

<b>Consultee</b>	<b>Section</b>	<b>Issues</b>	<b>Response</b>
ADC	1.3	Last paragraph the text should not be in here if the documents are not produced yet.	They do exist.
ADC	1.4	It would be advisable to mention which Directives it has been assessed against in terms of compliance (SEA and Habitats), as there are also others that may be of relevance and have no impact but the letter clearly states that it is only for the requirements of these two specifically. The basic condition statement has not been submitted yet so why is it mentioned yet again?	<p>There is no requirement to submit the BCS at Reg 14 but it still exists and is a test of the Plans compliance.</p> <p>Suggest change to :</p> <p>The Plan must be in line with European Regulations on Strategic Environmental Assessment and habitat regulations. A screening opinion submitted to ADC confirmed that a sustainability appraisal of the plan was not required. The Basic Conditions Statement does however assess each policy for sustainability.</p>
ADC	2.3	The text is inaccurate and requires revision. The parish straddles the two authorities; however ADC is the local planning authority for Walberton.	Agree change
ADC	2.4	needs to refer to the potential for strategic allocations within the Parish as one of the sites being considered.	Don't agree. Pre-determination.

ADC	4.3	Needs to be updated to reflect the fact that SBP have not classified the land within the application site as 'lowland meadow'. Noteworthy that you have failed to include the comments of SBP in your evidence base. You have included some from consultees that support you so it is misleading to disregard those that are contrary. An examiner would want to be made aware of all of this to get a true reflection of the situation.	We do not have any comments from SBP. Suggest the LPA may have some in respect of the Dandara site.
ADC	5.2	Is this a policy? No number? This policy does not include any reference to the overall strategic aims of the LP or the NPPF itself, purely the NP. It is misleading as well because the policy cannot pre determine a planning application. Approval will be determined by the planning authority. Additionally the first justification sentence is slightly incorrect, as they need to be in conformity with the above and the NP as part of the overall development plan when 'made'. Recommend that this policy/text is re- worded.	Remove reference to policy and make it a statement
ADC	1.1.	Delete bullet point 2 as the Structure Plan no longer exists. The last 2 paragraphs in italics and brackets should reflect the correct set of events.	Agree change

<p>Southern Water</p>	<p>3.4.5</p>	<p>The functioning of the sewerage system is comprised as it is not designed to accept surface water, which should be dealt with by appropriate land drainage. This issue has been recognised and the published Lidsey Surface Water Management Plan (SWMP) identifies solutions. West Sussex Council is the lead organisation for the SWMP. Southern Water works closely with the County Council, as well as other organisations with surface water management responsibilities, including Arun District Council and the Environment Agency.</p> <p><b>Proposed amendment</b></p> <p>Accordingly, we propose the following amendments:</p> <p><i><u>...There are springs which flow continually down West Wallberton Lane. In very wet weather there is risk of mild flooding from drains bubbling up in The Street and raw sewage is discharged into Barnham Lane south of Choller Farm and in Eastergate Lane between Fiarfield and Winter Egg Farm. as water inundates the sewerage system and compromises its functioning, as the system is not designed to take water that should be dealt with by appropriate land drainage.</u></i></p> <p><i><u>...Houses on the west side of West Walberton Lane, about halfway down, experience sewage emerging into their gardens after rain. This has been occurring intermittently since 2004. flooding when ground water and surface water inundates the sewerage system and compromises its functioning, as it is not designed to take water that should be dealt with by appropriate land drainage.</u></i></p>	<p>Agree change</p>
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Southern Water	3.7.1	<p>The functioning of the sewerage system is comprised as it is not designed to accept surface water, which should be dealt with by appropriate land drainage. This issue has been recognised and the Lidsey Surface Water Management Plan (SWMP) identifies solutions.</p> <p><b>Proposed amendment</b></p> <p>Accordingly, we propose the following amendments:</p> <p><i>Waste water is mainly handled by Southern Water. <u>The functioning of the sewerage system is compromised as it is not designed to accept surface water, which should be dealt with by appropriate land drainage.</u> <del>which has serious capacity issues as described in-t</del> <u>This issue has been recognised and the Lidsey Surface Water Management Plan published in October 2014 identifies possible solutions.</u> <del>Some of the infrastructure is now old, and local ground conditions make Southern Water's task challenging.</del></i></p>	Agree change
ADC	Evidence	Walberton Phase 1 Habitat Map - We have received and had correspondence previously about this map. This has been accepted as being inaccurate and significant concerns have been expressed over its validity, to the point where SxBRC consider it is not a credible piece of evidence. It is also worth noting that ADC has never used this as part of our evidence base. It is recommended that for the reasons explained these parts of the evidence base need to be deleted or greater explanation accompanying them is needed.	The map we are using was specifically given to us at a consultation event by SxBRC in August 2014
ADC	Evidence	Nature Designations – this map looks similar to ADC Green Infrastructure map and has an ADC officer name on it but there seem to be significant differences.(e.g. a difference in the name from green infrastructure network to nature designations and the overall content of the map and key, there has clearly been a removal of the Ancient Woodland areas identified). There are copyright implications as well as ensuring that the content of this map is correct. This needs to be rectified.	This is the map off the ADC web site. We are concerned at the tone of this comment. The map is downloaded from <a href="http://www.arun.gov.uk/background-information">http://www.arun.gov.uk/background-information</a> and is used because ADC made it available to us to use.
ADC	GA1	This is not a land use policy so delete or move to aspiration.	Policy re-worded

WSCC	GA2	<p>The use of 'better' could be subjectively interpreted. It is suggested that this is more clearly defined within the policy or supporting text.</p> <p>This section does not acknowledge the numbers of horses stabled in the parish (3.6.2, para 4). Horses and riders could have new off-road facilities developed, such as to safely cross the A27 and link to the larger network of bridleways that exist to the north of the A27 or to link with Barnham by up-grading existing public footpaths to public bridleways, which would benefit cyclists too in addition to the route being developed along Barnham Lane.</p>	Policy re-worded
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Lichfield  
BEW

GA6

Our client considers that the policy is overly onerous and negative, Inconsistent with the strategic objectives of the submission draft ADLP and its strategic remit seeks to extend to transport related junction works which are outside of the neighbourhood plan boundary. The policy should seek to support the updating and remodelling of junction improvements at the A27/A29 junction west and other strategic junctions. Local plan policy and emerging proposals such as those proposed by the landowner Consortium to divert to the 829 through the BEW allocation should be supported by their nature, these proposals should provide transport benefits to the surrounding area including the Walberton Parish.

Secondly we consider that it will be difficult to demonstrate and control the relationship between any upgrading/Remortgaging remodelling works two junctions that lie outside the parish and the requirement to provide ameliorating works to discourage traffic from using the residential roads of the parish. Strategic policies relating to the district highway network outside of the neighbourhood plan boundary are contained within the submission draft ADL P and should not fall within the remit of the neighbourhood plan, As set out in the NPP F. Any upgrading and remodelling works to the existing or new junctions would be subject to testing an agreement with West Sussex county council as highways authority and any mitigation should form part of these works.

On this basis, the wording of policy GA6 should be amended as follows:

Proposals for the upgrading and remodelling of this junction and others that live outside the parish will **only be supported where these works will result in an improvement to the traffic environment on roads through Fontwell and Walberton** ~~considered as negative in effect for parishioners, unless ameliorating works are included in schemes of upgrade such that additional three traffic is discouraged from using the residential roads of the parish~~

Depending on the A27 proposals, the same supportive policy stance for works that include amelioration may be required for the northern end of Yapton Lane. This is because the possible signalisation will produce greater A27 delays and therefore an increased preference for shortcutting at Yapton Lane and Arundel Road, and the consequent extra volumes (especially HGV and other professional drivers) in both Fontwell and Walberton villages.

Depending on the A29 proposals, the same supportive policy stance for works that include amelioration work may be required in respect of junctions with Barnham Road and Eastergate Lane and Wandleys Lane.

Policy re-worded

Highways England	GA6	We note that Policy GA 6 A27/A29 Junction West, and other Strategic Junctions states that “Proposals for the upgrading and remodelling of this junction and others that lie outside the Parish will be considered as negative in effect for parishioners, unless ameliorating works are included in the schemes of upgrade such that additional through traffic is discouraged from using the residential roads of the Parish.” We understand the concern regarding improvements to the A27/A29 junction. Any improvements will be undertaken in conjunction with West Sussex County Council, as the local highway authority to devise a satisfactory solution if there is a significant change in traffic flows due to the improvement scheme.	Noted
WSCC	GA6	The impact of improving this junction will need to be understood and complementary mitigation measures developed where appropriate. However, it is suggested that specific reference to this junction is removed and the policy refers to these junctions in general. It is also suggested that the policy is phrased more positively to provide support for mitigation measures where proposed.	Noted
ADC	GA6	This policy needs rewording to be more positive.	Noted
WSCC	GA7	Please engage with Highways England for matters relating to the A27 Arundel Bypass.	Noted
ADC	GA7	What is the shortest route? Again, this policy needs to be re-worded to be more positive.	Policy re-worded

Lichfield BEW	HP1	<p>Client does not object to the overall principles of the policy; however, we consider that it is currently imprecise and may lead to ambiguity when determining planning applications within the parish boundary. The policy needs to be accurate that it only relates to development proposals within the neighbourhood plan boundary(as shown on page 8). On this basis we suggest the following amendments(In bold and underlined) to the emphasis of the second paragraph of the policy:  “except as specifically allocated by the Plan for a rural exception site (see policy HP6) development in the gaps and countryside surrounding <b><u>within</u></b> the <b><u>neighbourhood plan boundary</u></b> parish and separating the three villages in the parish from each other will not be permitted”.</p> <p>Separately, the policy would benefit from a plan which defines the “built up areas” as it is reliant on the ADC local plan 2003 proposals map which will be superseded and replaced as part of the emerging local plan process. The third paragraph of the policy should cross refer to the plan which demarcates the “built-up areas”.</p> <p>The above amendments should also be reflected in point 2 of the key housing aims set out on page 36 as the wording he is currently imprecise and implies the development around the parish which could include land within adjoining parishes allocated to development should be avoided. The following amended wording is suggested:</p> <p>2. To avoid development of large sites in the countryside around the parish <b><u>within the neighbourhood plan boundary</u></b> and in the <b><u>strategic</u></b> gaps between separating it from neighbouring parishes.</p> <p>1. to avoid development of large sites in the countryside which surrounds our villages</p>	<p>Policy re-worded</p> <p>Map of the boundary 2003 added to Evidence Base</p>
ADC	HP1	This policy needs to be written more clearly and positively. It is aiming to frame all the housing policies but does not quite achieve this.	Noted
ADC	HP10	this policy needs re-wording because some of this is supporting text. Complete re-wording needed. The Council has viability evidence to seek 30% affordable housing on sites on 15 units or more, below this level a lower level of on-site affordable housing would be acceptable to about 15%. Unless you have the viability evidence to support anything different then this policy needs to be deleted or amended accordingly.	Policy re-worded
AD	HP11	What is the evidence for this? Remove the references of supporting policies in the policy text and move to supporting text. The policy then needs re-writing.	Policy re-worded

ADC	HP12	This is very restrictive and onerous so robust evidence is needed if this is to be a policy. At present this is not evident. The policy is also confusing because it is trying to also get the affordable housing to have local connection. This policy conflicts with ADC policy. ADC only has a local connection criterion for rural exception sites so this would not be supported by ADC.	The NPPF is clear that where a local housing need can be proven a Local Connection policy can be used. Remove last para re rural exception.
ADC	HP13	Delete the last sentence 'Development will be expected to conform ... within the emerging local plan (policy DSP1 & D DM 1-4). The design guide does not exist at present so cannot be included in a policy. Recommend that this is a village design statement and included as part of your community actions for later on.	Policy re-worded
ADC	HP2	This site is on part of the Dandara site which has landscaping suggested as part of a current planning application WA/22/15/OUT.	Not relevant
Southern Water	HP3	<p>In line with paragraph 162 of the <b>National Planning Policy Framework (NPPF)</b> and the <b>National Planning Practice Guidance</b>, we have undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for the proposed development. That assessment reveals that the local sewerage system has limited capacity. To address the limited capacity in the local sewerage network, the proposed development would need to make a connection at the nearest point of adequate capacity. This is not a constraint to development providing there is planning policy support for the provision of the necessary local infrastructure.</p> <p>Sewerage companies have limited powers to prevent connections to the sewerage system, even when capacity is insufficient. It is therefore important that policies which allocate sites for development recognise the need to connect to the local sewerage system at the nearest point of adequate capacity. There is a risk that the necessary local sewerage infrastructure will not be delivered in time to service the proposed development, unless delivery is supported by planning policies and subsequently in planning conditions. This is endorsed by the core planning principles identified in the NPPF, notably to '<i>proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs</i>' and ensure that plans '<i>provide a practical framework within which decision on planning applications can be made with a high degree of predictability and certainty</i>'.</p>	This is a matter for the Utility and the LPA to determine through the Building Regulations.

Southern Water	HP3	<p>If the necessary infrastructure is not delivered, the level of service would reduce, potentially leading to poor drainage or foul water flooding. This would be contrary to paragraph 109 of the NPPF, which states '<i>The planning system should contribute to and enhance the natural and local environment by.....preventing both new and existing development from contributing to ....unacceptable risk from ....pollution</i>'.</p> <p><b>Proposed amendment</b></p> <p>We propose the following additional text to <b>policy HP3 (S&amp;G Motors, Arundel Road, Fontwell)</b>:</p> <p><i><u>The Plan allocated land for a mixed residential development of not more than twenty-eight dwellings on this site as shown on the Proposals Plan, provided that the proposals includes... and provides a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</u></i></p>	
ADC	HP3	<p>This policy needs to be re- worded more positively. Allocation needs to be framed more positively and evidence is needed to support this very specific requirement for the mix. It is suggested that it is seeking to restrict new development to 'not more than 28' does not comply with the NPPF's presumption in favour of sustainable development. The wording needs to change to '<i>a minimum of 28</i>' .</p>	Remove 'not more than'
ADC	HP4	<p>Why has this site outside the BUAB been allocated? Is the BUAB being altered?</p>	<p>No it is the wish of the residents (see Evidence Base). There is no land within the BUAB</p>
ADC	HP5	<p>Why has this site outside the BUAB been allocated? Is the BUAB being altered?</p> <p>31.What is the evidence for this?</p>	<p>No it is the wish of the residents (see Evidence Base). There is no land within the BUAB</p>

<p>Jupp/ Wilkinson</p>	<p>HP6</p>	<p>I am instructed by Mr E Wilkinson of Hanthorpe, West Walberton Lane, Walberton, BN18 0QS to object to the Walberton Regulation 14 Consultation Neighbourhood Plan.</p> <p>The objection is specific to the proposed allocation of land at Sunny Corner, West Walberton Lane under <b>Policy HP 6</b> for a Rural Exception Site for six affordable and three market value homes.</p> <p>The supporting text indicates that access would be from West Walberton Lane. The text also acknowledges that the site is outside the Built Up Area and on the edge of the gap between Walberton and Fontwell villages and forms part of a larger site. The text also acknowledges that the site was opposed in 156 responses to the community survey.</p> <p>My objection covers the following issues: flood risk; traffic; relationship to form of village; justification for inclusion of market housing; precedent; light pollution; and trees. I address each issue in turn.</p> <p><b>Flood Risk</b></p> <p>I note at 3.4.5 of the Plan you state, inter alia, that <i>'Houses on the west side of West Walberton Lane .... experience sewage emerging into their gardens after rain. This has been occurring intermittently since 2004.'</i></p> <p>It seems to me that the construction of an additional 9 houses can only exacerbate this problem to the detriment of nearby residents.</p> <p><b>Traffic</b></p> <p>At paragraph 3.5.2 you refer to the findings of your WAG report and that this considers that West Walberton Lane is dangerous to cyclists.</p> <p>I consider the provision of 9 additional houses with access onto the lane will exacerbate this dangerous situation and therefore is contrary to your own report.</p> <p>I am also concerned with the provision of the access point on a dangerous bend with insufficient visibility in either direction.</p>	<p>Flood risk is a problem throughout the District and must be addressed on a site by site basis with the drainage authorities - see policies on drainage.</p> <p>Traffic</p> <p>This is a matter for WSCC/ADC planning</p>
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Jupp/ Wilkinson	HP6	<p><b>Relationship to form of village</b></p> <p>The plan above show on the left an enlarged version of part of the Proposal Map which illustrates the location of the proposed housing site and on the right the Built Up Boundary to the village.</p> <p>It is clear from a comparison of these two plans that the proposed allocation is wholly unrelated to the built form of the village. It is located some distance from the actual village boundary – on land will falls within the gap between Walberton and Fontwell.</p> <p>The housing along West Walberton Lane is sporadic, loose knit in character and solely frontage development.</p> <p>Development on the site for some 9 houses will have the result in providing a form of development which is wholly uncharacteristic of the pattern of development in the immediate vicinity and as a result would fail to comply with a fundamental requirement of the Framework – namely that development should respect and compliment its surroundings.</p> <p>Moreover Policy HP 1 seeks to protect the gaps between villages, yet you propose to allocate a site in one of these gaps. Its allocation immediately undermines Policy HP 1.</p> <p><b>Justification for the Inclusion of Market Housing</b></p> <p>I do not consider the site to be a Rural Exception Site as the allocation includes one third open market housing. Government policy is clear that <i>“Rural exception sites are not appropriate for general market housing or market housing for local needs only.”</i> Indeed the definition of Rural Exception sites is <i>“sites for affordable housing in rural locations where market housing would not normally be acceptable because of planning policy constraints.”</i></p>	See residents survey results and housing site analysis
ADC	HP6	<p>What is the evidence to justify this need or qualify this site to be a rural exception site? It says the site was opposed in 156 responses but this does not justify why this site is a rural exception site.</p>	No it is the wish of the residents (see Evidence Base). There is no land within the BUAB

Jupp/ Wilkinson	HP6	<p>I have seen no financial viability justification for the provision of open market housing and there is nothing in the public domain to show that a rural exception site would not come forward somewhere within the Parish without any open market housing. Indeed the site is greenfield and there are no unusual costs that could be incurred in order to bring the site forward. The provision of open market housing within a rural exception site is only exceptional allowed and then only when there is a clear financial viability of the site which demonstrates that it can only come forward if open market housing is also provided.</p> <p>If the Parish wishes to see a Rural Exception site come forward then following the policy of the Framework it should be on brownfield land. I have found no evidence that a sequential test has been undertaken. It appears that the site has come forward solely by virtue of the promotion of the land by the owner.</p> <p><b>Precedent</b></p> <p>The issue of precedent is highly material in the planning decision making process. Accordingly it is vital to consider the possible consequences of allocating land for housing. The paragraph after the proposed allocation policy states that the site forms part of a larger site in the same ownership. In my view my promoting this site for housing you also make land in the immediate vicinity vulnerable for housing, particularly in the light of the housing supply shortfall that Arun DC has.</p> <p>Accordingly there is clear evidence of an undesirable precedence being created if this countryside site is allocated.</p> <p>The whole point of neighbourhood planning is to work with the neighbourhood, yet you have continued to promote a site which had over 150 objections to it at the initial stage. The residents clearly do not want this site to come forward and any need for affordable housing is better met by the on site provision on a larger site or by building on brownfield land.</p> <p>I consider that there are strong and very sound planning reasons to reject this site allocation and I strongly urge the NP Committee to delete this scheme for the reasons that I have set out in this objection letter.</p>	See Housing site justifications
ADC	HP7	Why has this single dwelling been allocated in the plan?	Why not the site is only big enough for one

ADC	HP8	Why has this site outside the BUAB been allocated? Is the BUAB being altered?	No it is the wish of the residents (see Evidence Base). There is no land within the BUAB
ADC	HP9	The policy is unwieldy and confusing. It is trying to achieve too much and needs rewriting. Some of it is also text which should be in supporting text.	Policy re-worded
Neame Sutton/ Hanbury	Mixed	Various comments. See letter.	Housing issues picked up in other parts of this document. Toppers Field Proposal cannot be considered as the majority of residents voted against use of the site.

<p>Southern Water</p>	<p>New</p>	<p>We can find no policy to support the delivery of new or improved infrastructure, aside from transport infrastructure. Southern Water is the statutory sewerage undertaker for the area covered by the Neighbourhood Development Plan (NDP). Southern Water has a statutory duty to serve the development, and is committed to ensuring the right wastewater infrastructure in the right place at the right time in collaboration with developers, the neighbourhood plan forum and the planning authority. The adopted Walberton NDP and adopted Arun Local Plan will inform Southern Water’s investment planning. Adoption provides the planning certainty required to support investment proposals to Ofwat, the water industry’s economic regulator. Investment proposals are prepared every five years through the price review process. Last year’s price determination will fund the investment programme in the period to 2020. There will be another price review in 2019, covering the investment period 2020 to 2025.</p> <p>Although there are no current plans, over the life of the NDP it is possible that we will need to provide new or improved infrastructure. Page 8 of the <b>National Policy Statement for Wastewater</b> states that <i>‘Waste water treatment is essential for public health and a clean environment. Demand for <b>new and improved</b> waste water infrastructure is likely to increase in response to the following main drivers: <b>More stringent statutory requirements to protect the environment and water quality; Population growth and urbanisation; Replacement or improvement of infrastructure; Adaption to climate change.</b> The Government is taking measures to reduce the demand for new waste water infrastructure to complement these approaches and ensure that the natural and man-made systems are able to function effectively together to deliver a wide range of ecosystem services and other benefits to society’.</i></p>	<p>BRNP Examiner comment - Southern Water has suggested inclusion of an additional policy relating to infrastructure provision. There is no requirement for a neighbourhood plan to include any particular type of policy. Whilst I would have no objection to inclusion of a policy as suggested I have not recommended a modification of the plan in this respect as such modification would not be necessary in order to meet the basic conditions or other requirements.</p>
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Southern Water	New	<p>Accordingly, we seek policy provision to support new or improved utility infrastructure. Such policy provision would also be in line with the main intention of the <b>National Planning Policy Framework</b> (NPPF) to achieve sustainable development. For example, one of the core planning principles contained in paragraph 17 of the NPPF is to <i>'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'</i>. Also paragraphs 157 and 177 of the NPPF require positive planning for development and infrastructure necessary in an area.</p> <p><b>Proposed amendment</b></p> <p>To ensure consistency with the NPPF and other government guidance and facilitate sustainable development, we propose the following additional policy:</p> <p><u><i>New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community, subject to other policies in the development plan.</i></u></p>	
ADC	Page 28 - 3	not all the designations accords with the NPPF tests and we will not support some of these designations. See comments for Policy VE1, this may change how this point is therefore written	Noted
ADC	Page 28 - 8	this is irrelevant if you look at your proposed allocations – only two of the sites appear to be previously developed land so this objective does not follow through in your policy.	Noted - would do so if we had more brownfield land
ADC	Page 28 -2	Should specifically say that this objective relates to development of a scale covered by policies within the NP.	Don't agree
ADC	Page 34	Delete the second paragraph beginning ' the current ADC sustainability appraisal ...' Not only is it negative and inaccurate but it has no bearing on your justification. It is for each plan maker to ensure that it addresses evidence/justification and if there is existing documents which do not have sufficient information then they are required to provide a qualified alternative. It is presumed that this is really focused on parish specific biodiversity information. Suggest that the existing paragraph and bullet points are removed and replaced with the following: <b>“There is currently insufficient information collated into one document presently to assist this policy.”</b>	Remove words
ADC	Page 8	The Map is not legible	The final version will have a high res copy.

Lichfield BEW	Schedule 1	Typo - GEN2 rather than EN2	Noted
ADC	Schedule 3	If this is to be included in the plan, it needs to be accurate and not a commentary on how the parish council feels about the district or other issues. It reads like submissions to an EiP rather than text within a NDP. It has not been written in the positive frame within which an NDP should be written. This whole schedule is not in-keeping with the spirit of the NPPF or Neighbourhood Planning and is not appropriate for citation in the plan. There are other processes to air grievance about the emerging Local Plan. This section in its current form needs to be deleted.	Happy to keep it.
ADC	Schedule 4	ADC has not 'challenged' any designation. This is unnecessarily confrontational and factually incorrect. We considered a request and, for good reasons, rejected it. Again, points 9 - 12 on page 59 are not text for inclusion in a NDP – they are EiP submissions. An NDP should remain a Plan and not contain such submissions that are seeking to influence a future planning process outside of the scope of a NDP. It is recommended that those are deleted.	Change to categorised LGS justification expanded
Southern Water	VE1	<p>Southern Water understands the desire to protect local green/open spaces. However, we can not support the current wording of this policy as it could create a barrier to statutory utility providers, such as Southern Water, from delivering its essential infrastructure required to serve existing and planned development.</p> <p>Paragraph 76 of the <b>National Planning Policy Framework</b> (NPPF) sets out that neighbourhood plans can identify green areas of particular importance with the intention of ruling out <i>'new development other than in very special circumstances'</i>. Paragraph 88 of the NPPF explains that special circumstances exist if the potential harm of a development proposal is clearly outweighed by other considerations.</p> <p>Southern Water considers that should the need arise, the provision of essential wastewater or sewerage infrastructure (e.g. a new pumping station) required to serve new and existing customers or meet stricter environmental standards, would constitute special circumstances whereby our development should be allowed. This is because there are limited options available with regard to location, as the infrastructure would need to connect into existing networks. The <b>National Planning Practice Guidance</b> (NPPG) (Reference ID: 34-005-20140306) recognises this scenario and states that <i>'it will be important to recognise that water and wastewater infrastructure sometimes has locational needs (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered'</i>.</p>	BRNP Examiner comment - Southern Water has suggested inclusion of an additional policy relating to infrastructure provision. There is no requirement for a neighbourhood plan to include any particular type of policy. Whilst I would have no objection to inclusion of a policy as suggested I have not recommended a modification of the plan in this respect as such modification would not be necessary in order to meet the basic conditions or other requirements.

Southern Water	VE1	<p>We made similar representations in respect of the Arundel Neighbourhood Development Plan and the Examiner agreed that utility infrastructure can represent very special circumstances. A similar policy to our proposal is included in page 13 of Locality’s recently issued ‘guide to writing planning policies which will address the issues that matter to your neighbourhood plan’ by Tony Burton called ‘Writing planning policies’.</p> <p><b>Proposed amendment</b></p> <p>To ensure consistency with the NPPF and the NPPG, we propose the following additional wording to policy VE 1:</p> <p><i>The Parish Council has designated areas shown in Schedule 4 as Local Green Space. Proposals for development of these areas will not be permitted except in special circumstances, where the benefits of development can be shown to outweigh any harm, such as where the development meets specific necessary infrastructure needs, and there are no reasonable alternative sites available.</i></p>	see above
ADC	VE1	<p>(Schedule 4- p57): ADC does not recommend sites 3,4,5 and 10 to be designated as Local green spaces. Recommend these 4 sites should be removed as they do not meet the criteria of the relevant paragraphs of the NPPF for designation as Local Green Spaces.</p> <p><b>3: Avisford Park</b>– this would fail the criteria set out in para 77 of the NPPF as it is an extensive tract of land. This is firmly based, as a smaller area of land has previously failed on this basis. It would also be interesting to know or see any comments that Hilton may provide about this designation.</p> <p><b>4: Fontwell Meadows</b> - the majority of what is put here does not discuss how this meets the criteria for designation, especially the first sentence. However this fails in terms of the criteria set in paras 76 and 77 of the NPPF, as this would be considered an extensive tract of land plus its designation could impact on delivery of local planning for sustainable development.</p> <p><b>5: Tupper’s Field</b> - this fails the criteria of para 77 as this would be considered an extensive tract of land. Again a smaller area of land has previously failed for this reason. It is also incorrectly plotted based on the text.</p> <p><b>10: National trust field</b> - what has been included against this site does not seem to show how the land has a local significance or is demonstrably special and so currently fails on this ground.</p>	<p>Justification improved</p> <p>Acreage reduced</p>

ADC	VE1	<p>Has National Trust been consulted on this? Further comments on 4 – SxBRC have removed this as being classified as a Priority Habitat, so this is absolutely not the case and this is not therefore something that makes it demonstrably special.</p> <ul style="list-style-type: none"> <li>- effective use of land currently is not a criteria for designation.</li> <li>- support is not a criteria for designation and critically all criteria must be met for designation to be appropriate</li> <li>- as an application has been submitted to the authority this shows that this area would not last beyond the plan period, as required under para 76 of the NPPF for designation</li> <li>- all of the points listed above and under 4 explain how the NPPF criteria have not been met and as such we are unable to agree with last statement of 9 (p59)</li> <li>- points10-12 (especially 12) – the reasons for refusal of the designation is as set out in the LPSC paper and minutes, which boiled down to meeting all the requirements, as explained above.</li> </ul> <p><b>Justification for policy VE1 Designation of local green spaces:</b> The last sentence of the first paragraph is not a justification for this designation. The intention and policy reasoning behind the creation of the new designation is not related to agricultural land. This is provided through other routes. The last sentence of the first paragraph of the justification of this policy should be removed.</p>	Justification improved
Natural England	VE11	Welcome commitment to protect important habitats	Noted
ADC	VE13	Energy production can help agricultural and horticultural businesses, both in terms of reducing their costs and diversifying their land uses. As such, this policy is overly restrictive and should be more criteria based. There is no map within Schedule 6 and no mapping has been received for any opinion to be provided as the note in Schedule 6 (p64).	Noted - this is commercial - heading added.

ADC	VE14	Have the owners been consulted? Please note that having the policy in the plan does not mean that those assets are listed, the application process for ACVs still needs to be done separately. The text needs to reflect this so that it is not misleading.	There is no requirement for us to notify the owners. That will be done by ADC once we submit the assets for inclusion . The policy makes it clear that these are assets that <b>may</b> be included. No change needed.
ADC	VE2	This policy is not in line with positive planning and as currently written does not do as intended by the justification. This should be more in line with HOR DM1 and perhaps a criteria based approach should be taken. <b>Recommend that this policy/text is re-worded.</b>	Policy re-worded
Natural England	VE3	Welcome commitment to protect important habitats	Noted
Jupp/ Wilkinson	VE3	There is a large oak tree align the road frontage which is highly prominent in the street scene and makes a valuable contribution to the character and appearance of the locality. It is essential that this tree is protected in both the long and short term from any development which affect its health. A tree preservation order should be placed upon the tree immediately. (Sunny Corner)	Consider- PC
ADC	VE3	This mentions loss of habitat within the first part of the policy, although this is not continued and there is no indication as to how this is intended to be determined or assessed. <b>Recommend that this policy/text is slightly re-worded.</b>  <b>Justification for policy VE3:</b> The point in the first sentence is understood however it is recommended that reference to SC8 is updated so that it states this is Fontwell Upper Coastal Plain that is being referred to.	Assessment will be through consideration of planning applications. Appropriate planning conditions will be required on any development proposals to ensure that this Policy is achieved. Monitoring will be carried out by WPC. SC8 - add text

Historic England

VE4

Policy VE 4 Whilst we support the desire to protect the valued features of the conservation areas' settings, the policy as written is too prohibitive to conform with the requirements of the NPPF and Localism Act to support sustainable development. In order for a revision to avoid merely repeating national or local policy it would be helpful to consider what elements of the conservation areas' settings it is trying to sustain (such as their rural character, openness, or views across countryside to the South Downs) and how these contribute to the special historic or architectural interest of the area. Are historic rural buildings seen in a rural context for example or is the visual connection of the village with its rural hinterland of importance to its character and our ability to understand it as an historic village?

An example of the wording for such a policy would be:

“New development must protect the open/rural character of the conservation area’s setting and sustain or enhance the visual connections between the village’s core and its rural hinterland, including longer views to the South Downs, which contribute to the character of the Conservation Area. Development proposals Will be expected to give particular care to the protection of the key view lines identified on the Neighbourhood Plan proposals map.”

**Identify and justify new Areas of Special Character to be considered for conservation area designation**

We note that the current policy wording suggests the community would like to identify potential additions to the conservation areas in collaboration with the local planning authority. This is currently written as an aspiration rather than a policy to determine the use of land or inform decision making and is likely to be removed at examination, although it may be retained as supporting text to the policy or as part of a table of community aspirations. Nevertheless this suggests that the plan area may contain areas that might be affected by allocations and policies in the plan that are potentially worthy of conservation area status but that have not been considered as such at present, which could add uncertainty to decision making and raise concern over the sustainability of the plan.

Amendments made

Historic England

VE4

Historic England support the use of neighbourhood plans as a means for the community to identify areas they feel merit consideration by the local authority for protection as conservation areas. As a first step the community could clearly identify areas they feel merit further consideration in planning due to their historic or architectural interest or because of their character or appearance as Areas of Special Character. Including policy in the plan that requires new development to protect the features that make a positive contribution to these areas' character and clearly identifying why they merit protection in the plans evidence base would provide a level of protection to ensure they are a material consideration in planning decisions as soon as the plan is made. These would naturally form areas that would be prioritised for consideration for conservation area designation by the local planning authority although it would still be appropriate to identify this as a community priority in the supporting text to the policy or as part of a table of aspirations elsewhere within the plan. We would be happy to provide further advice on preparing suitable evidence, including using one of the community toolkits for undertaking character assessment that we have helped to develop.

**Prepare a conservation area appraisal as part of the evidence base**

We also note that the information presented in the District Council's Conservation Areas Supplementary Planning Document for the Walberton conservation areas falls well below that set out in our published advice. By preparing an appraisal of the Conservation Area the community could add a robust planning document to the evidence base of the plan, including contributing to strengthening protection of its setting and capturing their own appreciation of the historic environment of the area. This might include consideration of the value of green spaces within the villages including the distinctive spaces of gardens, streets and lanes; identifying important views or landmark features; recognising the importance of areas with a particular use; or identifying particular unlisted buildings that contribute positively to each area's interest or character. It might also include a review of the conservation areas' boundaries and recommend any necessary extensions. Again, I would be happy to discuss how the community could undertake such work and the support that Historic England might be able to provide. In the meanwhile, our advice on the preparation of conservation area appraisals and management plans can be downloaded at: <https://historicengland.org.uk/images-books/publications/understanding-place-conservation-area/>. Without an appropriate appraisal it is difficult for the Council to demonstrate that in making the plan they have discharged their statutory duty to give special consideration to the desirability of preserving or enhancing the area's character or appearance. This need not be a lengthy document but should certainly improve on the present three paragraphs

We have been involved with and supported such an appraisal. ADC are working on this and we will fully support. The Cons Officer was present at our open day seeking opinions

ADC	VE4	The his policy needs to be more positively written. The 2 <sup>nd</sup> line onwards is not policy and needs to be deleted or moved to aspiration. The NDP does not deal with Article 4 directions, that is the remit of the LPA.	The NDP is not suggesting that it deals with Art 4 Directions merely that it will seek to have them imposed. That will involve discussion with the LPA.
Historic England	VE5	<p>Policy VE 5. Historic England support the use of Neighbourhood Plans to identify features of the historic environment that should be recognised as non-designated or 'locally listed' heritage assets, such as buildings and structures of character. The wording of this policy may be too restrictive to conform with the National Planning Policy Framework, which, for example, points out that removing part of a heritage asset (such as a late addition) could help to better reveal its significance (by revealing hidden architectural features, for example).</p> <p>In addition, the policy leaves some uncertainty about the status of the 'additional buildings' in Schedule 5, which depends on the District Council adding these to a future SPD, which will depend on their resources to produce. If the schedule provides sufficient analysis to explain why these buildings have been selected, ideally referring to the criteria adopted by the council for the existing list, there is no reason why the policy should not identify these as equivalent to the buildings already recorded and that they should be considered as Buildings of Character on the making of the plan by the District Council. Forwarding details of these buildings to the West Sussex Historic Environment Record (maintained by West Sussex County Council) would also provide a measure of public recognition of their significance. Our published advice on Locally Listing heritage assets can be downloaded at: <a href="http://historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/">http://historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/</a></p>	Changes made.
ADC	VE5	Schedule 5 should only consists of those designated by ADC. Delete from line 6 'The plan proposes ... to the end of the policy. The aspiration of wanting the additional buildings to be included in a revised SPD is just that at the moment so move to aspiration. Article 4 directions are the remit of the LPA.	see above
Natural England	VE6	Welcome commitment to protect important habitats	Noted

Southern Water	VE7	<p>We welcome a policy that seeks to secure surface water management measures. The functioning of the sewerage system is compromised as it is not designed to accept surface water, which should be dealt with by appropriate land drainage. The Lidsey Surface Water Management Plan (SWMP) recognises this issue and identifies possible solutions.</p> <p><b>Proposed amendment</b></p> <p>Accordingly, we propose the following amendment to the supporting text of the above policy:</p> <p><i><del>...The existing water and drainage infrastructure is considered to be inadequate although it is fully recognised that the local geology makes the long term safety of the systems particularly difficult to manage at an economic cost...not designed to accommodate surface water/ground water which compromises its functioning.</del></i></p>	Text is in the Reason - changes made.
WSSC	VE7	<p>It is suggested that the first sentence and first bullet point is re-worded to the following:</p> <p>‘New development should aim to reduce the overall level of flood risk in the area through negotiations and use of developer contributions:</p> <ul style="list-style-type: none"> <li>· Surface water management measures will be required for development proposals to ensure that the risk of flooding both on-site and off- site is not increased.....’</li> </ul> <p>It is suggested that the second bullet point is re-worded to the following:</p> <ul style="list-style-type: none"> <li>· Consideration must be given to the use of Sustainable Urban Drainage Systems (SUDS) as alternatives to conventional drainage, but infiltration techniques, may not be suitable where the winter water table is less than 0.7 of a metre below ground level. Sustainable drainage systems on private property must be approved by the Local Planning Authority prior to the commencement of development and conform to the recommendations of the SUDS Manual produced by CIRIA. All approved sustainable drainage systems shall be recorded on the flood risk register and maintenance arrangements identified for the lifetime of the development.’</li> </ul> <p>It is unclear what is meant by the ‘flood risk register’ – please specify who holds this document. It is suggested that the third bullet point is re-worded to the following:</p> <p>‘The site specific Flood Risk Assessment must demonstrate that the development will be safe, including access and egress, without increasing flood risk elsewhere and reduce flood risk overall if possible.’</p>	Policy re-worded

ADC	VE7	<p>The beginning of this policy does not currently set out a requirement or criteria. Recommend that the beginning of the policy is amended as follows:  “New development should aim to reduce the overall level of flood risk in the area <b>by</b>.”</p> <p>bullet 2 It is not entirely known where the measurement of less than 0.7m below ground level has come from and what this is based on. The requirement for SUDS to be adopted is being removed from the Flood and Water Management Act. Additionally, the exact situation with regards the Risk Register is unknown.</p> <p>It is advised that to reflect that SUDS no longer need to be adopted the following amendment is made:  “...Sustainable drainage systems on private property must be approved by the relevant SUDS Lead Local Flood Authority (WSCC) prior to the commencement of development and conform to the recommendations of the SUDS Manual produced by CIRIA.</p> <p>It is also advised that clarification over the exact situation regard the Risk Register is established with WSCC, but for ease that the last sentence is removed.</p> <p>3rd bullet  This suggests that FRAs will be required for all application but this will not be the case.</p> <p>It is suggested this be revised as follows:  “The site specific <b>Where necessary, a site</b> Flood Risk Assessment must demonstrate...”</p>	
ADC	VE8	<p><b>Recommend this policy is deleted.</b> NDPs should not be used to apply the new national technical standards. These measures are controlled by the Building Regulations. In terms of consumption, this is not within an area of water stress, as informed by Portsmouth Water.</p>	Agree deleted
Jupp/ Wilkinson	VE9	<p><b>Light Pollution</b></p> <p>Government policy is to retain ‘dark skies’ and this area of Walberton currently benefits from dark night skies. It is therefore essential to ensure that any housing scheme does not detract from this important feature.</p>	Noted
ADC	VE9	<p><b>Recommend this policy is deleted.</b> It is not a land use policy and justification/evidence would be required if framed differently ie. More akin to planning policy writing.</p>	SDNP have such a policy - wording amended

Portsmouth Water		No comments	Noted
Yapton PC		No comments	Noted