

The plan does not comply with the duty to cooperate in respect of Policy HA17 and is therefore not legally compliant.

- (1) the plan does not state what consultation, if any, has taken place between the Council and Steyning Parish Council about the plan insofar as it affects Steyning, as part of the Council's duty to cooperate, or the outcome of any such consultation. In the absence of this information, the Inspector cannot be satisfied that proper account has been taken of the potential sites available in Steyning, the needs of the Town or of the facilities, services and amenities available in the Town or of their adequacy. The Inspector also cannot be satisfied that such facilities, services and amenities would be capable of withstanding the significant increase in the Town's population inherent in adding 266 homes to a town with a population of 5,124 (approximately 15%). In this respect, HA17 only states that the Town "offers a good range of services and facilities", without identifying these services and amenities or explaining why they are said to be good.
- (2) the plan does not state whether the Council has established **through its duty to cooperate** with other bodies if the existing services and facilities, and in particular the medical services and schools, are adequate to support development of the site. If they are not suitable, the plan does not address the improvements which are required before any development can be supported or how the cost of these improvements should be met, for example through developer contributions.
- (3) The Plan fails to explain under **its duty to cooperate** if any, consultation has been undertaken in respect of these infrastructure requirements or the outcome of any such consultation;

The plan is also not legally compliant because

- (4) the plan does not explain or give reasons as to why the site has been selected as being suitable for inclusion in the plan;
- (5) in particular, but without prejudice to the generality of the foregoing, the plan does not address what, if any, impact the presence of the lithium battery store or the sewage treatment plant in the proximity of the site have on the suitability of the site for residential development in terms of potential risks of contamination, pollution and fire and therefore fails to take account of material considerations;
- (6) the plan does not demonstrate that **it complies with the duty under paragraph 124(c) in Chapter 11 of the National Planning Policy Framework to give substantial weight to the value of using brownfield land within settlements for homes**. Paragraph 124 (c) provides

"Planning policies and decisions should:

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support

appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.”

See [NPPF December 2023.pdf \(publishing.service.gov.uk\)](#)

The plan is not sound

- (7) for the reasons given in (1) to (6) above;
- (8) because the plan does not explicitly state that development will only be supported if the site has direct vehicular access to the A283 and that vehicular access to the site from the existing road, King’s Barn Lane (“KBL”), would not be supported or whether the Highway Authority has been consulted about this and, if so, its response.
- (9) because vehicular access via KBL cannot be supported because (i) KBL is ~~only~~ a single lane road after Saxon Road; (ii) access to the A283 from KBL via Roman Road and Castle Lane Bramber, would not be acceptable because Castle Lane is a single lane road; (iii) access to the A283 from KBL via Cripps/Jarvis Lane and Goring Road or Church Street would not be acceptable because the poor visibility at the junction of Cripps/Jarvis Lane and Goring Road and in Cripps Lane would make this potentially dangerous and because of the narrowness of Church Street in the section between Chantry Green and the High Street which is largely abutted by ancient Grade I and Grade II listed buildings; and (iv) the increased traffic flow would be detrimental to the environment of these residential areas and to pedestrians and cyclists using the roads in these areas.
- (10) because the plan fails to clarify how the constraints and opportunities that apply to the site such as flood risks, topography, landscape, biodiversity, access and green infrastructure will be addressed.