

Director of Planning – Delegated Authority Report

Planning Function: Neighbourhood Planning

Purpose: To modify the Twyford Neighbourhood Plan Decision Statement to remove an incorrect policy reference in the supporting text of the Twyford Neighbourhood Plan

## 1. Background

- 1.1 The Neighbourhood Planning Act 2017 state that a Local Planning Authority must publish a 'Decision Statement' which sets out what actions will be taken by the Authority in response to the recommendations of the Examiner. The South Downs National Park Authority (SDNPA) prepared a Decision Statement setting out how the Twyford Neighbourhood Plan would be modified following the publication of the Examiner's report. The Decision Statement was agreed by Planning Committee on 14 October 2021.
- 1.2 The Examiner proposed a number of modifications to the Twyford Neighbourhood Plan for the Plan to meet the Basic Conditions. The SDNPA considered all proposed modifications and agreed with the Examiner's recommendation to make all the necessary modifications for the Twyford Neighbourhood Plan to meet the Basic Conditions and proceed to referendum. The Decision Statement was published on the SDNPA webpage on 14 October 2021 following a decision to agree the statement by SDNPA Planning Committee on the same date.
- 1.3 Since the publication of the Decision Statement a minor error in the Examiner's report has been identified. This error was repeated in the SDNPA Decision Statement and this report proposes a minor modification to correct this error.
- 1.4 The Twyford Neighbourhood Plan community referendum is scheduled for the 13 January 2022. The regulations for Neighbourhood Plan Referendums requires the Decision Statement and Neighbourhood Plan (and other documents) to be published at least 28 days prior to the referendum. There is not time to present a modified Decision Statement to SDNPA Planning Committee, and the Director of Planning's delegated authority powers are required to ensure the documents are published in time for the Community Referendum.

## 2. SDNPA Standing Orders – Delegation of function to Director of Planning

- 2.1 The following is an extract from the SDNPA Standing Orders setting out decisions and actions, which can be carried out under Delegated Authority. The publication of the Decision Statement or a modification to that Decision Statement does not fall in the categories of actions which cannot be carried out under delegated authority.

*The Director of Planning is hereby authorised to make all decisions required and take all actions necessary in the discharge of the functions of the Authority falling within the terms of reference of the Planning Committee, except where and to the extent that the particular matter falls within one of the following descriptions (in which case it shall be referred to the Planning Committee for determination, however, this does not prevent the Planning Committee from delegating any of these functions to the Director of Planning):*

- i) *planning applications (except for householder and other minor applications) which are contrary to the approved or draft development plan or other planning policies but which are recommended for approval*

- ii) applications (except for householder and other minor applications) which are requested for referral to the Planning Committee by any Member of the Authority, in writing or email to the Director of Planning and with specified reasons
- iii) applications (except for householder and other minor applications) which, in the opinion of the Director of Planning, have generated significant and material third party representations which are contrary to the officer recommendation
- iv) applications from Authority Members or employees
- v) applications submitted by or on behalf of the Authority for its own developments, except for the approval of minor developments
- vi) applications which, at the discretion of the Director of Planning, have potential significant impact or could set an important precedent
- vii) enforcement action which requires prosecution, the service of a “Stop Notice” or any other Notice or action which in the opinion of the Director of Planning might potentially have significant financial risks for the Authority.
- viii) the allocation of resources received through the community infrastructure levy.

Note – All other enforcement action taken in terms of these delegations is to be carried out only after the appropriate legal advice has been taken and subject to reports on progress being made to the Planning Committee as required by the committee

### 3. Twyford Neighbourhood Plan Decision Statement - Modification

- 3.1 The Twyford Neighbourhood Plan Examiner’s report, which can be found on the SDNPA webpage here [Twyford-Neighbourhood-Development-Plan-Final-Examiners-Report.pdf \(southdowns.gov.uk\)](https://southdowns.gov.uk/Twyford-Neighbourhood-Development-Plan-Final-Examiners-Report.pdf) incorrectly proposed a modification to the supporting text of Policy DB1 ‘Land Allocation by the Village Hall’. Paragraph 7.150 of the Examiner’s report proposes a modification to the supporting text of Policy DB1 as follows:

*‘Replace the opening element of supporting text with: Site 26 is the principal site for allocation of new houses in the Plan. It will provide 20 houses (see Policy HN2) of which 10 are to be affordable (see Policy HN3). The scheme will also deliver additional car parking (see Policy MA2)’*

The Examiner incorrectly references Policy MA2 in this modification. Policy MA2 was recommended for deletion by the Examiner’s report at Paragraph 7.119.

- 3.2 The Twyford Neighbourhood Plan Decision Statement is set out at Appendix 2 of report PC 21/22-20 which was presented to the SDNPA Planning Committee on 14 October 2021. A copy of the report and Decision Statement can be found here [PC2021Oct14-Agenda-Item-11-Twyford-NDP-Decision-Statement.pdf \(southdowns.gov.uk\)](https://southdowns.gov.uk/PC2021Oct14-Agenda-Item-11-Twyford-NDP-Decision-Statement.pdf).
- 3.3 The Decision Statement repeats the Examiner’s proposed modification to modify the supporting text of Policy DB1 and proposes a modification to the supporting text in the last row of the decision statement on Page 190. The proposed modification refers to the policy MA2.
- 3.4 **The following modification is proposed to the SDNPA Decision Statement to remove reference to Policy MA2:**

#### **Page 189 – 190 – Policy DB1 Land Allocation by the Village Hall**

**Replace the opening element of supporting text with: ‘Site 26 is the principal site for allocation of new houses in the Plan. It will provide 20 houses (see Policy HN2) of which 10 are to be affordable (see Policy HN3). The scheme will also deliver additional car parking (see Policy MA2)’**

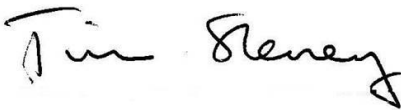
3.5 This report will be published alongside the SDNPA Decision Statement and the Twyford Neighbourhood Plan will be modified accordingly so the incorrect policy reference does not appear in the referendum version of the Twyford Neighbourhood Plan.

3.6 The SDNPA have requested that the Examiner provides an erratum to modify the incorrect policy reference in the Examiner's report; this will be published alongside the Examiner's report on the SDNPA webpage.

#### **4.0 Recommendation**

4.1 It is recommended that the Twyford Neighbourhood Plan Decision Statement be modified at Page 190 (Policy DB1 Land allocation by the Village Hall) to remove reference to Policy MA2. The modified Decision Statement will be published with this report on the SDNPA webpage.

**Signed**

A handwritten signature in black ink that reads "Tim Slaney". The signature is written in a cursive style with a large initial 'T' and a long, sweeping underline.

**Name Tim Slaney**

**Role Director of Planning**

**Date 10 November 2021**