

Consultation under Regulation 16 of The Neighbourhood Planning (General) Regulations 2012 (as amended) on the Submission version of the Selsey Neighbourhood Plan 2017: Policies (February 2018)

Chichester District Council Response – March 2018

The first section of this response relates to the Selsey Neighbourhood Plan's proposed policies (Part 1). In addition, Selsey Neighbourhood Plan Part 2 includes Annexes A and B and a number of points are set out below in relation to these Annexes on the basis of accuracy and clarity.

General:

The first section of the plan (pages 1 to 20) contains the land use policies. The advice provided during pre-submission consultation stage by the District Council has been taken into consideration whereby the background evidence is clearly indicated (by Annexes A and B). However, the evidence should not be included with the main Neighbourhood Plan (NP) document itself. The background evidence informs the policies in the NP, but it does not itself carry any material weight where decision-making is concerned. Annexes A and B should therefore be removed from the NP document and published in a separate background document.

More generally, it is commended that the advice previously provided regarding the presentation of the policies has been taken into consideration. However, it would help users of the NP if the policies were named as well as numbered (e.g. Policy 001 – 'Design of new development').

As a general point, references to documents are not referenced with a date which would be helpful. For example, when referring to the census, a date to identify which census it is would be helpful.

Part 1: Policies

Page 1 – Background: As stated above, the only information the Neighbourhood Plan should include is that which relates to policy, not background evidence which should be separate to the Plan itself.

Page 3: Background 3rd paragraph: There is no evidence presented regarding the statement that Selsey has higher than average car ownership.

Policy 001: The first bullet point refers to dwellings only, however it should refer to high quality development overall. Also, new development should recognise the distinctive character of the Parish. For accuracy the policy should remove reference to 'roof elevations' and the third bullet point should be amended to read:

- 'In terms of design, new development should take careful account of **the height and roof elevations scale of building elevations** in the context of the topography of the local area in relation to the coastline, built form and rural hinterland'.

Page 4 - 2nd paragraph: The setting of the Conservation Area and other heritage assets is an important consideration and the text should be amended to reflect this. Reference to 'historical or iconic features' would normally be included as 'heritage assets' in the context of the NPPF.

Page 4: Policy 002: There is no reference to listed buildings; reference to the Selsey Conservation Area Character Appraisal (Review) 2016 is inaccurate and needs updating as the Conservation Area context has changed since 2016, and an additional new Conservation Area (Old Selsey) was agreed for designation by the District Council in September 2017. This has yet to be formally confirmed. It would be more accurate to amend the third bullet point to read:

'iii Other historic or locally significant buildings or structures including locally listed buildings as defined in **the designated Conservation Areas in Selsey**'.

Page 5: Reference to 'East Selsey Conservation Area' should be amended to state 'Old Selsey Conservation Area'.

Page 8: Policy 004: The site allocated by this policy (Land at Home Farm) is not supported by any site selection evidence. Further clarification is needed as to why it is the best site for temporary agricultural worker development, particularly where other sites may have been considered but then ruled out. Further, the supporting text under the heading 'Background' should clarify whether development beyond the settlement boundary would be temporary or permanent.

Page 10: Policy 006: This policy should provide clear criteria against which any proposal for the conversion of Selsey Hall to an alternative use can be considered. If housing is not a suitable alternative use, this needs to be made clear. Reference to Policy 38 and Appendix E of the Chichester Local Plan should be referred to.

Page 11: Policy 007: the text refers to 'open green spaces' but there is no cross reference to Appendix II which shows recreational space. It is not clear if the intention is to designate these open space areas as '**local green space**' in accordance with the requirements of the NPPF (paragraphs 76-78). It is not clear whether the intention is to protect Local Green Spaces which have a national designation or whether the policy aim to protect green open space. If it is the former the policy wording could be improved to be more consistent with the objectives of paragraphs 76-78 of the NPPF which allow for Neighbourhood Plans to designate land as Local Green Space, where local communities will be able to rule out new development other than in very special circumstances. If it is the intention to designate Local Green Spaces, then the Neighbourhood Plan should be supported by the necessary evidence. Paragraph 006 (ID: 37-006-20140306) of the NPPG advises on how such areas can be designated (i.e. identifying Local Green Space on a map).

Page 12 – Transport Background: Paragraph 3, - paragraph 3 of the text implies that the B2145 being a single road restricts development. While this may be a factor the road is not the only constraint on development for example economic and environmental constraints such the designation of Pagham Harbour as a Site of Special Scientific Interest, Ramsar Site, Special Protection Area and Local Nature Reserve) may also be a factor. The text could be amended to reflect this.

It is unclear what is meant by the final bullet point; does an alternative route exist as this refers to 'maintain' or is the intention to try and provide an alternative route?

Page 12 – Policy 008: Selsey is well advanced as a community with the aspiration to deliver a segregated cycle route from Selsey to Chichester. A high level engineering appraisal has been delivered and agreement in principle has been received from the land owners. The route is intended to support utility cycling journeys and as such compliments West Sussex County Council's Walking and Cycling Strategy. The Plan would benefit from including reference to this Strategy.

Policy 009: There is no indication in the policy as to what (if any) type of development should contribute to the cycle link, including possible funding of opportunities.

Page 13: – Background - The text needs updating (e.g. there are 3 supermarkets in Selsey (Co-op x 2 and ASDA)).

Page 13 – Policy 010: This policy should include reference to the need for marketing in accordance with Appendix E of the Local Plan and reference to the need for viability appraisal work.

Page 13: Policy 011: This policy needs to take account of all other policies in the Local Plan and Neighbourhood Plan and should be strengthened by rewording as below:

'Proposals for the development of new employment floor space, refurbishment, upgrading or modernisation of existing ~~premises~~ **employment land/sites**, and/or proposals which make more efficient use of under used employment **land/sites** and premises will be supported **subject to compliance with other policies in the Neighbourhood Plan and Chichester Local Plan.**'

Page 14 – Retail Centres Policy 012: Paragraph 16.19 of the adopted Chichester Local Plan states that local centres for Selsey will be defined in either the Neighbourhood Plan or the Site Allocations Document associated with the Local Plan. The identification of three retail centres in Selsey by this policy is therefore welcome. It is, however, suggested that a cross reference to the Policies Map at Appendix II is included for accuracy and completeness...

It is suggested the criteria listed in the second section of Policy 012 should be removed as it is a duplication of criteria listed in Policy 29 of the Chichester Local Plan. It may however, be helpful to include a cross reference to the Local Plan policy.

Page 15: Policy 013: The 'Infrastructure Priorities List' is referred to by the 3rd bullet point in this policy. This list is not explained in the supporting text and it is unclear as to what it is and how it relates to this policy. It is also not provided at Annexes A or B as background evidence. It is suggested that this policy should be amended to address the three key points set out in the original policy and remove reference to the Infrastructure Priorities List. CDC recommends amendments to the text as set out below:

'Proposals for new retail or commercial development will be supported ~~where~~ **provided it is demonstrated that it complies with all other relevant policies contained in the Neighbourhood Plan, Policies 26 and 29 of the Chichester Local Plan and where:**

- The ~~provision~~ **development** delivers employment opportunities across a range of skillsets likely to be available in the town; **and/or**
- ~~The provision of such facilities~~ **development enhances the tourist offering; and/or**
- ~~The provision of such facilities~~ **development delivers enhanced community facilities as identified in the Infrastructure Priorities list.**

Page 16 – Summary: The summary could be improved to provide a more accurate reflection of the Neighbourhood Plan (e.g. setting out key issues and objectives in terms of what it seeks to achieve, develop, enhance or protect) This could be achieved using headings or bullet points (e.g. Selsey as a Retail Centre, Selsey’s historic environment, transport aspirations, development priorities). Following any amendment the Plan may read better if the summary is at the beginning of the Plan after the Foreword.

Page 18 – Appendix II: See comments made above in relation to Local Green Space.

Part 2 Comments on Annex A and Annex B:

As set out above the Council does not consider that Annex A and Annex B form part of the Neighbourhood Plan; it is suggested that they should be removed from the main document as they form background evidence and hold no material weight in terms of decision-making.

However if they are retained the comments and concerns raised below are included in this response for clarity and accuracy to assist the Examiner in his deliberations.

Annex A: History, Design and Guidance – Background Evidence

General: The role of this documentation should be clear. As it stands this is not the case, for example, what is the intention of the Design Guidance considerations and are they to be progressed towards SPD or to remain as suggestions for developers/landowners etc.? Should there be cross references from the NP policy document to examples in Part 2?

There is a need for the Part 2 document to be brought up to date. There is no longer a Design Code in the NP document beyond the requirements of Policy 001 and therefore some amendments will be required to Part 2 to take this into account. Also there is a need for updating in terms the various projects referred to in the text; the aspirations should be reflected in the list of projects identified by the Town Council for the CDC Infrastructure Delivery Plan (IDP) and Infrastructure Business Plan (IBP).

Page 9: the date of the consultation findings should be included.

Pages 11 and 12: Date and source of map should be included. Is this the most up to date version?

Page 13: the date of this consultation should be included.

Page 15: reference is made to survey results from October 2012 which is now over 5 years ago. Some of the measures included in relation to road safety extend beyond the remit of the NP and should be explained/acknowledged as such. For example, Traffic Regulation Orders are legal documents that enable West Sussex County Council, the Local Highway Authority, to manage traffic. This is a function that is not delivered by the Neighbourhood Plan process.

Page 16:

Access to the A27 and congestion on the A27- It is not clear what consultation this refers to; a date should be included for clarity.

Page 18: Question where evidence is of ‘well documented congestion issues on the B2145?’

Page 29: There is a typo on the page under the title ‘Development Considerations’ where a number 1 lies under the O of development.

Page 36: Live-work units: It is not clear what the nature of live-work units proposed is. There is a lack of justification/evidence.

Page 37: Section 5, 1st bullet point: 'Crime Impact Statements' and 'Design out Crime Assessments' are not required for applications.

Page 43: Appendix I – There is no date for this information. The notes (Page 45) suggest that it is not recent and may be sourced from somewhere other than to reflect the most up to date position in relation to the Town Council's projects identified to CDC as part of the CDC Infrastructure Delivery Plan (IDP) and Infrastructure Business Plan (IBP). Need to be clear as to the source and date.

Annex B: Audit – Background Evidence

Page 7: The Selsey Conservation Area. This section requires updating as it does not refer to the boundary of the High Street Conservation Area, nor does it mention the new Conservation Area (Old Selsey). There is a lack of information regarding the location of the Conservation Area which ideally should be shown on a map.

Page 31, Listed Buildings: This section needs to be updated as the buildings referred to in this section are listed by Historic England, not English Heritage.

Exercise of Delegated Authority - Head of Planning Services

I hereby exercise my delegated power in accordance with Chichester District Council's Constitution:

'to make formal comments on a draft Neighbourhood Plan at Pre-Submission stage and Submission stage'

AND DETERMINE THAT, the above comments are the formal response made by Chichester District Council on the **submission stage** of the **Selsey Neighbourhood Plan Policies** in relation to comments made under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended by The Neighbourhood Planning (General) (Amendment) Regulations 2015):-

Signed:

Andrew Hunt.

Head of Planning Services

Date: 16 April 2018

Note: The deadline for making representations should not be less than 6 weeks from the first day the draft plan was publicised.