

## **MAKING OF THE SLAUGHAM NEIGHBOURHOOD PLAN**

REPORT OF: Assistant Chief Executive  
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Wards Affected: Slaugham  
Key Decision: Yes  
Report to: Full Council 25<sup>th</sup> September 2019

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### **Purpose of Report**

1. The purpose of this report is to recommend that the District Council formally ‘make’ the Slaugham Neighbourhood Plan. The Neighbourhood Plan will then sit alongside the District Plan and form part of the Development Plan for Mid Sussex. This will enable the District Council to use the Slaugham Neighbourhood Plan to help determine planning applications in Slaugham Parish.

### **Summary**

2. The District Council supports communities who wish to prepare Neighbourhood Plans. Altogether 16 Neighbourhood Plans have been ‘made’ (adopted) in the District. There are four remaining parishes at different stages in the process, including the Slaugham Neighbourhood Plan, which has now progressed to the final stage of being ‘made’ by Mid Sussex District Council (MSDC) as the Local Planning Authority (LPA).
3. Slaugham Parish Council is to be congratulated on their commitment and hard work in delivering their Neighbourhood Plan. Their efforts were rewarded in the Referendum on 25<sup>th</sup> July 2019 where the result was overall in favour of the Neighbourhood Plan being used to help determine planning applications in the Neighbourhood Area.
4. The Neighbourhood Plan is now part of the Development Plan for the parish of Slaugham having been through independent examination and receiving the backing of the community in a Referendum. MSDC is required to take a decision to formally ‘make’ the Slaugham Neighbourhood Plan following a successful Referendum, unless to do so 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).

### **Recommendations**

5. **It is recommended that Council:**
    - **Notes the outcome of the Slaugham Referendum; and**
    - **Agrees to formally ‘make’ the Slaugham Neighbourhood Plan part of the Development Plan for Slaugham Parish.**
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### **Background**

6. Slaugham Parish Council is the ‘qualifying body’ with responsibility for preparing the Slaugham Neighbourhood Plan. The Neighbourhood Plan covers the plan period 2014 to 2031 and has been prepared for a designated neighbourhood area which follows the Slaugham Parish boundary.

7. The Parish Council first prepared their Pre-submission (Regulation 14) Neighbourhood Plan at the end of 2012. The Submission (Regulation 16) Plan underwent public consultation in May 2013 and was the subject of Examination. Ann Skippers was appointed as Examiner and her report (dated 17 January 2014) concluded that the Plan should not proceed to a Referendum for three reasons: that the Strategic Environmental Assessment (SEA) did not meet the legislative requirements', there had been insufficient consultation on the Pre-submission (Regulation 14) Plan, and the assessment of housing need needed to be more robust.
8. Slaugham Parish Council resolved to prepare a revised Neighbourhood Plan in August 2014 and carried out Pre-submission (Regulation 14) consultation from 13 November 2017 to 22 January 2018. The Slaugham Submission (Regulation 16) Neighbourhood Plan was submitted to the District Council on 7<sup>th</sup> November 2018.
9. The Plan sets out a vision for the Parish and, in line with paragraph 14 of the National Planning Policy Framework, it contains a series of policies to protect the environment and heritage, community facilities, the local economy, improve sustainability as well as proposing to allocate two sites for housing development.
  - Policy 11 - St Martin Close (east) for 30 residential units;
  - Policy 12 – St Martin Close (west) for 35 residential units as a Reserve Site.
10. The Neighbourhood Plan was published by the District Council for Regulation 16 public consultation from 19<sup>th</sup> November 2018 until 14<sup>th</sup> January 2019.
11. In agreement with Slaugham Parish Council, Mid Sussex District Council appointed Mr Andrew Ashcroft as Independent Examiner to review whether the Neighbourhood Plan met the Basic Conditions, and to recommend whether it should proceed to Referendum. The Examiner concluded that, subject to some modifications to the Plan, it met the Basic Conditions and should go forward to Referendum. These modifications were approved by Cabinet on 3<sup>rd</sup> June 2019.
12. The Slaugham Neighbourhood Plan Referendum was held on 25<sup>th</sup> July 2019. The result was 430 (77%) persons in favour and 125 (23%) against. The overall turnout at the Referendum was 24.2%. The declaration of result is attached as Appendix 1 to this report.

### **Making of the Neighbourhood Plan**

13. The Neighbourhood Planning Act 2017 provides that a Neighbourhood Plan automatically becomes part of the Development Plan following a successful Referendum. However, the Local Planning Authority (LPA) also has a statutory duty to 'make' a Neighbourhood Plan, following a successful Referendum, if more than half of those voting have voted in favour of the plan. This process is similar to the adoption of the District Council's own development plan documents. 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).
14. The Examiner concluded that the Slaugham Neighbourhood Plan, with modifications, met these legislative obligations. No information has subsequently arisen to suggest the making of the Slaugham Neighbourhood Plan would be in breach with or incompatible with the legislation.

## **Conclusion**

15. This is one of the last remaining Neighbourhood Plans in the District to reach the end of the process. This is an important milestone for both the Parish Council and the District Council. The Slaugham Neighbourhood Plan is now part of the Development Plan for the parish of Slaugham and will sit alongside the Mid Sussex District Plan when assessing planning applications in the parish of Slaugham

## **Policy Context**

16. The National Planning Policy Framework and the Localism Act 2011 support Neighbourhood Plans. The Mid Sussex District Plan was adopted in March 2018 and the preparation of Neighbourhood Plans is part of its overall development strategy. Neighbourhood Plans will sit alongside the District Plan and set out how local communities wish their neighbourhoods to evolve.

## **Other Options Considered**

17. There are no other options as the LPA has a statutory duty to 'make' a neighbourhood plan, following a successful Referendum, if more than half of those voting have voted in favour of the plan, and it meets statutory requirements.

## **Financial Implications**

18. The cost of the Examination was £9,000 and the Referendum cost £3,000. These costs will be met from Government grant now the Plan has achieved a successful Referendum.

## **Risk Management Implications**

19. If the Neighbourhood Plan is not 'made' the Council could be a risk of legal challenge on the basis it has not met the legal requirements for Neighbourhood Development Plans.

## **Equality and Customer Service Implications**

20. An Equality Impact Assessment was carried out at the Submission (Regulation 16) Stage of the Neighbourhood Plan. The Parish Council also prepared a Consultation Statement demonstrating how they have consulted the local community and statutory consultees.

## **Other Material Implications**

21. There are no other material considerations.

## **Appendices**

1. The Declaration of Result of Poll

## **Background Papers**

- The Slaugham Referendum Neighbourhood Plan can be viewed at:  
<https://www.midsussex.gov.uk/media/4190/slaugham-neighbourhood-plan-referendum.pdf>