

Report to	<b>Planning Committee</b>
Date	<b>9 October 2025</b>
By	<b>Director of Planning</b>
Title of Report	<b>Making of the Pulborough Neighbourhood Development Plan</b>
Purpose of Report	<b>Planning Committee to make the Pulborough Neighbourhood Plan part of the statutory Development Plan for the South Downs National Park</b>

#### **Decision**

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**Recommendation: The Committee is recommended to**

- 1. Note the outcome of the Pulborough Neighbourhood Development Plan Referendum; and**
  - 2. Agree to make the Pulborough Neighbourhood Development Plan part of the Development Plan for that part of the Parish within the South Downs National Park.**
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#### **Executive Summary**

- The South Downs National Park Authority has set out a commitment in its Partnership Management Plan to support the development of high-quality, community-led plans – including Neighbourhood Development Plans (NDP) - which enhance the towns, villages, and landscapes of the National Park.
- Pulborough Parish Council (as the qualifying body) has prepared the Pulborough NDP and Horsham District Council has acted as the lead planning authority.
- The NDP allocates sites for development (including one within the National Park) and also includes thematic policies on tourism, community facilities, local greenspace, design and water neutrality.
- An Independent Examiner concluded in September 2021 that the NDP (subject to their modifications) is legally compliant and in general conformity with the strategic policies in the Development Plan.
- The Examiner’s modifications were made to the NDP. However, Natural England then issued its Position Statement on water neutrality. Further amendments were made to the NDP to address this issue and these were consulted upon. In April 2025 the Inspector for the Horsham Local Plan advised the District Council to withdraw the Local Plan from examination. Further amendments were made to the NDP to delete all references to the Horsham Local Plan and update the references to the 2024 National Planning Policy Framework.

- The modified NDP was subject to a referendum in September 2025, with 83.71% of the turnout voting “yes”.
- The Pulborough NDP is now part of the Development Plan. However, the local planning authorities still have a statutory duty to “make” the NDP within 8 weeks of a successful referendum, unless the “making” of the NDP would breach, or otherwise be incompatible with, any European Union obligations and any of the Convention Rights (within the meaning of the Human Rights Act 1988). Please note, no subsequent information has arisen to suggest a breach or incompatibility.

**I. Background**

- I.1 The South Downs National Park Authority has set out a commitment in its Partnership Management Plan (Outcome 9.2 and Policy 34) to support the development of high-quality community-led plans and initiatives which enhance the towns, villages, and landscapes of the South Downs National Park. This includes Neighbourhood Development Plans (NDPs), and the subject of this report is the making of the Pulborough NDP.
- I.2 The parish of Pulborough is wholly within the district of Horsham, with a proportion of its area within the South Downs National Park. The local planning authorities for the areas inside and outside of the National Park are the South Downs National Park Authority and Horsham District Council, respectively. As per the Memorandum of Understanding between the two authorities, the authority with the main settlement (or most of the population) within their local planning authority area will be the lead authority for the NDP. In this instance, the district council is the lead authority as the main settlement of Pulborough is within its local planning authority area.
- I.3 Pulborough Parish Council is the “qualifying body” with the responsibility for preparing the Pulborough NDP as per the process / requirements set out in the Neighbourhood Planning (General) Regulations 2012 (as amended). The Neighbourhood Area (Appendix 1) is coterminous with the parish boundary and the National Park Authority designated the part of the Pulborough Neighbourhood Area that is within the National Park on 17 February 2014.
- I.4 The Pulborough NDP was subject to public consultation between 19 June and 3 August 2015 (Regulation 14), and between 23 November 2015 and 8 January 2016. (Regulation 16). A further Regulation 14 public consultation was carried out between 06 July and 31 August 2020 and a further Regulation 16 consultation between 18 November 2020 and 13 January 2021. Following this consultation, the Submission Pulborough NDP and evidence base was updated further in relation to heritage issues. To ensure stakeholders had an opportunity to comment, a follow-up consultation was carried out between 26 April and 7 June 2021. Mr John Slater MRTPI was appointed as the Independent Examiner of the Pulborough Neighbourhood Development Plan. The Examiner published their final report in September 2021.
- I.5 The Examiner recommended that the Pulborough NDP should proceed to referendum subject to their modifications. However, this action was paused due to the strategic issues and legal requirements related to water neutrality in the Sussex North Water Supply Zone (triggered by a position statement issued by Natural England in September 2021). Horsham District Council carried out a focused consultation between 27 August and 08 October 2024. The consultation was focused on water neutrality (Policy 16) and minor modifications (Policies 2, 3, 4, 5a, 5b, 6, 7, 9, and 13) to address this issue.
- I.6 Horsham District Council then completed a Decision Statement recommending the plan proceed to Referendum, which was published on 8 November 2024. In April 2025 their Local Plan Inspector recommended that the Horsham District Local Plan be withdrawn. To ensure compliance with Schedule 4B of the Town and Country Planning Act 1990, Paragraph 12 (6), further modifications were made to the Pulborough Neighbourhood Plan to remove

references to the Horsham District Local Plan from the Neighbourhood Plan. Additional amendments were also made to the Neighbourhood Plan for the purpose of correcting cross-referencing errors following publication of the latest version of the NPPF (2024).

- 1.7 The NDP (Appendix 2) was subject to a community referendum on 4 September 2025, with 83.71% of the turnout voting “yes”. The Pulborough NDP (Appendix 2) is now part of the Development Plan. The local planning authorities are required to take a decision to formally “make” the NDP within 8-weeks of a successful referendum, unless to do so would breach, or would otherwise be incompatible with, any European Union obligation or any of the Conventions Rights (within the meaning of the Human Rights Act 1998).

**2. Summary of Pulborough Neighbourhood Development Plan**

- 2.1 Pulborough Parish is located in the western part of Horsham District in the County of West Sussex and lies partially within the South Downs National Park. The River Arun forms part of the western and southern boundaries and the crossing of the Arun overlooked by Church Hill is said to be where the main settlement originated. The A29 and A283 main roads cross within the parish and the main railway line along the Arun valley between the south coast and London has a well-used station in the parish. There are four other settlements included in the parish besides Pulborough; these are Codmore Hill, Marehill, North Heath and Nutbourne. All these settlements are outside of the National Park, which lies to the south of Pulborough village and to the west of all the settlements.
- 2.2 The Development Plan comprises the West Sussex Minerals & Waste Plans for the whole parish, and the South Downs Local Plan and the Horsham Local Development Framework for the parts of the parish inside and outside the National Park, respectively. Regard was also had to the emerging Horsham District Local Plan.
- 2.3 The Pulborough NDP allocates sites for development, but only one of these is within the National Park. Policy 9: Pulborough Garden Centre, Stopham Road says:
- “Proposals for development to intensify or to extend the existing garden centre and the facilities of its ancillary uses at Pulborough Garden Centre within the land shown on the Map of the Garden Centre will be supported provided any proposed extension or addition:
- i. Has regard to conserving the natural beauty, wildlife and cultural heritage of the South Downs National Park;
  - ii. Considers re-designing the entrance to accommodate any increase in traffic;
  - iii. Is designed in such a way that the massing and height of any proposal is appropriate to the area;
  - iv. Any development should be sympathetic to existing listed buildings adjacent to the site;
  - v. Schemes proposed for a site shall identify and retain those features on site that are particularly important for bats and any impacts likely to cause disturbance to important routes used by bats for foraging or commuting; and show how and where any external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory;
  - vi. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority;

- vii. Developers should submit a Construction Environment Management Plan showing how they will avoid damaging local water quality by preventing water runoff from the site (see page 8); and
  - viii. All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. All proposals should look to be compliant with Policy 16: Water Neutrality.
- 2.4 The NDP also includes thematic policies on community facilities, local green space, design and water neutrality. Of particular relevance to the National Park is Policy 12: Tourism, which supports new tourism facilities provided they have regard to conserving the special landscape and scenic beauty of the National Park.
- 2.5 The Examiner concluded that the Pulborough Neighbourhood Area Plan should proceed to referendum, subject to the Plan being amended in line with his recommended modifications. The Examiner’s modifications relating to the area within the National Park included:
- Extending the built-up area boundary to include all the allocation sites; and
  - Defining the extent of Pulborough Garden Centre on a plan.

**3. Referendum & Result**

- 3.1 The Pulborough NDP was subject to a community referendum on 4 September 2025. The question asked at the referendum was: Do you want Horsham District Council and the South Downs National Park Authority to use the Neighbourhood Plan for Pulborough to help it decide planning applications in the neighbourhood area?
- 3.2 The turnout was 18.49% with 83.71% (694 votes) voting “yes” and 16.28% (135 votes) voting “no”.

**4. Making the Pulborough Neighbourhood Development Plan**

- 4.1 The enactment of the Neighbourhood Planning Act 2017 means that an NDP automatically becomes part of the Development Plan following a successful referendum. However, the local planning authorities still have a statutory duty to “make” an NDP within 8-weeks of a referendum, if more than half of the turnout has voted “yes”. The local planning authorities are not subject to this duty if (and only if) the making of an NDP would breach, or otherwise be incompatible with, any European Union obligations or any of the Convention Rights (within the meaning of the Human Rights Act 1998).
- 4.2 The Examiner concluded in their final report in September 2021 that, subject to modifications, the Pulborough NDP is legally compliant and meets the basic conditions for an NDP. The basic conditions are set out in Paragraph 8(2) of Schedule 4B of the Town and County Planning Act 1990. The Examiner confirmed in their final report that they were satisfied that the NDP had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. Moreover, the Examiner concluded that the NDP does not breach, nor is in any way incompatible with, the ECHR.
- 4.3 As set out above, Natural England published a Position Statement in September 2021 requiring all developments within the Sussex North Water Zone to be water neutral. As a new requirement under the Habitats Regulations that was not in place when the NDP was examined, the local planning authorities sought to address this through modifications to the NDP which added Policy 16: Water Neutrality. A further consultation was carried out on this specific issue. Further modifications were needed to address the withdrawal of the Horsham District Local Plan from examination to remove references to this Local Plan in the NDP and update references to the 2024 National Planning Policy Framework. With

these modifications in place the local planning authorities are satisfied that the NDP is legally compliant and meets the requirements of the Habitat Regulations.

- 4.4 Horsham District Council is taking a similar report to its Cabinet on 8 October 2025 to consider making the Pulborough NDP. SDNPA Planning Committee will be updated orally on this decision.

**5. Next Steps**

- 5.1 The Neighbourhood Planning (General) Regulations 2012 (as amended) require local planning authorities to publish a statement setting out their decision to “make” an NDP and the reasons for making that decision. This statement should be published as soon as practical after the decision is taken to “make” an NDP. This report forms the South Downs National Park Authority’s Regulation 19 “Decision Statement” for the Pulborough NDP.
- 5.2 Following the “making” of the Pulborough NDP (Appendix 2), copies of the NDP will be made available to the Development Management Teams at the South Downs National Park Authority and Horsham District Council, and the Policies Map will be entered onto the relevant electronic mapping system(s).

**6. Other Implications**

- 6.1 There are not considered to be any other implications associated with this report or proposed decision – see Table 1 below.

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No
Does the proposal raise any Resource implications?	No. As Horsham District Council is the lead authority for the Pulborough NDP, the National Park Authority has not incurred any direct costs, other than officer time.
How does the proposal represent Value for Money?	The National Park Authority seeks to achieve best value in all the work it undertakes on community planning across the National Park. Working in partnership with parish and district councils is an effective way to share costs and reduce the burden on plan-making. In this instance, as Horsham District Council is the lead authority for the Pulborough NDP, the National Park Authority has not incurred any direct costs, other than officer time. In terms of Community Infrastructure Levy (CIL), a parish council is entitled to 25% of CIL – as opposed to the capped 15% - collected from development within the designated Neighbourhood Area once an NDP is “made”. The parish council can choose how it wishes to spend these funds on a wide range of matters which support development in the Neighbourhood Area.
Does the proposal seek to further National Park Purposes as required under Section 11A(2) duty of the National Parks and Access to the Countryside Act 1949 as amended by Section 245 of the	Yes, as demonstrated through its general conformity with strategic policies in the South Downs Local Plan.

Implication	Yes*/No
Levelling Up and Regeneration Act 2023?	
Which PMP Outcomes/ Corporate plan objectives does this deliver against	PMP Outcome 9.2 and Policy 34. In addition, an NDP has the potential to contribute to the three corporate plan objectives in relation to climate change, nature recovery, and a National Park for all.
Links to other projects or partner organisations	The Pulborough NDP will form part of the Development Plan for the parish. In doing so, it will form part of the Development Plan for both the South Downs National Park and Horsham District Council for the parts of the parish inside and outside of the National Park, respectively.
How does this decision contribute to the Authority’s climate change objectives	The Pulborough NDP includes thematic policies which control development, including aspects which would contribute to sustainable development.
Are there any Social Value implications arising from the proposal?	The requirements of the Public Services (Social Value) Act 2012 is considered for appropriate expenditure and programmes undertaken by the Authority.
Have you taken regard of the South Downs National Park Authority’s equality duty as contained within the Equality Act 2010?	Yes. The parish council – as the “qualifying body” - prepared a Consultation Statement to support the Submission version of the Pulborough NDP – see Background Documents. This set out how all sections of the local community (people who live, work, or carry out business in the Neighbourhood Area) have been engaged in the NDP’s preparation.
Are there any Human Rights implications arising from the proposal?	No.
Are there any Crime & Disorder implications arising from the proposal?	No.
Are there any Health & Safety implications arising from the proposal?	No.
Are there any Data Protection implications?	No.

**2. Risks Associated with the Proposed Decision**

2.1 The risks associated with this report or proposed decision are set out in Table 2 below.

Risk	Likelihood	Impact	Mitigation
<p>A legal challenge to a Neighbourhood Development Plan (NDP) can be launched by way of Judicial Review within six weeks of the local planning authority publishing a decision to “make” an NDP.</p>	<p>Low</p>	<p>Medium</p>	<p>National Park Authority Officers are satisfied that the Pulborough NDP meets the legal requirements. Given that it has been through the correct statutory process - including Examination and Referendum - the Authority is obliged to “make” the NDP, unless making the NDP would breach, or would otherwise be incompatible with, any European Union obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998).</p>

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 Appendices:
 

1. Pulborough Neighbourhood Area
2. Pulborough Neighbourhood Development Plan (Referendum Version)

 SDNPA Consultees: Director of Planning; Monitoring Officer; Legal Services  
 External Consultees: None  
 Background Documents:
 

Pulborough Neighbourhood Development Plan SDNPA webpage: [Pulborough Neighbourhood Plan - South Downs National Park Authority](#)

Horsham DC webpage: [Pulborough neighbourhood planning | Horsham District Council](#)

