

Findon Neighbourhood Plan (Update 1) Examiner's Report and SDNPA Decision Notice

1. The Examiner issued his final Report and Recommendations to the SDNPA, as the local planning authority, on 9 December 2019. The SDNPA published it on their website on 13 December 2019 and will seek ratification for issue of a SDNPA Decision Notice that accepts the recommendations of the Examiner, at the SDNPA Planning Committee to be held on 16 January 2020.
2. The Examiner concludes that the updated Neighbourhood Plan with different housing site allocations to those in the new 2019 South Downs Local Plan, does not meet one of the 'basic conditions' for neighbourhood plans and therefore recommends that it should not proceed to a referendum, despite meeting other 'basic conditions' which include following proper local consultation on selection of housing allocations and being in general conformity with the new 2019 South Downs Local Plan.
3. The SDNPA planning directorate and committee members have not been minded, previously or currently, to use their available powers to defer, or withdraw, the two housing site allocations for Findon, at Soldiers Field House and Elm Rise, which have been brought forward in the new 2019 South Downs Local Plan. This would have been a more appropriate and locally sensitive response to the different, less harmful and locally preferred housing site allocations proposed in the updated Neighbourhood Plan. As a consequence the Examiner's view is that, if the two Plans with different housing allocations were to be allowed to coexist, that would result in an unwelcome lack of 'clarity in planning policy' on housing allocation sites in Findon and therefore the allocations in the new 2019 South Downs Local Plan alone should prevail, even though an updated Neighbourhood Plan would be the latest Development Plan document for Findon.
4. 'Clarity in planning policy' is a requirement of the government's National Planning Policy Framework (NPPF) and conformity with the NPPF is one of the 'basic conditions' which have to be met by neighbourhood plans.
5. Findon Parish Council have consistently objected to the two SDNPA allocation sites at all stages of preparation and consultation on the emerging South Downs Local Plan since December 2016, when the two sites were first proposed, by the SDNPA at a confidential workshop for parish councils. The proposed allocations for Findon had resulted from earlier private negotiations between the SDNPA, the landowners and their agents about the capacity

and availability for bringing forward housing development schemes at Soldiers Field House and Elm Rise.

6. Findon Parish Council, the Updated Neighbourhood Plan Working Group and the community in Findon continue to be very disappointed at the stance taken by the SDNPA, which is at odds with government aspirations for the 2011 Localism Act in planning and the SDNPA's own active promotion of neighbourhood planning. Although lawful, it may be seen as a somewhat regressive and hypocritical approach to local democracy in planning, by a National Park authority, which being essentially an unelected body, is unlike other local planning authorities, for example Arun District Council, the previous planning authority for Findon.

7. Both the Inspector of the South Downs Local Plan and the Examiner of the updated Findon Neighbourhood Plan acknowledged that robust, local, housing location preference surveys had been undertaken during the preparation of the updated Neighbourhood Plan and that the two housing allocation sites proposed in the South Downs Local Plan were the least preferred by some considerable margin of the eight identified locations for new housing on the edge of Findon.

8. The Inspector's further view however was that the selection of locations for new housing was '*necessarily subjective*' and that although the local community in Findon had taken a different view to the SDNPA on the extent of harm to local landscape and local heritage that would arise if the SDNPA allocation sites were developed, this was not in itself a sufficient reason to defer or withdraw the two allocations in the new 2019 South Downs Local Plan, if the SDNPA were not minded to do so. The Examiner of the updated Neighbourhood Plan concurred in the end with the Inspector of the Local Plan on this approach to housing allocations.

9. As the SDNPA had not responded positively to the results of the preferred housing location surveys, the local consultation or the evidence base on local landscape and heritage harm in the emerging updated Neighbourhood Plan, the Examiner concluded, that these were not sufficient grounds alone, in planning terms, for the two allocations in the South Downs Local Plan to be withdrawn, despite government aspirations for neighbourhood planning which sought to give local people a proper say in the location of new housing development in their own area.

10. Findon does appear to be the only community in the National Park where the SDNPA has not been minded to support local preferences for the location of new housing development through the neighbourhood planning process.

11. Findon Parish Council and the Updated Neighbourhood Plan Working Group have used their very best endeavours to give the community in Findon that proper say on where new housing should be located in and around the village, but sadly, or even perhaps reprehensibly, the SDNPA have consistently taken a different view and promoted their own preferred locations. It is unfortunately the community who will experience for years to come the real harm to the local landscape and local heritage that will result from housing development at Soldiers Field House and Elm Rise, and the loss of trust in local democracy in planning, not the SDNPA planning directorate or members. Nevertheless Findon Parish Council will continue to engage positively with the SDNPA to conserve and enhance the local landscape and heritage in the National Park and support sustainable development at the least harmful locations.

12. There are now unfortunately no further, effective planning or legal challenges to the housing site allocations for Findon in the 2019 South Downs Local Plan, but formal objections to the landscape and heritage response, design, layout, access and detail of current and future housing proposals on the two sites can still be, and should be, made through the usual planning application consultation process.

13. Thank you for all your support over the last three years.

Updated Findon Neighbourhood Plan Working Group

06 January 2020