

9. ACCEPTANCE OF THE RECOMMENDATIONS CONTAINED IN THE BALCOMBE NEIGHBOURHOOD PLAN AND DESIGN GUIDE EXAMINATION REPORT.

REPORT OF:	HEAD OF ECONOMIC PROMOTION AND PLANNING
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Wards Affected:	Ardingly and Balcombe
Key Decision:	Yes
Report to:	Cabinet 11 th July 2016

Purpose of Report

1. The purpose of this report is to seek Cabinet acceptance of the modifications to the Balcombe Neighbourhood Plan and Design Guide following its Examination in respect of the Basic Conditions for Neighbourhood Plans. This is the 12th neighbourhood plan in Mid Sussex to successfully pass its examination.

Summary

2. The Examination Report into the Balcombe Neighbourhood Plan and Design Guide recommended that the Neighbourhood Plan should proceed to referendum, subject to a number of modifications. It is recommended that the Recommendations of the Examiner are accepted by the District Council.

Recommendations

3. **It is recommended that Cabinet formally accepts the modifications to the Balcombe Neighbourhood Plan and Design Guide as set out in Appendix 2 to this report.**

Background

4. The Neighbourhood Planning process has come about due to the Localism Act 2011. This Act allows Parish/Town Councils and other designated forums to prepare a Neighbourhood Plan for their designated area. Neighbourhood Plans can allocate land for development and/or contain criteria based policies to guide development.
5. Balcombe Parish Council, as the qualifying body, successfully applied for the Neighbourhood Plan Area to be designated, under the Neighbourhood Planning (General) Regulations (2012), which came in to force on 6 April 2012. A Neighbourhood Area was subsequently designated on the 9th July 2012 by Mid Sussex District Council which covered the whole parish.
6. The Neighbourhood Plan and accompanying Design Guide was published by Balcombe Parish Council for the Regulation 14 Pre Submission Consultation during June and July 2015 for a period of six weeks. Following the submission of the Balcombe Neighbourhood Plan and Design Guide (Submission Version) to the District Council, the plan was publicised and comments were invited from the public and stakeholders for a further six weeks. The consultation period closed on 7th April 2016.
7. Mid Sussex District Council appointed an Independent Examiner; Andrew Ashcroft, in agreement with Balcombe Parish Council, to review whether the documents met the

Basic Conditions as required by legislation and to recommend whether they should proceed to referendum. The Examiner's report was published on 18th May 2016 and is included as Appendix 1 to this report.

Examiner's Recommendations

8. The Examiner summarised his conclusions as follows:

"the Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the plan area. There is a very clear focus on promoting sustainable development in general and new housing in particular to meet strategic objectives whilst safeguarding the character and appearance of the area.

The Plan includes a Design Guide. The Plan has been significantly underpinned by community support and engagement. It seeks to achieve sustainable development in the plan area and which reflects the range of social, environmental and economic issues that it has identified.

Subject to a series of recommended modifications set out in this report I have concluded that the Balcombe Parish Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum. I recommend that the referendum should be held within the neighbourhood plan area".

Modifications to the Balcombe Neighbourhood Plan and Design Guide

9. The modifications recommended by the Examiner are identified in the Modifications Addendum at Appendix 2. All of the recommendations have been accepted by Balcombe Parish Council.

Conclusion

10. It is recommended that Cabinet formally accept these modifications as they are considered to be necessary in order for the Plan and Design Guide to meet the Basic Conditions.

Policy Context

11. The Sustainable Communities Strategy supports

- Protecting and Enhancing the Environment
- Ensuring Cohesive and Safe Communities
- Promoting Economic Vitality and
- Supporting Healthy Lifestyles

The Strategy identifies the District Plan as a key complementary document and states "Neighbourhood plans drawn up by the Town and Parish Councils will sit alongside the District Plan. These set out how local communities would like their neighbourhoods to evolve".

12. Acceptance of the recommendations in the examination report will allow for a Referendum to take place. This would provide certainty for the community and for those in the development sector at the earliest opportunity. The National Planning Policy Framework and the Localism Act 2011 are supportive of Neighbourhood Plans.

Other Options Considered

13. Cabinet has the option not to accept the recommendations of the Independent Examiner on all of the elements, one of the elements, or some of the elements contained within the Examiner's Report. However, this is not considered appropriate as the modifications are considered necessary in order for the Neighbourhood Plan and Design Guide to meet the Basic Conditions.

Financial Implications

14. There are no financial implications of this decision.

Risk Management Implications

15. Strategic Risk 2 for this year is "Failure to achieve a successful examination of the District Plan and Community Infrastructure Charging Schedule". The successful development of Neighbourhood Plans is a key element of the District Plan strategy. The decision to accept the Examiner's report on the Balcombe Parish Council Neighbourhood Plan will allow the Parish and District Council to move forward with confidence.

Equality and Customer Service Implications

16. It is considered that there are no equality and customer service implications.

Other Material Implications

17. There are no other material considerations.

Appendices

1. The Independent Examination Report into the Balcombe Neighbourhood Plan and Design Guide.
2. Balcombe Neighbourhood Plan and Design Guide Modifications Addendum.

Background Papers

The Balcombe Neighbourhood Plan and Design Guide. <http://www.midsussex.gov.uk/planning-licensing-building-control/planning-policy/neighbourhood-plans/balcombe-neighbourhood-plan/>