

West Sussex County Council

Thank you for the opportunity to comment upon the consultation Submission Neighbourhood Plan for Findon. The County Council provided comments at the Pre-Submission stage. However, it should be noted that a traffic management policy has been added to the Submission version. It is unclear as to why this policy includes the proposal to designate several roads in the parish as Quiet Lanes. Any proposal for this legal status would need to be supported by sufficient evidence. It is suggested that this part of the policy is removed; if it is to be retained then it could be stated in a 'community aspirations' section. It is suggested that the focus of policy GA5 is on ensuring safe and suitable road use for non-vehicular traffic.

Response: GA5 Suggest change the policy to read:

Policy GA5 Proposals for development which would enable or assist with traffic calming and reduction in traffic congestion and parking in the village centre will be supported.

Proposals which improve the character and tranquillity of the following lanes and the safety of non-motorised users of these lanes will be supported: Nepcote Lane, Nepcote, Cross Lane, Steep Lane and Stable Lane as Quiet Lanes under The Quiet Lanes and Home Zones (England) Regulations 2006.

GA5.3 The above lanes have been identified through reference to the appropriate guidance as suitable for designation as 'Quiet Lanes' under the The Quiet Lanes and Home Zones (England) Regulations 2006. Any proposals which involve the reinforcement of the character and tranquillity of these lanes or which improve user safety and widen non-motorised access choices will be supported. The Parish Council proposes to work in partnership with WSCC and SDNPA to promote the network of Quiet Lanes within the parish and will formally propose that the Local Highway Authority designates the above lanes as Quiet Lanes under the appropriate legislation.

Southern Water

We were consulted on the previous version of this NDP and sought policy provision supporting the delivery of any necessary utility infrastructure, whilst ensuring that such delivery is not unduly restricted. However, our previous representations have not been addressed therefore please find following our response in respect of the current NDP.

Policy ES1: Gaps between settlements

Southern Water understands Findon Parish Council's desire to protect the separate identity of the village. However, we cannot support the current wording of this policy as it could create a barrier to statutory utility providers, such as Southern Water, from delivering essential infrastructure required to serve existing and planned development.

Policy ES1 does not meet the basic conditions necessary for a NDP, namely to be in general conformity with the strategic policies contained in the development plan for the area of the authority, to have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to the achievement of sustainable development.

National policies and guidance Southern Water may have to provide additional water or wastewater infrastructure to serve new and existing customers or meet stricter environmental standards. It is likely that there would be limited options with regard to location, as the infrastructure would need to connect into existing networks.

The National Planning Practice Guidance (NPPG) recognises this scenario and states that 'it will be important to recognise that water and wastewater infrastructure sometimes has locational needs (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered'. Therefore, utility infrastructure is considered to constitute the 'exceptional circumstances' envisaged by paragraph 116 of the National Planning Policy Framework (NPPF).

Strategic policies

Reference is made within the justification text for Policy ES1 on the basis that Policy SD5 of the emerging South Downs National Park Local Plan seeks to retain settlement gaps. However, Policy SD5: Landscape Character allows development to take place providing certain criteria are met. The policy states that 'Development

proposals which conserve and enhance the landscape character of the South Downs National Park [...] will be permitted. It should be clearly demonstrated that development proposals are [...] in accordance with the following requirements: [...] e) The open and undeveloped nature of existing gaps between settlements will be conserved and, where appropriate, enhanced.' Whilst Southern Water appreciates the desire to conserve the 'undeveloped nature' of the gap, there is scope within the SDNP's draft policy to submit development proposals that comply with its parameters. However the SDNP's local plan has not yet been adopted and as such leaves a policy vacuum in this respect. The current wording of Policy ES1 is entirely prohibitive, and we consider that it does not meet the basic conditions as it is not supported in national policy - by preventing the development of essential utility infrastructure which may be required to meet the basic needs of the community it fails to contribute to the achievement of sustainable development. Findon's Basic Conditions Statement does not make reference to Policy ES1.

As outlined above, we appreciate that the gap between settlements is valued and would seek to minimise the impact of any necessary infrastructure on their value. However, the policy in its present format is entirely prohibitive and could impact Southern Water's ability to effectively serve the future needs of the community.

Proposed amendment In order to meet the basic conditions necessary for a NDP, we propose the following additional wording to policy ES1:

New development within the Local Gap identified in the 2003 ADC Local Plan and shown in Map 2 will not be permitted, except in exceptional circumstances, such as where the proposed development meets specific necessary utility infrastructure needs and no feasible alternative site is available.

New policy on the provision of infrastructure

We can find no policies to support the delivery of new or improved utility infrastructure. Whilst we appreciate and support the inclusion of text under Chapter 5.2 Sustainable Development that confirms Findon's support of sustainable development by 'contributing to building a strong, responsive and competitive economy by [...] identifying and coordinating development requirements, including the provision of infrastructure', we consider that incorporation in policy would provide more certainty, helping meet the basic conditions necessary for a NDP, namely to: have regard to national policies and contribute to the achievement of sustainable development.

National policies and guidance

Southern Water is the statutory water and sewerage undertaker for Findon. Southern Water has a statutory duty to serve new development, and is committed to ensuring the right infrastructure in the right place at the right time in collaboration with developers, the parish council and the planning authority. The 'made' Findon NDP and adopted SDNP Local Plan, will inform Southern Water's investment planning. Adoption provides the planning certainty required to support investment proposals to Ofwat, the water industry's economic regulator. Investment proposals are prepared every five years through the price review process. Ofwat's price determination last year will fund the investment programme in the period to 2020. There will be another price review in 2019, covering the investment period 2020 to 2025.

Although there are no current plans, over the life of the NDP it may be that we need to provide new or improved infrastructure. Page 8 of the National Policy Statement on Wastewater states that 'Waste water treatment is essential for public health and a clean environment. Demand for new and improved waste water infrastructure is likely to increase in response to the following main drivers: More stringent statutory requirements to protect the environment and water quality; Population growth and urbanisation; Replacement or improvement of infrastructure; Adaption to climate change. The Government is taking measures to reduce the demand for new waste water infrastructure in England. However, there will still be a need for new waste water infrastructure to complement these approaches and ensure that the natural and man-made systems are able to function effectively together to deliver a wide range of ecosystem services and other benefits to society'. Accordingly, we seek policy provision to support new or improved utility infrastructure. Such policy provision would also be in line with the main intention of the National Planning Policy Framework (NPPF) to achieve sustainable development. For example, one of the core planning principles contained in paragraph 17 of the NPPF is to 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'. Also paragraph 157 of the NPPF requires positive planning for development and infrastructure required in an area.

Proposed amendment

Accordingly, we propose the following additional policy:

New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community, subject to other policies in the development plan.

Response: In both cases we feel that the statutory undertakers have sufficient powers to carry out such works without the need to specify it in our policies.

South Downs National Park

Title: Findon Neighbourhood Development Plan, 2016 – 2035. SDNPA

Recommendation: Query justification for the lengthy plan period (19 years) which goes beyond both the scope of the emerging South Downs Local Plan and the adopted Arun Local Plan.

Response: Looking at a number of other Plans 20 years is the norm for NP's

Page 7; Section 1: This section should make clear that the policy context for Findon NDP currently also includes the saved policies of the Arun Local Plan 2003, which will in time be replaced by the South Downs Local Plan. SDNPA Recommendation: Include details of Arun Local Plan.

Response: This is all covered in Section 2.2

Page 10; Section 1.4: There is currently a pause in the SDNP Local Plan timetable, we recommend it would be better to state that the Local Plan will be submitted to the Secretary of State in due course. SDNPA Recommendation: Reword SDNP Local Plan timetable.

Response: Agree the change of wording

Page 11; Section 2.2: Repetition of text elsewhere covering the planning policy context. SDNPA Recommendation: Consolidate overview of planning policy context into one section.

Response: We are happy with the layout as it is.

Page 12: Section 2.2.4: This section should be updated with details of the Local Plan: Preferred Options which was published for consultation in September 2015. SDNPA Recommendation: Update with details of Local Plan: Preferred Options

Response: Agree recommendation

Page 13; Section 2.2.4: Our Regulation 14 response still applies: "It is incorrect to state that it is beyond the remit of the South Downs Local Plan to change settlement boundaries and the SDNPA has never said this to be the case. Where NDPs are being prepared, the Local Plan – preferred options has not reviewed the settlement boundary, however this does not preclude the Local Plan from doing so in the future. Indeed there may be a need to do so where the Local Plan is allocating sites to meet the requirements of policy SD23." SDNPA Recommendation: SDNPA will continue to consider whether a settlement boundary review is necessary in order to deliver the strategic aims of the Local Plan, this may include a change to the boundary in order to allocate land for housing where the NDP group is not doing so.

Response: Understood

Page 25; Section 4.2: The Findon NDP contains 'aims of the plan' (pg.8) and 'core objectives' (pg.25). This could create confusion in measuring the performance of the policies against the objectives of the Plan. We recommend the aims & objectives are consolidated into a single list.

SDNPA Recommendation: Consolidate plan aims and core objectives into a single list.

Response : We are happy with the layout as it is. It is common practice to have a Vision, Aims and Objectives.

Page 29; Policy BT4: Retention of retail frontages: Window displays are not within the remit of planning control. However, the design of a shop frontage is. SDNPA Recommendation: Remove 'display' from the last sentence of this policy.

Response: The word display is a descriptive word for the type of window frontage i.e. it must provide for the display of goods. Leave as is.

Page 30; Policy BT6: Shopfront and business signage: Policy implies all illuminated signs will be resisted. However, there may be circumstances where an illuminated sign is appropriate (e.g. pub signage, see page 68). SDNPA Recommendation: Revise wording to allow for appropriate and sensitive sign illumination in certain locations and circumstances. Alternatively remove policy and leave to the Local Plan to lead on considering the limited likelihood

Response: The term 'not normally' covers this point

Page 30; Policy BT7: Improving signage: Small signs are unlikely to require planning permission. The policy should be clarified to either only apply where planning permission is required or be removed and set as a community aspiration. SDNPA Recommendation: Clarify policy or set as community aspiration.

Response : The document is written assuming PD rights apply. If they don't require consent then the policy does not apply. If they do then it does.

Page 31 Policy BT10: Home Working: The second criteria of this policy would benefit from clarification that adequate parking is required for the increase in visitor numbers and that parking could be made available onsite or the vicinity of the site. SDNPA Recommendation: Clarify policy wording.

Response: Parking is such an issue for the Parish that we wish to retain the policy as is. Parking must be contained within the site.

Page 11; Policy BT11: Redundant Agricultural and Rural Buildings: It's not possible to require proposals to meet emerging policy.

What is the justification for not allowing conversion to residential uses but allowing short term holiday lets? Reference to small groups of houses within a cluster of farm buildings is unnecessary as should be covered by policy HD1 – Spatial Plan of the Parish

SDNPA Recommendation: Remove reference to emerging SDNPA Local Plan at end of 2nd sentence. Provide justification for policy approach. Remove last sentence.

Response: Agree to remove SDNP sentence. Short term lets does not have the same impact on the environment or infrastructure as residential use. The former is limited and transient. The latter would permanently add to traffic flows and increase demand on facilities and infrastructure.

Page 33; Policy GA1 & GA2: The inclusion of criteria relating to footpaths in both policies may be confusing.

SDNPA Recommendation: Remove 3rd bullet from policy GA1, text in GA2 in relation to footpaths be retained.

Response: Leave as is. GA1 Refers to new development not resulting in the loss of footpaths/cycle paths. GA2 is about encouragement of footpaths and not diminishing the effectiveness of the network. They are not the same.

Page 34; Policy GA4: A24 improvements: The improvements sought to the A24 are not under planning control, this should be identified as a community aspiration / project or equivalent. Reference could also to made in this project to equestrian crossing points.

SDNPA Recommendation: Re-label as non land use policy. Include reference to support for equestrian crossing.

Response ; Add line about equestrian crossing points.

Page 37; Policy CFW5: Assets of community value: Generally support the policy approach towards Assets of Community Value, although we are concerned that community facilities not registered as ACV are not referenced. SDNPA Recommendation: Extend policy to other community uses not registered as ACV or make reference to protection offered to such facilities in existing Local Plan.

Response: Leave as is.

PAGE 38; Policy CFW6: Local Green Space: Policy could be clarified by rewording as follows: (words in brackets/Italics indicate deleted wording)

(The Parish Council has designated) The areas shown in Appendix 2 and accompanying map are designated as Local Green Space. Proposals for development of these areas will not be permitted except in special circumstances.

(Exceptions will only be made:

- where the benefits of development can be shown to outweigh any identified harm;
- there are no reasonable alternative sites available;
- in the case of development of school playing fields, where a school is being reconfigured with no net loss of playing field area or relocated to a suitable, larger site in the neighbourhood.)

(covered by NPPF para 76)

We would question the inclusion of some of the proposed Local Green Spaces in Appendix 2, in particular the 'open areas at village entrances' which are essentially grass verges. It is difficult to see how these are demonstrably special. Also we do not believe the Local Green Space designation is intended for footpaths (PRoW or private footpaths). We are concerned that the designation of such areas undermines the strength of LGS policies and will set an unhelpful precedence.

SDNPA Recommendation: Clarify policy wording. Remove grass verges and footpaths from LGS designation.

Response: Agree to removal of 'The Parish Council has designated' but not to the removal of the exceptions. Error. Move the grass verges into the Local Open Space Policy.

Page 38; Policy CFW8: Unlit village status: 'Unlit village' status is not a recognised SDNP designation. It is unclear where this status comes from. Reference should instead be made to Dark Night Skies, which is one of the Special Qualities of the SDNP.

SDNPA Recommendation: Re-title policy 'Dark Night Skies'.

Response: Policy wording allowed at Clapham, see no reason to change. Agree not to remove "Unlit Village Status" as that is what it has been known as locally for many years and SDNPA terminology is very new. Add in "*in support of SDNPA Dark Night Skies Policy*"

Page 39; Policy ES1: Gaps between Settlements: Remove reference to the Arun Local Plan 2003 which in time will be superseded by the SDNP Local Plan. To future-proof this approach to Local Gaps the Findon NDP should identify the area to be protected and provide justification for its protection. This work should be supported by landscape character analysis. SDNPA Recommendation: Remove reference to Arun Local Plan 2003 designation. Review the gap and provide justification for its designation.

Response: Leave ADC reference in as it shows the history of the Gap but add further justification.

Page 39; Policy ES 2: Surface water management: Policy ES2 is poorly constructed and it is recommended that this policy be redrafted or removed from the NDP. As an example, conditioning new development to provide details of drainage is misplaced. A full sustainable drainage strategy for new developments of 10 or more homes should be sought from the outset, preferably at pre-application but it must at the very least accompany the planning application. While we can encourage use of permeable paving or other porous surfaces for driveways, there is no statutory basis for these to be mandated (except for major developments as part of a SuDS). SDNPA Recommendation: Redraft or remove policy from NDP.

Response: Most of the policy has already been allowed in a number of other Plans. Why can't a Plan seek to impose more stringent policies where there is a demonstrable need? Agree. In any event - we may have proposals for development of less than 10 homes. SUDS is something we can encourage even if there is no statutory requirement for S Water to insist on this.

Page 40; Policy ES 3: Protection of Trees and hedgerows: Tree Preservation Orders are issued by the LPA, remove reference to 'Findon' TPO in the 1st sentence. Remove reference to ancient trees in the second sentence, these are covered by the above category.

SDNPA Recommendation: Clarify policy wording

Response: Wording agreed at Clapham see no reason to change. Agree.

Page 41; Policy ES4: Renewable Energy: It is unclear what is meant by 'low to serve individual properties'. SDNPA Recommendation: Clarify policy wording.

Response: Typo in line one- should read '*renewable or low carbon energy sources to serve ...*'

Page 42; Policy ES5: Buildings or Structures of Special Character: ADC SPD 2005 criteria differs from those established by the SDNPA for its own Local List. There is, therefore, the potential for a park-wide Local List with one set of criteria and a separate Local List for Findon with its own. This situation is potentially confusing and undesirable. If the Parish Council wants to embed the existing list in the Neighbourhood Plan, it would be better if the buildings were reassessed against the National Park's criteria. This may also provide the opportunity to incorporate further properties or buildings.

SDNPA Recommendation: Assess buildings against SDNP Local List criteria for inclusion in the NDP.

Response: The group has been unable to find any mention of a local list on the SDNP web site or in the emerging Local Plan. That leaves these buildings with no protection until a new policy is adopted therefore retain the policy.

Page 42; Policy ES6: Conservation Areas and Areas of Special Character: Areas of Special Character are not being carried forward in the emerging South Downs Local Plan. This designation will quickly become out of date. It is also not clear where the ASC are – there is no map included in the NDP. The second sentence is not a planning policy. SDNPA Recommendation: Remove reference to Areas of Special Character and second sentence of policy.

Response: Agree

Page 42; Policy ES7: Flint walls: Policy wording should be clarified as follows: (words in brackets/Italics indicate deleted wording)

"Development proposals (that seek to) result in the removal, reduction or replacement, the flint walls listed in Appendix 4 will not normally be supported." Wall repairs are unlikely to require planning permission. SDNPA Recommendation: Clarify policy wording. Remove last sentence.

Response: Agree

Page 43 Policy HD1: Spatial plan of the Parish – our Reg 14 comments still apply: The SDNPA has a number of concerns about this policy and does not consider it to be in line with emerging SDNP Local Plan policy. The emerging SDNPA Strategic Policy SD23 states that sites will be allocated (rather than relying on windfalls) to

allow for the delivery of approximately 20 homes in Findon. This may require a change to the settlement boundary if sufficient sites cannot be found in the settlement. HD1 as currently worded will quickly be superseded by the adoption of the South Downs Local Plan. In addition, the SDNPA will continue to consider allocating land in or around the village as insufficient evidence has been presented that land cannot be allocated without harm to the landscape character.

In response to a letter from Findon Parish Council regarding the housing figure being proposed for the community the SDNPA made the following points: The SHLAA is just one element (albeit a very important element) of the evidence used in order to provide a provisional housing requirement both for the whole National Park and individual settlements as part of the preparation of the Local Plan. Information on the level of services and facilities a community might contain and its connectivity with other larger centres also forms part of the assessment. In this regard Findon is felt to be a relatively sustainable settlement in comparison to others within the National Park with potential to accommodate more housing than might be the case elsewhere without harming the special qualities of the National Park, particularly landscape.

However, further evidence will be required to support the Local Plan and Neighbourhood Plans to demonstrate that the levels of growth proposed are deliverable. It will therefore be recognised in the Preferred Option Local Plan that the final requirements set out in the housing policy may change.

In response to concerns about one particular site identified in the SHLAA the proposed level of allocations for the village was reduced from 50 to in the region of 20 homes and we asked that information on the sites being considered by the Parish were shared with Officers at the National Park.

It is therefore disappointing to see that this policy approach remains and that the Neighbourhood Plan backs away from making the key and difficult decisions and indeed then attempts to constrain what approach the LPA can take in the future. In addition to this no review of the settlement boundary has taken place.

In addition there is concern that the site assessment process is inconsistent and unclear. This was an issue that has very recently led to the examiner of the Storrington, Sullington and Washington NDP finding that that plan cannot be progressed to referendum.'

SDNPA Recommendation: Delete or reconsider spatial strategy.

Response: 1. "the SDNPA will continue to consider allocating land in or around the village as insufficient evidence has been presented that land cannot be allocated without harm to the landscape character". We suggest that the evidence base provides this information.

"Neighbourhood Plan backs away from making the key and difficult decisions and indeed then attempts to constrain what approach the LPA can take in the future".

Response 2 . We do not seek to constrain the SDNPA. We want to support the SDNPA's duty to enhance and conserve and meet affordable housing needs.

In this regard Findon is felt to be a relatively sustainable settlement in comparison to others within the National Park with potential to accommodate more housing than might be the case elsewhere without harming the special qualities of the National Park, particularly landscape.

Response 3 We have not seen any assessments of the landscape from the SDNPA (other than the SHLAA) which gives weight to the suggestion that Findon can accommodate more housing than might be the case elsewhere without harming the special qualities of the National park, particularly landscape.

Page 44; Policy HD2: Local Connection: The current approach in HD1 is unlikely to deliver any affordable housing as sites within the settlement boundary will be too small to provide affordable housing. SDNPA Recommendation: None

Page 45: Policy HD3.3: It is not clear why a work unit should be no greater than 3.6m high, further justification should be provided.

SDNPA Recommendation: None

Response: The purpose of a height restriction of the work unit is to contain the overall height of the building to ensure the development retains a balanced proportion to the surrounding village. Most new domestic accommodation is built to

2.4m at ground floor. Clearly there is an argument that a live / work unit will require a higher storey height to accommodate the particular activity the “work” element might be used for. However, that height must have a restriction.

Page 45; Policy HD4:Self build houses: Reiterates national policy. SDNPA Recommendation: Remove

Response: We would prefer to keep the policy as it shows support

Page 46: Policy HD5.1:It is not clear whether the detailed design of roof alterations and extension relates to local character, further justification should be provided. SDNPA Recommendation: Design of roof alterations and extensions should relate to local character.

Response: We agree that “Design of roof alterations and extensions should relate to local character.”
The local character of Findon includes many bungalows. The intention behind the policy is to ensure that design of roof alterations and extensions relates to the local character.

Page 46: Policy HD6: Edge of Boundary Houses and Paddocks: It is not clear what the 'inter relationship' that is to be protected and encouraged is. The purpose of the policy appears to be retain exclusive paddocks use on the edge of the settlement boundary and it might be felt that this is to prevent the consideration of such land for housing allocations. It is questionable whether this is such a key characteristic of the village that it should for ever be retained and in some places rather than a collection of lightly fenced enclosures there appears to be heavy duty fencing and concrete structures (albeit this may not specifically be in relation to paddocks). SDNPA Recommendation: Review or remove policy.

Response: Cannot agree. This is a key feature of Findon where paddocks adjoin houses on either side of the BUAB. This is very important as it would undermine the equestrian character of the village which we wish to preserve.

Page 47: Policy HD7: Design of development: The policy heavily relies on the Findon Village Design Statement for design guidance which doesn't carry much weight. As previously commented it would be better to add more detailed design policy in the NDP.

The policy should also make clear whether contemporary design is or isn't supported. There is confusion between the policy wording (must seek to reflect the design style of older traditional surrounding buildings') and 5.7 Housing and Design Quality Objective 3 which states: 'Encourage high quality design in local vernacular, contemporary and rural forms and materials; SDNPA Recommendation: Provide more detailed design guidance in the NDP. Clarify policy wording.

Response: Unsure why the VDS doesn't carry much weight? If it is adopted as part of the NP surely it is then SDNPA policy? 5.7 represents the purpose of the plan, but in circumstances where proposed development is adjacent to certain critical locations such as conservation areas, any development would be required to reflect the design style of older traditional surrounding buildings.

Natural England

* Policy HD1 appears to set a target for the scale of development (minimum of 20 dwellings) and to ensure they are provided within the settlement boundary. I was not able to find a plan indicating any preferred sites. Nevertheless, the development is unlikely to result in significant effects on designated habitats; although of course, close consultation with the SDNP is essential when proposals come forward.

* Policy HD5 rightly seeks to limit changes to the exterior of the building. However, I am disappointed to note that consideration has not also be given to any possible use of the structure by protected species (notably bats) and the potential suburbanisation of individual and groups of suitable buildings because of features such as fencing, landscaping, parking and lighting. If there are issues I have not covered, please let me know and I will respond as quickly as possible.

Response: We do not feel any change is necessary as we are only proposing development within the BUAB, so suburbanisation is not really an issue.

Highways England

We have reviewed the relevant documents for this consultation and have no comments.

David Hutchison

1. General conformity with the Strategic policies of the Local Plan

1.1 NPPF Para 184 states .. 'Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.

1.2 The FNDP states that it 'is being prepared in anticipation of the adoption of the new SDNP Local Plan, but focuses on being in conformity with the relevant saved policies of the 2003 Arun Local Plan' (page 11)

1.3 However the FNDP offers no evidence to justify why the relevant strategic saved policies of the 2003 Arun Local Plan are given considerably more weight than the SDNPA Preferred Options 2015 strategic policies (the stage of the new SDNPA Local Plan) particularly with regard to housing and development policy.

2. Housing Need, Policy and Availability of Sites

2.1 The FNDP states that its aims include 'To review local housing need and the availability of sites within the built up area boundary to determine if future housing can be allocated without a review and extension of the current built up area boundary (page 8).and then goes on to state 'In order to support this protection of green field areas AONB in the Arun 2003 Local Plan) the FNDP has determined to retain the settlement boundary in its current state and the SDNP have confirmed that it would not be within their remit to look at changing the settlement boundary as we are at an advanced stage of our FNDP. An independent Landscape Character Assessment of the Parish was commissioned at the start of the Plan process and this has informed decisions about the settlement boundary (see Evidence Base 42,43)' (page 13)

2.2 The FNDP provides no evidence to justify why the aim on page 13 'to retain the settlement boundary in its current state' appears to have been determined before the review of local housing need and availability of sites within the built up area boundary has been concluded, other than by a general reference to the status of the built up area boundary in the AONB which has been superseded by the National Park status since 2012.

2.3 The SDNPA emerging policy not to change the built up area boundary where Neighbourhood Plans are at an advanced stage does however require the Neighbourhood Plans to be in conformity with the emerging strategic policies on housing and include any site allocations that may be necessary to meet the strategic housing requirement. While the FNDP acknowledges a strategic requirement for 20 houses it has decided not to allocate any sites, has not found any available sites within the built up area boundary and proposes to retain the built up boundary in its current state and therefore the SDNPA emerging policy not to change the built up area boundary where the Neighbourhood Plan is at an advanced stage will not apply.

2.4 The independent Landscape Character Assessment (Evidence Base 42,43) identified a small number of sites on the outside edge of the built up area boundary with a capacity for providing small clusters of houses where the landscape value and harm was considered to be moderate. The FNDP Housing Topic Group and the Steering Group prepared further appraisals of these sites using a similar methodology to the SDNPA SHLAA appraisals and proposed that the sites should include in the main public consultation as potential sites for small cluster of houses. The analysis of the public consultation responses concluded that there was no clear support for any of the proposed sites on the outside edge of the current built up area boundary and that despite a strategic housing requirement and no availability of any sites within the built up area boundary, the FNDP proposes to retain the built up area boundary in its current state.

It was therefore the analysis of the public consultation responses that informed the proposal in the FNDP to retain the built up area boundary in its current state, not the independent Landscape Character Assessment.

2.5 A stated core objective of the FNDP is 'Support housing development which meets identified needs where such housing is appropriate to its environment, and meets statutory planning guidelines and the intentions set out in this FNDP (page 25)

2.6 A Housing Needs Survey was carried out by AIRS which identified some local housing need for both low cost market housing and affordable housing, however the FNDP provides no evidence to justify why the 'intentions set out in this FNDP' (restricting any housing allocations by the SDNPA to within the current built up area boundary) are given considerably more weight than the identified local housing need.

2.7 Further, the emerging SDNPA local plan places considerable emphasis on the provision of affordable and lower cost housing as a strategic housing policy, but while the FNDP includes as Objective 1 'Seek to ensure that new dwellings contribute towards any local connection need for smaller, lower cost and affordable homes;' (page 43) this objective is not carried through into FNDP Housing policies which propose to retain the built up area boundary in its current state whilst acknowledging that there are no available sites for housing within the boundary other than individual houses in a relatively few larger large gardens.

2.8 With the SDNPA constrained by Government guidance on the thresholds where affordable housing can be sought as part of any development (sites with more than 5 houses), no such sites identified within the built up area boundary in its current state and a proposed restriction on any allocations outside the built up area boundary the FNDP does not meet the emerging strategic housing policy on low cost and affordable housing.

Policy HD1

3.1 The SDNPA have set a strategic housing requirement for Findon, not a housing allocation.

3.2 The policy is not deliverable as the FNDP acknowledges that there are no potential housing allocations within the built up area boundary other than individual houses in the few remaining larger gardens (Evidence Base, Call for Sites within the Built Up Area Boundary)

HD 1.2

3.3 The FNDP provides no evidence of how the proposed housing sites 'were tested' with 'our community' other than giving those attending the open consultation event and responding via the website, the opportunity to disagree with the proposed sites and disagree with the provision of any new housing.

3.4 The poster for the open consultation event did include reference to 'the pressure on local authorities to deliver new homes means no development is not an option'.

3.5 However a clear statement that the SDNPA was about to publish Preferred Options 2015 (the emerging Local Plan) within three months and that this would include a strategic housing requirement for Findon, or a clear statement that the NPPF required a Neighbourhood Plan to be in conformity with strategic policies in a Local Plan was not available at the open consultation event or on the website, with the result that people attending the open consultation event or responding via the website believed that there was the opportunity to disagree with not only any of the proposed sites but also disagree with the delivery of any new housing other than individual houses in the few remaining gardens within the built up area boundary.

3.6 This may call into question the weight given to the consultation responses, particularly given the opposition to cramped infilling and support for small clusters of lower cost housing (as an alternative to larger housing sites IF new housing was required) evidenced in the responses to the pre FNDP Questionnaire.

3.7 The Steering Group also considered that it was not appropriate to prepare any initial illustrative sketch layouts and designs for the proposed sites, including the potential for low cost, affordable housing and landscape context green and vernacular housing, or involve the local community in mini planning workshops to develop ideas, before the open consultation event.

HD 1.4

3.8 Policy SD22 is intended to apply where there is no identified local housing need, or if there is an identified local housing need and this can be met from housing site allocations within the existing built up area boundary.

Policy HD2 Local Connection

3.9 Policy HD1 will not deliver any affordable housing as the FNDP acknowledges there are no available sites within the built up area boundary other than individual houses within the few remaining larger gardens.

3.10 If this policy remains, the only potential delivery of affordable and low cost housing will be through a rural exception policy.

3.11 The Arun District Council current policy on rural exception sites referred to in Policy HD2 for clarity, is not a 2003 saved policy. Arun DC found that the 2003 rural exception policy had not delivered in significant affordable housing in rural settlements or villages and amended the policy in 2012, to allow one market house for every two affordable houses provided in the hope that this would bring forward some affordable housing.

3.12 The SDNPA Preferred Options 2015 rural exceptions policy however retains a 100% affordable housing requirement for all rural exception sites in the National Park with no options for locality preferences where evidence has shown a 100% affordable requirement has not previously delivered any affordable housing. Its not clear if the FNDP is advocating an Arun 2012 approach to rural exception sites and if it is, evidence (Arun DC evidence and NPPF guidance) will need to be included to justify a distinct different local approach to rural exception sites in the FNDP.

Policy HD4 Self Build Houses

3.13 The FNDP policy is not in line with the SDNPA Preferred Options 2015 which includes 'on the edge of existing settlements' as well as within the built up area boundary as locations for sites for self build houses.

4. Evidence Base Consultation

Pages 8 and 9

4.1 The stage 2 appraisals of the 6 land parcels did not include a 'being green fields or grazing land could they be said to satisfy the SDNPA's specific duty to enhance and conserve the natural beauty of the area' criteria as that had already been considered in David Hares Landscape Character Assessment of the land parcels, this criteria being added back by the Steering Group after receiving the stage 2 appraisals.

4.2 'The significant additional information about the sites that was not uncovered as part of the topic group's research' is inaccurate and not clarified. The topic group was specifically instructed by the Steering Group not to discuss the land parcels with the land owners or the occupants of the houses nearby to ascertain further information to complete the availability and amenity parts of the stage 2 appraisals.

4.3 'The highly significant, over 73% of the feed back (evidence Base 59), resistance to the identified sites based upon concern as to the detrimental effect on amenity' is essentially subjective as no specific proposals on layout, scale, design, access, landscaping were put forward on which to base any objective assessment of the effect on amenity.

4.4 'The community rejection of the identified parcels' is not an accurate statistical summary of the responses received when the consultation summary document (Evidence Base 59) is looked at in detail. For example, 42% of a total of 159 respondents were opposed to any housing allocation sites outside the current built up area boundary and didn't express a view on any of the specific land parcels while 24 % were opposed to the specific land parcels.

4.5 There was also no specific opportunity for the community to express any preferences for the land parcels under the specific assumption that there would a definite requirement to allocate housing sites, or express a view on the SDNPA allocating the sites if the community did not wish to express any preferences.

4.6 There is no evidence offered to justify 'the widespread view that no suitable sites exist beyond the settlement boundary' that 'the community rejection confirmed' or how that widespread view was arrived at before the community rejected the land parcels.

See full response following:

This response document has been prepared, following a request by the Chairman of the Findon Neighbourhood Plan Steering Group, in response to those matters raised by David Hutchison's comments to the regulation 16 publicised plan proposal and as a summary of the position vis-à-vis housing under the current proposal. The document will first set out the background to the Housing Topic Group's work and then briefly describe the tasks set. The response will then go onto describe the process the Topic Group followed and how the Topic Group's evaluation concluded. The consultation event will then be summarised. The response will then conclude with specific replies to the matters alleged by David Hutchison that may, without answer, repudiate the work of the Topic and Steering Group's considerable efforts.

Background

The author of this response was the chairman of the Findon Neighbourhood Plan Topic Group for Housing design and development. The Topic Group members were all Findon parishioners, who had volunteered to assist with the work involved preparing draft policies and establishing the evidence base for the eventual conclusion of the group's tasks.

The Topic Group was fortunate to have three architects with considerable planning experience, along with a statistician, a building contractor and developer, a parish and former district councillor and other lay contributors. It should be noted that David Hutchison was a member of the Housing Topic Group, took a very active part in the work of the group and was a significant contributor to the eventual conclusion of the group's work.

The individual members of the group were well informed on planning matters and had differing perspectives on the approach to the work in hand, at times much lively debate was noted, but consensus generally prevailed, where it did not or the group required specific direction towards approach, those matters were passed to the Steering Group for direction. It should be noted that no matters were resolved without full consensus of the Topic Group.

The Parish of Findon is wholly located within the South Downs National Park, at a point where the park is at its second narrowest in distance. The Parish is dissected by the A24 major trunk road where the majority of the existing housing is toward the East of the A24. The Parish is formed with considerable farming, rural and equestrian use, a significant Parish village, two hamlets; Northend and Nephote and minor farming and isolated housing. The Village itself is distinctly separated from the greater urban sprawl south of the Parish, where the most northerly reaches of Worthing District Council extends to what is known as Findon Valley.

Significantly, the village of Findon is totally unique in its aspect, within the South Downs National Park, as being a village of almost hidden vista.

Prior to the formation of the Topic Group, the Steering Group had been informed through a consultative process (with the Parish) that there was some support, within the local community, for some very minor development alongside or just outside of the current development boundary, although conditionally upon there being a local connection and that it would be affordable in nature.

The task of the Housing Topic Group

As a result of the consultation questionnaire, the Housing Topic Group was formed and tasked with the identification of potential sites, that may be fruitful in helping Findon meet its contribution to the wider demand for housing.

It is important to recognise that this was a very pro-housing group who were actively looking to achieve an amount of housing that would intrinsically benefit the community.

The village of Findon Parish is unarguably full. There is no significant space within the current development boundary that will provide anything other than modest windfall development. The topic group readily concluded through an evaluation process that the village was likely to see something in the order of 20 to 30 new dwellings, created in windfall scenarios, over the life of the Neighbourhood Plan (25 years), inside the existing development boundary.

There can be no argument that for there to be any significant additional housing contribution by Findon, that it would be necessary to build on predetermined sites of say 6-10 units in density at certain locations, acceptable to the community, outside the existing neighbourhood boundary.

The Topic Group considered 20 individual parcels of land that represented the entire perimeter of the existing development boundary, with the view to identifying those sites that might be most suitable for the aforementioned development. The sites followed the same parcelling that had been used to identify land within the David Hares Landscape Character Assessment.

The approach of the topic group was to carry out a preliminary desktop study of the sites and to identify those sites most immediately unsuitable for any development. This task was necessary as the perimeter of the development boundary includes space such as the cemetery, land allocated as allotments, land with commercial activity seen as essential to the convenience of the parishioners, such as the garden centre.

Given the village location within the National Park and hidden in vista, the group also took planning advice and eliminated those sites, identified within the Landscape Character Assessment, that has the highest rating of visual impact. In other words, those sites that would materially and detrimentally affect the views of Findon Village from the National Park were not considered further.

This process culminated in the identification of six sites that would be considered further in greater detail, to enable a conclusion to be reached upon the suitability for development.

Each site was allocated to individual Topic Group members who were tasked with identifying all relevant significant information to enable the potential for development to be ascertained. The information gathered included; adjoining site density, access, availability, ownership and other criteria. When this work was completed the Topic Group reported back to the Steering Group for further consultation.

At this point two potential routes were discussed, to identify the most proper way forward regarding the potentially contentious and commercially sensitive nature of the Topic Group's conclusions.

First potential route: it was proposed that mini planning workshops would be convened, with those most affected by the potential sites; land-owners, immediate neighbours and those that may hold a particular interest. This approach was seen as a way of easing into the community's conscious, low density acceptable and beneficial housing, that gave those most affected a say in specific planning matters.

Second potential route: a consultation with the entire community at the first instance, where further information would be obtained on those sites that may not have been readily identifiable by those acquiring the information, when carrying out the specific site appraisals. This method of consultation had the advantage of appearing neutral to the community without the hint of pre-made deals being hoisted onto the community.

As it transpired, following considerable debate within the Topic Group and later within the Steering Group, the consensus prevailed that the second route would be followed.

The consultation event

This event was very well attended; considerable evidence exists that demonstrates the community's full engagement with the process of evaluation of the identified sites. Feedback was provided both at the event and by way of information forms filled out on the day or provided later for analysis. The conclusion of the consultation event is well recorded and is the basis for the regulation 16 proposal.

Analysis of the sites following the consultation event

The Steering Group's next task involved an in depth analysis of the information obtained through the community event. It is sufficient to state that the community on the main objected to the potential sites. However, through the consultation process substantial information was obtained that significantly affected the conclusions reached by the Topic Group. These included land employment use, availability issues, ownership issues and a significant desire for the existing development boundary to remain as is.

Ultimately, and somewhat regrettably given the considerable effort, the consensus position was that no sites outside the development boundary were either suitable, available or in fact desired. It was incumbent upon the Steering Group that it should listen to the communities wishes in retaining the character of the village and in particular the location of the development boundary.

Notes on David Hutchison's comments

General conformity with the Strategic policies of the Local Plan

David has provided the following narrative:

“Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan [...] Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”

Whilst this is true, too much weight is being given to the need for the Neighbourhood Plan to reach general conformity with Local Plan strategic policies. It is asserted that where a Neighbourhood Plan (NP) is developed ahead of the Local Plan, the NP will have no option but to consider the existing, although outdated, Local Plan. The new Local Plan should be developed with the emerging NP in mind.

In its recent decision, the Queen’s Bench Division considered the case of *Crownhall Estates Ltd, R (on the application of) v Chichester District Council & Ors* [2016] EWHC 73. In summary it was decided that an independent examiner of a neighbourhood development plan had not erred in concluding that it was appropriate for the plan to be made without allocating any further housing land, such as the claimant's site, even though a need for further growth might become part of adopted local plan policy in the future. Of particular noteworthiness is the analysis by the court concluding that [a Neighbourhood Plan] only required the draft neighbourhood plan as a whole to be in general conformity with the strategic policies of the adopted development plan as a whole. Thus, there was no need to consider whether there was a conflict or tension between one policy of a neighbourhood plan and one element of the local plan (paras 29, 68, 71-72). This is significant because the assertion that the Findon Neighbourhood Plan must accord policy by policy with an emerging Local Plan is simply not substantiated.

Housing Need, Policy and Availability of Sites

David has gone on to say:

“The FNDP provides no evidence to justify why the aim on page 13 'to retain the settlement boundary in its current state' appears to have been determined before the review of local housing need and availability of sites within the built up area boundary has been concluded, other than by a general reference to the status of the built up area boundary in the AONB which has been superseded by the National Park status since 2012.”

This analysis is simply not supported by the facts; the review of the local housing need predated any work by the Topic Group. Until that work had been concluded, the established settlement boundary was under review. However, some confusion on this point may exist in that the settlement boundary was considered by certain parishioners to be sacrosanct, even prior to the commencement of the Neighbourhood Plan process. This view may have inadvertently remained in the evidence base but is being misrepresented here out of context.

At 2.3 David states:

“The SDNPA emerging policy not to change the built up area boundary where Neighbourhood Plans are at an advanced stage does however require the Neighbourhood Plans to be in conformity with the emerging strategic policies on housing and include any site allocations that may be necessary to meet the strategic housing requirement. While the FNDP acknowledges a strategic requirement for 20 houses it has decided not to allocate any sites, has not found any available sites within the built up area boundary and proposes to retain the built up boundary in its current state and therefore the SDNPA emerging policy not to change the built up area boundary where the Neighbourhood Plan is at an advanced stage will not apply.”

The narrative here does not reflect existing law. Not only is *Crownhall Estates Ltd, R (on the application of) v Chichester District Council & Ors* [2016] EWHC 73, opposed to the contention, but a Neighbourhood Plan’s entitlement to include policies dealing with the use and development of land for housing, including policies dealing with the location of a proposed number of new dwellings (including no dwellings), even where there was no present local development plan document, setting out strategic policies for housing, has been established law since *Gladman Developments Ltd, R (on the application of) v Aylesbury Vale District Council & Anor* [2014] EWHC 4323. In *Gladman* the NDP established a settlement boundary outside of which development would only be permitted in exceptional circumstances, so as to concentrate development within the built up town area rather than building on greenfield sites. This position was accepted by the court and has been good law ever since.

At 2.4 David also states:

“The independent Landscape Character Assessment (Evidence Base 42,43) identified a small number of sites on the outside edge of the built up area boundary with a capacity for providing small clusters of houses where the landscape value and harm was considered to be moderate. The FNDP Housing Topic Group and the Steering Group prepared further appraisals of these sites using a similar methodology to the SDNPA SHLAA appraisals and proposed that the sites should include in the main public consultation as potential sites for small cluster of houses. The analysis of the public consultation responses concluded that there was no clear support for any of the proposed sites on the outside edge of the current built up area boundary and that despite a strategic housing requirement and no availability of any sites within the built up area boundary, the FNDP proposes to retain the built up area boundary in its current state.

It was therefore the analysis of the public consultation responses that informed the proposal in the FNDP to retain the built up area boundary in its current state, not the independent Landscape Character Assessment.

(Bold added)

This analysis of the process is baffling. As has been discussed earlier the process of the Topic Group involved a desktop study of the Landscape Character Assessment (LCA) in order to resolve obvious inconsistencies. For example, the LCA identified as one of the most acceptable sites, purely in terms of visual impact, the graveyard adjacent to the A24. It would have been profoundly obtuse and extremely vexing for many of the parishioners to have included, within a further consultation, a site of monumental importance, for consideration for development. Accordingly, this site was removed from further analysis for want of not bringing the entire process into disrepute.

There appears to be a fundamental misunderstanding, by David, on the approach to the analysis of the LCA. Findon was identified as an early adopter of the Neighbourhood Planning process and accordingly obtained grant funding, but also was advised by the South Downs National Park, that there was no need for any Environmental Impact assessment, convincing evidence of the SDNPA's own view of development not being suitable outside of the settled boundary. The nature of land outside of the existing development boundary is such that it is almost inconceivable any of the land would ever receive further development, in the context of the National Park status. The LCA was therefore one of the only evaluation tools available to enable further consideration of potential sites, and to also provide a significant account of the special characteristics of the parish.

The LCA was not commissioned as a document to define the built up area boundary or in fact move it. The LCA was merely a tool for which independent evidence could be adduced.

At 2.6 David states:

"A Housing Needs Survey was carried out by AIRS which identified some local housing need for both low cost market housing and affordable housing, however the FNDP provides no evidence to justify why the 'intentions set out in this FNDP' (restricting any housing allocations by the SDNPA to within the current built up area boundary) are given considerably more weight than the identified local housing need."

There is no requirement of a Neighbourhood Plan to identify sites, outside of a development boundary, for the construction of dwellings to meet identified housing need.

On the same point David goes on to say at 2.7:

"Objective 1 'Seek to ensure that new dwellings contribute towards any local connection need for smaller, lower cost and affordable homes;' (page 43) this objective is not carried through into FNDP Housing policies which propose to retain the built up area boundary in its current state whilst acknowledging that there are no available sites for housing within the boundary other than individual houses in a relatively few larger large gardens."

Regrettably, this is a continuation of the same narrative, but from the analysis of the previous case law, this contention is not supported in law.

At 2.8 David states:

"With the SDNPA constrained by Government guidance on the thresholds where affordable housing can be sought as part of any development (sites with more than 5 houses), no such sites identified within the built up area boundary in its current state and a proposed restriction on any allocations outside the built up area boundary the FNDP does not meet the emerging strategic housing policy on low cost and affordable housing."

This conclusion does not reflect the reality that if windfall sites were counted in the analysis, then Findon would reflect a forward going positive contribution towards increased housing, albeit incrementally. It is a matter of fact that several schemes have recently been built or are at planning stage that would evince adequately at least 20 houses within the next 5 years, let alone the life of the plan. But, because of the threshold identification of sites over 5, such allowances (under this number) are not considered contributorily. This is only because Findon village is already developed up to the maximum. There can be no argument that justifies extending the settled boundary, for the sake of it, right into a National Park.

David goes onto to consider the individual policies:

David states at 3.2:

"The SDNPA have set a strategic housing requirement for Findon, not a housing allocation."

The policy is not deliverable as the FNDP acknowledges that there are no potential housing allocations within the built up area boundary other than individual houses in the few remaining larger gardens (Evidence Base, Call for Sites within the Built Up Area Boundary)”

The fact that the SDNPA have set a strategic housing requirement and that there are no potential housing allocations within the built up area boundary, other than individual houses in the few remaining larger gardens, is not in itself contradictory.

When future planning decisions are formulated, the obvious need for more housing will be supported by analysis of both the Local Plan and the Neighbourhood plan. There is nothing within these statements that supports a contention that no housing will result. The existing potential development within the settled development boundary will prevail with or without an allocation in any case. David’s comments are in fact supporting the position already established that Findon is to all purposes ‘full up’.

David’s comments under HD1.2:

“3.3 The FNDP provides no evidence of how the proposed housing sites ‘were tested’ with ‘our community’ other than giving those attending the open consultation event and responding via the website, the opportunity to disagree with the proposed sites and disagree with the provision of any new housing.”

The consultation event was extremely well attended and full representation of the Steering Group was present throughout the day. There was a great deal of healthy debate and much information was exchanged. The summary of the event by David is not an accurate representation of the success of the event. This is readily identifiable by the analysis of the forms filled in by the attendees. There is undoubtedly support for the sites, but these were in the minority. Hence the consultation was a democratic process. If, as David suggests, only negative responses were sought, then it would hardly be the case that a degree of support was in fact identified.

“3.4 The poster for the open consultation event did include reference to ‘the pressure on local authorities to deliver new homes means no development is not an option.’”

Here, thankfully David is acknowledging the neutrality of the event. The consultation can be readily characterised as one that was in fact pro-development.

“3.5 However a clear statement that the SDNPA was about to publish Preferred Options 2015 (the emerging Local Plan) within three months and that this would include a strategic housing requirement for Findon, or a clear statement that the NPPF required a Neighbourhood Plan to be in conformity with strategic policies in a Local Plan was not available at the open consultation event or on the website, with the result that people attending the open consultation event or responding via the website believed that there was the opportunity to disagree with not only any of the proposed sites but also disagree with the delivery of any new housing other than individual houses in the few remaining gardens within the built up area boundary.”

This paragraph seems to suggest some attempt to misinform the Parish of the SDNPA’s intentions. However, the true position was that the Parish has been fully involved with a process of positive pro-development consultation, from the very outset. The intention has always been to develop a Neighbourhood Plan in accordance with the wishes and aspirations of the local community. The SDNPA have a great deal to occupy their own minds towards achieving a truly representative Local Plan, that accords with the significant diversity of the residents and businesses spanning a geographic area of over 70 miles width. Accordingly, it is a richly positive contribution to the Local Plan, that Neighbourhood plans inform the architects of Local Plans. Hence the enactment of Localism in the first place.

“3.6 This may call into question the weight given to the consultation responses, particularly given the opposition to cramped infilling and support for small clusters of lower cost housing (as an alternative to larger housing sites IF new housing was required) evidenced in the responses to the pre FNDP Questionnaire.”

If the contention here is that the consultation responses have not been properly weighted, because the manner the consultation was proscribed was somehow flawed. This can be readily dismissed, without repeating the previous arguments; the consultation was pro-development. The results were unambiguous, with significant rejection of the sites, but also a marked support, albeit in the minority.

“3.7 The Steering Group also considered that it was not appropriate to prepare any initial illustrative sketch layouts and designs for the proposed sites, including the potential for low cost, affordable housing and landscape context green and vernacular housing, or involve the local community in mini planning workshops to develop ideas, before the open consultation event”

This analysis is simply not representative of the facts. The Steering Group had in fact fully considered the preparation of the material outlined, much of which was available at the consultation event. David appears to be confusing the distinction between the two routes of consultation suggested. The first “those most affected method” and the second (as adopted) “the whole community at once” method. Clearly had the mini-planning workshop approach being pursued, then a greater amount of detail would have come forward. However, the overarching criticism on the day of the consultation was that the whole process had already been decided, which clearly it had not.

David’s comments under HD1.4

“3.8 Policy SD22 is intended to apply where there is no identified local housing need, or if there is an identified local housing need and this can be met from housing site allocations within the existing built up area boundary.

Policy HD2 Local Connection

3.9 Policy HD1 will not deliver any affordable housing as the FNDP acknowledges there are no available sites within the built up area boundary other than individual houses within the few remaining larger gardens.

3.10 If this policy remains, the only potential delivery of affordable and low cost housing will be through a rural exception policy.

3.11 The Arun District Council current policy on rural exception sites referred to in Policy HD2 for clarity, is not a 2003 saved policy. Arun DC found that the 2003 rural exception policy had not delivered in significant affordable housing in rural settlements or villages and amended the policy in 2012, to allow one market house for every two affordable houses provided in the hope that this would bring forward some affordable housing.

3.12 The SDNPA Preferred Options 2015 rural exceptions policy however retains a 100% affordable housing requirement for all rural exception sites in the National Park with no options for locality preferences where evidence has shown a 100% affordable requirement has not previously delivered any affordable housing. Its not clear if the FNDP is advocating an Arun 2012 approach to rural exception sites and if it is, evidence (Arun DC evidence and NPPF guidance) will need to be included to justify a distinct different local approach to rural exception sites in the FNDP.

Policy HD4 Self Build Houses

3.13 The FNDP policy is not in line with the SDNPA Preferred Options 2015 which includes 'on the edge of existing settlements' as well as within the built up area boundary as locations for sites for self build houses.”

David appears to be discussing planning controls to potential development outside the settled boundary under rural exceptions policies. This is really criticism of the emerging Local Plan and National Planning policies.

David’s comments regarding the Evidence Base Consultation

“Pages 8 and 9

4.1 The stage 2 appraisals of the 6 land parcels did not include a 'being green fields or grazing land could they be said to satisfy the SDNPA's specific duty to enhance and conserve the natural beauty of the area' criteria as that had already been considered in David Hares Landscape Character Assessment of the land parcels, this criteria being added back by the Steering Group after receiving the stage 2 appraisals.”

This point has already been dealt with under the process of the Topic Group. The LCA considered every parcel of land around the perimeter of the existing settled boundary. Therefore, there can be no argument that land use was added in or out at any stage; the land is described exactly as it was at the time the LCA was carried out.

“4.2 The significant additional information about the sites that was not uncovered as part of the topic group's research' is inaccurate and not clarified. The topic group was specifically instructed by the Steering Group not to discuss the land parcels with the land owners or the occupants of the houses nearby to ascertain further information to complete the availability and amenity parts of the stage 2 appraisals.

The process of site evaluation was dealt with from the very beginning in a manner that would represent the landowner’s interests in exactly the same degree as those neighbours to the land, and the wider community. To enable the Topic Group to demonstrate neutrality it was agreed that to approach individual landowners, for their input, into matters which would no doubt achieve significant financial benefit, would be detrimental to the objectivity of the Topic Group’s

work. Accordingly, the Topic Group itself determined not to go down the path of pre-agreements with landowners. This methodology was supported and agreed to by the Steering Group.

“4.3 The highly significant, over 73% of the feed back (evidence Base 59), resistance to the identified sites based upon concern as to the detrimental effect on amenity' is essentially subjective as no specific proposals on layout, scale, design, access, landscaping were put forward on which to base any objective assessment of the effect on amenity.”

It is suggested that in fact the analysis by David is subjective as the result of the consultation was not in accordance with his own aspirations. Apart from producing full CAD designed houses, the consultation went to extreme lengths to describe, on the day, what potential development would entail. Had the community supported the sites then further site appraisals would have been developed under the agreed methodology. It is not because of any flaw in the process, the community rejected the sites. The community rejected the sites because for numerous personal reasons, those persons that let the Steering Group know their views, wished for the settled boundary to remain where it has for millennia.

“4.4 The community rejection of the identified parcels' is not an accurate statistical summary of the responses received when the consultation summary document (Evidence Base 59) is looked at in detail. For example, 42% of a total of 159 respondents were opposed to any housing allocation sites outside the current built up area boundary and didn't express a view on any of the specific land parcels while 24 % were opposed to the specific land parcels.”

Under any simple analysis of the datasets it can be readily deduced that the community did not support the concept of the sites put forward. If a deeper analysis was provided where the most rejection came from, it was from those dwellings that are located immediately adjacent to the potential sites. This is convincing evidence that the methodology of mini-planning workshops would have equally failed to deliver sites.

“4.5 There was also no specific opportunity for the community to express any preferences for the land parcels under the specific assumption that there would a definite requirement to allocate housing sites, or express a view on the SDNPA allocating the sites if the community did not wish to express any preferences.”

This comment is confusing the process of neighbourhood plans and local plans. It is for the SDNP to accord with developing neighbourhood plans (in the absence of their own Local plan), those neighbourhood plans that are otherwise in accordance with the legal criteria will be made into law. There is no obligation on the Steering Group to hold a sword of Damocles over the village hall, with the words, SDNPA allocated housing, when conducting a consultation event for potential housing sites which in fact go further than the SDNPA actually required by their own analysis.

“4.6 There is no evidence offered to justify 'the widespread view that no suitable sites exist beyond the settlement boundary' that 'the community rejection confirmed' or how that widespread view was arrived at before the community rejected the land parcels.”

The Steering Group rightly concluded, by proper analysis of the facts, that the community did not wish for development of the proposed sites. It should be noted that the main objections related to the economic use of the land, the lack of availability of some of the parcels, and difficulties with access.

There was no point putting into a neighbourhood plan, for referendum, sites which were in fact unavailable.

Comments received from Knights on behalf of MLN Properties Ltd

See all comments above plus:

Neighbourhood plans are a reflection of the thinking and aspiration within the local community. The Neighbourhood Plan indicates preferred uses for sites and establishes development principles; it does not however, include any allocations of land for development as there is no requirement for a neighbourhood plan to include allocations.

There is no requirement for the Neighbourhood Plan to be in general conformity with the strategic policies of the emerging Local Plan.

The Basic Conditions require the neighbourhood plan to contribute to the achievement of sustainable development. There is no requirement as to the nature or extent of that contribution, nor a need to assess

whether or not the plan makes a particular contribution. The requirement is that there should be a contribution. There is also no requirement to consider whether some alternative plan would make a greater contribution to sustainable development.

(Source: Examiner's Report Bognor Regis NP)

The Housing Site Appraisal process (Evidence Base 52) clearly shows the analysis of the site suggested by Knights and the reasons for its rejection.

Arun District Council Comments

Policy BT1 Support for business: The second part of this policy (...provided that the impact on the amenities of surrounding properties is acceptable.) needs re-wording. How will this be assessed/quantified? How will this be used by DC?

Response: Policy allowed in three previous Plans - amenity of adjoining properties is a normal planning term - a simple definition being - the benefit enjoyed from physical external space which is part of the private home. The benefit enjoyed depends on the quality of space. The level of enjoyment is also dependent on a number of factors, including location, size, orientation, sounds, noise, accessibility and enclosure.

Policy BT2 Retention of employment land: The policy need re-wording to make it more robust and usable by DC. The last sentence should be deleted. (Ensure any residential ...)

Response: Policy allowed in other plans. Last line is important to us.

Policy BT3 Support for new commercial uses and Policy BT4 Retention of retail frontages. Any application should be judged on merits – i.e like scale, impact, benefits. There is no evidence present to support reasons in the supporting text. The policy also does not appear to take into account the new provisions for permitted development for changes of use. It is recommended that the policy is re-written.

Response Assumed that PD rights were a given but could start the policy with '*where planning permission is required change of use ...*'

Policy BT6 shopfront and business signage: Where is the evidence to support this policy. How will DC use this policy? Illuminated signs and advertisements will not be permitted? 'In keeping with the surrounding area' – which is what?

Response: It is the area surrounding the business.

Policy BT7 Improving signage: What is the definition of signage 'clutter'? There seems to be confusion of what a neighbourhood plan can do and what is the responsibility of the Local Planning Authority.

Response: As stated in the policy, the DoT document 'reducing signage clutter' explains the term.

Policy BT8 Support recreational and tourism activities: What are 'unacceptable impact on adjacent residential amenity'? How will DC effectively use this policy?

Response : Wording is not in the policy.

Policy GA4 Parking and new development: What is the evidence to support that 'Development proposals will be supported only if they include the maximum level of offstreet parking ...' ?

Response: Wording is not in the policy.

Policy GA5 A24 improvements: This is written like more of a community project than a policy so recommend revision or moving to the back.

Response: See SDNP response

Policy CFW3 Recreational facilities: What is the evidence to support this policy? Suggest re-wording especially the first sentence 'Existing open spaces including school playing fields, outdoor sport and recreation land should not be built on.'

Response: We believe this to be a reasonable position. We do not wish to see our playing fields and recreation land built upon.

Policy CFW4 Provision of allotments: are there parcels of land formally designated as allotments? Might want to justify this a bit better than the map which shows one site.

Response: Yes the land shown on the map was previously designated for allotments but is not in use for the purpose.

Policy CFW5 Protection of Assets of community value: This is written like the NDP can make decisions on what is included on the assets register. This has its own process and so the policy should be re-worded to reflect this. The parish council should ensure they register the buildings using the procedure to mitigate any unwanted circumstances in the future. Paragraph CFW5.2 needs to take into consideration the new change of use rights.

Response: wording changed

Policy CFW6:Local Green Space: do they meet the criteria expressed in the NPPF?

Response: Each piece of land has been assessed against the NPPF criteria.

Policy CFW7:'Unlit village' status: This is written as more of an inspiration than policy. How is DC going to use this?

Response: SDNPA has a policy on this.

Policy ES1 Gaps between settlements: This policy needs to look at the SDNP area as well as take into account the emerging ADC Local Plan which is at examination stage. It therefore needs to reflect the current situation.

Response: Additional justification provided

Policy ES2 Surface water management: the first bullet could be difficult in terms of compliance. With the reference to "downstream", probably best for this to be removed. Some of the text can be moved to supporting.

Response: Amended

Policy ES4 Renewable Energy: This is quite a restrictive criteria based policy. What is the evidence to support this? Last sentence reasonable and enforceable. Would NPPF and SDNP designation be sufficient?

Response: Happy with the policy

Policy ES5 Buildings and Structure of character: The whole policy needs to be in the box. At the moment it starts and stops. Some of this policy text needs to be in supporting text. It is recommended that this policy is worked up in conjunction with the SDNP.

Response : Policy changed

Policy ES6 Conservation areas and areas of special character: Map 3 is not quite legible.

Response: Done

Policy HD1 Spatial plan of the Parish: The use of the term "up to a maximum of 20 new dwellings" by imposing a ceiling or cap on total development does not have regard to national policy in which there is a presumption in favour of sustainable development. It is however understandable that those people preparing a neighbourhood plan will seek to estimate individual site capacities in order to appreciate whether or not provision will meet local need. Actual numbers of homes achieved on sites will be determined on a site by site basis when detailed schemes are prepared and assessed taking into consideration site constraints. It is therefore recommended that it be reworded as "Development proposals of a minimum of 20 new dwellings ..."

Response: Done

Policy HD2 Local Connection: Does this accord with the SDNP strategic policy? This policy conflicts with ADC policy. ADC only has a local connection criterion for rural exception sites.

Response: No comment on this from SDNPA

Policy HD3 Redundant agricultural and rural buildings and their immediate surroundings: This policy is very confusing and unwieldy. There are bits of text which are supporting within the policy. Suggest a re-write.

Response: Removed

Policy HD5 Alterations and roof extensions: What is the evidence to support this?

Response: Provided

Policy HD7 Edge of Boundary houses and paddocks: This is not a policy?

Response: This is very relevant in this Parish.

25. The policies could be strengthened by including a cross reference evidence base and conformity reference to the local plan and the NPPF.

Response: Done