

Report to	<b>Planning Committee</b>
Date	<b>15 June 2017</b>
By	<b>Director of Planning</b>
Title of Report	<b>Making of the Woodmancote Neighbourhood Development Plan</b>
Purpose of Report	<b>To make the Woodmancote Neighbourhood Development Plan part of the South Downs National Park Authority's (SDNPA) statutory Development Plan</b>

**Recommendation: The Committee is recommended to:**

- 1. Note the outcome of the Woodmancote Referendum;**
- 2. Agree to make the Woodmancote Neighbourhood Development Plan part of the SDNPA's Development Plan for the part of the neighbourhood area that lies within the South Downs National Park.**

**1. Summary**

- 1.1 This report presents the Woodmancote Neighbourhood Development Plan (WNDP) which recently passed referendum and is ready to be made part of the South Downs National Park Authority's (SDNPA) Development Plan. The plan has been through the neighbourhood planning process as set out by the Neighbourhood Planning (General) Regulations 2012. Following independent Examination it has been subject to community Referendum with over 90% of those that voted, voting yes. The Neighbourhood Development Plan (NDP) can now be made by the SDNPA and by Horsham District Council. Once made, the NDP will become part of the Development Plan for the South Downs National Park and will be used in the determination of planning applications within the relevant neighbourhood area.

**2. Woodmancote Neighbourhood Development Plan 2016 -2031**

- 2.1 The Woodmancote Neighbourhood Area was designated by the SDNPA on 17<sup>th</sup> February 2014 (Appendix 2) and follows the parish boundaries. Only small segments of the parish fall within the SDNPA area, located in the southern and south eastern edges.
- 2.2 Woodmancote is a small rural parish in Horsham District containing the two settlements of Woodmancote, which is located in the south of the parish, and Blackstone, lying at the geographical centre of the Parish. With no settlement boundary and reliant on other villages and settlements for its services, the WNDP does not allocate any sites for development, instead proposing very modest growth to meet local needs, through windfall sites of less than 5 dwellings that may come forward such as through brownfield sites or conversion of existing buildings.
- 2.3 A key part of the vision for the Neighbourhood Plan is for the Parish to enjoy a positive relationship with the South Downs National Park so that it is more accessible for recreation and leisure by the local community. There is also a shared ambition to protect the setting and views of the National Park. As a result, Policy 1- Spatial Strategy, Policy 2 - Housing Windfall Sites and Policy 3 – Design contain wording that seeks to protect the landscape setting and scenic beauty of the South Downs National Park. Policy 4- Green Links aims to improve the access throughout the Parish by improving walking links to the National Park. This is encouraged to improve the local tourism economy and the healthy enjoyment of natural assets.

- 2.4 The SDNPA did not make any substantive comments on the draft Plan, at any stage in its preparation, given the small proportion of the NDP area within the National Park and that any issues of relevance were felt to be dealt with adequately within the Plan. In addition, as the majority of the parish is in Horsham District, they are the lead Local Planning Authority for the neighbourhood plan.
- 2.5 Mr John Slater MRTPI was appointed as independent Examiner by Horsham District Council with the consent of the Parish Council, and also on behalf of the SDNPA, to undertake the Examination. The Examiner's report concluded that subject to making the modifications recommended, the NDP could proceed to Referendum. Led by Horsham District Council, a Decision Statement was agreed on 12 September 2016 and a referendum took place on Thursday 5th May 2017 with the following results:

Turn out = 46%

Votes & % in favour = 189 (92%)

Votes & % against = 14 (8%)

### **3. Making of the Neighbourhood Development Plan**

- 3.1 The Local Planning Authority (LPA) has a statutory duty to 'make' a neighbourhood plan, as soon as reasonably practical, if more than half of those voting have voted in favour of the plan. The LPA is not subject to this duty if (and only if) the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998)
- 3.2 The Examiner concluded that the WNDP with modifications met these legislative obligations/rights. No information has subsequently arisen to suggest the making of the NDP would be in breach with or incompatible with the legislation.
- 3.3 The WNDP will be also be made (for those policies which apply outside the National Park) at the meeting of Horsham District Council Full Council on 21st June 2017.
- 3.4 The making of the Neighbourhood Plan will result in the Plan forming part of the Development Plan for the neighbourhood area. The WNDP will sit alongside the Horsham District Planning Framework adopted in 2015, with the areas within the park subject to the policies of the Horsham District Core Strategy and General Development Control Policies 2007 until the time that the South Downs Local plan is adopted.

### **4. Planning Committee**

- 4.1 The WNDP has not previously been presented to Planning Committee. Responses were sent under officer's delegated powers.

### **5. Other Next Steps**

- 5.1 The Neighbourhood Planning Regulations 2012 require Local Planning Authorities to publish a statement setting out their decision to make a NDP and reasons for making that decision. This statement should be published as soon as practical after the decision is taken to make the NDP. This report forms that SDNPA Regulation 19 'Decision Statements' for these two Plans.

### **6. Other Implications**

<b>Implication</b>	<b>Yes/No</b>
Will further decisions be required by another committee/full authority?	No.
Does the proposal raise any Resource implications?	As Horsham District Council were lead authority for the Woodmancote NDP, the SDNPA has not incurred any direct costs, only officer time, relating to this plan, and SDNPA are not eligible to apply for New Burdens funding for this NDP. Once a NDP is made, a Parish Council is entitled to 25% of Community Infrastructure Levy (CIL) collected from development within the

Implication	Yes/No
	neighbourhood area, as opposed to the capped 15% share where there is no NDP. The Parish Council can choose how it wishes to spend these funds on a wide range of things which support the development of the area.
Has due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Yes, Woodmancote Parish Council prepared a Consultation Statement to support the submission version of the WNDP, setting out how all sections of the local community (people who live, work or carry out business in the neighbourhood area), including hard to reach groups, have been engaged in the plan's production.
Are there any Human Rights implications arising from the proposal?	None.
Are there any Crime & Disorder implications arising from the proposal?	None.
Are there any Health & Safety implications arising from the proposal?	None.
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy: 6.2 Living within environmental limits 6.3 Ensuring a strong healthy and just society 6.4 Achieving a sustainable economy 6.5 Promoting good governance 6.6 5. Using sound science responsibly	The qualifying body with responsibility for preparing the Neighbourhood Plan must demonstrate how its Plan will contribute to the achievement of sustainable development. This is set out in the Basic Conditions Statement. The Examiner who assessed this Plan considered that it met the legislative requirements. Please note that the sustainability objectives used by qualifying bodies may not be the same as used by the SDNPA, but they will follow similar themes. Strategic Environmental Assessment (SEA) Horsham District Council, as the lead Authority for the Woodmancote Neighbourhood Plan, determined there was no need for SEA. The policies of the Plan were not considered likely to have a significant effect on any European site.

## 7. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
A legal challenge to a NDP can be launched by way of judicial review within six weeks of the LPA publishing a decision to make the NDP.	Low	Medium	Officers at SDNPA and Horsham District Council are satisfied the Plan 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 plan part of the Development Plan.

### TIM SLANEY DIRECTOR OF PLANNING

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Appendices Woodmancote Neighbourhood Area  
SDNPA Consultees Legal Services; Chief Finance Officer; Monitoring Officer  
External Consultees None  
Background Documents Woodmancote NDP Referendum Version  
Woodmancote NPD Decision Statement



Agenda Item 10 Report PC35/17  
Woodmancote Neighbourhood Area

