

**Hunston Neighbourhood Development Plan 2019-2037 Reg 15 Submission Plan – Consultation on Submission (Regulation 16)**

**Chichester District Council Response – September 2021**

The Parish Council has spent time preparing the Hunston Neighbourhood Development Plan (HNDP) which is to be commended. The response below also includes comments which are seeking points of clarification on the HNDP:

**General:**

As yet the overall development strategy for the Chichester Local Plan Review (LPR) has not been finalised. In that respect, as advised previously, there may be a need for the Parish Council to undertake an early review of the NP once final numbers for the submission version of the LPR are agreed or if the figures are amended through the subsequent examination of the LPR. As a result this will potentially require the PC to undertake further work including with the wider local community prior to redrafting of the NP, along with the Strategic Environment Assessment (SEA) and potentially any Habitats Regulations Assessment (HRA) that may be required at that time, and to review other relevant evidence that supports the proposals in the draft plan.

The text in the submitted plan indicates the plan is being prepared in relation to the adopted Chichester Local Plan: Key Policies 2014-2029 (CLPKP) and the emerging LPR. The submitted NP therefore sits between the intention to over provide in terms of housing provision in relation to the adopted CLPKP and running in line with work on the LPR and the draft strategic policy setting out proposed development in Hunston.

The submission version of the Plan makes reference on Page 10 (first para under the heading The Chichester Local Plan Review 2035 Preferred Approach (LPPA – Dec 2018 emerging) to an indicative number identified at that time as 200 dwellings. The Parish Council was further advised in November 2020, prior to the submission of the draft plan, that a revised figure of 300 dwellings for the parish strategic allocation for a revised development distribution strategy was to be tested against the LPR evidence base.

The letter stated that:

*Therefore, while the District Council’s plan-making process is not complete, I am now writing to inform you of the proposed revised distribution of development so that you may consider the implications for your community and parish. Taking into account the need for development set out in national planning policy, the availability of land, and other evidence as set out on the Council’s Local Plan Review Evidence webpage, the revised distribution we are testing includes a proposed level of development of* ***300*** *dwellings for your parish.*

*Based on the information we have received from you to date, the working assumption therefore is that your parish will bring forward a neighbourhood plan identifying sites (of five or more dwellings) to deliver this level of development for the period 2019-2037. Any sites or schemes which already have planning permission, allocated in the existing Local Plan or a “made” Neighbourhood Plan as at 1 April 2020 would not count towards this figure. Nor would development on sites of less than five dwellings, as they count towards the “windfall” figure for the Local Plan Review and so cannot be double counted.*

*I am of course aware that the Parish Council published a draft Neighbourhood Plan earlier this year to deliver 200 homes. Therefore I must ask you to review and update the work undertaken to date to address this increased level of development. Council has previously asked parish councils with a proposed level of development of over 200 homes to progress their neighbourhood plans and undertake an initial regulation 14 consultation before the Chichester Local Plan Review was submitted for Examination, currently envisaged for late Spring 2021. As the figure for your parish is over this threshold, I am now requesting you progress work on your plan in a timely manner in accordance with the relevant guidance.*

Consequently, it is clear there remains uncertainty over the proposed housing figures to be included in the LPR and therefore the parish will need to be clear on the expectations of the community in this respect. CDC has yet to confirm the development strategy for the submission version of the LPR, which as indicated above is currently subject to testing to understand the implications of the emerging development strategy. The PC may therefore need to undertake an early review of the NP once final numbers in the submission version of the LPR are agreed or if the figures are amended through the subsequent examination of the LPR.

As part of the testing work being carried out by the Council for a revised development distribution strategy, a report was presented to an all member session held on 29 ….July 2021. A link to the full report is provided below:

[(Public Pack)Agenda Document for All Member Session, 29/07/2021 09:30 (moderngov.co.uk)](https://chichester.moderngov.co.uk/documents/g1547/Public%20reports%20pack%20Thursday%2029-Jul-2021%2009.30%20All%20Member%20Session.pdf?T=10)

The recommendations agreed at that meeting are available below.

<https://chichester.moderngov.co.uk/documents/g1547/Printed%20minutes%20Thursday%2029-Jul-2021%2009.30%20All%20Member%20Session.pdf?T=1>

From this it can be seen that progress on the LPR is being impaired by various key issues of which mitigation proposals relating to the A27 are the most significant. Consequently, further work and discussions are required with key statutory bodies in order to try and agree a way forward on which future development proposals can be based. These discussions remain at an early stage and therefore no further update can be provided at the present time regarding the final distribution of development to be proposed in the emerging Chichester Local Plan area.

**Other CDC comments:**

Page 5: How the Neighbourhood Plan fits into the planning system (Paragraph 1.1)

References should be updated to refer to the Local Plan Review, which will cover the period 2019-2037. The South Downs National Park Authority now has an adopted Local Plan and reference to saved policies from an older plan is obsolete and, in any case, not specifically relevant as Hunston parish lies outside the South Downs National Park and it is not relevant to refer to its Local Plan here.

Page 8: Planning Policy Context - The NPPF was revised again in 2019 and most recently in July 2021. The abbreviation RNPPF is not a recognised abbreviation and reference should be made to NPPF where required.

Page 21, para 3.4.25 - The Chichester District Historic Environment Record provides a more comprehensive record of the historic environment. Reference to the fact this part of the coastal plain has been shown to be particularly rich in settlement, especially of the later prehistoric and Roman periods would be beneficial. The Roman road between Chichester and Selsey also passes through the parish and should be expected to have attracted activity.

Page 24, para 3.5.7– Although 200 was proposed at the time of the Local Plan Review Preferred Approach consultation the development strategy is currently under review. CDC has not yet determined the housing number for Hunston. (*see also comments under the General heading above)*

Page 23, para 3.5.5 - The figures provided within paragraph 3.5.5 do not align with the Housing Delivery Team’s figures or the census 2011 for Hunston Parish. As of the 2 August 2021, there are currently 194 affordable homes within Hunston Parish, of which 107 have been made available for letting between 2007 and 2021. Currently the paragraph; *“Rented social housing and allocation in Hunston July 2007 – March 2016 is 195.”*

Taking into consideration the affordable tenures detailed within the census 2021 i.e. social rented and shared ownership, the parish affordable housing stock accounts for the following percentages per parish:

* East Wittering – 11.5%
* Hunston – 26%
* North Mundham – 18.9%
* Selsey – 8.8%
* West Witterings – 5.5%

Currently the HDNP notes these percentages per parish*:*

* *East Wittering - 9%*
* *Hunston - 36%*
* *North Mundham - 22%*
* *Selsey - 8%*
* *West Wittering - 8%*

Page 29, para 3.8.5 Care Homes. It should be noted that Merle Court Gardens is age restricted housing for individuals over the age of 55. Age restricted housing is separately defined from care homes.

Page 65: Policy SB1 Map D – Settlement Boundary

Map D currently refers to “built up area” boundary which in legal terms will not necessarily be the same, reference should be made to settlement boundary on the map.

Page 35: PolicyEH1 – Protection of Trees & Hedgerows

The third paragraph requires clarification; if the intention is to refer to developments where trees and hedgerows are to be retained but will need some protection during construction and/or management to ensure their long term protection the wording should be adjusted. .

Page 36: Policy EH3 – Flooding, drainage & new development

The policy needs to be written and shown in bold for consistency with other policies.

Criteria c) is not clear how the Manhood Peninsula Surface Water Management Plan Final Report 2015 is to be used.

The policy should not state what conditions would be imposed on a permission. This needs to be assessed case by case to ensure conditions meet the six legal tests.

Page 37: para EH3.1 – there is a map referenced in the para, this should be added to the document.

Page 38:Policy EH5 – Development on Agricultural Land– criteria c) requires clarification as it is not clear how this can be demonstrated.

Page 39 Policy EH7 – Dark Skies - It is not considered to be reasonable or enforceable to require lighting to be turned off at midnight as it will often be on a sensor.

Page 43 Policy EE1 – Employment uses

The HNDP seeks to protect the interests of commercial users and thus helps to protect the economic viability of Hunston. Suggest additional sentence to para EE1.3:

 “Should any new residential development be created close to existing commercial uses – for example at a windfall site – the agent of change is responsible for the negation of any adverse impact on all parties”.

Page 44 Policy EE2 – Sustainable Recreational and Tourism Activities

Unclear what the policy is seeking to achieve and it would be difficult to use for Development Management purposes as currently worded.

‘Sustainable tourism proposals’ need to be defined.

Policy requires clarification, does the first paragraph refer to development in a sustainable location, and if so does this mean within the settlement boundaries?

Is the second paragraph dealing with ‘unsustainable tourism’ outside the settlement boundary?

The term “parish settlement boundary” is unclear It would be better to use settlement boundary as in other policies for consistency.

Page 45 Policy EE4 – Agricultural/Equine/Employment

There is potential conflict with other policies that would support their change of use in principle in a countryside location e.g. to a campsite, recreation ground etc. Suggest adding a sentence along the lines of ‘other than where provided elsewhere in the plan’.

Page 46 Policy LC4 – Designation of local green spaces – designation would restrict development proposals and may lead to a conflict with the local green space designation in relation to Site 3 should the open land be taken up by the Free School as a playing field as this would result in a change of use.

Page 47 Policy LC5 – Village facilities – to note this policy could only be applied where the change were not permitted development.

Page 48 Section 5.7 Housing – *see comments under General heading above*.

Policy H1 – Housing sites allocation

The site(s) proposed adjoin the existing settlement boundary by way of a proposed extension to that boundary. The proposals map is, however, not clear. The red area assumed to be the housing site should be clearly labelled as the allocated housing site or sites. In general neighbourhood plans give each allocated housing site its own title and clear requirements for each site.  If the intention is that the site comes forward as a single comprehensive site then again the proposals map is not clear in this respect.

It is unclear whether the site(s) have capacity for 200 homes plus all necessary infrastructure/open space etc on the site.  Under the Council’s Planning Obligations and Affordable Housing Supplementary Planning Document 200 homes would require a sports playing pitch and allotments as well as normal open space, landscape buffers etc. The site(s) would need a suitable screening/ buffer on southern, western and northern boundaries. The site assessment document and SEA do not provide sufficient detail on this.

Policy AL11: Hunston Parish in the Preferred Approach version of the LPR set out various criteria required by any allocation for development in the Hunston Neighbourhood Plan for a minimum of 200 dwellings. Criteria 10 required provision of infrastructure and community facilities in accordance with the most up to date Infrastructure Delivery Plan, predicated on the basis that such required provision would have been identified as part of the LPR process. However, as the HNDP is in advance of the completion of that process such strategic requirements are yet to be resolved and identified.

At the time of the preferred approach consultation WSCC advised as follows:

*Any development within this area cannot currently be accommodated in the existing primary school at North Mundham. Further capacity would be required to accommodate the development, CDC will need to work with WSCC to determine how additional capacity in the area could be accommodated if land is to be allocated.*

*At the current time pupil place planning indicates that there would be sufficient space or expansion capacity to accommodate the child product from this proposed development for secondary aged pupils. Contributions would be required for expansion of secondary schools and sixth form if feasible and required.*

As part of the evidence base testing of the proposed revised development distribution (in the case of Hunston parish 300 dwellings) WSCC has again emphasised there is a need for further education provision in this area.

The issue was raised by WSCC with Hunston PC at the reg 14 consultation stage but the Parish Council does not appear to have engaged with the Local education Authority on this matter.

Consequently, CDC recommends that the Parish Council actively engages with WSCC as Education Authority to determine the position regarding future education needs, as it cannot be certain that at this stage the proposals in the plan constitute sustainable development as provisions for education mitigation have not been sufficiently addressed.

Criterion 2 – cross reference to the CLPKP Policy 7 Masterplanning Strategic Development (or subsequent replacement policy) would be beneficial here to clarify the requirements of the masterplan process.

Criterion 3 - add caveat to say ‘…..“until such time as an equivalent or higher standard is introduced though the Future Homes Standard”

Page 50, para H1.3 – is this meant to be part of the policy requirements for the site(s) or is it provided for information only? Again is this for each separate site as it comes forward or for one large comprehensive site?

Page 52 Policy H2 – Quality of design

Para H2.2 – the definition identifies what is meant by ’infrastructure and services’ but it does say ‘includes’ and therefore infrastructure could also include car parking provision, open space etc. and therefore refining the description would be helpful. Some items of infrastructure identified in the definition, such as meter boxes, is outside planning control and other is covered by separate legislation (satellite dishes).

Page 53 Policy H4 - Windfall sites

Map D should refer to the Settlement Boundary rather than the built up areas. A good set of criteria generally but some may not be relevant to development within the settlement boundary.  This type of development is likely to be small scale.

v) – unlikely to be an issue on sites within the settlement boundary (more relevant to speculative development outside settlement boundary which is not relevant in this policy)

vi) – would not normally require a developer to show site was deliverable when within the settlement boundary.  Suggest this is deleted or caveated.  Only sites of 6+ will be required to deliver affordable housing..

vii) – although it is possible to give preference to previously developed land, development within the settlement boundary is acceptable in principle.

viii) – it is not clear what is intended by of environmental survey here (is this ecological survey or contaminated land survey?) As written it is not clear when surveys would be required. This criteria should be removed as the local list deals with validation requirements.

ix) – only where it is necessary/relevant.

x) – this policy only relates to development in the settlement boundary so there is no need for reference to areas outside.

Page 54 Section 5.8 Getting Around

Page 54, para GA1.2 – this requirement could be included in Policy H1 Housing – footpaths are included but not cycleways.

Page 56 Policy GA3 – Streets and Access ways to serve new residential developments

The third paragraph would prevent shared surface areas (which are not supported by WSCC).  Shared surface areas at the end of cul-du-sacs etc are very commonly used in a development of 200 homes, give an opportunity to give a more rural feel to a housing development.  This could be rewritten to allow for shared surface areas.  To make sure some of these principles are achieved some of these criteria could be incorporated into Policy H1 or, alternatively, there culd be clear cross referencing between the two policies.

Page 56 Policy GA4 – Promoting Sustainable movement

The first bullet relating to CIL spending should not be a requirement of the policy as it is not in the control of developer – it is up to the Parish Council to determine how to spend their part of CIL.  A financial contribution via S106 can only be sought if necessary to make the development acceptable and must be proportionate. An increase in travel demand will not necessarily trigger a need to contribute to new improved walking and cycling routes.  The last paragraph again relates to how the Parish Council will spend their CIL money and should not form part of the policy.

It is recommended that the policy be removed.

Page 64 Policy GA1 Map C Travel Routes

Map C Travel Routes – it would be useful to include cycle routes, including national route 88.

Page 65 Map D Settlement Boundary with extensions

As previously stated this should show the settlement boundary rather than built up areas.

**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 **Hunston Neighbourhood Development Plan Reg 15 Submission Plan – Consultation on Submission Draft** 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 Frost

**Director of Planning and Environment**

Date: 8 September 2021