

5. ACCEPTANCE OF THE RECOMMENDATIONS CONTAINED IN THE ANSTY, STAPLEFIELD AND BROOK STREET NEIGHBOURHOOD PLAN EXAMINATION REPORT.

REPORT OF:	HEAD OF ECONOMIC PROMOTION & PLANNING
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Wards Affected:	Cuckfield
Key Decision:	Yes
Report to:	Cabinet 28 th November 2016

Purpose of Report

1. The purpose of this report is to seek Cabinet acceptance of the proposed modifications to the Ansty, Staplefield and Brook Street Neighbourhood Plan following its Examination in respect of the Basic Conditions for Neighbourhood Plans.

Summary

2. The Examination Report into the Ansty, Staplefield and Brook Street Neighbourhood Plan recommended that the Neighbourhood Plan should proceed to referendum, subject to a number of modifications. It is recommended that the recommendations made by the Examiner are accepted by the District Council.

Recommendations

3. **It is recommended that Cabinet formally accepts the modifications to the Ansty, Staplefield and Brook Street Neighbourhood Plan 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. Ansty and Staplefield 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 19th October 2012 by Mid Sussex District Council which covered most of the parish but excluded areas on the periphery of Haywards Heath and Burgess Hill.
6. The Neighbourhood Plan was published by Ansty and Staplefield Parish Council for the Regulation 14 Pre Submission Consultation during July, August and September 2015. Following the submission of the Ansty, Staplefield and Brook Street Neighbourhood Plan (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 3rd March 2016.

7. Mid Sussex District Council appointed an Independent Examiner; Deborah McCann, in agreement with Ansty and Staplefield Parish Council, to review whether the Neighbourhood Plan met the Basic Conditions as required by legislation and to recommend whether it should proceed to referendum. The Examiner's report was published on 7th October 2016 and is included as Appendix 1 to this report.

Examiner's Recommendations

8. The Examiner summarised her findings as follows:

"1. Having read the Ansty, Staplefield and Brook Street Consultation Report and the representations made in connection with this subject I am satisfied that the consultation process was robust and that the Neighbourhood Plan and its policies reflects the outcome of the consultation process including recording representations and tracking the changes made as a result of those representations.

2. I find that the policies contained within the Ansty, Staplefield and Brook Street Neighbourhood Plan subject to minor modification meet the Basic Conditions.

3. I find that the Ansty, Staplefield and Brook Street Neighbourhood Plan can, subject to minor modification proceed to Referendum.

4. I am satisfied that the Referendum Area should be the same as the Plan Area, should the Ansty, Staplefield and Brook Street Neighbourhood Plan go to Referendum.

5. At the time of my examination the adopted local plan was the Mid Sussex Local Plan 2004.

6. Throughout Ansty, Staplefield and Brook Street Neighbourhood Plan there are references to the emerging Mid Sussex District Plan. The Development Plan for the purposes of this examination is the Mid Sussex Local Plan 2004 and the relevant policies are the strategic policies of that plan. Whilst reference to the evidence base for the emerging District Plan is relevant reference to emerging policies within the plan should be removed".

Modifications to the Ansty, Staplefield and Brook Street Neighbourhood Plan

9. The modifications recommended by the Examiner are identified in the Modifications Addendum at Appendix 2. The most significant modification relates to policy AS1 which, as drafted, restricted new development to within the built up area boundary of Ansty. The Examiner was commented:

"I am not convinced that the sites identified within the plan will deliver sufficient housing over the plan period to meet the OAN and in addition, the site allocations focus only on the settlement of Ansty despite numerous representations identifying a housing need in Staplefield. In addition, I find I agree with the point made in a number of representations that the developments at Burgess Hill will not necessarily meet the

housing need of those wishing to live within the Neighbourhood Plan area. The additional constraint imposed by the retention of the Built Up Area Boundary of Ansty unchanged results in a lack of flexibility of approach to housing delivery and reinforces my opinion that there is a risk of failure to meet local housing need”.

The Examiner therefore recommended a modification to AS1 that would allow small scale housing development outside built up area boundaries of up to 10 units to meet identified local need subject to criteria.

10. Ansty and Staplefield Parish Council considered and agreed to the recommended modifications at its meeting on 14th November 2016.

Conclusion

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

Policy Context

12. 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”.

13. 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

14. 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 to meet the Basic Conditions.

Financial Implications

15. There are no financial implications of this decision.

Risk Management Implications

16. 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 Ansty, Staplefield and Brook Street Neighbourhood Plan will allow the Parish and District Council to move forward with confidence.

Equality and Customer Service Implications

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

Other Material Implications

18. There are no other material considerations.

Appendices

1. The Independent Examination Report into the Ansty, Staplefield and Brook Street Neighbourhood Plan.
2. Ansty, Staplefield and Brook Street Neighbourhood Plan Modifications Addendum.

Background Papers

The Ansty, Staplefield and Brook Street Neighbourhood Plan.