

**Horsham District Council Local Planning Authority
Woodmancote Parish Neighbourhood Plan 2016-2031**

**DECISION STATEMENT
(Proceeding to Referendum)**

Date: 6 March 2017

1.0 INTRODUCTION

- 1.1 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 are:
- (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 Planning and Compulsory Purchase Act 2004 (“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);
 - (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;
 - (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);
 - (e) whether to extend the area to which the referendum is (or referendums are) to take place; or
 - (f) 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).

1.2 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 reason for this.

2.0 BACKGROUND

2.1 The Woodmancote Parish Neighbourhood Plan ("WNP") relates to the area that was designated by the Council as a neighbourhood area on **25 Feb 2014** and the South Downs National Park Authority (SDNPA) on **17 Feb 2014**. This area is coterminous with the parish council boundary that lies within the Horsham District Council and South Downs National Park Local Planning Authority Area.

2.2. The Pre Submission WNP underwent consultation under regulation 14 from **22 Feb 2016 to 3 April 2016**.

2.3 Woodmancote Parish Council ("WPC") then submitted the draft WNP to the Council and the SDNPA. The WPC was publicised and representations were invited between **9 September 2016 and the 26 October 2016**.

2.4 John Slater ("the Examiner") was appointed by the Council with the consent of WPC, to undertake the examination of the draft WNP and to prepare a report of the independent examination.

2.5 The Examiner's report concludes that the WNP meets the basic conditions set out in the legislation, subject to a number of recommended changes and should proceed to referendum.

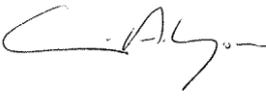
3.0 DECISION

3.1 As set out above, the Regulation 18 of the Regulations requires the Council as the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act). The Examiner is in agreement with the Council that having consulted the three statutory environmental bodies the requirement for a Strategic Environmental Assessment (SEA) as required by EU Directive 2001/42/EC which is enshrined into UK law by the "Environmental Assessment of Plans and Programmes Regulations 2004" was **not** required in this case and confirmed, by way of a Screening Determination dated 27 January 2016.

3.2 Having considered each of the recommendations made in the Examiner's report, and the justifications provided, the Council, in consent with WPC, is in agreement that the modifications outlined by the Examiner will ensure that the WNP meets the Basic Conditions. The Schedule below outlines the alterations made to the draft WNP under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) together with the reasons for these modifications (Regulation 18 c and d of the Regulations).

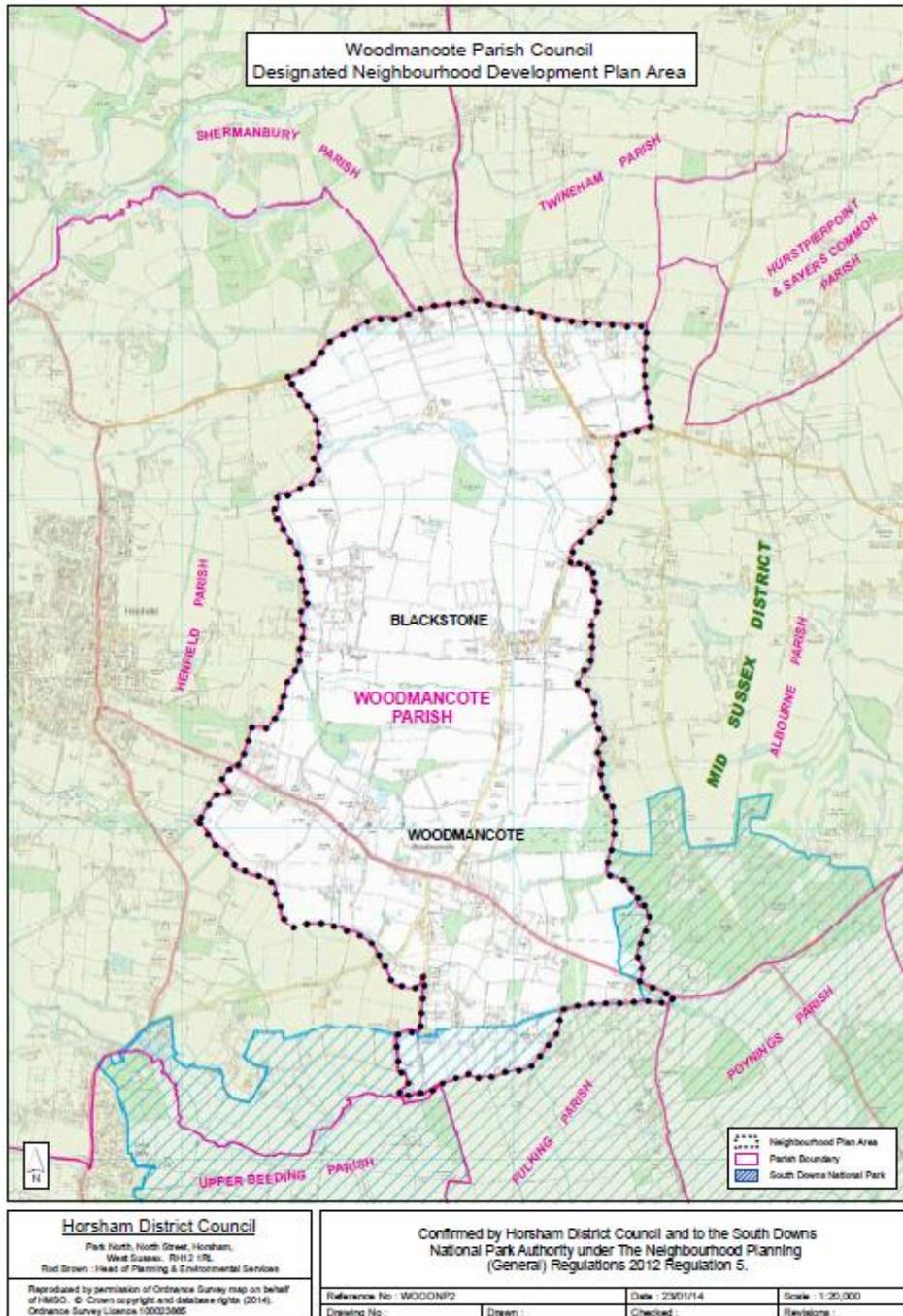
3.3 In his recommendations, the Examiner stated that the area of the WNP as designated by Horsham District Council on 25 February 2014 and South Downs National Park Authority on 17 February 2014 would be the appropriate area for the Referendum to be held and the area does not need to be extended. Part of Woodmancote Parish falls within the South Downs National Park Authority and therefore the referendum question should include reference to the South Downs National Park Authority as part of the referendum question. Please refer to Plan A below.

3.4 The Council is therefore of the view that the draft WNP as modified complies with the legal requirement and may now proceed to Referendum.

Signed: 

Director of Planning, Economic Development and Property

Date: **06 March 2017**



Plan A: Woodmancote Neighbourhood Plan Area

Schedule of Examiner’s Recommendations by the Examiner agreed by Horsham District Council in consent with Woodmancote Parish Council



Recommendations for modifications to **policies and explanatory text** are listed below that the plan be modified as shown in the schedule below. Deleted text is indicated by ~~strikethrough~~ and additional text by underlining. *Italicised text is used as location note and as cross-reference.*

TNP Policy/ Para	Modification to plan	Reason for the modification
Policy 1: A Spatial Plan for the Parish	Insert “ <u>design</u> ” after “high quality”	In the interests of clarification and to modify the plan in line with the Examiner’s recommendation to meet the Basic Conditions as set out in the Examiner’s recommendation to Policy 1.
Policy 4: Community Facilities	Replace second paragraph with “ <u>The design of the scheme is appropriate and any resulting increase in use will not harm the amenities of adjoining residential properties:</u> ”	In the interests of precision and to modify the plan in line with the Examiner’s recommendation to meet the Basic Conditions as set out in the Examiner’s recommendation to Policy 4.
Policy 5: Local Employment	In the second sentence delete “ the ” and insert “ <u>any adverse</u> ” before “impact”.	In the interests of precision and to modify the plan in line with the Examiner’s recommendation to meet the Basic Conditions as set out in the Examiner’s recommendation to Policy 5.
Policy 6: Green Links Throughout the Parish	Insert “ <u>space</u> ” after “amenity” in the final paragraph of the policy.	In the interests of precision and to modify the plan in line with the Examiner’s recommendation to meet the Basic Conditions as set out in the Examiner’s recommendation to Policy 6.
Policy 7: Broadband	Replace “ reflect ” and insert “ <u>does not harm</u> ”.	In the interests of precision and to modify the plan in line with the Examiner’s recommendation to meet the Basic Conditions as set out in the Examiner’s recommendation to Policy 7.