

HKPC/12.07.2016 - 0017

**HORSTED KEYNES PARISH COUNCIL**

Minutes of the  
**Extraordinary Meeting of HORSTED KEYNES PARISH COUNCIL** held on **Tuesday 9  
August 2016 at 8:00pm** in the Village Hall, Horsted Keynes

**PRESENT:** Cllrs David Colville (Chairman) John Luckhurst  
William Dye Michael Kirk  
Jeremy Humphries-Davis Keith O'Regan (Vice Chairman)  
Celia Vince Chris Hersey  
Sarah Webster  
Christine Wheatley

Also in attendance: Michaela Frost- Parish Clerk  
Lindsay Frost, Independent Planning Expert  
44 members of the public

**APOLOGIES** – Councillors Clarke and Field.

**DECLARATIONS OF INTEREST**

Members are invited to make any declaration of personal or prejudicial interests that they may have in relation to items on the agenda and are reminded to make any declarations at any stage during the meeting if it then becomes apparent that this may be required when a particular item or issue is to be considered.

Cllr Colville declared an interest in agenda items 4 and 5 in relation to the Independent Expert's report on the Neighbourhood Plan in that one of the potential sites was near to his home. This was a personal interest and did not prejudice him taking part in consideration of the item.

Chairman .....

Date .....

**Full Parish Council – Minutes  
Unconfirmed**

Cllr. Kirk declared an interest in agenda item 4 and 5 in relation to the Independent Expert's report on the Neighbourhood Plan in that one of the potential sites was near to his home. This was a personal interest and did not prejudice him taking part in consideration of the item.

Cllr Vince declared an interest in agenda item 4 and 5 in relation to the Independent Expert's report on the Neighbourhood Plan in that one of the potential sites was near to her home. This was a personal interest and did not prejudice her taking part in consideration of the item.

Cllr Wheatley declared an interest in agenda item 4 and 5 in relation to the Independent Expert's report on the Neighbourhood Plan in that one of the potential sites was near to her home. This was a personal interest and did not prejudice her taking part in consideration of the item.

**INTRODUCTION BY CHAIRMAN**

The Chairman introduced Mr Lindsay Frost who was the Independent Expert appointed by the Council to review the work undertaken regarding the Neighbourhood Plan. Before Mr Frost introduced his report, the Chairman made the following statement as way of clarification:

***A CD was created containing all documents relating to the Neighbourhood Plan – there was no selection – no view was considered as to what information our consultant may wish to read.***

***His work was an independent review which took stock of the current situation and makes recommendations for the way forward leading up to formal submission of the Neighbourhood Plan to MSDC, further consultation, examination and referendum.***

***To do that, he stood back, examined the planning context, and then looked at our vision and objectives, our housing strategy in response to OAHN in the particular circumstances of the parish, and how this was carried through into the draft Neighbourhood Plan in terms of development allocations and planning policies.***

***The limited time available meant that he did not comment in detail on all the extensive work which has gone before on site assessments, sustainability***

Chairman .....

Date .....

***appraisals, and public consultation, other than to bring their conclusions into an assessment of the wider picture.***

***It is likely that the Parish Council will need to consider several strategic issues before it decides how to respond to the recent consultation and move forward.***

## **NEIGHBOURHOOD PLAN – INDEPENDENT EXPERT REPORT**

Mr Lindsay Frost introduced his report to the Council which had been previously circulated and was available on the Parish Council's website. Mr Frost informed the Council that he had reviewed a large amount of paperwork and it was evident to him that a large amount of work had already been undertaken by the Parish Council and by the public who had engaged thoroughly with the process. Mr Frost explained that the contentious issues within Horsted Keynes Neighbourhood Plan was echoed across the South East in many other villages. As an Independent planning expert he did not focus on the contentious issues, but concentrated on four elements:

- The planning context; and
- Scale and location of housing development; and
- The comments received during consultation; and
- What options are now available to be able to formally submit the Neighbourhood Plan.

Mr Frost summarised the conclusions he had reached from his investigations which can be found on page 8 of his report, but are summarised here:-

- National planning policies seek to promote sustainable development and a positive approach to growth. In rural areas, the priority is meeting local housing needs, particularly for affordable housing, in a sustainable way
- In some rural areas, the ability to deliver more housing will be heavily constrained by the need to protect and enhance the countryside, particularly valued landscapes and sites important for nature conservation. The highest level of protection is afforded to national parks and AONBs. Practical considerations, such as availability of a safe access and other necessary infrastructure, will also be important
- These national policies are reflected in the existing (2004) and emerging (2015) local plans prepared by MSDC, where a built up area is defined for the village of Horsted Keynes within which development will be supported in principle (subject to some detailed considerations), and beyond which development in

Chairman .....

Date .....

**Full Parish Council – Minutes**  
**Unconfirmed**

the surrounding countryside will be strictly controlled in the interests of conserving the rural setting of the village, and protecting and enhancing the High Weald AONB and other countryside assets

- The emerging local plan seeks to direct new development to the most sustainable locations, which are the larger towns and villages (levels 1 and 2 in the settlement hierarchy). Horsted Keynes is classed as level 3, having some facilities and transport links, which might justify a limited measure of growth.  
**However , the emerging local plan sets no specific housing development target for Horsted Keynes**
- The NDP affords the chance to review the built up area boundary and - if justified, and possible through “suitable, available and achievable” development sites - to extend it in order to accommodate some new housing
- Any such extension will need to be very carefully justified and emerging local plan policy suggests some factors that need to be taken into account , including local housing needs
- It is difficult to assess future housing needs at the parish level. However, on the basis of a pro-rata distribution based on population and households, MSDC suggest that 126 of the district’s 11,000+ assessed housing needs up to 2031 might be generated in Horsted Keynes. This is not a requirement or target to be met. However, it is a starting point for the NDP. **The key issue is the how far can, or should, these needs be met given the particular local planning circumstances?**
- The Ashdown Forest SPA and SAC designations, and the planning response to them, add a further layer of complexity to consideration of the scale and location of any new housing development in Horsted Keynes
- The amount of housing development in the parish over the last 30 years or so has been very modest , averaging 2/3 new houses per year
- Planning mechanisms are available to secure funding for the necessary infrastructure to support new housing, where it represents sustainable development. The emphasis is shifting from Section 106 planning obligations to the Community Infrastructure Levy , with the latter weakening the link between where revenue is generated and where it is spent

Mr Frost then summarised the options available to the Council as follows:

**Option 1**

Option 1 is where the additional work still drives the parish council to the conclusion that no additional sites are “suitable, available and achievable” and so are not sustainable as housing allocations. It accepts that the draft NDP will fall well short of the OAHN, but justifies this in terms of evidence that the sites rejected do not meet perform well enough against the criteria in the sustainability assessment and that their development will cause overriding harm to planning objectives. This option will yield only a few small units/affordable housing to meet local needs, necessitating a further look at the vision and objectives to make the plan more coherent and robust.

The advantages of Option 1 are:

Chairman .....

Date .....

**Full Parish Council – Minutes**  
**Unconfirmed**

- it provides the greatest degree of protection to the village’s rural setting , the High Weald AONB and other countryside assets, which has strong local support
- it does not make any additional allocations , which are likely to prompt further objections
- it retains the existing well defined built up area boundary

The disadvantages of Option 1 are:

- it provides only a small amount of housing to meet local needs
- the marginal benefit of additional housing to support of community facilities and activities is least of the three options
- a significant body of local opinion is likely to continue opposing the plan vigorously at both examination and referendum , with risk to successfully completing the plan
- pending formal “making” of the plan after referendum , it will leave the area more vulnerable to speculative planning applications for housing development

**Options 2A and 2B**

Option 2 seeks to strike a different balance between protection of the local environment and meeting local housing needs. It uses the device of a “rural exception site (or sites)” in addition to housing allocations. These are sites which would not normally be granted planning permission for housing development, so “the bar is a bit lower” than for a housing allocation because an exception is made in order to provide 100% affordable housing in perpetuity to meet local needs .They are built and managed by social housing providers and are occupied by local people in housing need nominated by the local authority (in this case , MSDC) . Occupiers are households either already living locally, or with a local family or employment connection to the parish. Tenure is usually rent, but part ownership schemes to give occupiers a financial stake in the property are also possible. Rural exception housing is tailored to specific local needs as revealed by detailed local surveys. The approach is supported by paragraph 54 of NPPF (2012), policy H5 of the Mid Sussex Local Plan (2004), and policy DP30 of the emerging Mid Sussex District Local Plan (2015)

After need is established, a rural exceptions site needs two things: a site with an owner willing to make land available at a price much nearer to agricultural value than to open market housing values (which carries through into cheaper development costs and then rents) **and** a social housing provider with access to the funds necessary to build out the scheme and the capacity for its ongoing management and maintenance.

. The advantage of this approach is that it provides a development dedicated in perpetuity to meeting the need of local people for affordable housing. As a planned and carefully justified exception to planning policies to strictly control development in the countryside, it does not create any precedent or justification for further, open market, development beyond the built up area boundary. A “rural exceptions” project can be pursued either within or outside the NDP process, but –either way- is normally led by the parish council .There are important differences between the two approaches which are worth considering in more detail.

Chairman .....

Date .....

**Full Parish Council – Minutes**  
**Unconfirmed**

**Option 2A**

If a “rural exceptions site” were to be included in the draft NDP, it would need to be supported by a detailed parish housing needs survey prepared in partnership with MSDC and social housing providers. This would take several months to commission and complete, and could incur a significant cost. Obviously, it would also delay submission of the plan to MSDC.

In parallel, the parish council would need to consider whether any of the potential development sites so far put forward might be available as a “rural exceptions site”. As I understand it, only one site – Constance Wood Field (HKNP003), which is owned by MSDC – has been previously suggested in this context. However, there is no reason why other landowners should not be approached to see if they would be willing to offer a site on the understanding that the financial return would not reflect the “hope value” that often attaches to sites around the edge of villages. Work would also need to be done to address the technical issues that go with any development, such as safe access and landscaping and screening to ensure that, as far as possible, it respects the setting, form and character of the village and the surrounding landscape. Further local consultation would be required as this work evolves. If a satisfactory proposal emerged, it could be incorporated in the draft NDP as an exception to planning policy.

The advantages of Option 2A are:

- it provides a development specifically tailored to meeting local housing needs and maintains it in perpetuity
- it allows a given level of local housing need to be met with a smaller land take, and incursion into the surrounding AONB countryside, than allocated sites for open market housing with a 30% affordable housing element
- it would bring the draft NP closer to its stated vision and objectives, and the OAHN
- it would address concerns raised in the recent consultation that the draft NP is not providing sufficient housing to meet local needs and to support community facilities and activities, reducing (but probably not eliminating) objections on this point

The disadvantages of Option 2A are:

- delays and costs in taking forward the draft NDP to submission
- further work may not be able to identify a suitable site with an owner who is willing to make it available at a price which makes a scheme viable
- identification of a site will, almost inevitably, lead to fresh objections on the NDP
- delays will leave the area more vulnerable to speculative planning applications for housing development
- changes to government policy on housing support (with a diversion of finance to privately developed “starter homes”) may make this type of development harder to fund

Chairman .....

Date .....

**Full Parish Council – Minutes**  
**Unconfirmed**

**Option 2B**

The alternative is to pursue the possibility of a “rural exceptions site” outside the NDP process. This would require a statement in the draft NP to the effect that:

- (a) sustainability assessment has yielded only a limited number of “suitable, available and achievable” sites to allocate for housing development
- (b) planning policies for dwelling mix and affordable housing on these sites will not provide sufficient new properties to meet local needs for affordable housing
- (c) this has driven the parish council to the conclusion that it needs to investigate the possibility of promoting a “rural exceptions site” to provide 100% affordable housing and that this is best considered separately outside the NP process
- (d) any site emerging from this process would bring development closer to the OAHN

This would require much the same process as outlined in 3.29 to 3.31 above. However, it would not delay the draft NP process in the same way. If a satisfactory site emerged, it would be pursued as a planning application, or through a Community Right to Build scheme or a Neighbourhood Development Order **(26)**

The advantages of Option 2B are:

- it avoids delays and costs to the NDP process through immediate work on a detailed parish housing needs assessment
- if successful, it provides a development specifically tailored to meeting local housing needs and maintains it in perpetuity
- if successful, it allows a given level of local housing need to be met with a smaller land take , and incursion into the surrounding AONB countryside, than open market housing with a 30% affordable housing element
- it would recognise concerns raised in the recent consultation that the draft NP is not providing sufficient housing to meet local needs and to support community facilities and activities, reducing ( but probably not eliminating) objections on this point, but less than Option 2A

The disadvantages of Option 2B are:

- it could be portrayed as recognising a problem, but then delaying taking action on it ( “kicking it into the long grass”)
- it would go some way to bringing the draft NP closer to its stated vision and objectives , and the OAHN ( but not as much as Option 2A) and so the plan would be more vulnerable to rejection at the examination stage

Chairman .....

Date .....

**Full Parish Council – Minutes**  
**Unconfirmed**

- further work may not be able to identify a suitable site with an owner who is willing to make it available at a price which makes a scheme viable
- identification of a site will , almost inevitably , lead to fresh objections
- delays will leave the area more vulnerable to speculative planning applications for housing development
- changes to government policy on housing support ( with a diversion of finance to privately developed “starter homes”)may make this type of development harder to fund

**Option 3**

Option 3 is where the recommended further work leads to the conclusion that there is now evidence that an additional site (or sites) are “suitable, available and achievable” and that , as a result, the draft NDP proposes to include additional housing allocations prior to submission to MSDC

The advantages of Option 3 are:

- this could bring the draft NDP closer to its stated vision and objectives , and to the OAHN
- it would address concerns raised in the recent consultation that the draft NP is not providing sufficient housing to meet local needs and to support community facilities and activities, reducing future objections on this point
- it will provide more housing to meet local needs through the 30% affordable element
- it may ease pressure for speculative planning applications for housing development

The disadvantages of Option 3 are:

- it will lead to a further incursion of housing development into the rural setting of the village and the High Weald AONB and it may not be possible to manage and mitigate all the adverse impacts to the satisfaction of all residents
- any additional housing allocations will inevitably lead to fresh objections, both from nearby residents and from owners of sites which remain unallocated
- although obliged to consider the evidence, the parish council may be portrayed as “inconsistent” if it now allocates additional land

Finally, the Council considered the recommendations from Mr Frost’s report as follows:

**Recommendations**

1. No decisions are made on the response to the representations on the pre-submission draft NDP during the April-May consultation period until the further work recommended in paragraph 3.19 of the report is carried out , specifically:

Chairman .....

Date .....

**Full Parish Council – Minutes  
Unconfirmed**

- ❖ careful consideration of all the 111 representations made during the consultation along with the technical information , illustrative layouts , proposed new access arrangements etc. submitted at that time , including technical liaison where necessary with MSDC, WSCC and High Weald AONB Unit
- ❖ review and updating of sustainability appraisals for potential housing development sites and , if necessary, Habitat Regulations Assessment
- ❖ review NDP vision, objectives , and housing strategy in light of assessments emerging from the above work

2. Report back to a further meeting of the Parish Council to formally consider response to the representations on the pre-submission draft NDP during the April-May consultation period and any amendments necessary to the plan (NB. This will need to cover all aspects of the NDP and not just the scale and location of new housing covered by this review)

3. Amend plan in the light of decisions made in item 4.3 above , and then complete preparation of NDP Basic Conditions Statement and NDP Consultation Statement ( required by Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 )and liaise with MSDC on arrangements for formal submission of NDP and all necessary supporting information

**0079 RESOLVED** – to note the Independent Expert’s Report.

**Q & A SESSION – AN OPPORTUNITY FOR COUNCILLORS TO ASK QUESTIONS TO THE INDEPENDENT EXPERT**

Councillor Kirk requested further information about how the Parish Council would undertake a Housing Needs Survey and how much this would cost. In response, Mr Frost informed the Council that paragraph 3.23 sets out the process for a survey, but that Mid Sussex District Council (MDSC) would be able to assist further with this. In fact, MDSC would probably already have much of the information required. If the Council would like to see an example of a survey, then Newick Parish Council recently undertook a Housing Needs Survey.

Councillor Webster sought clarification about the meaning of affordable housing. Appendix 2 of the report summarised the meaning of affordable housing, but with changes in Government roles this was evolving.

**THE WAY FORWARD AND RECOMMENDATIONS**

Chairman .....

Date .....

**Full Parish Council – Minutes  
Unconfirmed**

The Parish Council considered the recommendations made at paragraph 4.2 – 4.4 of the Independent Expert’s report . It was noted that the further work highlighted by Mr Frost in bullet points 1 and 2 of paragraph 4.2 needed to be undertaken before the other recommendations could be agreed. The bullet points setting out the further work required are as follows:

- ❖ careful consideration of all the 111 representations made during the consultation along with the technical information , illustrative layouts , proposed new access arrangements etc. submitted at that time , including technical liaison where necessary with MSDC, WSCC and High Weald AONB Unit
- ❖ review and updating of sustainability appraisals for potential housing development sites and , if necessary, Habitat Regulations Assessment

After some debate and careful consideration, the Parish Council AGREED to:

**0080 RESOLVED - (1)** to delegate to the Clerk, the Chairman, the Vice Chairman and Cllr Sarah Webster, in liaison with MDSC, to put together a scope of work needed, in order to appoint a Consultant to provide professional assistance with the additional work required as highlighted by the Independent Expert’s (Mr Lindsay Frost) report to enable to move the Neighbourhood Plan forward; and

**(2)** delegate to the Clerk to investigate the likelihood of any further grant monies available to fund the appointment of a consultant.

**Q&A SESSION – OPPORTUNITY FOR RESIDENTS TO ASK QUESTIONS**

Dawn Hitchin, a local resident asked a question about the right to buy scheme and the degree of protection this gave to residents in affordable housing, if the village chose to invest in schemes such as this as part of affordable housing. Due to the evolving picture with Government at a national level this was a difficult question to answer. NOTED.

Peter Whatling, a local resident, sought clarification about the Abbeyfield site and whether the 23 proposed houses at this site remained in place. It was noted that the proposed bungalows at the site would be for independent living and residents would be able to make use of the facilities at the site, and would later if needed be able to apply for care packages.

Chairman .....

Date .....

**Full Parish Council – Minutes  
Unconfirmed**

Peter Willis, a local resident requested that each and every Parish Councillor should read the 111 submissions made by local residents about the Neighbourhood Plan. This was NOTED.

Terry Higham, a local resident sought clarification about the community infrastructure levy. Mr Frost responded to the question and confirmed that if the Parish Council does not have a Neighbourhood Plan in place then the levy would be fixed at 15%. If a Neighbourhood Plan is in place then the levy is set at 25%. It was important to note however, that the levy would not amount to substantial sums and the bulk of the money would be obtained by MDSC. The MDSC Infrastructure Delivery Plan sets out where the District Council would spend any monies from the levy and there is a published table for each Parish, including Horsted Keynes.

Mrs Rhoda Miles, a local resident sought clarification about the development at Ravenswood and it was confirmed that as this was in the Parish boundary the development could count towards the Parish Council's objectively assessed housing need.(OAHN).

Adrian Words, a local resident voiced his concerns about the diminishing returns of the Neighbourhood Plan and the apathy and fatigue surrounding the subject. The Parish Council reassured the residents that completion of the Neighbourhood Plan was a priority.

Kevin Coulson, a local resident spoke about a rural exception site and the fact the no willing landowners would come forward with land at a cheaper rate. NOTED.

Brian Oliver, a local resident voiced his concerns over the time it was taking to implement the Neighbourhood Plan and also his concerns about option 3 of the report if more people were recruited to take part in the steering group for the Neighbourhood Plan. The Parish Council reassured the residents that the completion of the Neighbourhood Plan was a priority and that at their meeting in June it had been agreed that the Parish Council as a whole would undertake the work of the Plan, and not a steering group.

Paul Fairbairn, a local resident asked questions about the objectively assessed housing need (OAHN) number and how far in Mr Frost's opinion the Parish Council would need to meet this. Mr Frost responded briefly by saying that there is not a mathematical formula for the OAHN and that other factors come into play like landscaping, sustainability impacts and consideration of the AONB.

Chairman .....

Date .....

**Full Parish Council – Minutes  
Unconfirmed**

Mr Alan Lawrence, a local resident, thanked the Parish Council and the steering group for all the work they had undertaken. NOTED

Mr Andy Jones of the Horsted Club, thanked the work of the Parish Council and reminded the Council that the village was not just about housing, but about the community and a whole. NOTED

**REMUNERATION FOR INDEPENDENT EXPERT**

The Council noted that the terms of reference for the appointment of the Independent Expert had originally allowed for five days work. Mr Frost had achieved a great deal and produced an informative and useful report. This work had actually taken him six days to complete.

**0081 RESOLVED** - To pay Mr Frost for six days of work.

The meeting closed at 10:15pm

Chairman .....

Date .....

**Full Parish Council – Minutes  
Unconfirmed**

Chairman .....

Date .....