as a result of an administrative omission. Following a review of the representations</i></p>		

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	<p><i>received, the Submission CNP has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 and in "general conformity" with the strategic policies of the HDPF. <u>These various matters are captured in the submitted Consultation Statement.</u></i></p> <p><i>Chapter 2: Parish Profile – Paragraph 2.2.6: Cowfold is one of only two locations in West Sussex where an Air Quality Management Scheme is in operation; the data gathered, over a number of years, confirms that the village centre exceeds the annual mean objective for Nitrogen Dioxide. There has been no significant downward trend despite the introduction of the latest generation of cleaner HGVs, cleaner diesel cars and following the introduction of electric vehicles.</i></p> <p><i>Chapter 4: Environment and Heritage – Paragraph 4.2.1: Air Quality Management Areas are designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines <u>do not comply with national air quality objectives.</u></i></p> <p><i>Policies Map Introduce an appropriate key to each of the Policies Maps</i></p> <p><i>Modification of general text (where necessary) to achieve consistency with the modified polices.</i></p>		