

Neighbourhood Planning
Chichester District Council
East Pallant House
1 East Pallant
Chichester
PO19 1TY

13th April 2023

Re. Land adjacent to Printhead Lane, Southbourne

Dear District Council

Henry Adams LLP act on behalf of West Sussex County Council (WSSC) and we have been instructed to submit representations on their behalf in the ongoing Southbourne Neighbourhood Plan Reg. 15 Consultation which ends on Friday 14th April 2023. We thank you for letting us have the opportunity to comment on the draft Neighbourhood Plan and our comments relate to the allocations of land as Local Green Spaces, and specifically land adjacent to Printhead Lane. For clarity, I have attached a Location Plan showing the site in red.

The Site

The site is approximately 0.619 hectares in size and is currently in use as grazing land. The site is accessed from Printhead Lane, and is gated with no public access allowed other than the tenant who is under a grazing licence. During the previous iteration of the Neighbourhood Plan, WSSC were approached by the Parish Council when the land was being considered for its suitability as Local Green Space. WSSC replied formally on the 31st July 2020 to say that the land is not suitable for the proposed allocation. It should be noted that WSSC were not made aware of the proposed allocation in this version of the Neighbourhood Plan prior to the consultation beginning.

Southbourne Neighbourhood Plan

The draft Southbourne Neighbourhood Plan Policy relating to Local Green Spaces is SB16, and accompanying the consultation document is a Supporting Evidence SB16.EV2 Proposed Local Green Spaces. The report states that the land is 'tucked away from roads and traffic', when it is in fact merely 100m away from the A259 so road noise would be significant. The fact it is in an 'open green space' is because it is grazed by horses, which would then limit the wildlife available in the field.

The policy also states that there is a covenant in favour of Mrs Welch and that the site has been 'bequeathed for use by the children of Printhead by Mrs Walsh (?)'. From reviewing the Land Registry Title for the land there are a number of covenants that restrict what the land can be

Henry Adams LLP Rowan House, Baffins Lane, Chichester, West Sussex PO19 1UA
01243 533633 land@henryadams.co.uk henryadams.co.uk

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used for, such as erecting a tank pump or the selling of intoxicating liquors, but it does not state as far as we are aware that the land was left for the enjoyment of the community and there are no legal obligations for the landowners to do this. The fact that the field was used nearly 80 years ago for the use as playing fields in our view is not relevant, and there are no current planning uses on the land currently other than equestrian.

National Planning Policy Framework

SB16 states that the proposed Local Green Spaces have been designated in accordance with the National Planning Policy Framework (NPPF) which sets out the following requirements at paragraph 99:

The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

It then goes on to state (paragraph 100) that Local Green Space designation should only be used where the green space is:

- a) *in reasonably close proximity to the community it serves;*
- b) *demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) *local in character and is not an extensive tract of land.*

Planning Practice Guidance then goes on to state what types of green areas can be identified as Local Green Space. This suggests the following should be considered:

The green area will need to meet the criteria set out in paragraph 100 of the National Planning Policy Framework. Whether to designate land is a matter for local discretion. For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis.

In response to the NPPF policies outlined above the site is simply an equestrian field with no public access. It does not serve the community, nor richness in its wildlife. The site is bordered on all boundaries by trees, so is not easily visible from surrounding vantage points. We would be concerned that the proposed designation has been placed to prevent development, which is not the aim of the NPPF, especially with Chichester District Council currently experiencing housing supply shortfall.

Supporting Evidence SB16. EV1 – Consultation Results

Within the evidence supporting specific policies part of the Neighbourhood Plan there is a documents named 'Supporting Evidence SB16. EV1 – Consultation Results'. The document lists the responses made to previous consultation and contains the response made by ourselves on behalf of WSCC.

The Parish Council in their response to our comments state:

'Whether or not there is public access is not relevant. This field, together with the hedgerows and trees on its boundaries, are visible from the footpath (PROW 204), which runs east/west to the south crossing the open fields to Hermitage. It provides a buffer between Prinsted and the open landscape to the west and is a haven for wildlife. The Parish Council notes from the WSCC response that the site's use is controlled by a number of covenants and considers that a Local Green Space designation would not give rise to any hardship to the owner, WSCC. While none of these covenants appear to require any use by the local community, it is considered that its ownership by a Public Authority implies that it should be used for some public benefit, and in view of its location and the intrinsic quality of the site, designation as a Local Green Space would seem entirely appropriate.'

The Parish Council are proposing to retain the Local Green Space Designation. One reason for retaining the designation is to provide 'a buffer between Printhead and the open landscape'. We would struggle to see how this meets any of the aforementioned tests in para 100 of the NPPF. The purpose of a Local Green Space is not to provide a buffer. The land to the west is agricultural, so in its nature will not contain lots of wildlife. There have been no ecological surveys on the WSCC land to substantiate the reasons for allocating it as Local Green Space to meet the tests of the NPPF relating to being rich in wildlife.

The key part of Local Green Space is the ability to be enjoyed by the local community so the fact that there is no public access is relevant. The fact that it is visible does not meet the tests of the NPPF in regards to its beauty or local significance, this could be said about the majority of land in the area.

The Parish Council also state that as the land is owned by a Public Authority, it 'implies that it should be used for some public benefit'. This entirely wrong. WSCC are a private landowner like any other, and access to their land is not available to anyone without prior authorisation. The NPPG states that 'a Local Green Space does not need to be in public ownership'.

Finally, the action required by the Parish Council in the report is that they 'will request information about the covenants from WSCC to establish what land usage restrictions are covered'. As far as WSCC are aware, this request has not been asked of WSCC. They were also not notified about

the proposed Local Green Space designation prior to the Local Plan process restarting which we feel that the Parish Council should have done as the Neighbourhood Plan process has restarted.

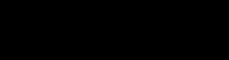
We would also like to note that Henry Adams have made the Parish Council aware of our objections on a number of occasions in the last Neighbourhood Plan, and offered to meet to discuss if required.

In conclusion, it is our view that the land at Prinstead Lane, Southbourne does not meet the criteria set out in the NPPF as Local Green Space. Further it would be our view that they have not followed the correct procedure by notifying WSCC as the Neighbourhood Plan process has restarted.

We respectfully request that the proposed designation is reconsidered and removed.

If you require any further details, please do not hesitate to make contact.

Yours sincerely



Chris Locke
Henry Adams



Representation Form

Southbourne Modified Neighbourhood Plan 2014-2029 Submission Modified Plan (January 2023)

The Neighbourhood Planning (General) Regulations 2012 - Regulation 16

Southbourne Parish Council has prepared a modified Neighbourhood Plan. The modified plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally.

Copies of the Southbourne Modified Neighbourhood Plan 2014-2029 Submission Modified Plan (January 2023) and supporting documents are available to view on Chichester District Council's website:

<http://www.chichester.gov.uk/neighbourhoodplan>.

All comments must be received by 5:00 pm on 14 April 2023.

There are a number of ways to make your comments:

- Complete this form on your computer and email it to: neighbourhoodplanning@chichester.gov.uk
- Print this form and post it to us at: **Neighbourhood Planning East Pallant House 1 East Pallant Chichester PO19 1TY**

Use of your personal data

All comments in Part B below will be publicly available and identifiable by name and (where applicable) organisation. Please note that any other personal information included in Part A below will be processed by Chichester District Council in line with the principles and rights set out in the UK GDPR (General Data Protection Regulation) and the Data Protection Act 2018, which cover such things as why and for how long we use, keep and look after your personal data.

How to use this form

Please complete Part A in full in order for your representation to be taken into account at the Neighbourhood Plan examination.

Please complete Part B overleaf, identifying to which paragraph your comment relates by completing the appropriate box.

PART A	Your Details
Full Name	Chris Locke
Address	Henry Adams Rowan House Baffins Lane Chichester

Postcode	PO19 1UA
Telephone	01243 533 633
Email	Chris.locke@henryadams.co.uk
Organisation (if applicable)	Henry Adams
Position (if applicable)	Land Manager
Date	13.4.23

PART B

To which part of the document does your representation relate?

Paragraph Number		Policy Reference:	SB16 – Local Green Spaces
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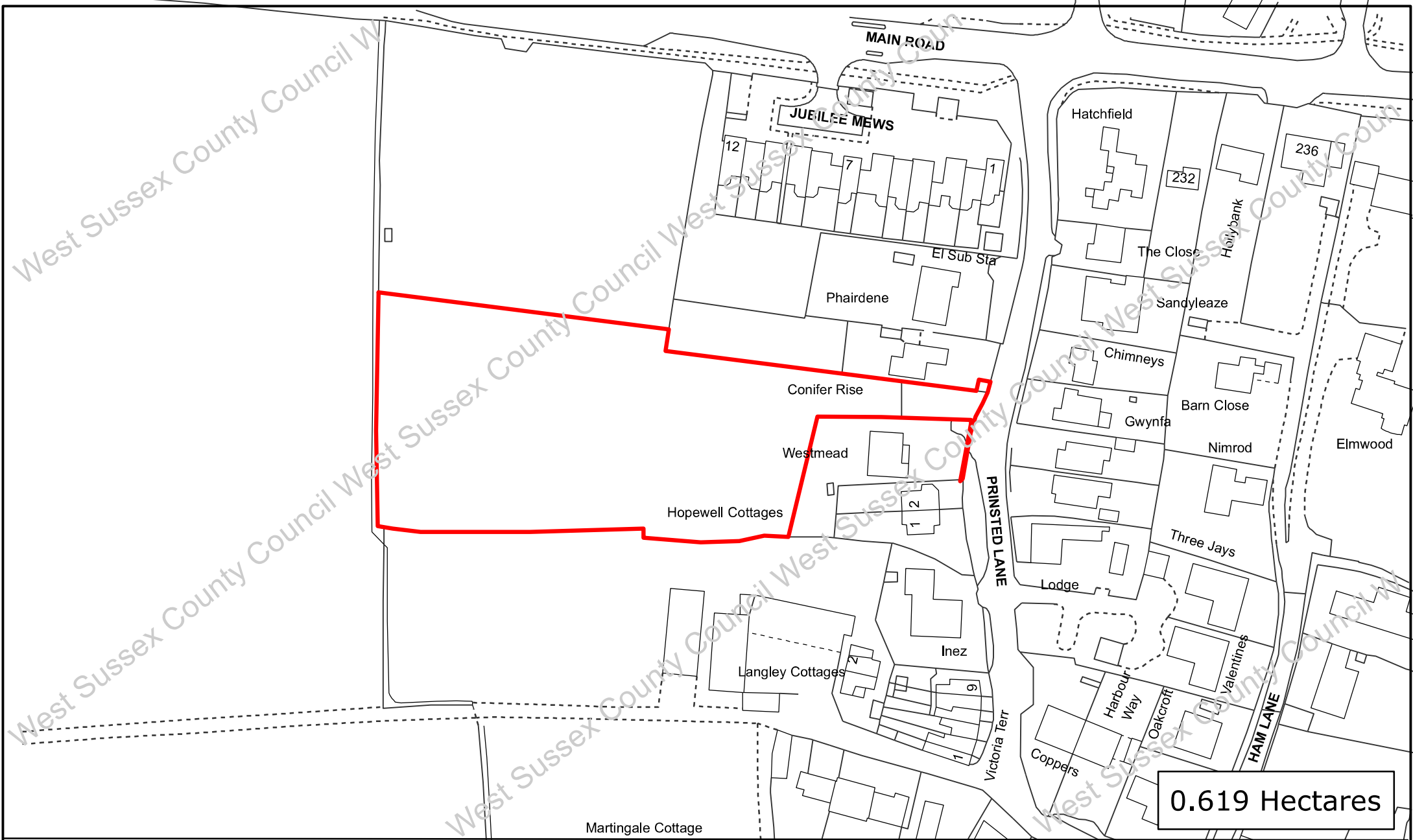
Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments



<p>Please give details of your reasons for support/opposition, or make other comments here:</p> <p>Please see supporting statement</p> <p style="text-align: right;">(Continue on separate sheet if necessary)</p>

<p>What improvements or modifications would you suggest?</p> <p>Please see supporting statement</p> <p style="text-align: right;">(Continue on separate sheet if necessary)</p>
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If you have additional representations feel free to include additional pages. Please make sure any additional pages are clearly labelled/addressed or attached.



Land adjacent to Prinsted Lane, Southbourne

	Scale :	1:1250 @ A4	For Identification Only produced strictly for WSCC internal use and WSCC project work only	Produced by Land & Property Information Capital & Infrastructure	
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