

Hearing Statement by Campaign to Protect Rural Henfield (CPRH)

- **Matter 1, Issue 2 – Whether the Council has complied with other relevant procedural and legal requirements?**
- **Q2. In overall terms, has the preparation of the Plan complied with the Statement of Community Involvement?**

1. Key Issues

The draft local plan is **not sound or legally compliant** because HDC failed to involve the community as required by

- **the NPPF (Dec 2023):** Para 16b that plans “*be shaped by early, proportionate and effective engagement between plan-makers and communities*”.
- **HDC’s own Statement of Community Involvement**, which commits it (para 1.15) to:
 - Communicate clearly
 - Early involvement
 - Recognising the needs of different groups in the community
 - Providing clear opportunities for involvement
 - Ease of access to information
 - Provide feedback and share information

As a result of this failure to engage, the draft plan:

- **Has not been justified as an appropriate strategy** that takes account of the reasonable alternatives available.
- **Is not consistent with the policies of the NPPF** because it conflicts with the Henfield Neighbourhood Plan which has already been adopted as an integral part of the local plan. Planning Practice Guidance on Plan-making Paragraph 006 (Reference ID: 61-006-20190723) requires that where a neighbourhood plan has been brought into force, the local planning authority should take its policies and proposals into account when preparing the local plan. The new sites of HA9 and HA16 are not merely ‘in addition’ to the sites allocated in the HNP, they conflict with the strategies and undermine the ongoing implementation of the neighbourhood plan.

CPRH has made similar points in response to both the Regulation 18 consultation in 2020 and the Regulation 19 consultation in 2024 (see representations #1190231 and #1190267 in the evidence base). HDC has made no attempt to remedy the failures of community involvement.

Representations from numerous individuals on HA9 (64 personal representations) and HA16 (66 personal representations), from the Henfield Parish Council (#1191014), the Upper Beeding Parish Council (#1191020, #1193087), the Shermanbury Parish Council (#1192785), our MP (Conservative) (#1192423) and the Labour Party (#1191403) all reinforce our position that HDC failed to engage the community and failed to consider properly the conflicts with the made Henfield Neighbourhood Plan.

2. Context

As a village, Henfield has long committed to plan-led development as the best way of delivering the houses that we need in the most appropriate locations. We are therefore keen to see an

appropriate local plan in place to avoid speculative development. We have actively engaged in the planning process both for the local plan and for the Henfield Neighbourhood Plan.

A volunteer group started working on our current Neighbourhood Plan in 2017, with a 'Call for Sites' where over 30 possible sites were submitted. They worked through the lengthy legal process of site assessments, community consultations, sustainability appraisals and independent examination. The plan was finally approved at public referendum in May 2021, as soon as the Covid restrictions were lifted, with over 90% of voters in favour. It was formally 'made' by Horsham District Council (HDC) in June 2021 and became part of the local Development Plan to 2031.

The Henfield Neighbourhood Plan allocates 4 sites for development of 270 houses, in line with the assessment of housing need and the allocation made at the time by Horsham District Council. Importantly, it does so in the context of a spatial strategy that shows how residents want our village to develop, with policies on everything from wildlife and heritage conservation to industrial development and growing our tourist economy. It brings forward the houses that we need, in the most appropriate locations from the reasonable alternative sites.

Part of Small Dole falls within the Henfield Parish but it was formally agreed with Upper Beeding Council not to bring forward site SMD1 Land West of Shoreham Road so that a large site in the Upper Beeding Parish could be developed without overloading the small village.

Site HNF1 Sandgate Nurseries was evaluated as a potential location for development but firmly rejected as unsustainable. Indeed, out of more than 30 sites assessed it was considered to be one of the least sustainable. It caused harms to heritage, biodiversity and landscape character which could not be completely mitigated. It should be noted that the Sandgate Nurseries site is currently subject also to an ongoing planning application for 82 units (DC/23/0189) and multiple representations about the unsuitability of the site have been made in that context.

Most importantly, developing the Sandgate Nurseries site would undermine the spatial strategy in the Neighbourhood Plan to develop the south and west of the village for nature and tourism while locating new housing in the more accessible areas to the north and east of the village.

The Henfield Neighbourhood Plan is already being actively implemented by the village. Planning applications have been delayed by the Water Neutrality issue but are being actively chased by the Parish Council. Development of the expanded business park is well underway. Tourist trails have been developed in conjunction with Horsham Museum to highlight Henfield's historic past. 2024 is designated as Henfield's Year of Biodiversity with multiple conservation projects underway. Inclusion of Sandgate Nurseries in the local plan would render much of this work pointless.

The site specific issues will be explored further in our Hearing Statement for Matter 9, Issue 2.

3. Examples of Failures to Involve the Community Effectively

- **Failure to Communicate clearly.** The Plan documents were too numerous, too long and too complex for lay people to assimilate. Many Henfield residents who commented on the proposed nearby strategic site of Mayfield did not realise that smaller sites were also being proposed in Henfield. Others were unclear whether the sites allocated in the Reg 19 Plan were in addition to those in the Neighbourhood Plan or in place of them. People who wanted to comment in the Reg 19 consultation didn't appreciate that they needed to cross-refer Policy HA9 in the consultation document to other documents in the

evidence base, including pages 100-104 in the Regulation 18 Consultation Report and pp196-198 of Policy HA11 in the Sustainability Appraisal. Almost no-one understood that comments would be sent to an independent examiner to determine whether the plan is legally sound rather than to a planning officer who would weigh up the implications of site allocations and the merits of alternatives.

- **Failure to involve early.** People were shocked to discover that the plan was at an advanced stage of development when they had not heard about it before. People recalled they had voted for the Henfield Neighbourhood Plan and felt it was being ignored or over-ridden. The inclusions of HA9 HNF1 Sandgate Nurseries and SMD1 Land West of Shoreham Road were completely unexpected. Those people who recalled the Reg18 consultation 4 years earlier thought they would have been removed and said that no notice had been taken of their comments. People asked why there had been no ongoing discussion about the site allocations and said that better sites could have been proposed if given the opportunity.
- **Failure to recognise the needs of different groups.** Henfield has a high proportion of older residents with 35% over 60 years of age (2021 census data). Many are uncomfortable with digital technologies and work with either outdated computers or simple tablets. Many commented on how complex it was to ‘cross reference’ between electronic documents and to submit their comments. Comments entered on the HDC portal did not ‘autosave’, with the portal often ‘freezing’ or timing out and so were very often ‘lost’ when people attempted to make submissions, leading to intense user frustration.
- **Failure to provide clear opportunities for involvement** The Reg 18 exhibition in Henfield on 25 February 2020 was expected to be the main opportunity for the community to raise issues in discussion with HDC but appeared in practice to be a tick box exercise. There was a display of maps including one showing Sandgate but the Horsham representatives could not answer even basic questions about the choice of sites or the implications. Visitors were merely told to access the information and comment online. There was no effective interaction and the opportunity for engagement was lost. Follow-up was truncated by the Covid Pandemic which caused many older people to self-isolate and diverted community group activities from early March onwards.
- **Failure to provide easy access to information.** CPRH was approached by a number of people for help using the digital tools provided. Several said they found the online response form impossibly complex and found the legalistic language intimidating. They asked whether simpler methods such as email or letter could be used instead. The online interactive Policies Map was not intuitive to use. It was hard to discover the meaning of the various hatchings. Sites identified in the Henfield Neighbourhood Plan are not visible at the scale needed to view the whole village. Reading so many long and complex documents as the Local Plan and Evidence Base on screen was tiring and difficult, even on a desktop. Most people only have tablets or mobile phones.
There was also confusion over the fact that there was a live planning application for 82 units on Sandgate Nurseries (DC/23/0189) at the same time as the Local Plan proposed ‘at least 55 homes’. People mixed up the two consultations and were not sure whether they had commented on the right one. This was compounded by a ‘Technical fault’ which caused repeated crashing of the Horsham Planning Applications database.
- **Failure to provide feedback and share information**
The CPRH submission and other respondents to the Regulation 18 consultation (17th Feb to 30th March 2020) made clear that community involvement was unsatisfactory and that HDC needed to provide more opportunity for community input, particularly on local site allocations. There was no response from HDC.
On 12th May 2021 the chairman of the Horsham Association of Local Councils, wrote to senior officers of HDC about the lack of feedback and lack of progress on site selection.

There was no communication with the community for almost 4 years until the Regulation 19 consultation (19th January to 1st March 2024). It came as a shock to discover that HDC had apparently taken no account of anything CPRH and others had said in the Regulation 18 submission.

The Regulation 19 communication then followed a similar online format to the Reg.18 consultation, without addressing the communication issues that had already been raised. Indeed, the additional documents, the ongoing planning application for Sandgate Nurseries, and the regulatory constraints on the arguments that could be used at Reg19 stage, caused much more confusion.

At a late stage in the consultation, our local MP organised an impromptu public meeting where around 60 people expressed their exasperation at the inclusion of the additional sites without community involvement. There was deep cynicism about whether HDC was serious about community involvement in planning.

4. Proposal

NPPF Paragraph 69 requires planning policies to identify a supply of “specific, deliverable” sites for five years following adoption of a Plan and “specific, developable sites or broad locations for growth” for years 6-10 and, where possible, years 11-15 of the Plan period.

CPRH proposes that the Local Plan should be phased so that not all the housing development comes forward at once. The first phase could include all the housing sites already allocated in current neighbourhood plans.

The subsequent phase could specify the number of houses to be built through additional allocations to be brought forward under future updates of the Neighbourhood Plans. This would allow time for meaningful consultation about future site allocations so that sites could be brought forward that align with both community wishes and the policies of the NPPF. It allows the Council to meet its pledge to continue to work with Parishes on supporting the preparation and review of Neighbourhood Plans. It would also make the Local Plan dynamically responsive to changing circumstances during the lifetime of the Plan.