



Horsham District Council Local Planning Authority

Storrington, Sullington and Washington Parish Neighbourhood Plan 2018-2031

DECISION STATEMENT

Date: 24 December 2018

1.0 Introduction

- 1.1 This decision statement relates to the neighbourhood plan produced by the Parishes of Storrington and Sullington and Washington. Under the Town and Country Planning Act 1990 (as amended), ("the 1990 Act") Horsham District Council ("the Council") has a statutory duty to support Parish Councils and Qualifying Bodies in the preparation of Neighbourhood Development Plans (NDP's) and Orders and to take NDP's and Orders through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the responsibilities under Neighbourhood Planning.
- 1.2 Once the Council has received an Examiners report, it is necessary for the Council, under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, ("the Regulations"), to make a decision on the next steps. As set out in the Regulations these may be:
 - a) 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) 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) to agree 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;
- d) to agree 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) to consider whether to extend the area to which the referendum is (or referendums are) to take place; or
- f) to confirm that it is 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.

1.3 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.

2.0 Background

2.1 The Storrington, Sullington and Washington Parish Neighbourhood Development Plan (SSWNP) relates to the area that was designated by the Council as a neighbourhood area on **19 Dec 2013** (please refer to Plan A). The plan areas fall within the jurisdictions of 2 planning authorities. The areas outside the South Downs National Park fall under Horsham District Council and within the National Park they fall under the auspices of the South Downs National Park Authority. The two local planning authorities have agreed that for the purpose of this neighbourhood plan, Horsham District Council should be the "lead authority".

2.2. The current plan is not the first neighbourhood plan that has been submitted for the Plan area. In early 2016, an examination of an earlier version of this Plan, was conducted by the examiner, Paul McCreary. He concluded that the Plan did not meet the basic conditions and should not proceed to referendum. It is to the credit of the Steering Group that it did not

abandon the Plan after this setback and instead, sought to address the failings of the first version of the Plan, producing a new version of the Neighbourhood Plan, which it has taken through its legislative stages. The new plan underwent its Pre-Submission SSWNP consultation in accordance with Regulation 14 from **10 July 2016 to 2 September 2016**.

- 2.3 The ‘qualifying body’ (Storrington & Sullington Parish) then submitted the submission draft plan to the Council on the **12 Feb 2018**. The submission draft SSWNP was publicised and representations were invited between **23 Feb 2018 to 13 April 2018**.
- 2.4 John Slater was appointed by Horsham District Council with the consent of qualifying body as ‘the Examiner’ to undertake the examination of the SSWNP and to prepare a report of the independent examination. A hearing session was held on the 20 September 2018 at Storrington Village Parish Hall.
- 2.5 The Examiner’s report received on the 22 November 2018 concludes that the SSWNP, subject to a number of recommended changes meets the basic conditions as set out in the legislation and can therefore proceed to referendum.

3.0 Decision

- 3.1 As set out in Paragraph 1.2, Regulations 17A and 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the local planning authority to decide what action to take in response to the recommendations of an Examiner following the formal examination. The Regulations provide that where the Council disagrees with the Examiner’s report it can make alternative modifications, which must be subject to re-consultation and if required further examination.
- 3.2 The Council’s position on each of the Examiner’s recommendations, following the receipt and consideration of the Examiner’s report is set out in Appendix A. Having considered each of the recommendations made in the Examiner’s report and the reasons for them, the Council, following consultation with the qualifying body, has decided to accept the majority of the Examiner’s modifications to the submission draft SSWNP.
- 3.3 The Examiner has proposed a number of changes to the submission draft SSWNP including the introduction of a further allocation at Land North of Downsview Avenue for housing. This follows the examiner rejecting the site for a Local Green Space designation as it did not meet the stringent tests as set by national policy. The introduction of Land North of Downsview Avenue for residential development is an important modification to the

submission draft of the plan. As such, the Inspector's recommended modification requires public consultation. It was therefore agreed with the qualifying body to invite representations on proposed allocation for a period of 6 weeks from the 25 January to the 8 March 2019.

Alongside Land north of Downsview Avenue, a number of other issues will also be subject to a focussed consultation as set out below:

i. Policy 2: Land North of Downsview Avenue

The Examiner in his report has advocated after consideration of the all housing issues presented at the hearing session, in order to meet the basic conditions a further allocation of least 60 dwellings at Land North of Downsview Avenue is required. The Examiner was clear in his deliberations that the plan fell short of meeting its full OAN and the issue is exacerbated with the removal of Land at Robell Way and Land off North Street. Without sufficient housing allocations to meet the OAN, the Examiner was minded not to progress the plan to referendum and therefore the plan would have failed. This was considered unacceptable by both HDC and the qualifying body. Having considered the Examiner's recommendation in detail and the reasons for them, the Council, following consultation with the qualifying body, is recommending a focussed consultation for a period of six weeks to invite comments from stakeholders on the inclusion of Land North of Downsview Avenue for the purposes of transparency. For completeness, HDC will also undertake a revised SEA/SA to consider if the plan contributes to the achievement of sustainable development.

ii. Policy 2: Angell Sandpit – Removal of criterion 2

It is proposed to delete criterion (b) from '*Policy 2 Angell Sandpit (v): b. Achieve access to and from the site via Heather Way*'. At the hearing session, the issue of access was discussed at length with the Examiner. In his deliberations, the Examiner concluded there remained uncertainty regarding access arrangements (Para 94-96) and despite alternative access provision put forward by the landowner's representative he was minded to remove criterion (b) relating to access to and from the site via Heather Way. However, the Examiner did not take it forward in his schedule of recommendations. In order, to meet the basic conditions, the Council considers it appropriate to remove criterion (b) from Policy 2 Angell Sandpit (v) to ensure flexibility and deliverability of housing. This amendment will be considered as part of the forthcoming consultation.

iii. Policy 8 Countryside Protection and Policy 9 Local Gaps

During the examination process, the examiner requested additional information from the qualifying body to inform his considerations on views and gaps. For the purpose of transparency and completeness, it is considered appropriate to include this information as part of the consultation to invite comments on the map of views and gaps alongside any additional supporting evidence submitted by the qualifying body to provide an opportunity for consultees to make appropriate and focussed representations on this matter.

iv. Delineate the BUAB which lies with Thakeham Parish.

HDC does not agree with the Examiner's recommendation to remove the section of the BUAB which lies within Thakeham Parish. The Policies Map is required by statute to delineate locations and land use designations arising from policies in the development plan. It is proposed to delineate the Inset Maps to include the part of the BUAB within Thakeham Parish for information purposes only.

v. Policy 19 Car Parking

The Examiner has removed the proposed parking standard (Policy 19). Following discussions with the qualifying body, it was agreed with HDC that the policy should be reconfigured as a non-statutory community aim to reflect the aspirations of the qualifying body but is inappropriate as planning policy and will not carry any statutory weight towards the determination of planning applications.

4.0 The Referendum Area

- 4.1 Under the Neighbourhood Plan Regulations, the Examiner has the power to extend the referendum area if it is considered the policies within the plan has a direct or indirect impact beyond the designated neighbourhood plan area. The Examiner is proposing to extend the referendum area and reference is made to an existing Memorandum of Understanding between Thakeham Parish and the qualifying body. The Examiner has reasoned that residents within Thakeham Parish could potentially be impacted by the policies within the SSWNP and for completeness and consistency it would be appropriate to extend the referendum area to include those properties in the roads identified by the Examiner in his

report. The Council agrees with this assessment and that any referendum that takes place in due course will adhere to his recommendation (Paragraph 159).

5.0 Conclusion

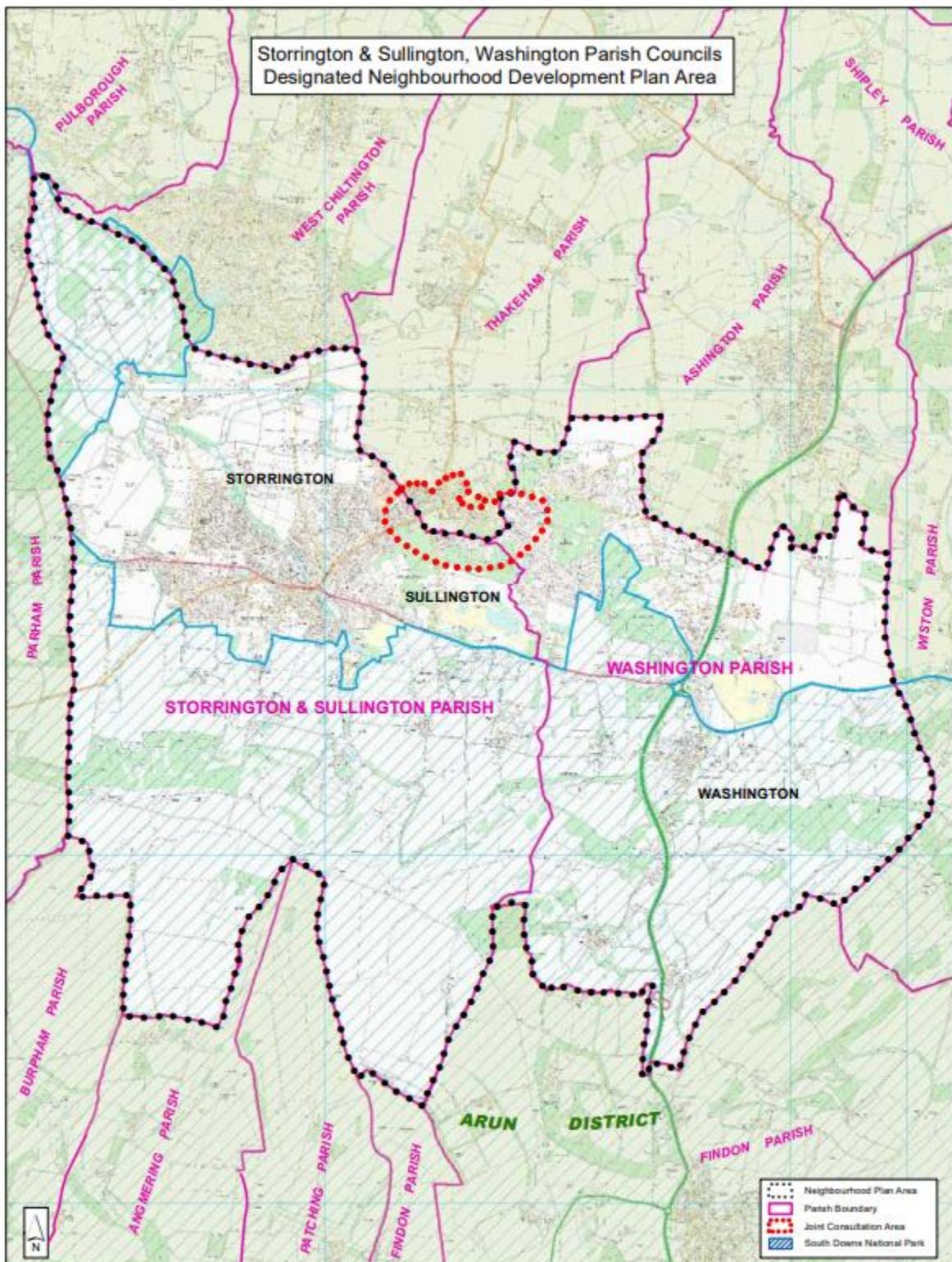
- 5.1 Once the Council has received an Examiners report, it is necessary for the Council, under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, ("the Regulations"), to make a decision on the next steps. Horsham District Council is of the view that sections a and b or f of the regulations do not apply, and the Council has therefore considered the next steps in relation to regulations c – e. The decisions in relation to all of the Examiner's recommendations are set out in full in Appendix A of this report.
- 5.2 As set out in this report, the Council, having undertaken consultation with the Qualifying Body Council, is in agreement with the majority of the Examiner's recommendations. The Council with the consent of the Qualifying Body consider it appropriate to go out to consultation relating to the issues as stipulated in Section 3 of this report will be subject to a further focussed consultation for a period of 6 weeks starting on the **25 Jan 2019** and concluding on the **8 March 2019**.
- 5.3 Thereafter, all representations will be considered and a delegated decision made on whether to submit the SSWNP to further examination or proceed to referendum.

Signed:

A handwritten signature in black ink, appearing to read "BC Childs".

Barbara Childs - Director of Place

Date: 24 Dec 2018



Horsham District Council

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

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Confirmed by Horsham District Council and to the South Downs
National Park Authority under The Neighbourhood Planning
(General) Regulations 2012 Regulation 5.

Reference No : STSUWSN2	Date : 12/12/13	Scale : 1:30,000
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Plan A: Storrington, Sullington and Washington Neighbourhood Plan Area