

## NOTES ON NEIGHBOURHOOD PLANNING

Is the Neighbourhood Plan necessary given the existence of the Horsham District Planning Framework (HDPF) and the South Downs Local Plan? There are compelling reasons for it. The HDPF has now been adopted – with its 5 year land supply - but the South Downs Local Plan is still being progressed and its adoption is not expected until 2017 at the earliest. This means that those parts of the Neighbourhood Planning area within the SDNP are particularly vulnerable as there are no up to date planning policies for that area.

*Under the circumstances therefore it is particularly important that a Neighbourhood Plan is in place to provide up to date policies to manage development in these areas.*

It also provides communities the opportunity to identify spaces which are important locally through the Local Green Space Designation (see below).

The absence of the SWAB NP does not carry the same risk as the absence of the HDPF. However this depends on how you define risk. From the District Council's point of view there is no risk, but the risk from the Parishes' perspective is that they would *not have any control over where development would go* and it is possible that HDC will allocate additional land through the Site Allocations Development Plan Document (DPD) which will follow on from the HDPF. The role of a Neighbourhood Plan is NOT exclusively about housing, but it is to allow communities to choose where they want to see development grow and this applies not just to housing, but employment, shops and community facilities within their area.

Once a neighbourhood Plan is “made” it will become part of the Horsham District Council's Development Plan and will be used in the determination of planning applications within the Neighbourhood Plan designated area *which is a compelling argument in favour of preparing a Neighbourhood Plan*. A Neighbourhood Plan therefore, whilst not preventing development does provide an additional level of protection to deter development in places where communities don't want it.

The HDPF identifies at least 1,500 houses to be delivered throughout the District. However it would be wrong to assume that in the absence of a Neighbourhood Plan these houses will not be delivered in the SWAB area. *In reality, without a Neighbourhood Plan, sites could come forward through speculative planning applications over which the Parish has no control*. In addition the HDPF makes it quite clear that, other than strategic sites, additional housing sites will come forward through a Site Allocations DPD. In this regard paragraph 3.27 of the HDPF states:

**“Prior to this review, the Council has also programmed site allocations document which will enable a range of smaller sites including Gypsies and Travellers, employment and small scale housing to meet local needs.”**

In other words *in the absence of a Neighbourhood Plan the District Council will decide where development will go in the local area rather than the local community*.

This is certainly NOT the District Council's preferred approach as it considers that it is better for the community to decide where development should go as this is the Government's intention as set out in the Localism Act 2011 - *another compelling reason for a neighbourhood Plan*.

The Neighbourhood Plans should provide for additional development in the local area, but this would not be exclusive to housing.

#### **Article 4 Direction:**

Steyping Parish Council CANNOT control development through making Article 4 Directions which is a District Council function. The purpose of an Article 4 Direction is to remove permitted development rights that are considered to be inappropriate in a certain area. Article 4 Directions cannot be used to restrict the primary lawful use of land and are only used sparingly in exceptional circumstances. In the case of the National Park and Conservation Areas, these are nationally and strategically protected.

#### **Green Spaces:**

In the case of Local Green Space designations, whilst it is true that the District Council can identify these in the HDPF, the District Council has taken the decision not to do so, given the size of the District in geographical terms. The purpose of the Local Green Space designation is to protect spaces that are special to a local community (NPPF paragraph 77 refers) and it is considered that Neighbourhood Plans are the best mechanism for local communities to decide which areas of green space they would like to protect. *This opportunity is lost if the community decide not to prepare a Neighbourhood Plan*.

#### **Built-up Area Boundary:**

It is perfectly possible for sites to be allocated outside an existing built up area boundary in a Neighbourhood Plan as is the case with Nuthurst's plan and others that are coming forward in the District. However it would need to be demonstrated that allocation of such sites is the most sustainable option tested through the Strategic Environmental Appraisal process and of course, it would require a willing landowner to release the land.

#### **Rural Exception Sites:**

National policy supports Rural Exception Sites and this is re-enforced by HDPF Policy 17. Policy 17 of the HDPF provides the strategic policy framework for the consideration of planning applications for rural exception housing schemes, there is no need to duplicate the policy in neighbourhood plans - but there is no reason why sites couldn't be allocated as "Rural Exception Sites" in the NP. Any housing policies within a Neighbourhood Plan should be prepared having regard to the local evidence base regarding need and demand across the social and market sectors. It

would not however be acceptable for all sites in the NP to be allocated as Exception sites for several reasons. Firstly this approach would not reflect the NP evidence base which will show that there is a need for both social and market housing together with homes for the older population. Secondly, because, policies in a NP need to be drafted having regard to the evidence base and therefore restricting housing allocations to “Rural Exception Sites” would not meet the needs of the community. In addition guidance set out in the NPPF allows an element of market housing to be developed on Rural Exception Sites to support the delivery of the affordable housing where sufficient public subsidy is not available.

Rural Exception sites are the best vehicle for the protection of local affordable housing needs in perpetuity, subject to certain eligibility criteria. However, the future of “Rural Exception” sites is uncertain given the Government’s Housing and Planning Bill, which is proposing to extend the Right to Buy Option. At the current time it is not known how proposed legislation will impact on the current “perpetuity” protection.

*Rural Exception sites without a NP would not attract the full CIL contribution and would not address the other issues of the NP such as the local economy, employment, leisure, community and wider infrastructure.*

#### **Secrecy over the Housing Sites:**

There have been concerns raised around secrecy regarding the proposed housing sites. This information will be made public as part of the evidence base and in addition each site will have to undergo Strategic Environmental Appraisal, a statutory requirement that will also be in the public domain.

#### **Conclusion:**

Having spoken also to SWAB I am confident that ALL of these issues were known to them and are/have been addressed. I believe that when it is time for the Neighbourhood Plan to come to public consultation, the residents of the SWAB cluster will be justifiably proud of the hard work and dedication that the 100 or, more, volunteers, from all sections of the community, have put into it and, have a plan that will ensure that the right type of development takes place in the area where the community wants it. The entire process has been lengthy because of the complexity of the cluster and it is a testament to the organisational and administrative skills of the Steering Committee that the NP will still be brought in within the time frame. I urge members of the public to allow SWAB to get on with the excellent job they are doing and wait for the public consultation before pre-judging the plan.

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