

**NEIGHBOURHOOD PLAN REVIEW**

1. The Burgess Hill Neighbourhood Plan 2015-2031 (“NP”) was ‘made’ (i.e. adopted) in October 2015 following extensive consultation and a town wide referendum.
2. The forward to the current NP stated that it:  
  
“is a Vision for 16 years from 2015 - 2031. It is inextricably linked to the 20-year vision for the town set out in the Burgess Hill Town-wide Strategy 2011 produced by the Town Council and the Mid Sussex Local Plan 2004”.

Both the NP and the Burgess Hill Town-wide Strategy are available for view on the Town Council website (under the Strategic Planning Tab).

3. At the time that the NP was made the current District Plan was still emerging as an approved planning document.
4. From a plan making perspective, MSDC adopted a District Plan (2014-2031) in 2018 which superseded the 2004 Local Plan (though retained some policies from that plan). Its policies also take precedence over the NP.
5. Since adopting the District Plan (2014-2031), MSDC has also adopted a supplementary planning document (Site Allocation DPD) which added additional sites for housing and a Design Guide
6. MSDC is now in the process of renewing the District Plan (2021 – 2039). This plan has passed the Regulation 19 stage and is expected to go to Public Examination by the Planning Inspectorate in late 2024 with adoption in early 2025. It sets out policies for the district covering housing and employment allocations together with a suite of strategic policies for the district.
7. All the MSDC documents referred to in 4 – 6 above together with the supporting evidence base can be viewed on the Mid Sussex District Council website.
8. In addition to a changing policy landscape there are aspects of the NP which are not, or may no longer be, valid either in the context of development policy, actual development, or changing circumstances. As a consequence of the passage of time, the adoption of the current District Plan and the emerging District Plan less weight can be placed on NP policies.
9. Government guidance on Neighbourhood Plans and the review process can be found via the link below:

<https://www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan>).

“In considering a review, there are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:

- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
  - Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
  - Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.”
10. Mid Sussex District Council, as the planning authority, has also provided advice on the timing and substance of any review of the NP and this can be found in Appendix 3.
  11. Finally, the National Planning Policy Framework (“NPPF”) sets the context for how Neighbourhood Plans fit within the overall strategic or spatial policies of Local Plans (in this case the MSDC District Plan). The NPPF is clear that Neighbourhood Plans should be in conformity with Local Plans and should contribute towards sustainable development. It also puts strategic policy making within the Local Plan and not Neighbourhood Plans (see, in particular, paras 13-14,18,21,29-30 and 37 of the NPPF).
  12. In addition to the policy direction referred to above, Council should consider the resource implications of a review of the NP, especially if it considers that material modifications are necessary. Reviews of plans need to be evidenced based and external planning expertise will be required to support any review. The Council previously used Enplan Limited to support the development of the NP and an indication of the cost of a review has been sought from them. The human resource cost of a review leading to material modifications may also be significant. In the past there was financial support for the development of NPs but there is now none so any expenditure will come from the Council’s budget

13. It is not a legal requirement to have a Neighbourhood Plan or review an existing plan.
14. The fact that elements of the NP are no longer valid, that less weight can be placed on NP policies, and that the strategic policy landscape has changed, it is considered that a review of the NP is necessary so that local, non-strategic policies, can be brought up to date. It is the timing and scale of such review that needs determining.
15. The strong advice from the planning authority, MSDC, is to await the adoption of the District Plan before commencing a review of the NP. But this does not preclude the start of preliminary work to identify areas that may be brought into the scope of that review (either because an existing policy is out of date or Council wishes to amend an existing policy or create a new one). To reiterate any review of the NP must be compatible with the District Plan, contribute to sustainable development and should not contain strategic policies.