

Horsted Keynes Neighbourhood Plan Decision Statement – 6 February 2023

1. Introduction

- 1.1. Under the Town and Country Planning Act 1990 (as amended), Mid Sussex District Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2. This statement confirms that the modifications proposed by the Examiner's report have been accepted, the draft Horsted Keynes Neighbourhood Development Plan will be altered as a result of it; and that this plan can proceed to referendum.

2. Background

- 2.1. The Horsted Keynes Neighbourhood Development Plan relates to the area that was designated by Mid Sussex District Council as a neighbourhood area in July 2012. This area corresponds with the Horsted Keynes parish boundary that lies within Mid Sussex District.
- 2.2. Following the submission of the Horsted Keynes Neighbourhood Development Plan to the District Council, the plan was publicised and representations were invited. The formal publicity period ended on 7th November 2022.
- 2.3. Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI was appointed by Mid Sussex District Council with the support of Horsted Keynes Parish Council, to undertake the examination of the Horsted Keynes Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4. The Examiner's report concludes that subject to making the recommended modifications recommended, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

3. Decision

- 3.1. The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.
- 3.2. Having considered each of the recommendations made by the Examiner's report, and the reasons for them, Mid Sussex District Council in consultation with Horsted Keynes Parish Council have decided to accept the modifications to the draft plan. Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations. The reasons set out have in some cases been paraphrased from the Examiners report for conciseness. This statement should be read alongside the [Examiner's Report](#).
- 3.3. If a Local Planning Authority is satisfied that, subject to the modifications being made, the Neighbourhood Plan meets the legal requirements and basic conditions then it can proceed to Referendum.

The paragraph numbering refers to the submission version of the Horsted Keynes Neighbourhood Plan.

Table 1 Examiner's recommended modifications for the Horsted Keynes Neighbourhood Plan and the Council's decision

Examiner's Recommended Modifications	Justification	Decision
<i>Replace paragraph 1.16 with: 'Mid Sussex District Council is in the process of reviewing and updating the adopted District Plan. The Mid Sussex District Plan 2021-2039 aims at achieving the adopted vision and strategic objectives while implementing a revised strategy to guide growth during the plan period. It provides updated and new policies to ensure that the Plan remains effective and in accordance with National Policy. It also includes new housing allocations to meet identified housing needs.'</i>	To reflect the status of the local plan	
Policy HK1: Location of New Development		
In the second part of the policy replace 'permitted' with 'supported'	For clarity purposes	
In the third part of the policy replace 'reflect' with 'respond positively to'	For clarity purposes and assist in the implementation of the policy	
Policy HK3: Dwelling Mix		
<p>Replace the second part of the policy with: 'Where practicable and commercially viable development proposals should deliver the following housing mix:</p> <ul style="list-style-type: none"> • 40%- 1 bed; and • 40%- 2 bed; and • 20%- 3 bed.' <p><i>In paragraph 5.18 replace 'The starting point' with 'Policy HK3 sets out the Plan's approach to this matter. The second part of the policy'</i></p> <p><i>At the end of paragraph 5.18 add: 'Plainly the practicability and commercial viability of the housing mix set out in the policy will vary on a site-by-site basis. In addition, it will be much simpler to achieve the ambitions of the policy on larger rather than smaller sites.'</i></p>	To ensure that the intended housing mix is applied where it is both practicable and commercially viable	
Policy HK5: Infill development and domestic extensions		
Replace the opening part of the policy with: 'Proposals for infill development and domestic extensions within the built-up area boundary will be supported where	For clarity purposes and to support the implementation of the policy	

Examiner's Recommended Modifications	Justification	Decision
<p>they comply with the following criteria:</p> <p>Replace the second bullet point with: 'existing gaps between buildings which provide important views out of the village to the surrounding countryside (as referenced within paragraph 5.29 above) are retained;'</p> <p>In the fifth bullet point replace 'significant' with 'unacceptable'</p> <p>In the final part of the policy replace 'must' with 'should'</p> <p><i>At the end of paragraph 5.24 add: 'Policy HK5 sets out the Plan's approach to these matters. Plainly the policy only applies directly to proposals which require the submission of a planning application. However, the principles in the policy could also usefully be incorporated into proposals which would be permitted development.</i></p> <p><i>Include an additional figure in the Plan to show the location of the two referenced views in paragraph 5.29.</i></p>		
Policy HK6: Conserving Local Heritage		
<p>Delete the final sentence of the policy.</p> <p><i>Reposition the deleted sentence from the policy to the end of paragraph 5.42.</i></p>	<p>This is a process matter rather than a policy</p>	
Policy HK7: Local Green Spaces		
<p>Delete the second part of the policy</p> <p><i>At the end of paragraph 6.10 add: 'The three Local Green Spaces will be protected for their amenity and recreational value, and the contribution they make to the character and appearance of Horsted Keynes. Policy HK7 follows the matter-of-fact approach in the NPPF. If development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. It will be able to make an informed judgement on the extent to which the proposal concerned</i></p>	<p>To take the matter-of-fact approach in the NPPF and take account of legal decisions</p>	

Examiner's Recommended Modifications	Justification	Decision
<i>demonstrates the 'very special circumstances' required by the policy.'</i>		
Policy HK9: The High Weald AONB		
Replace 'Development' with 'As appropriate to their scale, nature, and location development proposals'	To ensure proportionate application of the policy	
Policy HK10: Protection and Improvement of Natural Habitats		
Replace the final part of the policy with: 'Development proposals should deliver a net gain in biodiversity, in addition to any mitigation or compensation required, in accordance with District Plan policy DP38.'	For clarity purposes	
<i>At the end of paragraph 6.16 add: 'Policy HK10 comments about biodiversity net gain. It anticipates forthcoming changes in national legislation on the matter. At least 10% net gain is required which will align with the requirements in the Environment Act 2021 (Schedule 14 which inserts a new Schedule 7A into the Town and Country Planning Act 1990 - set to come into force in November 2023).'</i>		
Policy HK11: Low Carbon Design and Renewable Energy Schemes		
Replace 'All development must' with 'As appropriate to their scale, nature and location development proposals should'	To ensure proportionate application of the policy	
Policy HK13: Light Pollution		
Delete the final part of the policy	Due to the nature of the referred document	
Policy HK14: Expansion of Existing Commercial Premises		
In the opening part of the policy replace 'permitted' with 'supported'	For clarity purposes and consistency	
In the final bullet point replace 'significant' with 'unacceptable'		
Policy HK16: Loss of Existing Public Car Parks		
Replace 'developments' with 'development proposals' and 'permitted' with 'supported'	For clarity purposes	
Policy HK17: Cycleways and Footpaths		
Delete the third part of the policy	Due to the nature of the referred document	
<i>Add the deleted part of the policy at the end of paragraph 8.12</i>		