# Plaistow and Ifold Parish Neighbourhood Plan 2014-2029 Submission 17 September 2019 (Regulation 16) (Submitted January 2020)

**Chichester District Council Response – April 2020**

The Parish Council and Neighbourhood Plan Working Group should be commended for the significant hard work that has been put in to this plan. The Council recognises there have been a number of challenges for the Group to address as work has progressed to this stage. The following responses are made to the Regulation 16 consultation -

Process of Consultation:

As previously advised the Government passed a Coronavirus Act containing emergency legislation in response to the current situation. It included provisions to delay elections and neighbourhood plan referenda, but did not include any relaxation of the legislative requirements for neighbourhood plans.

Chichester District Council will therefore need to consider further the implications for the formal neighbourhood plan process. It may be that the Government issues more emergency legislation which changes the requirements for neighbourhood plans, but under the legislation *as it currently stands* there will be a need to rerun the Regulation 16 consultation at an appropriate time. While that is acknowledged as being extremely unfortunate and frustrating, given the clear risk of prejudicing all parties right to engage in this formal consultation process, this is considered necessary.

Page 1: para 1.3 – the development plan should include reference to the Site Allocations DPD (adopted 22 January 2019) which includes Policy PL1 Land North of Little Springfield Farm for about 10 dwellings in the parish.

Para 1.8 – it is to be noted that the principle of Plaistow and Ifold as a service village was recognised and accepted in Policy 2 of by the Inspector of the Chichester Local Plan: Key Policies 2014-2029 (adopted 14 July 2015) (CLPKP). It would also be helpful for clarity if the settlement which has a defined settlement boundary was identified here as Ifold, and the village with no settlement boundary as Plaistow.

Page 2: para 1.12 – the Site Allocations DPD is more accurately the daughter document of the CLPKP.

Para 1.1.3 – the sites identified by the parish in the NP are more accurately ‘in addition’ to the site allocated in the Site Allocations DPD rather than alternatives.

Page 5: para 2.4 – text should more accurately state that the NP provides additional dwellings to that identified as being required by the CLPKP and met by the allocation in the Ste Allocations DPD.

Page 7: Housing para 2.23 – comments as referred to above under para 2.4

Page 9: Map 3: Ifold Settlement Boundary – the ‘Legend’ is not related to the map and should be deleted. A simple annotation could be included to indicate the meaning of the red line as the settlement boundary.

Page 15: Policy EH2 Protection of Natural Environment.

Last para of text of policy, first sentence – add ‘where necessary’ after ‘Phase 1 Habitats Survey.’

Page 18: Table 1 Cascade Chart for Tree Quality – BS5837:2012

This would be better included as a reference and link in the text rather than as a Table in the NP with a caveat of ‘or most up to date standard’ to allow for flexibility of the standard or advice.

Page 19: Policy EH3 Protection of Trees, Woodlands and Natural Vegetation

The wording of the policy should more closely adhere to the comments set out by Natural England (23 April 2019), in relation to flightlines and foraging paths for bats as well as a need to secure an appropriate buffer from development, in the Habitat Regulation Assessment (HRA Screening Matrix and Appropriate Assessment Statement.

It is unclear what ‘good’ arboricultural value is? In addition, where trees are not protected or not within a conservation area these can be removed so a blanket cover as currently worded is not feasible.

Page 21: Policy EH4 - Local Green Spaces

Queries are raised in relation to some of the sites put forward and the evidence in Appendix 7 listed separately below.

LGS – Ifold Site (1) LGSi1 Loxwoodhills Pond, The Drive, Ifold – this appears to include parts of the private rear gardens of private individuals’ houses.

LGS - Ifold Site (3) LGSi9: Landmark Oak Tree at entrance to The Drive, Ifold. This does not appear to meet the requirements for LGS designation as set out in the National Planning Policy Framework (NPPF) as it consists of a single tree. An alternative form of protection may be more appropriate, for example consideration through Tree Preservation Order procedures.

LGS – Plaistow Site (5) LGSP2: Cox’s Pond (Plaistow village pond, Loxwood Road, Plaistow

* queries whether this meets the NPPF requirements in terms of local green space.

LGS – Shillinglee Site (9) LGSS1: Shillinglee Road junction traffic island – question whether this meets the NPPF requirements in terms of local green space.

Page 23: Map 7 Local Green Spaces – Plaistow

There is a site only part labelled above LGSP8 and referred to on the map as ‘LGSP’ – this should be removed as it does not appear to be allocated as local green space.

Page 25: Aim 1 – Community Assets

Consider that this Aim along with other identified aims and aspirations would be better located as a whole single dedicated section towards the end of the neighbourhood plan or in a separate appendix at the end. This would be clearer and easier for people to find.

Page 25: Aim 1 - suggests that the MUGA is to be registered as a Community Asset but it may be more accurate to refer to this as a potential Asset of Community Value under the Community Right to Bid.

Page 26: Policy EH5 Lighting Emissions

The wording of the policy should more closely adhere to the comments set out by Natural England (23 April 2019), in relation to the reference to include the need to reduce lighting for the benefit of important local bat communities, in the Habitat Regulation Assessment (HRA Screening Matrix and Appropriate Assessment Statement.

Policy should also provide sufficient flexibility for changing technology, for example solar lights which have benefits but as they are not connected to a central point they cannot be ‘turned off’.

Page 31: Policy Ci1 Reducing and Avoiding Flood Risk

Fourth para – rather than being specific in relation to private SuDS, the overall policy wording may be improved by requiring appropriate conditions as necessary to meet the aims of the policy.

Page 39: Policy H1 – Site proposed for housing development (Land opposite The Green) This site is identified for a residential development of 11 units. It is suggested that the word ‘about’ should be included in this sentence for consistency with the CLPKP.

The over provision of housing in the parish by way of the submitted NP by the Parish Council is commendable, given the evidence of on-going increased housing need within the plan area. However, CDC does have some concerns with the site selected. Plaistow does not currently have a settlement boundary in recognition of the difficulty of identifying a coherent and meaningful pattern of development, and the proposed site which is sizeable in relation to the prevailing form of development lies adjacent to the Plaistow conservation area boundary on both the west and northern sides. The land lies outside the historic development envelope and as such it would have the potential to harm the setting of the conservation area by virtue of obscuring the historic settlement boundary and eating into the natural open countryside border of the historic village centre. Further, in terms of layout and the relationship to the conservation area, development should infill any non-significant open areas within the village as would be expected in historic development patterns.

Consequently, despite the various criteria set out in the policy CDC remains concerned about this site’s inclusion in the submitted NP.

If the site was to be considered as part of the CDC Housing and Economic Land Availability Assessment (HELAA), then in all likelihood it would be found unacceptable on the basis that it would be detached from a settlement policy boundary.

Page 41: Map 10 Plaistow Development Pattern and Average Gross Densities

It is not clear where the various areas referred to for different densities are located on the map. If the various areas were numbered and this was included in the key it would be helpful to the reader.

Page 45: Policy H3 Affordable Housing

The policy is generally in accordance with the Council’s adopted Allocations Scheme. However, policy references an earlier version of the allocations scheme from March 2014. This should be amended to take note of revisions made in November 2018.

In addition, add “or any amending or successor policies” at the end of the first sentence.

Reference to priority on purchasable affordable housing at para 2 of policy i.e. shared ownership should be removed as the Council’s housing register does not oversee the sale of these units and is dealt in house by registered providers.

Page 49: Live/Work Units

Is the intention that this is just aimed at the whole parish area as this is not clear? If so then the policy risks unintentionally encouraging new dwellings in the rural area. It is not clear what the split should be for a live work unit, it does not state whether the work element should be attached/well-related to the dwelling or not and it does not say how the applicant would demonstrate such a need. Instead it attempts to address some of these issues by stating that specific planning conditions should be applied; it is not for a policy here to make such a statement. It is generally unclear what parameters would be used for assessment of applications.

Page 51: Policy EE3 – Retail shop premises Line 2 should read ‘princi**pal**’

Second sentence - it is not clear what is meant by ‘reasonable diversification’. This may also be difficult to deliver as Policy 38 of the CLPKP sets out how such facilities may be protected and that their loss will need to follow the guidance set out in CLPKP Appendix E.

Page 53: Policy EE4 – Brownfield Site (Land at Little Springfield Farm)

Again the over provision of housing in the parish by way of the inclusion of this site in the submitted NP by the Parish Council is commendable. However, CDC has some concerns with the site. In considering this site as part of the published 2018 version of the CDC Housing and Economic Land Availability Assessment (HELAA), the site was considered to be unacceptable using the assessment criteria that the site would be detached from a settlement policy boundary. This situation has not changed. Following the previous appeal findings on this site at para 22 (copy attached) it would be preferable for any planning application to come forward on its own merits.

If the policy is to be retained then CDC objects to the inclusion of a detailed phasing scheme as there is no justification for this. The number of dwellings is relatively small and would be easily deliverable in a single phase.

In addition there are a number of more detailed points on the policy as below:

* + The policy needs to be clear in terms of its expectations.
	+ Wording in para 7.18 should make reference to map 11 for clarity and again should be made clear in the policy – all necessary development including supporting infrastructure to take place in the blue line
	+ After (2) C3 residential – add here and associated infrastructure including necessary parking, landscaping , open space – all within blue line.
	+ After sentence reading: ‘The precise mix of uses and quantum of floor space will be subject to evidence in the form of a viability assessment and the use of live/work units will be encouraged.’ – this sentence needs to be made clearer that in all instances a viability statement will be required to establish how much B1(c) the site can sustain or give a minimum about how much B1(c) the PC is seeking. If live/work units are required then wording needs to be stronger.
	+ 3rd para starting’ Applications for a change of use….’ – this should set out broad areas of what uses should be considered before other alternative uses can be assessed.
	+ The policy should not state that permitted development rights would be removed as it may not be reasonable to do so; this should be removed.

Page 55: para 8.9 - Line 2 should read ‘princi**pal**’

Page 56: Policy T1 Ensuring Highway Safety

Object to the statement that WSCC car parking standards are to be considered as a minimum as this could not be enforced. . In addition, there is some conflict with what is stated here and in Policy H2 (Housing Development within the Ifold Settlement Boundary) and the cross reference to Policy H4 (Housing Density and Design principles).

Page 60: para 9.2 – the reference should be to the 2019 version of the NPPF.

Para 9.3 – line 4 should refer to the adopted rather than the emerging South Downs National Park Local Plan.

*Page 61: Table 3 Delivery of Key Policies and Aims within the Plan.*

The table aims to provide an indication of when policies and aims of the plan may be delivered. However, it is not clear what the various timescales are based on, or why for example some projects are indicated as being on a two year time scale, others on five, ten years or the lifetime of the plan which is in itself unknown depending on when other plans may be adopted or policies superseded. Critically it relies in many instances on other third parties that may or may not be able to adhere to these requirements. For this reason the table should be removed from the plan.

Taking account of Aim 1 in relation to the nomination of the MUGA as an Asset of Community Value, it would be helpful to include this as an action in the Table to note this would require the Parish or other eligible third party to make such a nomination. Inclusion within the NP will not achieve the listing in itself, which is subject to the advertised nomination process and consultation with parties with a legal interest in the site.

Policy EH1 for completeness ‘Protection of Heritage Assets’ reference could be made here to allow for extension of the list of non-designated heritage assets to include archaeological sites through consultation with the Chichester District Historic Environment Record.

**Exercise of Delegated Authority – Director of Planning and Environment**

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 **Plaistow and Ifold Parish Neighbourhood Plan** 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:

**Director of Planning and Environment**

Date: 27 April 2020

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