Arun District Council (ADC) Reg.16 comments

Please note:
The comments below are reflective of the views of ADC as a Council and include representations from all Departments who have commented. The comments are to be signed off by the Assistant Director of Planning and Economic Regeneration or his nominated representative.

The Council fully supports the community’s initiative to produce a Neighbourhood Development Plan. 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 production of the plan.

Our approach at this stage is therefore to make final representation on the Felpham Neighbourhood Development Plan to the Examiner for a forthcoming examination.

ADC comments

As part of good planning practice, ADC previously made comments on the working draft plan and pre-submission plans. Therefore the comments below are a natural progression and are on the plan proposal submission.

The following list outlines any comments we have identified in the submitted plan documents:

Submission Plan

1. About Felpham para. 3.15: More could be made of the Felpham Conservation Area. Highlight the text; refer to the conservation areas SPG and the description. Would help strengthen Policy ESD8.

2. Policy BT2: Retain existing employment land in employment use - suggest a slight change. Full stop after viable. Then ‘As a minimum it would be expected that the site …’

   Typo on 3rd line of the policy ‘…existing use can be can be shown to …’
1 year marketing required before vacant unit allowed change of use – currently we look for 6 months so a year may be excessive. It also makes reference to “no interest in acquisition has been expressed”. Does this mean that if interest has been expressed but not taken forward then application would be refused? Suggest a wording change to aid clarification.

3. **Policy ESD1: New development must contribute to local character by creating a sense of place appropriate to its location** - Refers to all new development being of a high quality and comply with Building for life 12. A shed is development and could not meet BFL standards. Suggest a wording change to aid clarification.

As advised at Reg.14: Who will prepare the Felpham Design Guide and how will this fit with the Neighbourhood Plan or proposed emerging ADC design guide and will it be an SPD? The intention is that the authority will have its own design guide and that, under the NPPF, we are limiting the SPD’s so as to not place an undue burden on developers? Paragraph 153 of the NPPF states: “Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development”.

4. **Policy ESD2: Applications for new development must provide a drainage strategy** – A definition of ‘flood sensitive areas’ would help or alternatively wording modification which includes the reference to the actual area in relation to the EA’s summary sheet.

5. **Policy ESD4: New dwellings code for sustainable homes** - Is Code Level 5 achievable/reasonable? If we have an application that is acceptable on all other grounds apart from this would we refuse?

6. **Policy ESD5: New development must comply with the surface Water Management Plan** – Part of this policy relies on the Surface Water Management Plan for the Lidsey Catchment and the Aldingbourne and Barnham Rife strategy being approved but as mentioned previously to our knowledge there is no surface Water Management Plan intended for Felpham by County.

7. **Policy ESD6: No development of the Felpham strategic Gaps/Green Infrastructure corridors** - As previously advised, there remains a conformity issue; it is contrary to DEV15 (Safeguarding the main road network) of the 2003 Plan and also what is currently being considered on the policies map of the southern element of the possible A29 scheme and associated strategic policy. Policy ESD11 appear to support development of land to the north but not if it means a through road. There is no sufficient evidence or justification to deviate from this strategic policy.

8. **Policy ESD7: Retain buildings and structures of character** - Is the list from the SPD or does it include new properties? If new properties are added, this needs to be made clear. Also specify which ones are new.

9. **Policy ESD8: Conservation Area will be promoted** - Check Draft Local Plan policy number references – these have all changed – refer to the policy name instead.

10. **Policy ESD11: Northern relief road link supported** - The emerging plan is looking at the feasibility of a north to south route linking the BRRR to A259 Felpham Way roundabout. This would go through land currently designated as a Strategic Gap. Policy ESD11 is ambiguous, as it is not clear from the policy and statement below if this is the road that is being referred to, and if it is supported as it would be within the Strategic Gap.
11. **Policy ESD13: Increasing the energy efficiency of our buildings** – Code 5 or 6 have to be reached, what is the reasoning for them to be going in at this level? We are not allowed to be overly restrictive to development and the reference to extensions adding more than 30% triggering on-site renewables raises a few questions, such as will the methods that are mentioned in the earlier part of the justification going to be taken into account, what is the basis for the 30% or greater (inferring the last bit) and ultimately the restricting dev through requiring it point. Building Regs is the required standard CfSH is still not applicable to all new homes. The reference to ADC doc needs to be updated to Energy Efficiency & Fuel Poverty Strategy 2014-2019

Should this not also include non-listed buildings in conservation areas. Green features can damage the appearance of these attractive buildings and the conservation areas generally.

Also some things will damage/harm the historic environment and will not be supported at the application stage – this includes the use of double glazing in listed buildings. This should be clarified.

12. **Policy ESD15: Provide new burial space** – How is ‘appropriateness’ determined or defined in this policy.

13. **Policy GA1: Create a strategy for improving the network of pedestrian and cycle connections** – Last sentence in brown text is incomplete. The word ‘network’ is spelt wrong.

14. **Policy CLW3: Maintain allotment provision** – ‘... at a similar convenience and accessibility for the existing plot holders.’ How will this be decided? Perhaps change to ‘... at a similar location. convenience and accessibility for the existing plot holders.’

15. **Policy CLW4: Applications for new health care facilities will be supported and developer contributions may be sought** - as previously commented it is best for it to be opportunities from development, rather than contributions, as these may not be applicable. The need or not will be informed by the NHS to the District.

16. **Policy CLW5: Retain Assets of Community Value** - suggest a slight change. Full stop after viable. Then ‘As a minimum it would be expected that the site ...’

17. Open Spaces: Flansham Lane Park – suggest this is defined as Flansham Lane Public Open Space & Play Area. It is completely separate from KGV.

18. The maps would benefit from being turned through 90 degrees so that they can be bigger and more legible.

**Consultation Statement**

1. Page 7: 7th Line - there is a typo see below:
   Arun also identified some policies that in their onion were not suitable for a Neighbourhood Plan and suggested that these be included in an addendum to the Plan, which we have done.

2. Page 19: ADC’s representation at Reg.14 in October 2013, is not represented accurately in this table. It should also be Arun District Council as the consultee as comments are from all departments of the Council. It is expected to at least see a summary of the 22 comments made by ADC, most of which were pointers of possible ways to strengthen/justify various policies and separating planning policies from aspirational issues. This provides a good progression of storytelling of the plan. Regarding Policy 8C-P8, the ADC actual comment was comment 12: 8C-P8 There is a potential conformity issue with this policy regarding explicit reference to access only to the north. Dependent on when it would be expected to be heading for examination, it would either need to be in conformity with Dev 15 of Arun Local Plan 2003 which is the whole link road as shown on the maps, or it would need to be in conformity with policies DM6 and SP23 of the latest iteration, which is not as explicit. It may be helpful if we discuss this policy and the best way forward for all.
Basic Conditions Statement

1. The designated area map would benefit from being turned through 90 degrees so that it can be bigger and more legible.
2. Para 4.1 states ‘… the Neighbourhood Plan policies are in general conformity with the strategic intent of the 2003 Plan …’ but does not give any further information on how.
3. As part of conclusion that the plan is in general conformity with the strategic policies contained in the Development Plan for the area, it would be useful to outline that the development plan consists of the adopted Arun District Council Local Plan 2003 (saved policies), the adopted West Sussex Minerals Local Plan July 2003 (saved policies) and the West Sussex Waste Local Plan Revised Deposit Draft July 2004.
4. The conformity table is confusing as the 3rd column should be 2003 ADC policy reference but include mostly emerging ADC Local Plan summer 2013 policy numbers and at times NPPF. It appears this column should be ADC Local Plan summer 2013 and the 2003 Local Plan column is missing.
5. Policy ESD6: No development of the Felpham strategic Gaps/Green Infrastructure corridors - As previously advised, there remains a conformity issue; it is contrary to DEV15 (Safeguarding the main road network) of the 2003 Plan and also what is currently being considered on the policies map of the southern element of the possible A29 scheme and associated strategic policy. Policy ESD11 appear to support development of land to the north but not if it means a through road. There is no sufficient evidence or justification to deviate from this strategic policy. Note A refers to opinion as the justification.

Arun District Council fully supports the plan and the fundamentals of the policies drafted but our comments highlight any potential issues and conformity issues such as Policy ESD6.

It does not purport to decide on whether the plan meets the basic conditions, that is for the independent examiner to decide.

Comments Approved by Assistant Director of Planning and Economic Regeneration or the nominated representative:

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Signed on: ______________________