



Horsham  
District  
Council

# Horsham District Local Plan Examination

## Matters, Issues and Questions

Matter 1: Legal and Procedural Requirements

Issue 2

November 2024

---

# Contents

Issue 2: Whether the Council has complied with other relevant procedural and legal requirements? .....	3
Question 1: Has the preparation of the Plan been in accordance with the Local Development Scheme in terms of its form, scope and timing? .....	3
Plan Preparation .....	3
Form and scope .....	3
Timing .....	3
Question 2: In overall terms, has the preparation of the Plan complied with the Statement of Community Involvement? .....	4
Question 3: How has the Sustainability Appraisal (SA) informed the preparation of the Plan at each stage?.....	4
Regulation 18.....	4
Regulation 19 (to July 2021).....	5
Regulation 19 (post July 2021).....	5
Question 4: Does the SA assess all reasonable alternative spatial strategy options, levels of housing and employment need and options relating to other policies in the Plan? Where it is considered that there are no reasonable alternatives, relating to all policies in the Plan is this clearly explained? .....	5
Question 5: Is the SA adequate and have the legal requirements of the 2004 Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (2012 Regulations) been met? .....	7
Question 6: Has the Habitats Regulations Assessment (HRA) been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017? .....	7
Question 7: How has the Plan responded to potential adverse effects on the Mens Special Area of Conservation? Are any specific main modifications needed to the Plan to reflect the latest evidence? What is the latest agreed position with Natural England on this matter? .....	8
Question 8: Does the Plan contribute to the mitigation, and adaptation to, climate change consistent with s19 of the Planning and Compulsory Purchase Act 2004 and paragraphs 152-158 of the NPPF? Does the Plan include policies in relation to the mitigation of and adaptation to climate change? Which Policies specifically? .....	9
Equality Impact Assessment .....	9
Question 9: Does the Equality Impact Assessment identify all relevant groups with protected characteristics? Have their needs been taken into account in preparing the Plan? .....	9
Neighbourhood Plans.....	10
Question 10: What are the relevant made Neighbourhood Plans and their plan periods? Are any other Neighbourhood Plans in preparation and when are these expected to be made? .....	10
Question 11: Is the Plan clear in identifying the policies of the existing development plan which would be superseded by the Plan consistent with Regulation 8(5) of the 2012 Regulations? Are main modifications needed to address this? .....	12

## Issue 2: Whether the Council has complied with other relevant procedural and legal requirements?

### Question 1: Has the preparation of the Plan been in accordance with the Local Development Scheme in terms of its form, scope and timing?

#### Plan Preparation

- 3.1 Yes. The current **Local Development Scheme (LDS) (SP03)** was adopted by the full Council on 28 September 2023. The LDS commits the Council to preparing a Horsham District Local Plan to review and replace the current Horsham District Planning Framework (HDPF) which was adopted in 2015.

#### Form and scope

- 3.2 The **LDS Appendix 1** sets out a profile for the Horsham District Local Plan 2023-40 (the Plan). This confirms that the Plan will replace the HDPF, and will set out the long-term spatial vision, objectives and strategy for the district. It provides a local plan for delivering development and the key issues for development management. The Plan as submitted, together with any necessary main modifications necessary for soundness, will achieve this.
- 3.3 The **LDS Appendix 1** confirms the Plan's geographical coverage as Horsham District (excluding the South Downs National Park). It is not a joint document and has been prepared by Horsham District Council to the exclusion of other local planning authorities in formal terms, albeit with close engagement and meeting the requirements of the Duty to Cooperate.
- 3.4 A detailed audit of the stages of Local Plan review is set out in the completed **PAS Toolkit (Parts 2 and 3) (SP01)**.

#### Timing

- 3.5 The LDS was updated in September 2023 to reflect delays to the Local Plan timetable. This was primarily a result of the **Natural England Position Statement (CC08)** issued in September 2021, which resulted in the need for complex strategic joint work on a Water Neutrality Mitigation Strategy to ensure compliance with the Habitat Regulations.
- 3.6 The HDLP preparation has been broadly in line with the current LDS. Submission to the Secretary of State occurred in July 2024, which is one month later than the LDS timetable of June 2024 submission. This was a consequence of the unforeseeable occurrence of a General Election in July 2024 (called in May 2024) which necessitated a pre-election period during which it was not possible to publicise any aspect of the emerging Local Plan as required by Regulation 22.
- 3.7 The one-month delay is likely to have a knock-on impact on the LDS timetable going forward with the Examination. Hearing dates in December 2024 have been agreed with the Inspector, which is two months later than anticipated earlier in the year. Similarly, the Plan's adoption is expected to be at least two months later than the LDS timetable of May 2025, with the programming of Council meetings expected to mean that the likely adoption date of the plan is September 2025.
- 3.8 To reflect this delay, a revised LDS will be considered at Cabinet on 19<sup>th</sup> March 2025 and the Council meeting on 2<sup>nd</sup> April 2025.

## Question 2: In overall terms, has the preparation of the Plan complied with the Statement of Community Involvement?

- 3.9 Yes. The current **Statement of Community Involvement (SCI) (SP02)** was formally adopted on 24 September 2020. The SCI sets out how and when the Council will involve the community and other interested people and organisations in the preparation of our planning policies and guidance, including the Local Plan and in relation to planning applications.
- 3.10 Part 2 of the SCI (Planning Policy) explains how the Council will produce and consult on planning policy documents, including engagement commitments, who we will involve, and the consultation undertaken at each stage of the process.
- 3.11 The **Statement of Consultation (SD11)** demonstrates how the Council has undertaken consultation and stakeholder involvement to produce the Plan in accordance with the SCI, including details of publicising the consultations and summaries of representations. It explains how on-going consultation and engagement from **Issues and Options (SD11a – Issues and Options Summary of Representations)** and **Regulation 18 (SD11b – Regulation 18 Consultation Report)** contributed to the Plan content which was subject to Regulation 19 period of representation.
- 3.12 **Paragraph 1.4 to 1.19 of SD11b** and **paragraphs 1.6 to 1.13 of Regulation 19 Summary of Representations (SD11c)** identifies the many measures taken to publicise and promote the Regulation 18 (CD01) and Regulation 19 (SD01) Local Plan. The measures include, but are not limited to, dedicated webpages on the Council website, advertisements in local newspaper, email notifications to statutory consultees and those who had registered on our consultation database, hard copy documentation placed in all District Libraries, as well as Crawley Library for the Regulation 19 period of representation, and social media posts.
- 3.13 In addition, for Regulation 18 consultation, public exhibitions were held during the consultation period to promote the draft Plan and enable members of the public to ask questions about its content. Parish Council and Neighbourhood Council workshops were also held prior to, and post of, the Regulation 18 consultation providing the representatives of each of those who attended to ask questions in relation to the content of the Plan. All of the measures outlined accord with the SCI.

## Question 3: How has the Sustainability Appraisal (SA) informed the preparation of the Plan at each stage?

### Regulation 18

- 3.14 The Sustainability Appraisal (SA) has been an inherent part of Plan preparation from the onset of the local plan review. In 2019 the **SA Scoping Report, (SD03d)** identified specific sustainability issues that the Local Plan needed to address. These issues, (identified in **Chapters 2-10 of the Scoping Report**), were used to develop the **SA Framework (Chapter 11)** - a collection of 17 social, economic and environmental objectives that have been used to test the sustainability of policy options as they were developed.
- 3.15 The SA Framework was used to inform and appraise the overall spatial strategy options and alternatives for growth (as discussed in more detail in response to question 4 below). The options developed were first identified in the **Interim Sustainability Appraisal of Growth Options 2020 (HDC09)** and **Horsham District Local Plan Reg 18 Interim Sustainability Appraisal Report 2020 (HDC10)**. **Section 2 of HD10** – particularly **paragraphs 2.19 to 2.25** summarise how options were identified and refined. It was noted that this is an iterative process throughout the process of plan production. It was also stated that options were excluded if they were not 'reasonable' - where for example they did not meet local or national plan objectives, or in the case of site allocation options that were not available or deliverable.
- 3.16 The identified options were assessed against the 17 sustainability objectives. This included an appraisal of how different spatial strategy options with distinct quanta of growth, large scale and small-scale site options might combine to form an overall strategy for growth, together with an appraisal of

the potential effects of the emerging draft district-wide policies. A summary of this process is presented in **paragraphs 10-13 of the Regulation 18 Consultation Summary Report (SD03b)**. The **Interim Sustainability Appraisal of Growth Options 2020 (HDC09)** and **Horsham District Local Plan Reg 18 Interim Sustainability Appraisal Report 2020 (HD10)** also made recommendations for improvements and clarifications to mitigate negative effects and maximise the benefits of emerging policies. The outcome of this assessment informed the development of the **Regulation 18 Local Plan (CD01)**. This consultation sought feedback on the overall quanta of growth that the District could accommodate and consulted on a number of potential site allocations that had also been identified through the sustainability appraisal process to that point in time.

#### [Regulation 19 \(to July 2021\)](#)

3.17 The outcomes of the Sustainability Appraisal, and the responses to the Regulation 18 consultation (as summarised in the **Regulation 18 consultation summary report, SD11b**) were used to identify which options and sites to take forward to Regulation 19. In the work leading up to the preparation of the **Horsham District Local Plan 2021 - 2038 Regulation 19 Draft Copy (SS02)**, the SA framework was used to appraise two additional higher quanta of growth options. This was undertaken to consider the potential for the District to accommodate unmet housing needs from neighbouring districts and boroughs. An updated appraisal of larger site options was also undertaken to ensure the most recent information regarding site capacity and development provisions (including any new services and facilities) for each site was considered. The SA Framework at this stage was also used to appraise additional growth scenarios to ensure all reasonable alternatives for the distribution of development had been considered. Finally, the SA was used to appraise the emerging 2021 Preferred Strategy (spatial vision & objectives, policies and site allocations), identifying potential mitigation measures where significant negative effects were found, wherever possible. The SA Findings at this stage are presented in **Chapters 4-8 of LUC Sustainability Appraisal July 2021 (SD03b)**.

#### [Regulation 19 \(post July 2021\)](#)

3.18 Preparation of the Local Plan was delayed from July 2021 initially following the publication of a revised NPPF in July 2021, and then as a result of **Natural England Position Statement (CC08)** regarding water neutrality in September 2021. Additional sustainability appraisal work was subsequently undertaken by HDC (in discussion with other authorities affected by water neutrality to ensure consistent assessment of alternative options in relation to this matter). Changes to the overall strategy and development quanta were considered in the context of appraisals of spatial options scenarios at earlier stages of the SA. Changes to policies, large and small site options and an assessment of two alternative water efficiency targets were appraised). The outcome of this element of the SA process work is set in full in the **Sustainability Appraisal Update December 2023 (SD03a)** and is discussed in more detail in response to Question 4 below. The outcomes from this assessment informed the ultimate selection of the spatial strategy, and the recommendations for improvements and clarifications to mitigate negative effects also informed the development of the policy wording.

3.19 The sustainability appraisal process has also included an assessment of the overall cumulative effects of all policies in the Plan. This process identified whether any significant negative impacts existed and required mitigation. A summary of how the Plan will contribute to the mitigation of these negative effects is presented in **section 8.4 of Sustainability Appraisal Update December 2023 (SD03a)**.

**Question 4: Does the SA assess all reasonable alternative spatial strategy options, levels of housing and employment need and options relating to other policies in the Plan? Where it is considered that there are no reasonable alternatives, relating to all policies in the Plan is this clearly explained?**

3.20 As set out in the response to question 3 above, the sustainability appraisal process has been an iterative one carried out alongside the preparation of the Local Plan. This means that the Sustainability Appraisal documents **SD03a to SD03d** need to be read in conjunction with each other.



- 3.21 The **LUC Sustainability Appraisal July 2021 (SD03b)** provides details of how options and alternatives have been considered. This is set out in **Section 2 (Methodology) under the heading 'SA Stage B Developing and Refining Options and Assessing Effects'**. It is only reasonable alternatives which require evaluation as part of the SA process. With reference to reasonable alternatives **paragraph 2.21** states that where options do not meet local or national plan objectives, or in the case of site allocation options that were not available or deliverable these were excluded from the assessment process. These took account of both the Council's evidence base and the outcome of the various Local Plan consultation exercises (**SD03b paragraph 2.23**). **Paragraphs 2.24 to 2.28** of this document also go on to set out the detail as to how options were identified, for example sites which were not classified as 'available' in the Council's **Strategic Housing Land Availability Assessment (H13)** were excluded from assessment. **Paragraph 2.29** confirms that the main focus for the assessment of reasonable alternatives concerns those which relate to the Council's overall strategy in terms of the quantum and distribution of growth.
- 3.22 With regard to alternative policy options, **SD03b paragraph 2.31** explains that the starting point for the preparation of this plan was a review of existing policies within the current Horsham District Planning Framework (**HDC05**). Policy options were influenced by the overall spatial strategy options. However, for most policies it is stated that the policy option was to have no policy or a policy that would be contrary to government policy. These options were not considered to be realistic reasonable alternatives and have therefore been excluded from a detailed assessment. The This stage of the Sustainability Appraisal process instead focused on the identification of the likely impacts of the draft policies in sustainability terms.
- 3.23 **Sustainability Appraisal Update December 2023 (SD03a)** provides an update to the alternative options considered in connection with the spatial strategy. **Chapters four and five** summarise the position to July 2021, with **Chapters six and seven** setting out the updated position in relation to water neutrality.
- 3.24 **Section 4.6 to 4.12** cover the five *quantum of housing growth options* (from 'lower growth' options, incrementally increasing to a 'maximum growth' option). These are also described in **paragraph 5.5 of Topic Paper 1 – The Spatial Strategy (HDC02)**. In summary, the appraisal outcomes found that higher levels of growth performed better socially and economically, for example in addressing housing need, and supporting sustained economic growth and job creation. Higher growth could increase pressure on existing services such as schools and healthcare but could also lead to new services being provided. Higher growth, however, was identified to have more negative impacts on biodiversity, landscape, heritage, water, flooding, soils/minerals, air quality and climate.
- 3.25 **Section 4.17 to 4.24** address the six broad *spatial strategy options* for the distribution of development across the district (also described in **paragraph 5.8 of Topic Paper 1**). These included consideration of the continuation of the existing settlement hierarchy, new garden towns and urban extensions. The outcome of this assessment was used to inform sustainable approach for development in the District.
- 3.26 The identification and assessment of *large site options* is set out in **paragraphs 4.25 to 4.44**. Sites were identified via direct promotion of available sites, and the identification of one location 'the Ashington cluster' where a combination of smaller sites was identified as having potential for growth. During the process of plan preparation this led to 12 large site options being considered as locations for strategic scale growth, albeit that some options fell away during the process of plan preparation when sites ceased being actively promoted for development. (**paragraphs 4.34 and 4.35**).
- 3.27 **Paragraphs 4.45 to 4.58** set out the approach to the identification and assessment of smaller site alternatives which were identified and assessed in line with the methodology explained in paragraph 3.21.
- 3.28 **Section 6 of Sustainability Appraisal Update December 2023 (SD03a)** sets out how the impact of water neutrality has been taken into account in the assessment of options. In particular, **Section 6.6** identifies the options considered in relation to the different levels of water efficiency standards applied to new growth in the emerging water neutrality policy. **Paragraph 6.48** discusses the impact of water

neutrality on growth options. It concludes that requirement for water neutrality has limited the options for the scale of housing growth (assessed in more detail as part of the policy assessment of Policy 37 in particular), and that the options for spatially specific housing growth were focussed on scenarios 1a to 1d.

#### **Question 5: Is the SA adequate and have the legal requirements of the 2004 Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (2012 Regulations) been met?**

- 3.29 Yes. **The Sustainability Appraisal Update December 2023 (SD03a)** was published at the Regulation 19 stage as required under the Town and Country Planning (Local Planning) (England) Regulations 2012. The document, together with earlier stages of work carries out an appraisal of the sustainability of the plan and policies and presents the findings in a report as required by the Regulations. Consultation on the SA was carried out in accordance with relevant legislation.
- 3.30 The **Sustainability Appraisal Update December 2023 (SD03a)** builds on the findings of earlier Sustainability Appraisal work undertaken by Land Use Consultants (LUC) in 2021 and 2020. The earlier Regulation 19 Consultation documents and appendices are published as **LUC Sustainability Appraisal July 2021 (SD03b)**, **LUC Sustainability Appraisal Appendices July 2021 (SD03c)**, **Interim Sustainability Appraisal of Growth Options 2020 (HDC09)** and **Interim Sustainability Appraisal of Smaller Sites and Policies for Horsham District Local Plan (Reg 18) (HDC10)**.
- 3.31 The SA Report presents the information required under the 2004 Act and the Environmental Assessment of Plans and Programmes (SEA) Regulations (2004) by presenting an appraisal of “the plan and reasonable alternatives” and “an outline of the reasons for selecting the alternatives dealt with” within the SA report. A table signposting how the SA Report meets the requirements of the SEA Regulations is included in **section 2.3** of the **Sustainability Appraisal Update December 2023 (SD03a)**. Similar signposting is also set out in each earlier iteration of the sustainability appraisal.

#### **Question 6: Has the Habitats Regulations Assessment (HRA) been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017?**

- 3.32 AECOM was appointed by Horsham District Council to undertake a **Habitats Regulations Assessment (SD07) (HRA)** of its Regulation 19 Local Plan (**SD01**). The objective of this assessment was to identify any aspects of the Plan that would cause an adverse effect on the integrity of European sites either alone or in combination with other plans and projects. The HRA assessment was undertaken in full compliance with the Habitats and Species Regulations 2017<sup>1</sup> (as amended).
- 3.33 The assessment included a formal screening for any Likely Significant Effects (either alone or in combination with other plans or projects). This was undertaken in **Chapter 2 of the HRA** which also outlines the methodology of the assessment.
- 3.34 **Chapter 3 of the HRA** assesses the ‘Relevant Impact Pathways’ on the European sites. Where these effects cannot be excluded, assessing them in more detail through an Appropriate Assessment (AA) is required to ascertain that an adverse effect on the integrity of the site can be ruled out and this is assessed in detail throughout **Chapter 4 and Chapter 5** of the HRA. Where an adverse effect on a European site cannot be ruled out, and no alternative solutions can be identified, then the project/plan can only then proceed if there are imperative reasons of over-riding public interest (‘IROPI’) and if the necessary compensatory measures can be secured. **Chapter 7** concludes that suitable mitigation has been identified for all possible significant effects (most notable are those relating to the Arun Valley Sites and water abstraction, and to The Mens SAC and air quality), therefore the IROPI test has not been applied.
- 3.35 Following representations made by Natural England at Regulation 19 relating to a potential impact from local plans on atmospheric ammonia levels affecting The Mens Special Area of Conservation (SAC), further assessment of air quality was undertaken in September 2024 and published as an

---

<sup>1</sup> Conservation of Habitats and Species Regulations 2017 (as amended): <https://www.legislation.gov.uk/ukksi/2017/1012>

addendum to the Local Plan HRA **Habitats Regulations Assessment Air Quality Addendum (SD09)**. This examines in detail the emissions of nitrogen oxides (NOx) and ammonia (NH3) from traffic on the A272 past The Mens SAC over the plan period. This work supersedes the air quality assessment reported in paragraphs 6.51 to 6.75 of the main HRA (SD07). The Air Quality Addendum is accompanied by the **Habitat Regulations Assessment Air Quality Mitigation Strategy (SD10)**, which addresses the Natural England representation. It should be noted with the exception of Air Quality the conclusions of the HRA and proposed mitigations have been agreed as reflected in the **Natural England Statement of Common Ground (DC14)** between the Council and Natural England.

**Question 7: How has the Plan responded to potential adverse effects on the Mens Special Area of Conservation? Are any specific main modifications needed to the Plan to reflect the latest evidence? What is the latest agreed position with Natural England on this matter?**

3.36 The **Air Quality Mitigation Strategy (SD10)** has been prepared which recommends the approach to tackle the forecasted increase in ammonia levels which may impact on the Mens in the latter part of the plan period (2032 onwards). The strategy will employ measures which effectively reduce the number of petrol cars on the road which produce ammonia through exhaust emissions and will be implemented through the policy framework of both the Horsham and Chichester Local Plans. The measures are outlined in **Chapter 2 of the Air Quality Mitigation Strategy (SD10)**:

- Measures to incentivise ownership of electric vehicles (ULEV);
- Investment in bus and rail infrastructure to improve local connections;
- A policy requirement to provide electric vehicle charging infrastructure on all development;
- Encourage uptake of electric charging infrastructure;
- The implementation of communications infrastructure (high speed broadband to support working from home);
- Controlling implementation of development linked with monitoring.

3.37 The HRA Air Quality Addendum (SD09) Addendum identifies the level of uptake ultra-low emission vehicles (ULEVs) that is required to reduce the 'in combination' ammonia impact to be within the 1% of the critical level. As explained in detail in **Section 3 of SD10** (see in particular **paragraphs 3.4 to 3.8 and Table 2**) this will require monitoring.

3.38 Meetings have continued between Natural England, Chichester District Council and Horsham District Council on this issue. A meeting held on the 12 September 2024 between the relevant stakeholders (NE, CDC and HDC) led to the **Natural England Ammonia Statement (DF01)** which confirmed Natural England's acknowledgement the housing trajectory as forecasted will not breach the 1% of critical level of ammonia until 2032 of the plan period.

3.39 There is the expectation for the Plan to be reviewed well before 2032 and acknowledgement from Natural England that there would be little risk to ammonia impact to the Mens SAC. Both Horsham District and Chichester District will continue to work closely with Natural England on this matter.

3.40 A further meeting was held on the 17 October with HDC, CDC and NE in attendance. A meeting note (**HDC16**) has been agreed by all attendees. It outlines that Horsham and Chichester Councils will undertake ANPR monitoring to understand the level of uptake of low emission vehicles. Given the requirement for five-yearly local plan reviews, this monitoring will enable HDC and CDC to intervene through a future local plan review should numerical conversion of petrol cars and vans to electric vehicles in early monitoring periods fall behind what is required as determined by the Air Quality Mitigation Strategy. However, as the local plan period continues to 2040, and beyond the period by which the unmitigated cumulative impact of the plan would increase ammonia levels above the critical threshold, **it is agreed a 'failsafe' policy should be proposed as a modification to the plan** to ensure that adverse impacts on the SAC will not occur. To enable a modification to be recommended, draft wording is being jointly prepared by the Council and Chichester District Council and will be ready to submit to the examination as soon as practicable.



**Question 8: Does the Plan contribute to the mitigation, and adaptation to, climate change consistent with s19 of the Planning and Compulsory Purchase Act 2004 and paragraphs 152-158 of the NPPF? Does the Plan include policies in relation to the mitigation of and adaptation to climate change? Which Policies specifically?**

- 3.41 The Council recognises its statutory obligations in relation to climate change, and in accordance with section 19 (1A) of the Planning and Compulsory Purchase Act 2004, and **paragraphs 152-158 of the NPPF**, the Plan includes a number of policies that directly relate to the mitigations of, and adaption to, climate change. The spatial objectives of the Plan (Chapter 3, Table 1), which underpin its vision for Horsham District, also include specific reference to climate change.
- 3.42 The Council has carefully considered the evidence and representations received in relation to climate change, which has led to policies which seek to fulfil the aims of both National Planning Policy and Guidance, as well as other national legislation and what are understood to be the communities' aspirations. The policies arrived at with Chapter 5: Climate Change and Water are considered to be the most appropriate approach for achieving a positive strategy for addressing climate change at a local level. The following policies are contained within Chapter 5:
- Strategic Policy 6: Climate Change
  - Strategic Policy 7: Appropriate Energy Use
  - Strategic Policy 8: Sustainable Design and Construction
  - Strategic Policy 9: Water Neutrality
  - Strategic Policy 10: Flooding
- 3.43 In addition to the above policies, other policies within the Plan are also relevant and have links to climate change:
- Strategic Policy 12: Air Quality
  - Strategic Policy 17: Green Infrastructure and Biodiversity
  - Strategic Policy 20: Development Principles
  - Policy 25: Parking
  - Strategic Policy 27: Inclusive Communities, Health and Wellbeing
- 3.44 The policies within the Local Plan have also been informed by evidence. This includes the **District Wide Carbon Reduction Study and Carbon Audit of the Local Plan (CC02)**, which concluded in **paragraph 7.13** that the Local Plan has many positive stances on addressing the Climate Emergency. The recommendations from this study were fed into the final Regulation 19 Plan, for example the requirement for an Energy Statement for new developments.
- 3.45 The study identified that as Horsham is a rural district the largest source of carbon emissions is due to transport for which mitigation is generally not directly under the Council's control. However, the Policies above aim to reduce the dependence on private transport where possible and in conjunction with the Council's separate **Electric Vehicle Charging Point Strategy (CC01)** will contribute to the mitigation of the effect of climate change.

[Equality Impact Assessment](#)

**Question 9: Does the Equality Impact Assessment identify all relevant groups with protected characteristics? Have their needs been taken into account in preparing the Plan?**

- 3.46 Yes. The **Equalities Impact Assessment of the Horsham District Local Plan (SD05)** was undertaken as part of the wider Sustainability Appraisal process and has therefore been a consideration throughout the entire process of plan preparation. Paragraph C.4 of this paper identifies the nine groups with protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) identified in the Equality Act. The policies within the plan have been tested to consider what impacts the plan and policies would have on those in the District with those protected characteristics, and the results of that

assessment are set out in **Table 1 of SD05**. The purpose of this appraisal was to ensure that the local plan policies provided equality of opportunity for all groups and eliminated unlawful discrimination.

- 3.47 All policies were shown to have either a positive, mixed or neutral effect in relation to the protected characteristics. The Local Plan contains specific policies to address identified equalities issues, and the policies have been updated to take account of the findings of the Equalities impact assessment. For example, this includes the allocation of land to take account to the requirement to provide for the identified housing needs of Gypsies and Travellers within Horsham District. In addition, updates have been made to the plan to highlight the need ensure that developments should be designed to accommodate all sections of society including but not limited to the young, old and those with disabilities.
- 3.48 It was also important that the protected characteristics identified in the Equalities Act were taken into consideration when preparing and consulting on the Plan, in particular ensuring that all groups had the opportunity to access and participate in consultations. The Council utilised its stakeholder database to notify a range of bodies and people of the start of the consultation, as evidenced in the **Statement of Consultation (SD11)**. Both consultation recipients and respondents included groups and organisations representing those with protected characteristics. To ensure that the consultation was made as accessible as possible, in addition to contacting all those who had signed up to receive notifications for the Local Plan, the Council undertook Parish Council Workshops, Public Exhibitions, consultation materials to libraries, adverts in the District Post and Social Media to publicise the consultation.

### [Neighbourhood Plans](#)

#### **Question 10: What are the relevant made Neighbourhood Plans and their plan periods? Are any other Neighbourhood Plans in preparation and when are these expected to be made?**

- 3.49 Within Horsham District, there are 29 parishes and one Neighbourhood Forum ('Horsham Blueprint') who have the ability to prepare Neighbourhood Plans. Of these areas 24 either have Made plans, or plans which are in the process of preparation. (Six areas have decided not to prepare plans). The stage each plan has reached is set out in Table 1 - Status of Neighbourhood Plans in Horsham District below.
- 3.50 All neighbourhood plans must be in general conformity with the adopted Local Plan (currently the **Horsham District Planning Framework (HDC05)**) and all 'Made' Neighbourhood Plans have plan periods which extend until 2031 with the exception of the Horsham Blueprint which extends until 2036.
- 3.51 Five Neighbourhood Plans are at an advanced stage of plan preparation. Four (Pulborough, Cowfold, Itchingfield and Lower Beeding) were programmed to go to referendum in autumn 2021, but this was delayed due to the requirement for these plans to be water neutral following the receipt of the **Natural England Position Statement (CC08)**. These are now programmed for referendum in early 2025, and if successful at referendum will be 'Made' in April 2025, before the adoption of this local plan. They also have a plan period which runs until 2031.
- 3.52 The preparation of the West Chiltington Neighbourhood Plan has also been delayed due to the requirement for the Plan to demonstrate Water Neutrality (as a result of the **Natural England Position Statement - CC08**). It is now at Regulation 16 consultation with a referendum and potential adoption of the plan at Full Council in the second half of 2025. It has a proposed plan period which extends until 2031.

Table 1 - Status of Neighbourhood Plans in Horsham District

Parish/ Neighbourhood Plan Area	Date of Neighbourhood Plan Designation	Current Status of NDP as of October 2024	Plan Period	Housing Numbers Proposed within Plan
<b>Ashington</b>	25 February 2014	Made (24 June 2021)	2019-2031	225
<b>Ashurst</b>	n/a	Not designated as NDP Area	n/a	n/a
<b>Billingshurst</b>	30 December 2015	Made (24 June 2021)	2019-2031	n/a
<b>Bramber</b>	15 Feb 2018	Made (24 June 2021)	2018-2031	n/a
<b>Broadbridge Heath</b>	n/a	Not designated as NDP Area	n/a	n/a
<b>Colgate</b>	n/a	Not designated as NDP Area	n/a	n/a
<b>Cowfold</b>	16 May 2016	Referendum TBC (Jan 2025)	2019-2031	70
<b>Henfield</b>	31 January 2014	Made (24 June 2021)	2017-2031	270
<b>Horsham Blueprint</b>	14 August 2020	Made (14 Dec 2022)	2019-2036	n/a
<b>Itchingfield</b>	1 September 2015	Referendum TBC (Jan 2025)	2015-2031	61
<b>Lower Beeding</b>	30 December 2015	Referendum TBC (Jan 2025)	2014-2031	51
<b>North Horsham</b>	n/a	Not designated as NDP Area	n/a	n/a
<b>Nuthurst</b>	31 October 2013	Made (21 Oct 2015)	2015-2031	51
<b>Pulborough</b>	23 Jan 2014	Referendum TBC (Jan 2025)	2015-2031	263
<b>Rudgwick</b>	28 June 2016	Made (24 June 2021)	2020-2031	n/a
<b>Rusper</b>	18 Feb 2016	Made (24 June 2021)	2018-2031	n/a
<b>Shermanbury</b>	25 Feb 2014	Made (22 June 2017)	2014-2031	20
<b>Shipley</b>	6 August 2019	Made (24 June 2021)	2019-2031	n/a
<b>Slinfold</b>	20 May 2014	Made (6 Sept 2018)	2014-2031	77
<b>Southwater</b>	16 May 2016	Made (24 June 2021)	2019-2031	450
<b>Steyning</b>	21 May 2018	Made (7 Sept 2022)	2019-2031	n/a
<b>Storrington, Sullington and Washington</b>	19 December 2013	Made (5 Sept 2019)	2018-2031	146

Parish/ Neighbourhood Plan Area	Date of Neighbourhood Plan Designation	Current Status of NDP as of October 2024	Plan Period	Housing Numbers Proposed within Plan
<b>Thakeham</b>	19 December 2013	Made (26 April 2017)	2017-2031	50
<b>Upper Beeding</b>	31 January 2014	Made (24 June 2021)	2018-2031	109
<b>Warnham</b>	23 January 2014	Made (27 June 2019)	2017-2031	50
<b>West Grinstead</b>	October 2013	Made (24 June 2021)	2019-2031	n/a
<b>West Chiltington</b>	25 February 2014	Reg 16 Consultation	2023-2031	29
<b>Wiston</b>	n/a	Not designated as NDP Area	n/a	n/a
<b>Woodmancote</b>	25 February 2015	Made (22 June 2017)		n/a
	Total:			1992

**Question 11: Is the Plan clear in identifying the policies of the existing development plan which would be superseded by the Plan consistent with Regulation 8(5) of the 2012 Regulations? Are main modifications needed to address this?**

3.53 The Council notes that Regulation 8(5) of the regulations states: “Where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy.”

3.54 It is therefore considered appropriate for the Inspector to recommend a main modification to include a schedule to identify all policies in the HDPF which will be superseded by the Plan, and also identify corresponding replacement policies to be included in the Plan. For avoidance of doubt, all HDPF policies will be replaced with the exception of HDPF Policies SD1 to SD9 (inclusive) which will remain as part of the development plan ('saved' policies).

3.55 The Council's suggested modification is set out in the **Suggested Modifications to the Regulation 19 Local Plan: Response to MIQs November 2024** document submitted with this statement (reference **SM02**). It is suggested that this is inserted at the end of the submission HDLP, following the Glossary.