

**Horsham District Council Local Planning Authority
Storrington, Sullington and Washington Parish Neighbourhood Plan 2018-
2031**

DECISION STATEMENT

Date: 1 May 2019

1.0 Introduction

- 1.1 This decision statement relates to the neighbourhood plan produced by the Parishes of Storrington and Sullington and Washington Parish. For the purpose of neighbourhood planning the Qualifying Body is Storrington and Sullington Parish Council. 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. This decision statement should read in conjunction with the Storrington, Sullington and Washington Neighbourhood Plan (SSWNP) Decision Statement dated 24 December 2018.
- 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 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 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.
- 2.6 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.
- 2.7 Horsham District Council published the Decision Statement in accordance with Regulation 18 on 24 December 2018. This set out that there were some matters on which the Council was not minded to agree with the Examiner's conclusions. In addition, the Council also considered that although it was minded to agree with a number of the Examiner's recommendations, it was considered that as these included new allocations or designations it would, in addition be appropriate to undertake further consultation on these issues. A six-week consultation starting on the **6 Feb 2019** and concluding on the **27 March 2019** was held, and following the conclusion of this consultation period, the Council's is now able to reach its final decision.

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 Examiner proposed a number of changes to the submission draft SSWNP. Horsham District Council was not minded to agree with the Examiner's conclusions in relation to the depiction of the Built-up Area boundary on the Policy Map and therefore undertook consultation on this issue.
- 3.3 In addition, the Examiner recommended 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 Examiner also recommended that views and gaps provided to the Examiner by the qualifying body during the Examination be referred to in the updated policy wording recommended by the Examiner for Policies 8 & 9. The Examiner also proposed amendments to the proposed access changed set out in Policy 2 – Angell's sandpit. Although minded to agree with these recommendations the Council felt it appropriate to undertake further consultation on these matters. An updated Habitat's Regulation Assessment and Sustainability Appraisal /Strategic Environmental Assessment were also published for comment during this consultation.
- 3.4 Following the conclusion of the additional consultation, 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. For completeness a summary of the representations received has also been published on the Council's website (Appendix B). Having considered each of the recommendations made in the Examiner's report and the reasons for them, the Council, following further consultation with the qualifying body, has decided to accept the Examiner's modifications to the submission draft SSWNP.

3.5 In summary the consultation brought up the following main issues:

Land North of Downsview Avenue

- 3.5.1 Following consideration of the housing issues during the Examination process, the Examiner recommended that 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 Objectively Assessed Need (OAN) and the issue is exacerbated with the removal of Land at Robell Way and Land off North Street.
- 3.5.2 The Council has received a number of representations relating to Land North of Downsview Avenue during the consultation on the proposed modifications. Representations centred on the following issues: the whether the delivery of the site would contribute towards sustainable development; if the potential inclusion of the site for housing had followed due process in accordance with the legislative process.
- 3.5.3 Having reviewed the comments received, the Council remains in agreement with the Examiner's conclusions that although is valued locally the Land at Downsview does not meet all the tests as set by national policy for designation as a Local Green Space. Given that great weight should be given to the provision of housing to meet local need in the area, the allocation of this site is required to meet the housing needs of the parish. The Council has updated the HRA and Sustainability Appraisal / Sustainability Appraisal and followed legal processes. In addition, for the reasons of transparency enabled a period on consultation on these updated proposals. The Council is therefore in agreement with the Examiner's recommendation to allocation this site for housing development.

Policy 2: Angell Sandpit – Removal of criterion 2

- 3.5.4 Support is given to the modifications proposed for Policy 2 Angell Sandpit. The Council is therefore of the view that this modification to be carried forward to the final draft of the plan.

Policy 8 Countryside Protection and Policy 9 Green Gap

- 3.5.5 In response to the Examiner's report, Horsham District Council was minded to agree with the Examiner's conclusions that the original policy wording was ambiguous and that maps to show the views considered important and the gap between Storrington and West Chiltington be referred to in the revised wording of Policies 8 and 9. For the purpose of

transparency and completeness, it was 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.

- 3.5.6 Having reviewed the submission of responses provided to Horsham District Council in relation to this matter, the Council remains satisfied that the recommendations in the Examiner's report comply with the basic conditions and other requirements, and Policies 8 & 9 should be redrafted in accordance with the Examiner's recommendations.

Delineate the BUAB which lies with Thakeham Parish.

- 3.5.7 No further comments were submitted to the Council in response to the Council's proposed changes to the Examiner's recommendations. The Council is therefore satisfied that this modification be carried forward in the final plan.

HRA Rescreening and Sustainability Appraisal

- 3.5.8 The revised Plan was rescreened to take account of the Examiner's recommendations for the purposes of compliance with the HRA Regulations. In addition, the Sustainability appraisal / Strategic Environmental Assessment was revised to consider the impacts of the updated plan. No further comments were received from any organised on the HRA rescreening. Natural England commented that they were in agreement with the conclusions of the SA/SEA document. The Council is therefore of the view that the is compliant with HRA and SEA regulations and therefore meets the basic conditions in this respect.

Policy 19 Car Parking

- 3.5.9 No further comment has arisen from the consultation. The Council is therefore content that the partial wording of Policy 19 to be reconfigured as a Community Aim.

4.0 The Referendum Area

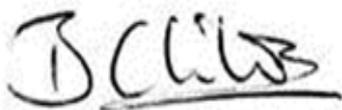
- 4.1 Under the Neighbourhood Plan Regulations, the Examiner has the power to extend the referendum area if it is considered the policies within the plan has a direct or indirect impact beyond the designated neighbourhood plan area. The Examiner is proposing to extend the referendum area and reference 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 the referendum that takes place in due course will adhere to this recommendation (Paragraph 159).

5.0 Conclusion

- 5.1 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. Horsham District Council published the first Decision Statement in accordance with regulation 18 on 24 December 2018. In light of the conclusion, a further six-week consultation was held on the modifications and deemed appropriate.
- 5.2 All representations received have been considered and Horsham District Council has reached the conclusion no further examination is required in relation to the changes proposed by Horsham District Council in response to the Examiner's recommendations. In all other respects the Council remains in agreement with the Examiner's recommendations and it is therefore considered that the Storrington, Sullington and Washington Neighbourhood Plan meets the Basic Conditions and should proceed to referendum within accepted timescales.

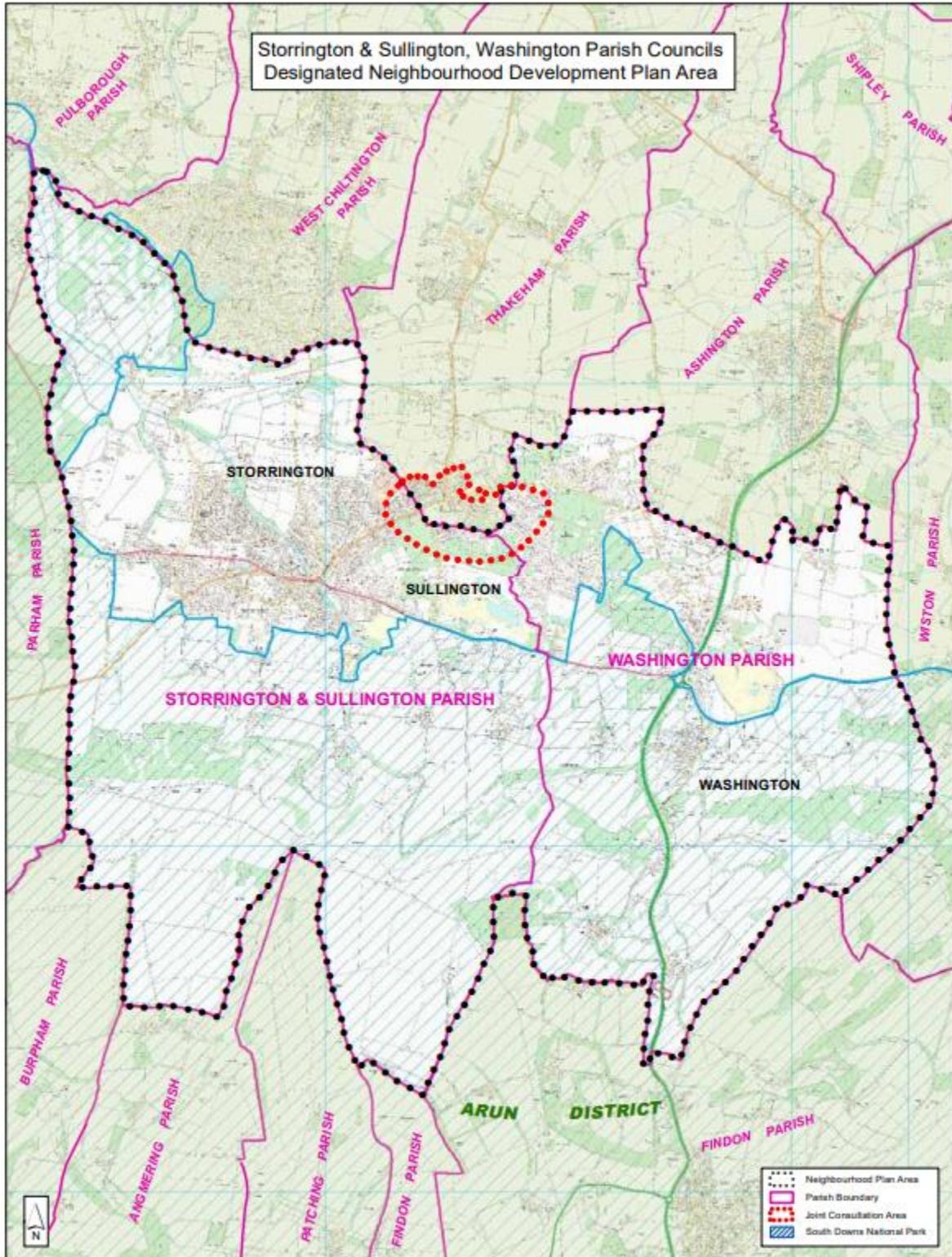
Signed:

A handwritten signature in black ink, appearing to read 'B Childs', written over a horizontal line.

Barbara Childs - Director of Place

Date: 1 May 2019

Plan A: Storrington, Sullington and Washington Neighbourhood Plan Area



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 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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