

Selsey Neighbourhood Plan

Selsey Town Council Response to Initial Comments of Independent Examiner

The Town Council would make three opening comments relevant to the initial findings of the Examiner.

- A. The Selsey Neighbourhood Plan Working Group is a community group and members are not qualified planners. NPs are community planning documents and whilst we can, and have, employed qualified planners to help draft our plan they should be an expression of the community's wishes. As the Selsey NP has evolved, various regulations and guidance have distilled what was quite a broad range of wishes down to a rather sanitised document with just a few policies. Whilst we accept the need for a robust plan which works for the community, planners and developers alike, there comes a point whereby it feels the plan is constrained by local and national policy and therefore adds little by way of local context.
- B. Since this plan was started national planning policy has changed significantly, government has changed, there have been various iterations of PPG and building codes and we also worked alongside CDC during their plan making process. There comes a time where we must say 'this is our plan' and, whilst we accept policy may change around it, at the point of writing it has to be our plan. If we were to keep pace with every change that has taken and will take place, we would never have a plan, it would cost tens of £thousands and would be a hotchpotch of ideas rather than a vision dealing with key issues and setting out usable policies.
- C. Due to the various delays and new demands made on this plan during its drafting it has taken considerably longer than anyone involved would have wished. As a result, before the plan has even reached referendum over 150 dwellings have full permission on our allocation sites and there is outline permission for up to a further 139. Whilst we accept the need to ensure our plan is sound many of the comments made and vast chunks of the plan itself are almost superfluous as many of the major decisions have been taken without the benefit of a NP in place to enforce local wishes.

Abbreviations used in this document:

WSSC – West Sussex County Council

CDC – Chichester District Council

STC – Selsey Town Council

NP – Neighbourhood Plan

EA – Environment Agency

NPPF – National Planning Policy Framework

PPG – (Supplementary) Planning Policy Guidance

The following are direct comments in response to the numbered queries in the Examiner's report, using his references.

6. The policies are clearly defined as they sit within their own section of the document entitled 'Design Guidance and Policies'. Within that document the index references policies within its own page numbered section. Within that section policies are given a policy number e.g. INF, DES etc.

The audit is a separate document and is designed to give readers of the future a picture of the town as we found it at the start of the process. Furthermore, the audit was designed to try and identify space in the town that could individually or collectively deliver the housing allocation. Given our expectation at the start of the project, that there would be insufficient infill or brownfield sites to fulfil the allocation, we wanted to document our findings in the audit so as to prove to future councils that our work was thorough and that greenfield development was one of a very limited number of choices if we were to fulfil our allocation – which at the time was suggested by CDC to be higher than the 150 units it now is.

If necessary we would propose a reference note at the start of the document making clear what is policy and what is guidance or alternatively, split the specific policies out into a third document. Our preference would be the former.

7. As per 6 above

8. As per 6 above.

9. We were guided by CDC not to be too prescriptive in our policies. Our original draft policies included all the elements the Examiner has now identified as guidance but, following discussion and taking advice, the actual policies are those identified with a policy number. In an ideal world, all of our guidance would be policy but we accept that collectively or cumulatively, these could be onerous.

In drafting the entire plan we followed, or sought to follow 4 simple rules, those being:

- i) The plan should not contradict national planning policy (NPPF, PPG etc.)
- ii) The plan should not contradict local planning policy (CDC Local Plan)
- iii) The plan should only set policy where there is a defined local need for a specific policy or where national and local policy does not a) go far enough or b) lacks local context
- iv) The plan should not be onerous on developers and be scalable from 1 unit to 100+ units

10. As per 9 above.

11. Again, ideally this would be policy but guidance from CDC officers suggested it would not be enforceable as policy. It therefore remains as guidance

12. At the time of submission there are no brownfield sites that would allow Selsey to deliver its allocation without building outside the existing Policy Boundary. There are several brownfield sites that, if it were in the power of the NP or STC to bring forward, would be preferable over greenfield allocation. However, these sites are privately owned and consequently cannot come forward at this time. If, however, they do come forward in the life time of the plan and a future council is presented with these sites or further greenfield development, then the preference would still be for brownfield before green. There is no need for this to be policy as, in our opinion, NPPF already makes this very clear and therefore did not need repeating in policy, as per 9i above. We left this in as guidance in case national policy changed in the lifetime of the plan.

13. As per 12 above

14. Comments 6-13 should help to identify this.

15. These are not land use policies and should be viewed more as plan aspirations. Some of these may have originally be put forward as policy but as outlined in 9 above, we were guided to remove anything that was unlikely to be enforceable or excessively onerous.

To answer the question of the Observatory, plans for this have been dropped subsequent to our submission as a result of feasibility studies. The Oval Field is the only site whereby an Observatory

can be delivered in Selsey due to the unique location and lack of light pollution. Therefore, we do not anticipate this project now coming forward for planning and the group promoting the idea are in the process of dissolving. At the time of writing the plan however, STC had given its in principle support to the project to enable it to progress to feasibility stage.

16. This is a fair point and we would consider adding this map if it would make the plan sound.

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18. Noted.

19. Please see our opening comment B. As pointed out in comment 18, we are uniquely placed and so in line with 9iii we believe this is still an extremely important aspect of the Selsey NP.

20. As per opening comment B, there will be other parts of our plan, other NPs and even the local plan that will fall foul of national policy changes or the flip-flop of changing Governments. There has to come a point whereby we say 'this is our plan'.

21. Both CDC and the EA requested that we remove the Thawscroft allocation from the plan due to its current flood risk. However, we did not wish to remove the site entirely as during consultation there was strong support for the site due to its proximity to the town centre and local services. Accordingly, we left it in but removed the policy allocation so that if, circumstances change during the life of the plan, future councils can see the community response to the site, and take into consideration the proposed conditions for development on the site.

We understand why Thawscroft Limited want the allocation to be reinstated but there are sound planning rules as to why it has been excluded at this time. As planning applications have subsequently been granted on our other allocated sites, we would have to object if the allocation policy was reinstated on Thawscroft against the advice of the EA as this would constitute inappropriate development.

22. As per 9 above we were advised not to cover statutory elements in our plan. When we started the process CIL did not exist. As we drew to a point of final consultation CIL rules were still not clear and had not been fully implemented in Chichester District. Therefore, we decided to put forward a community list of projects that the community would like funded/delivered as a result of development and to offset the impact of further development in the town. This is how STC has previously worked with CDC, and in considering the planning applications at Park Farm and Drift Field, CDC accepted the 'wish list' as the most recent, community tested piece of feedback on new infrastructure and community facility needs.

23. The B2145 is the biggest issue for further development in the town and causes residents the biggest concern (isolation, delayed access, congestion, accidents, being stranded). Therefore, any further development in the town needs to consider how it impacts this arterial route into the town in the absence of any viable alternative form of transport in and out.

In consultation with WSCC it was clear that the County Council does/did not have a plan for the B2145 which will manage the impact of continued development. Furthermore, they were not able to advise us what the built capacity of the road was and a) how close it was to that capacity and b) whether the proposed levels of development we were setting out in the plan would take it over capacity (and if so, by how much). Accordingly, we sought feedback on a proposed raft of mitigation measures that would make the road more traversable and reduce or offset demand, knowing full well that any upgrade to the road would increase development potential in Selsey which would meet with fierce opposition.

Whilst individual sites have to consider their own impact, our wish was to ensure the cumulative impact of any and all further development was actually taken into consideration. In 2014 STC commissioned, at their own significant expense, a full study of the B2145. Our aim in requiring developers to carry out a traffic study is to ensure that STC, CDC and WSCC have access to a recently updated traffic study at any time. Despite many requests, WSCC has not undertaken a study of this

size in many years and typically only assess development using desktop modelling. Now that a full study exists, carried out by WSCC approved contractors, it was our hope that this document could be kept live through regular updates, rather than falling fallow and requiring major investment to re run it in its entirety.

Furthermore, policy TR2 does make clear that it only requires a review of the study when the new build volume is over 25 residential units or commercially 10,000sqft GIA.

Accordingly, we believe that we have put forward a range of measures which can be applied to sites from 1 unit upwards or contribute to a larger scheme. In the absence of a formal highways strategy at the lead authority (WSCC), we believe the NP to be the only policy relating to a major piece of infrastructure – infrastructure that will play a significant part in delivering the local housing allocation and continue to enable a partially deprived community to connect to work and leisure opportunities.

24. We were guided by CDC to create an aspirations/infrastructure wish list. For the community of Selsey many aspects of this are regarded as infrastructure.

The definition of Infrastructure is:

The basic physical and organisational structures and facilities (e.g. buildings, roads, power supplies) needed for the operation of a society or enterprise.

We would therefore suggest that a Town Square can be considered infrastructure required to operate our society and is actually a missing aspect of life in Selsey. Our view is that if it is stated in the plan, it can happen, if it is not, it cannot. We refer to opening comment A – this is meant to be a community plan. Appendix 1 reflects a community tested list of projects required to operate our society.

No one can say whether these will happen or not.

25. There are multiple points raised in this comment. We have replaced bullets with numbered references in the order they appear in the comments:

i.) Policy TAW01 relates to an existing site which is poorly used and which offers poor quality accommodation to a temporary population that endure tough manual work. In placing a policy on this site we are keen to encourage enhancement of the facilities but at the same time restrict any inappropriate development of the site. CDC local plan lacks any specific policy on *Temporary* agricultural worker housing and therefore in keeping with 9 above there is a need for local policy.

ii.) The plans referred to within INF 3 form the GLaM project can be found here <http://peninsulapartnership.org.uk/projects/green-links-around-medmerry/>. These can be found through a Google search and we were keen not to link to URL's which are open to change during the life of the plan.

iii.) We would be happy to agree criteria to define what a large property on a large site looks like. Typically these would be detached houses of 3 or 4+ bedrooms sitting in a curtilage which is at least 2x greater than the built footprint of the property.

iv. & v.) We took a moral decision not to keep updating the plan maps to reflect the progress of planning applications. The plans shown in the NP are those which were taken out to consultation and so to switch them for plans which were materially different would be morally wrong, in our opinion. An example is Park Farm. The housing plan we took to consultation is 2/3rd that of the current hybrid permission. To simply switch it would suggest the support of the NP which is not the case and was reflected by STC in its consideration of both the allocated sites when they came forward for planning permission.

As per opening comment B, the NP has to stop at some point and be a balance sheet/photo of a point in time. We believe the plan as submitted to be that document.