



## Representation Form

### Birdham Neighbourhood Plan

The Neighbourhood Planning (General) Regulations  
2012 - Regulation 16

Birdham Parish Council has prepared a Neighbourhood Plan. The plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally.

Copies of the Birdham Neighbourhood Plan and supporting documents are available to view on the District Council's website: <http://www.chichester.gov.uk/neighbourhoodplan>.

**All comments must be received by 5:00pm on Thursday 12 February 2015.**

There are a number of ways to make your comments:

- Complete this form on your computer and email it to: [neighbourhoodplanning@chichester.gov.uk](mailto:neighbourhoodplanning@chichester.gov.uk)
- Print this form and post it to us at: **Neighbourhood Planning, East Pallant House, 1 East Pallant, Chichester PO19 1TY**

All comments will be publicly available, and identifiable by name and organisation (where applicable). Please note that any other personal information provided will be processed by Chichester District Council in line with the Data Protection Act 1998.

#### How to use this form

Please complete Part A in full, in order for your representation to be taken into account at the Neighbourhood Plan examination.

Please complete Part B overleaf, identifying which paragraph your comment relates to by completing the appropriate box.

<b>PART A</b>	<b>Your Details</b>
Full Name	Paul Knappett
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Organisation (if applicable)	
Position (if applicable)	

Date	
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## PART B

To which part of the document does your representation relate?

Paragraph Number	All of plan	Policy Reference:	
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support  Support with modifications  Oppose  Have Comments

Please give details of your reasons for support/opposition, or make other comments here:

The question I have to ask first does Birdham village need a neighbourhood plan. I ask this question because 80% of the housing is within the AONB and planning wise is greatly protected already. This has been highlighted just recently by the appeal decision taken by a Planning Inspector to dismiss the appeal on Land to the south of Church Lane Birdham (12/04141/OUT). In the appeal decision the Inspector states that the AONB "has the highest status of protection" This then just leaves the remaining 20% which contains very few sites that are suitable for development. If the emerging Local development Plan is adopted this 20% left would be very well protected by that. The point I have to ask were the residents of Birdham made aware of these facts. Were they also made aware that there is an easier cheaper and just as good alternative to the neighbourhood plan in the form of The Parish Plans and The Village design Statements? I believe they were not, if they were, was this alternative promoted with as much vigour and enthusiasm as the neighbourhood plan? If it was what documentation evidence is there? If there is none or very little, does this plan not then fulfil "basic condition" and break the rule against bias and the "duty to hear the other side" and "duty to act fairly"?

Were steps taken to encourage the younger residents of Birdham to get involved in the shaping of these Plans? What were these steps? I have noted that the member's on the panel of the steering group are all of a certain age, were any younger residents invited and encourage to join the panel and in doing so give a more balanced view point to the needs of the village.

I would like to draw attention to the finding in the Dawlish Parish Neighbourhood Plan Examiner's report were he states on page 25 section 2.46 "However because of its timing in relation to the production of TDC, s strategic policies, it is not possible to demonstrate that the provision for housing growth is based on an objective assessment of housing requirements. This appears to be a key flaw in the DPNP which cannot be remedied until the TD'S core strategy/Local plan is settled." Does this ruling not also apply to the emerging Local plan? Chichester District Council said that Birdham must take the "minimum" of 50 houses but it does not state a maximum because it cannot at this present time. If Chichester District Council cannot prove good reasons to the Government Inspector why it cannot provide the number of houses asked for by the Government, the Local plan may be thrown out, and Chichester District Council will then have to look at where these houses will go. As there are possible sites in Birdham that are suitable, some of these houses may be allocated to Birdham. This neighbourhood plan is a case of getting the cart before the horse.

The very foundations of some, if not all the policy's contained within the proposed plan rely heavily (as they should) on the feedback from the resident's questionnaire and in part the business questionnaire.

I will briefly touch on the business questionnaire as it is used to shape some policies. Out of 118 businesses in the parish only 33 returned the questionnaire which is only 28% therefore does not represent "the majority of the village" therefore it does not meet "basic condition"? I do feel policy 23 contained within this plan is very bias towards what is called "core businesses". Every application that is put forward must be judged on its own merit and must not be prejudged. One business must not be put before or above another.

It is the resident's questionnaire that concerns me the most. We are informed that a copy was delivered to every household (not person) within the parish of Birdham. Why was it not delivered or sent to everyone on the electoral roll? The Questionnaire states that it must be returned by 12th July but does not state which year. Common sense would dictate that it would be in the year it was issued but should it not have been dated properly?

A point is made that 329 households returned the resident's questionnaires out of 645 households, that's if you take the figures stated in the neighbourhood plan. Representing on the face of it a 51% return rate. However that in theory could actually only be 329 residents and out of a population of 1483 (2011 census) that would represent a return of only 22%. If you take the number of households stated in the neighbourhood plan survey, which I feel we must as this is where the neighbourhood plan gets most, if not all its fact and figures. It is stated there are 672 households and 1510 residents that would then only represent a return rate of 49%. If we now calculate 1510 residents by the 329 questionnaires returned, the rate would only be 22%. It is interesting that without even delving in to the facts and figures I can already find conflicting data between the two documents.

Having looked at some of the figures contained within the Neighbourhood plan survey I find some very interesting, and some very shocking. The one that stands out the most shocking is the three sites put forward as the best place to build. Where the sites are is not really the issue, but I do have to ask were these sites chosen by the Parish council or had they already been chosen for them? I'm sure this question may be raised at a later date. The real issue that stands out is how small a number of respondent's it has taken to pick these sites therefore possibly shaping the new defined settlement boundary area till 2029. J7 (Responses) 58 = 4% L6 (Responses) 45 = 3% and H9 (Responses) 30 = 2%.

If you put the entire responses together 133 = 9% out of a population of 1510. How can this in anyway shape or form be "the majority of the village" therefore does not meet "basic conditions"?

One bit of interesting data was that 243 out of 329 responses said they never use the Primary school but the Parish Council is always saying that the primary school is oversubscribed; do all the 152 children at the school come from outside the parish? I think it is quite easy to see by the data contained within the survey that the vast majority of the responses are from the older more vocally active residents of Birdham. This survey does not seem to truly represent the views of "the majority of the village" therefore does not meet "basic conditions"

Address must be given to the very low number of residents (22%) that it has taken to shape the policies contained within this neighbourhood plan. As the number is so low I cannot see how it has got to the stage it is at, and how can it claim to be democratically shaped? As great weight planning wise is now being given to the neighbourhood plans the participation and input of at least 51% of residents (of all age ranges) in the shaping of

these plans surly must be the minimum requirement to put this plan and any other neighbourhood Plan above redress.

I must move on to the main reason that this neighbourhood plan must be thrown out. The resident's questionnaire is anonymous and not numbered in anyway so its traceability is therefore impossible. It could be freely copied or downloaded any number of times. Then any number of questionnaires could be sent back by one person or persons, therefore steering policies in that person or persons flavour, specially the planning policies. Whether this has happen is impossible to say but it raises doubts and that alone should be enough to make this neighbourhood plan not fit for purpose. I do have to question the wisdom behind making the resident's questionnaire anonymous in the first places, and the need for it to be so as the business one is not? Every step of the neighbourhood plan must be lawful, transparent and above reproach. This plan I believe is not, and if it is not kicked out it will and should be put forward for Judicial review.

(Continue on separate sheet if necessary)

**What improvements or modifications would you suggest?**

This neighbourhood plan is greatly flawed and cannot and should not be saved.

The village of Birdham should have first had a referendum to decide whether it even wanted a neighbourhood plan and anyone on the electoral roll within the parish should have been invited to have a vote. If "the majority of the village" over 51% did, then a questionnaire should have been sent to everyone on the electoral roll within the parish. If the return rate was over 51% then a neighbourhood plan should have been drafted. Then when the plan had been accepted by Chichester district council the village could then have a referendum whether to adopt the plan.

The above formula would stop the wishes of the vocally and active few within a village imposing their will on the majority.

I wish to be kept informed of the passage of this plan and notified of a decision.

(Continue on separate sheet if necessary)

If you have additional representations feel free to include additional pages. Please make sure any additional pages are clearly labelled/ addressed or attached.