**West Wittering Neighbourhood Development Plan**

**Examiner’s Clarification Note**

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

***Initial Comments***

The presentation of the Plan is very good. The difference between the policies and the supporting text is clear. The Plan makes good use of high-quality maps.

The Vision and the Objectives are set out in a clear fashion and are then delivered through the policies.

A key success of the Plan is the way in which the various policies are underpinned by the details in the Background Evidence Paper

The Design Statement is a first-class document. It is a remarkable achievement by the local community.

***Points for Clarification***

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan.

*Policy WW1*

This is a very good policy. Its relationship with the Design Statement is clear.

In the round it is a very good local response to Section 12 of the NPPF.

*Policy WW2*

I looked carefully at the proposed green gap during the visit. The importance of maintaining separation between West Wittering and East Wittering was self-evident. I also saw that the gap incorporates the smallest possible area to achieve its objectives and that its boundaries followed natural and man-made features.

I have read the helpful information on this matter in the Background Evidence Paper. Has the Parish Council assessed the extent to which the designation of a gap achieves an ambition which cannot otherwise by achieved by the application of national and local planning policies?

*Policy WW3*

Plainly this is a comprehensive policy. I have a series of questions and two propositions as follows:

For clarity is Map 5 intended to underpin part a) of the policy?

Should part d) be applied proportionately? For example, it would be disproportionate for a proposal for a single dwelling in the heart of the village to have to prepare a landscape and visual appraisal

In part e) is there any specific evidence for the requirement for 30% bungalows?

In part e) is a Community Land Trust simply one of a series of mechanisms for the delivery of affordable housing? If so, would the Parish Council have any specific objections to the delivery of affordable housing by a registered social provider/housing association?

I understand the thought process in part h) of the policy. However, as submitted, the final sentence does not haver the clarity required by the NPPF. What types of contributions does the Parish Council have in mind?

I am minded to recommend the deletion of part b) of the policy as it addresses an issue for the decision-maker (based on other matters) rather than a land use policy. Does the Parish Council have any comments on this proposition?

Should part h) of the policy acknowledge that it may not always be practicable to deliver infrastructure before occupation?

*Policy WW4*

I fully understand the thrust of the policy. However, in most cases replacement dwellings involve an increase in floorspace and/or bedrooms.

In these circumstances is the approach proposed realistic?

*Policy WW5*

This is a good policy which is supported by appropriate evidence.

*Policy WW6*

In general terms this is a good policy with a clear purpose.

However as paragraph 4.14 of the Plan acknowledges there is a degree of uncertainty about the need or otherwise for planning permission to be sought for short-terms lets. In these circumstances I am minded to recommend that the element of the policy on short-term lets is linked to the need for planning permission. Does the Parish Council have any comments on this proposition?

*Policy WW7*

Chichester District Council raises a series of comments on this policy. Please can the Parish Council advise of its intentions beyond those already set out in paragraph 4.16?

In any event does the policy bring any added value beyond local plan policies and Section 6 of the NPPF?

*Policy WW8*

I saw the value and attractiveness of the shops in Rookwood Road during the visit.

The final sentence of the policy suggests that the protection of retail uses is already addressed in local plan policies. Please can the Parish Council advise about the intended added value of the proposed policy?

In any event should the policy acknowledge that the updates to the Use Classes Order in 2021 provide a degree of flexibility in the use of retail and commercial premises (Class E Commercial Business and Service)?

*Policy WW9*

This is a good policy. I saw the importance of the various routes and footpaths during the visit.

I am minded to recommend the deletion of the references to increased traffic in the final sentence given that a planning policy cannot seek to control general traffic levels. Does the Parish Council have any comments on this proposition?

*Policy WW10*

I spent some time walking along the seafront to East Head during the visit.

For clarity, what does the Parish Council have in mind when seeking to avoid ‘urbanisation’ and ‘domestication’?

*Policy WW12*

This is another good policy.

Is the first sentence of the policy intended to address proposals for the upgrading/improvement of existing facilities? Evidence would suggest that such proposals would be more likely to come forward in the Plan period rather than for new facilities.

***Representations***

Does the Parish Council wish to comment on any of the representations made to the Plan?

I would find it helpful if the Parish Council commented on the representations to the Plan submitted by:

* Chichester District Council (Representation 004); and
* West Sussex County Council (Representation 010).

***Protocol for responses***

I would be grateful for responses and the information requested by 15 May 2023. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

West Wittering Neighbourhood Development Plan.

19 April 2023