



Walberton Neighbourhood Development Plan 2019-2031 Pre-submission

**Pre-submission consultation 3rd July 2020 until 14th August 2020
Arun District Council (ADC) Reg.14 comments**

The comments are reflective of comments from all departments of ADC as the Local Planning Authority.

The comments are to be approved by the Group Head of Planning or his nominated representative prior to submitting to The Parish Council before the end of the consultation period.

(Approved and emailed to Walberton PC on 12th August 2020)

The Council fully supports the community's initiative to produce a Neighbourhood Development Plan (NDP). Neighbourhood planning aims to give people greater ownership of plans and policies that affect their area. The government is clear that the intention of Neighbourhood Development Plans should be to set out policies on the development and use of land in a neighbourhood area and that the local planning authority has a duty to support (guide and assist) production of the plan.

The Council's duty at this stage is to assist the Walberton Neighbourhood Plan Group in making sure the draft that is subsequently submitted to the Council is in a form that will allow the Examiner at a forthcoming examination to recommend that it goes ahead to referendum (if required). The comments are reflective of comments from all departments of Arun District Council.

ADC pre-submission comments

The Council has outlined the areas where there may be some degree of divergence with national or local planning policy, in order to help the Parish in preparing justification for these departures.

Please note that comments below do not include Arun District Council's statement on whether or not the authority considers that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify. This is a requirement at Regulation 17 as part of the submission to examination when the submission proposal has been received. However, it is noted in Para. 1.8 of the Plan that the Parish Council considers the modifications significant/substantial enough to require examination and a referendum.

The following list is intended to be a guide on some key issues identified in the plan but please note that these comments do not necessarily include spelling or grammatical errors:

Document Reference (page numbers according to Adobe as pages unnumbered)	Comment	Recommended action
P.5	The 'made' Walberton Neighbourhood Plan is described twice as covering the period 2015-2035 and once as 2014-2034.	Amend accordingly.
P.12 – 3.1.2	This section recognises the housing element of the outline planning permission WA/22/15/OUT and that the numbers will be split between the two parishes (i.e. Walberton and Barnham & Eastergate). It is unclear how the precise number for Walberton has been derived, because the reserved matters layout has not yet been approved. The outline planning permission also includes light industrial and retail floorspace, but this is not mentioned anywhere in the plan. While these uses have been indicated in the western part of the site (in Barnham & Eastergate parish) existing and future residents of Fontwell may also benefit from the opportunities that these uses will bring.	Amend accordingly.
Pages 29 & 30 - Vision and Core Objectives	It is particularly noted that: (i) the distinctive rural character of Fontwell village is to be preserved by protecting the green spaces that bring the countryside into the heart of the village; (ii) housing is to make a positive contribution to the village landscape; and (iii) safe off-road links are to be developed to make wider connections to Barnham in the south, Slindon and the National Park to the north. These objectives have already guided negotiations on the reserved matters application WA/48/19/RES. In the case of those wider connections, however, there is no reference in the Neighbourhood Plan to the <i>Green Infrastructure Framework Connecting Bognor Regis to the South Downs</i>	Recommend providing clarity to reflect this.

	<i>National Park</i> . Is the GI Framework not part of the evidence base?	
Local Green Space	No.7 is Fontwell Meadows - the accompanying LGS additions map, there is an issue in the fact that though site 7 may be reflecting the open space of the Dandara application, it goes beyond the boundary of the parish according to the map.	Recommend that this is greyed over or marked in different way, just to make it clear that outside the NDP area. The total area still needs clarity.
	No. 8 is Tupper's Field, which was previously proposed to be designated through the original plan and we considered not to meet the requirements due to the extent of land to be covered, especially when combined with the neighbouring area of the playing fields. As such, it appears that this would be covering the whole site, which would not be possible if there is an approval, unless similar to the one above, it were restricted to an area that was agreed through plans.	Recommend that the extent of the designation is corrected to only cover whatever area is agreed.
Policy VE 4 Conservation Areas and Areas of Special Character SAVED	The policy only appears to relate to the setting of the conservation area – it is assumed that the group is happy with the ALP policies and the NPPF for the determination of the any applications within the conservation area?	
Policy VE5 Buildings and Structures of Special Character SAVED	The explanatory text for the policy identifies that 'Additional buildings and structures have been added to the list as they meet the requirements set out in the SPD (see Schedule 3B and the Evidence Base for details)'. However, schedule 3b includes the following text: "Under policy VE5, this <u>Plan proposes</u> the following additions to the list as it is considered that these properties are of merit in terms of their character and relevance to the history and heritage of the Parish". As the text includes the word 'propose', it is considered that it would still require that ADC undertake a review of the assets. However, the policy could be revised to formally identify the buildings within the NDP. In formally identifying the buildings the NDP would have to state how they meet	Amend accordingly.

	<p>the ADC published criteria which is contained in the local plan. The buildings would automatically be added to the new ADC Local list of Non-designated Heritage Assets when the plan was 'made' (See below).</p> <p>This approach would be in accordance with the Planning Practice Guidance which states that development plans (including neighbourhood plans) can identify non-designated heritage assets such as Buildings or Structures of Character. It would also allow the NDP group to identify other buildings or areas that meet the ADC published criteria for identifying non-designated heritage assets (Areas of Character and Buildings or Structures of Character). This is subject to evidence of complying with the criteria.</p> <p>This comment should be read in the context of a committee report presented to members of the Planning Policy Sub-Committee on 30 June 2020 regarding the production of a list of non-designated heritage assets. Further guidance can be sought from the ADC Conservation Officer.</p>	
Policy VE10 Biodiversity Corridors	The last sentence needs amending.	Recommend the following alteration is needed to the last sentence ' <u>...habitat used by hBarbastrelle and/or Bechstein bats for...</u> ', to correctly reflect the reason for designation and importance of Singleton-Cocking Tunnels.
Policy VE10 2020 Biodiversity Corridors	Are there opportunities to identify improvements or connectivity to existing corridors? Projects such as green infrastructure connections through tree and hedgerow planting could form part of a CIL infrastructure list.	
Policy VE 12 2020 Flint Walls NEW	The general approach of this policy is fully supported as flint walling and buildings are important in the parish. The references to the use of good	

	quality materials in the supporting text is positive.	
P.38 – Policy VE13 2020 Views and Vistas	View 5 – Where is Appendix A and this view across Fontwell Meadows? Need to show that this is NEW in main text.	I haven't seen Appendix A, but it would be useful if the views included key landmarks and sightlines to protect and emphasise as part of the design of any proposed development in the future
Affordable Housing	The Plan references 'affordable housing', however, it does not contain a clear affordable housing policy. We would anticipate that the Neighbourhood Plan would contain an affordable housing policy to be as a minimum equitable to Policy AH SP2 from the adopted Arun Local Plan 2011-2031 which states: <i>For all developments of 11 residential units or more the Council will require a minimum 30% of the total number of units proposed on site to be provided as affordable housing on the same site in the first instance.</i> <i>The council will negotiate the affordable housing tenure mix on development sites from an initial position of 75% rent and 25% intermediate housing.</i>	
Policy HP6 2020 Housing Mix	"any development proposal that includes measures that go beyond the requirements of current Building Regulations in terms of energy efficiency measures will be supported". This could be take as support for any proposed development at all, that includes higher construction standards.	
HP16 2020	What is evidence to show ADC support for loss of employment land? The plan should identify the use class linked to the existing commercial development and set out how/whether it would be compatible with residential uses, or whether the site needs a more spatial approach.	What is the need? What is the evidence to support this allocation? More evidence is needed on the site assessment for allocating this site before further comments can be made.
Policy CL 1, 2 and 3	There are contradictions with these policies and HP16 2020. A full review may be required of the need for employment sites to ensure that the residential allocation does not result in the loss of an employment site, or prevent the change in use class on the	

	site to a use-class which may be more appropriate for the area.	
Policy CL9 2020	The plan should identify where this will be located (it seems that it will be located on the National Trust site?). Also deliverability of a unit is important. Is there a provider that wants to take up the property? Will a multi-functional building be provided on the site so that a childcare facility can be part of a community centre?	
	The new plan doesn't take account of Community Infrastructure Levy. It should be acknowledged that Arun District Council became a CIL Charging Authority on 1 April 2020. Therefore, any housing allocations in this plan will generate CIL receipts rather than make any off-site S106 payment. Therefore it is recommended that alongside this plan, a CIL infrastructure spending list is drawn up, taking into account the Arun Town and Parish CIL Guidance https://www.arun.gov.uk/cil#town . For more information and advice on preparing this list, please contact cil@arun.gov.uk	
P.50 – Schedule 2	The Built-Up Area Boundary for Fontwell accords with Policies Map 2 of the Arun Local Plan 2011-2031.	
P.52 – Schedule 3B	It is noted that “The Old Smithy” remains as a proposed addition to the list.	
P.54 – Schedule 4a	Fontwell Meadows Open Space – The s.106 agreement identifies 4.5 ha (<u>not</u> 11 ha) of land to be transferred to WPC. It is questionable whether it is yet owned by WPC. The shape of the land on the plan attached to the s.106 isn't quite the same as that which is shown in this plan.	The area of land needs to be confirmed.
Schedule 5	The map at the end of Schedule 5 covering Biodiversity needs amending to reflect that under the identification section refers to main habitats being well recognised and illustrated on a map produced by the Sussex Biodiversity Record Centre.	Recommend amending the map and legend.

Arun District Council supports the plan and the fundamentals of the policies drafted but our comments highlight potential issues and potential conformity issues which we deem may require necessary action. It does not purport to decide on whether the plan meets the basic conditions, that is for the independent examiner to decide in the first instance.

Conclusion

The Council has made the suggestions in this document in the spirit of facilitating the draft plan's progress to adoption, and they should not be taken as the District Council requiring or requesting changes to the document, as ultimately any decisions over the eventual contents and whether to take comments on board rest with the Walberton Neighbourhood Plan Group. The Council fully supports the community's initiative to review the neighbourhood Development Plan and welcome any further discussions on the comments made.

DELEGATED AUTHORITY: NEIGHBOURHOOD DEVELOPMENT PLANS

The Neighbourhood Planning (General) Regulations 2012 - Parts 5 and 6

Background:

Arun's constitution sets out how the Council operates, how decisions are made and the procedures that are followed; to ensure that decisions are efficient, transparent and accountable to local people. A key priority of the Council is to implement the recently adopted Local Plan in order to appropriately guide and manage growth across the District. Recent changes to the plan making system include the introduction of the Localism Act, which also makes provision for Neighbourhood Development Planning. To reflect the changes to the plan making system, and to clarify the roles of committees, alterations were made to the constitution in relation to Neighbourhood Development Planning functions for reasons of expediency.

Current delegated Authority as set out in the Constitution:

Under Part 4- Officer Scheme of Delegation, Section 3 paragraph 3.1.1 and Group Head of Planning matrix of legislation for the Group Head of Planning.

Exercise of delegated authority by the Group Head of Planning:

In accordance with the above, the Group Head of Planning or his nominated representative hereby authorises:

**Comments on Walberton Neighbourhood Development Plan 2019-2031:
Pre-submission Plan**

Signed:



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Group Head of Planning

Date: 12th August 2020