Felpham Neighbourhood Plan

Report by Examiner

Graham Self

April 2014
Introduction

1. I was appointed in February 2014 as the independent examiner for the Felpham Neighbourhood Plan. The plan has been prepared by Felpham Parish Council with the support of the local planning authority, Arun District Council.

2. The examiner's role is to provide an independent review of the plan and to make recommendations in accordance with the 2011 Localism Act and related regulations. In particular, the examiner has to consider whether the plan meets certain basic conditions, satisfies legal requirements, and identifies an appropriate area for a referendum.

3. In order to act as examiner I am required to be appropriately qualified. I am a chartered town planner with previous professional experience in local government, consultancy and the Planning Inspectorate. I am independent of Arun District Council and of Felpham Parish Council, and I have no interests in any land or property in or near Felpham. I made a brief visit to Felpham before starting the examination and saw various different parts of the parish, but I have not carried out any detailed inspections.

4. The basic conditions, which are set out in the legislation,¹ are intended to ensure that neighbourhood plans fit with their wider context. In summary, the plan must:
   - have regard to national planning policies and guidance;
   - contribute to achieving sustainable development;
   - be in general conformity with the strategic policies of the development plan; and
   - be compatible with European Union law and human rights obligations.

5. The policies of neighbourhood plans should also relate to the development and use of land in a designated neighbourhood area, should be prepared by a qualifying body, should specify the period for which they are intended to have effect, should not include provisions on excluded development, and should not cover more than one neighbourhood area.


7. One of the aspects of national policy which has influenced my examination is the statement in the NPPF that: "plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency".² A similar doctrine is put forward in the NPPG, which states that:

   "A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it

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¹ The legal source of these basic conditions is the Localism Act 2011, which inserted Schedules 4A and 4B into the Town and Country Planning Act 1990. I have paraphrased the Basic Conditions here.
² NPPF paragraph 17.
consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.\(^3\)

8. Although the guidance in the NPPG has only recently been published in final form, the basis of the advice just quoted is not new, and it is one of the principles I have applied in examining the plan. Unclear or ambiguous policies are liable to cause problems for those responsible for deciding planning applications or appeals, and can be exploited by developers seeking to carry out development contrary to what plan-makers intended.

9. Neighbourhood plans are sometimes referred to as "neighbourhood development plans" and the latter term is used in legislation. I do not draw any distinction between these terms - the Felpham Neighbourhood Plan may also be described as a neighbourhood development plan.

**The Development Plan**

10. The development plan current for Arun District at the time of writing consists of the Arun District Local Plan 2003 (saved policies edition), the West Sussex Minerals Local Plan, 2003 (saved policies edition), and the West Sussex Waste Local Plan Revised Deposit Draft 2004. However, of these plans only the Arun District Local Plan 2003 has relevance to the Felpham Neighbourhood Plan. A new local plan is being prepared, but currently (April 2014) is at draft stage and has not yet been subject to public examination.\(^4\) Most versions of this plan are referred to as the Arun District Local Plan 2013-2028; but recent related documents refer to 2029 as the plan's end date,\(^5\) so it seems possible that the title of the new local plan may change before it is adopted.

**The Neighbourhood Plan and Other Documents**

11. The version of the Felpham Neighbourhood Plan which I have examined is the "submission plan" published in December 2013. Apart from the Neighbourhood Plan itself, the main source documents which I have read or referred to, all of which were sent to me by the District Council, are as follows.

- Regulation 16 Consultation Responses (including a summary).
- Felpham Further Evidence Base (a bundle of loose papers).
- Additional Documents Which May Be Useful (a bundle of loose papers).
- Intended Full Sustainability Appraisal, Summer 2013.
- Two documents sent at my request relating to the draft Arun District Local Plan 2013. These are: Local Plan (Summer 2013); and Publication Version of the Local Plan (dated February 2014).

\(^3\) NPPG, Section 5.

\(^4\) The latest version of the draft local plan published in February 2014 is entitled "Publication Version of the Local Plan"; but I nevertheless refer to this plan as the Arun District Local Plan 2013. It is also sometimes referred to as the draft or emerging local plan.

\(^5\) “Local Plan (Summer 2013” page 9, paragraph 1.1 and "Publication Version of the Local Plan" page 1, paragraph 1.1
12. Other documents I have referred to include Felpham Parish Council's "Initial Comments To ADC Representations" (sent to me on 2 April 2014), and various notes and documents sent to me in response to questions I raised, as explained below.

**Examination Procedure**

13. I judged that the consultation responses which had been submitted to the District Council (sometimes named "Regulation 16" Responses after one of the relevant regulations) could be considered on the basis of the written representations, so it was not necessary to hold any hearing. However, I found it necessary to put a number of questions to the Parish and District Councils, for which purpose I sent emails to both bodies inviting responding answers and comments. My questions covered around 20 topics, and although I considered holding a "clarification meeting" at which my questions could be discussed, both the Parish and District Councils preferred to deal with the questions by written responses and I therefore proceeded by that method.

14. The main points on which I invited responses related to the policies in the plan, but one matter in particular did not come into that category. This arose because the table on pages 8-10 of the Basic Conditions Statement presented a comparison between the policies of the Neighbourhood Plan and the 2013 draft Arun District Local Plan, but did not show any comparison between the Neighbourhood Plan policies and the policies of the statutory development plan (the 2003 Arun District Local Plan). One of the documents sent to me on behalf of the Parish Council also indicated that in the Parish Council's view, the policies of the 2003 Arun District Local Plan were not relevant to the Neighbourhood Plan.

15. These pieces of evidence caused me to believe that there had been a potentially major misunderstanding of the correct legal and procedural position. This turned out not to be the case, although the exchange of information resulting from my questions confirmed that corrections to the Basic Conditions Statement are needed. From the replies to my questions and having received a revised table for pages 8-10 of the Basic Conditions Statement, I am satisfied that a comparison was made between the Neighbourhood Plan and the 2003 Arun District Local Plan.

16. Written responses were emailed to me on behalf of the Parish and District Councils, together with electronic copies of a number of further documents sent by the Parish Council. The documents included:

- The revised table mentioned above (similar to the table on pages 8-10 in the Basic Conditions Statement) showing a comparison of Neighbourhood Plan policies with the 2003 Arun District Local Plan.
- Map extracts from 2003 Local Plan and 2013 draft local plan.
- A revised map of proposed Local Open Spaces.
- A revised map of Primary Retail Frontages.

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6 On this point, see also paragraph 150 below.
17. I later asked some further questions on matters which had not been clarified by the documents previously sent, and I received some additional emailed responses, mostly from the Parish Council.

18. I am grateful to all those involved in responding to my questions. The information supplied assisted me in carrying out the examination and completing my report within a fairly tight timescale.

**Format of Report**

19. I have set out this report in the following sequence. In the next section I cover some general matters relating to the plan area, preparation procedures and regulatory requirements, and I refer to the written representations submitted during the most recent period of consultation on the submission version of the Neighbourhood Plan. The policies of the plan are then considered in plan sequence, with recommendations made where appropriate. Some comments and suggestions are then made about other aspects of the plan. A final section briefly considers the next stage.

20. While reading the plan I noticed a number of textual flaws, most of which are typographical errors. I believe that the Parish and District Councils are aware of a few of these and only a small number of them directly affect the plan's policies, but there are more than 40, and since the errors cumulatively detract from the quality and readability of the plan I have provided a list with suggested corrections as an appendix to this report. I hope this will help the process of editing the plan before it is finalised.

**General Matters**

*Plan Area, Preparation Procedures and Regulatory Requirements*

21. The plan area is the Parish of Felpham. This area was designated as a neighbourhood area and Felpham Parish Council were designated as the "qualifying body" for preparing the Neighbourhood Plan. The designation was evidently made by a sub-committee of by the local planning authority, Arun District Council, on 29 November 2012. The Parish Council formed a Neighbourhood Plan Committee at a council meeting in November 2011. The committee was given a brief to act on behalf of the main council in developing the Neighbourhood Plan.

22. A series of public meetings was held and a focus group was formed, which included volunteer local residents. The focus group produced the Felpham Vision Statement, following which five of the volunteer residents joined the Neighbourhood Plan committee. Further focus groups were formed to work on various issues, with the assistance of a consultant. A wider community consultation process was also undertaken during 2012, and a public meeting was held in November 2012 where the neighbourhood planning process was displayed, explained and discussed. Some 239 people attended this meeting. Local schools have been involved in the consultation process.

23. The committee analysed comments made during the November 2012 consultation and drew up proposed policies, which were subject to a survey of all households in Felpham. The survey had a 22% response rate. During further work taking

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7 The source of most of the information reported here about the plan preparation procedures is the December 2013 Consultation Statement. Other information is sourced from the Basic Conditions Statement.
account of comments by Arun District Council, it became apparent that some policies or proposals were not suitable for a neighbourhood plan; these were included in an addendum to the plan (now Section 10 in the submission plan) for later consideration in a Community Action Plan. The revised draft plan was then subject to a pre-examination check and approved by the Parish Council before a six-week public consultation period.

24. All those involved in the preparation of the plan have clearly worked hard to produce the plan and deserve great credit for doing so, especially as most of the work has been carried out voluntarily. In many places, people tend to be uninterested in planning matters until they are directly affected by a specific development proposal, so Parish Councillors and other residents have done well to generate interest and response among residents of Felpham.

25. The plan period (2013-2029) is published on the outside cover, although it is intended that the plan will be reviewed, either on a five-year cycle or to coincide with reviews of the Arun District Local Plan.

26. In July 2013 Arun District Council issued a "screening opinion", after carrying out a screening exercise on the expected contents of the plan. This advised that the plan did not require a Strategic Environmental Assessment on the basis that the plan does not allocate any sites for development (this follows the recent development of a large area of housing on land known as Site 6 or Blake’s Mead), and that the plan had no significant environmental impact on a site of special scientific interest.

27. The plan contains a number of policies aimed at ensuring that development is sustainable and it contributes to achieving sustainable development. Other regulatory requirements relating to European Union and human rights obligations were also met. Neither an Environmental Impact Assessment nor a Habitat Regulations Assessment appears necessary. If the recommendations made in this report are accepted, the plan would be in general accordance with the strategic policies of the development plan for this area.

28. In summary, the information available to me shows that the Neighbourhood Plan has been prepared by a properly constituted qualifying body, that the plan covers a suitable designated area, and that all other appropriate regulations relating to the preparation process either have been met or would be met after amendment as recommended.

Representations

29. The closing date for representations to be made following the most recent public consultation on the Neighbourhood Plan was 14 March 2014. The following bodies submitted representations:

   Arun District Council.
   Highways Agency.
   Marine Management Organisation.
   Southern Water.
   "Sustainable Places" (Environment Agency).
   West Sussex County Council.

30. Of these, the Marine Management Organisation and the Highways Agency had no specific comments and "Sustainable Places" (the Environment Agency) stated that
they had no detailed comments other than expressing support for the environment, sustainability and design quality objectives, and for policies ESD2 and ESD3. Arun District Council submitted some 18 comments on the plan and five on the Basic Conditions Statement. Southern Water's submissions related to policies ESD4, ESD5, ESD6, CLW6 and CLW7\(^8\), and to a proposed additional policy for securing infrastructure. West Sussex County Council's representation mainly concerned policy ESD6. I have taken account of the comments by these last three bodies where appropriate when considering the individual policies of the plan later in this report.

### The Plan and its Policies

#### Format of Policies

31. I deal with this topic first as it affects most of the plan's policies. In the submission version of the plan, the policies are each labelled with a number, such as BT4 or ESD9. This number is followed by some words in coloured bold text, then (in almost all cases, with the exception of policies ESD6 and CLW4) some more words in the same colour but not in bold.

32. Most of the bold text appears to be a summary of the policy - for example, "Support for renewable energy schemes", or "Provide new burial space". But in a few cases, the bold text appears to be merely a "topic heading" or label - for example: "Traffic calming and shared space features". In several cases, there is inconsistency between the introductory words in bold text and the parts of the policy not in bold text. For example: "Retain buildings and structures of character" is not the same as: "Development proposals will be expected to retain and enhance [my emphasis] their local distinctiveness".

33. These are the sorts of inconsistencies which are liable to make policies ambiguous and unclear. The problem could be overcome either by omitting the bold text completely, or using it only as a neutrally worded heading or label for each policy. On balance, I consider the latter to be preferable.

34. Related amendments will need to be made to the right hand column headed "Policy Index" in the tables on pages 23, 26, 32 and 34 of the plan.

35. I have allowed for these points in making recommendations to modify policies. Where the recommendation below refers to amending the bold text in the way just described, I have not repeated the reason, as it is explained above.

36. Where recommended amended policies are set out, I do not use bold font for the policy "label" or "heading". This is purely for presentational reasons in this report (to avoid the policy headings being more prominent than the sub-headings in the text of the report), and I suggest that in the revised plan, the policy headings should continue to be in bold text as in the submission version of the plan.

37. Where I recommend amended wording for policies referring to development proposals, I normally use the future conditional tense (for example, "Proposals which would result in....unless they would...")). This is because I take the view that it is usually more appropriate to refer to such proposals - which do not exist at proposal stage and may or may not be implemented - with verbs in the conditional rather than the present tense.\(^9\) This is a relatively minor matter, and

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\(^8\) As explained on page 21, this refers to a policy numbered as CLW6 in the submission plan.

\(^9\) I realise that neither the 2003 Local Plan nor the 2013 draft Local Plan do this; but I do not consider it necessary to adopt the same style or syntax as these plans.
if those involved in finalising the plan prefer not to follow my approach I would not be concerned.

38. Where I recommend that some of the wording of the policies in the submission plan should be moved into the supporting text, I set out the recommended text of the amended policy and indicate how the supporting text should be re-drafted but I have not considered it necessary to provide precise details of revised wording for the supporting text.

39. I note that the work carried out during the preparation of the plan identified various issues which local residents felt were important but do not relate to land use planning, and so could not be properly made subject to policies in the Neighbourhood Plan. As is recorded on page 36 of the plan, it is proposed that these issues and others will be covered by a possible future Community Action Plan. In my view this is a sensible way of dealing with such matters.

**Policy BT1**

40. I recommend that the bold text be amended so that this policy is headed: "Policy BT1: Business Expansion".

**Policy BT2**

41. I recommend that the bold text be amended so that this policy is headed: "Employment Land".

42. This policy would be made clearer and more concise by amending the wording and placing the reference to the marketing of the site into the supporting text. Arun District Council has contended that a requirement for premises to be marketed for a period as long as one year would be excessive. The Parish Council considers six months to be too short a time. I agree with the District Council. A one-year marketing requirement could result in premises remaining empty for long periods, which would not help the appearance or commercial attractiveness of the area. Whether "interest" has been expressed in a property is also a rather nebulous concept which would be difficult to determine.

43. I therefore recommend that this policy be amended to read:

Policy BT2: Employment Land

Proposals for the redevelopment or change of use of land or buildings in employment or service trade use to non-employment uses will not be permitted unless the existing use can be shown to be no longer financially viable.

44. The supporting text can then explain (I suggest by addition to paragraph 7.2) that for the purposes of this policy, to show that an existing use is no longer financially viable, prospective developers will be expected to provide evidence that the site has been marketed at a reasonable price for employment or service trade uses for six months as a minimum (or "at least", the difference between the FPC wording and the ADC suggestion is of little significance) and that no sale or let has been achieved.

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10 There is a difference between economics and finance. Although the term "economically viable" is used in the submission plan - and indeed is used in planning policies in other plans - what I think is really meant is "financially viable", and I consider that to be the more appropriate term in this instance.
Policy BT3

45. The introduction to this policy in bold text does not mention what is often called the "general industrial" class of the Use Classes Order (Class B2) or warehousing and distribution uses (Class B8); but the policy itself does refer to these uses, so the introductory words or heading are inconsistent with the policy. The wording "Class B1 light industrial use" is also misleading, since this use class includes more than light industry - for example, it includes many types of offices. This policy could also be made more concise, as the last sentence is an unnecessary repeat. The result of these recommended changes is as follows.

Policy BT3: New Office, Workshop and Industrial Uses

Proposals for development for Class B1 purposes will be supported where the impact on surrounding residential and community amenity would be acceptable and other policy considerations would be complied with.

Proposals for general industrial uses (Class B2) and storage and distribution (Class B8) uses will not normally be permitted.

Policy BT4 and Map C

46. This policy as it stands in the submission plan would be unworkable for at least three reasons. First, Map C in the submission version of the plan is unclear and at too small a scale to enable individual properties to be identified. Secondly, even on the revised map emailed to me in April 2014 (dated 8-4-2014), it is still difficult to identify individual retail frontages; but more importantly, the map wrongly purports to show "primary retail frontages". As has been confirmed in one of the responses to my questions, 16 of the 54 premises shown on the map with a red circle in Felpham Road are in non-retail uses (Class A2 or A3 of the Use Classes Order), and in Felpham Way, two of the eight premises are in similar non-retail uses. I do not know the length of ground floor frontages involved, but it seems that in both these locations, non-retail premises already occupy well over the 20% limit proposed in this policy.

47. Thirdly, the policy does not make clear how the 20% limit would be calculated when assessing a proposal for a change of use. For example, it is not clear whether the total length of frontages on both sides of the road should count towards "the sum total of the primary retail frontages", or where exactly the length of total frontage should start and finish.

48. This policy needs to be re-considered. One problem is that the expression "primary retail frontages" is misleading - the local shops which the plan is apparently seeking to support do not form primary retail frontages in the normally used sense of that term. If Map C is to remain part of the plan, I think it should do so only for information, not linked to a policy. A revised Map C could be similar to the clearer revised version sent to me, but it should be correctly titled (not as "Primary Retail Frontages"). As for the policy itself, it seems to me that it would be better to frame a policy in more general terms setting out what I think the policy is trying to achieve. I hesitate to devise a completely different policy, as this should really be a matter for those directly involved in the Neighbourhood Plan, but I have decided to recommend a policy which should help to prevent the loss of existing shops to other uses by putting the onus on potential developers to justify any such development.

49. Recent amendments to legislation may limit the scope of this policy, because changes of use from retail to certain other uses which previously would have

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11 A note emailed to me on 14 April on behalf of the Parish Council.
required specific planning permission may (subject to restrictive criteria) now be "permitted development". I do not consider it feasible to try to allow for such changes in the law when framing the plan's policies, but this is something which those preparing the plan may wish to note.

50. I therefore recommend a revised policy as follows.

   **Policy BT4: Retail Premises**

   Development proposals involving changes of use of ground floor premises from retail to non-retail uses will only be permitted where it can be shown that the development would not harm the vitality of local shopping facilities or the amenities of the area.

51. I suggest that the supporting text could provide additional guidance, amplifying the policy, by indicating that a window display in keeping with the character of the area would normally be required. If it is desired to use the "20% non-retail" as a guideline figure, this could also be explained in supporting text; but if that is done, the text should explain precisely what is to be measured.

52. I recommend that the bold text be amended so that this policy is headed: "Grassmere Car Park".

53. I recommend that the bold text be amended so that this policy is headed: "Recreation and Tourism".

54. As drafted in the submission plan, the non-bold text of this policy is more or less a repeat of the bold text introducing the policy. I recommend that the bold text be amended so that this policy is labelled: "Communications Infrastructure".

55. I recommend that the bold text be amended so that this policy is headed: "Design of New Development". The text which is in bold in the submission plan can then form (not in bold) the first sentence of the policy itself.

56. Some other amendments are also needed. The "Felpham Design Guide" does not exist, and according to information supplied to me in response to one of my questions, this proposed guide is some time from being finalised; it may apparently be in draft form by about August 2014. It is not sensible to have a policy requiring development proposals to comply with a design guide which does not exist, or may be only in draft form by about the time the Neighbourhood Plan could be "made", following a referendum.

57. Arun District Council has suggested that this policy could be unduly onerous, especially for small-scale developments such as sheds. Sometimes, even small-scale developments can have significant visual impact on a street scene or on an area's appearance. With that in mind I have decided to recommend an amendment so that this policy refers to development proposals which would affect the appearance or character of the area.

58. The expression "12 out of 12 Greens" in the policy is unexplained in the submission plan, though again, having questioned this point, I now know that this
was intended to refer to a document called "The Sign of a Good Place to Live".\footnote{This document was apparently "re-designed" (re-published) in 2012 by the "Building for Life Partnership". It states that "'12 Greens' reflect our vision of what new housing developments should be. Development schemes that are considered to have achieved 12 'greens' will be eligible for 'Building for Life Diamond' status as exemplars giving developers and local authorities the opportunity to acknowledge and promote good design."}
The system of scoring of "greens" is the sort of detailed point which I think would be better placed in supporting text than in the policy itself. The expression "12 out of 12 Greens" also needs to be explained with a reference to the source document; this could be done either in the supporting text or perhaps by means of a footnote.

59. The reference to Appendix B in this policy is erroneous. Appendix B is to do with flood risk assessment, not design.

60. Allowing for all the above points, I recommend that this policy be amended so that it reads:

Policy ESD1: Design of New Development

New development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location.

Policy ESD2

61. A problem with this policy is that it refers to development in "flood sensitive areas" but no such areas are defined in the submission plan. In response to my questions, the Parish Council sent me two maps, one showing "Bognor Regis & Felpham Wet Spot", and another entitled "Areas of Flooding 2012". This latter map shows parts of the built-up area marked with oval-shaped diagrammatic areas, and is annotated: "Plan is for indicative purposes only". The Parish Council has stated that the former map shows "areas that actually flood".

62. However, I still have not been able to find any map titled or depicting "Flood Sensitive Areas" and nowhere in the submission plan defines such areas. If policy ESD2 is to be capable of implementation, "flood sensitive areas" must be defined in the plan so that people such as applicants for planning permission will be able to tell whether a particular site is inside or outside such areas as defined for the purposes of this policy.

63. I recommend that the bold text be amended so that this policy is headed: "Development in Flood Sensitive Areas". The policy itself can remain unamended, but only if the plan includes some means of showing (most appropriately on a map) the precise extent of the areas intended to be subject to this policy. Unless this information is provided, the policy should be omitted from the plan.

64. Assuming the option of retaining the policy and linking it with a map showing "flood sensitive areas" is chosen, the map must show such areas at a scale sufficient to identify property boundaries. An approximate or "indicative" map is not sufficient for policy purposes.

Policy ESD3

65. I recommend that the bold text be amended so that this policy is headed: "Coast Protection and Sea Defence Works".
66. The reference to the "Shoreline Management Plan" is unexplained in the submission plan. In response to my question on this point, the Parish Council supplied me with an online link to a document. A planning policy which requires readers of a plan to search elsewhere in order to interpret the policy is not satisfactory (particularly for people without access to a computer or other means of online research). The reference to the Shoreline Management Plan should therefore be placed in the supporting text to this policy, together with a full reference to the Shoreline Management Plan including its publication date.

67. The requirement that new development, however small, has to enhance the existing coastal habitat is too onerous. A requirement that development should not harm or detract from the existing coastal habitat would be more reasonable and capable of implementation.

68. "Maintenance" projects would not normally come under planning control, so this aspect of the policy appears otiose.

69. Putting the above points together, I recommend that this policy be amended so that it reads:

   Policy ESD3: Coast Protection and Sea Defence Works
   Proposals for coast protection and sea defence works will be supported provided that they reflect the visual character of the area, would not harm the existing coastal habitat, and would maintain the attractiveness of the promenade and other seaside attractions.

Policy ESD4

70. This is one of the policies in the submission plan where the introductory text in bold is neutrally worded as a heading or label, so this part of the policy does not need amending.

71. Level 5 of the Code for Sustainable Homes is the most strict standard for predicted water discharge under a government code. The District Council has queried whether code level 5 is achievable or reasonable, and whether planning permission would be refused on the ground of failure to meet this criterion if a proposal were acceptable in all other respects. The Parish Council contends that the highest standard is justified given the recent history of flooding in Felpham.

72. Since no sites for new housing development are being allocated in the plan, the number of new dwellings likely to be built during the lifetime of the plan is likely to be small, and however low the amount of water discharge from new dwellings may be, the effect of imposing a strict standard will be probably be similarly limited, compared with the impact of existing dwellings. Therefore I doubt that this policy could have any significant effect in preventing or reducing local flooding. I also share the District Council's reservation about the feasibility of imposing the highest standard, for example when proposals for conversions of buildings into flats are being considered.

73. On the other hand I can understand why there is a local desire to establish a principle that new dwellings should meet the highest standard for restricting water discharge. The fact that policy ESD4 is supported by Southern Water is also a point to be taken into account. I have decided to recommend a slight variation to the wording of this policy, aimed at putting the onus on any developer of new housing either to achieve the Level 5 standard or to show why it is not practicable to achieve it. I judge that this would strike a reasonable balance between principle and practicality.
74. I recommend that this policy be amended so that it reads:


All new dwellings will be designed to have a predicted water discharge of no more than 80 litres of water per person per day in line with Level 5 of the national Code for Sustainable Homes, unless it can be shown that achieving this standard would be impracticable.

Policy ESD5

75. I recommend that the bold text be amended so that this policy is labelled: "Surface Water Management".

76. The information provided to me about what flood management plans potentially relevant to Felpham were or were not being prepared was initially rather confusing. One reason is that various bodies are apparently involved, including West Sussex County Council, Southern Water and the Environment Agency. From the available evidence, it appears that West Sussex County Council has prepared a "Local Flood Risk Management Strategy". This is an overall strategy for a wide area. Smaller areas are, or are intended to be, the subject of more detailed plans or strategies. Two such plans or strategies are being prepared for areas which could have some relevance for Felpham. One of these is a surface water management plan for the Lidsey catchment (being prepared by Southern Water); the other is a fluvial strategy for the Aldingbourne and Barnham Rife area (this is being carried out by the Environment Agency). Neither of these have reached final approval stage, although I understand that the former is due to be approved soon.

77. There is no surface water management plan for Felpham. Therefore the statement in the bold text introduction to policy ESD5 that "new development must comply with the Surface Water Management Plan" appears to refer to a non-existent plan. The reference in this policy to the other plans is also misleading as the policy refers to them as if they were one single plan (because of the single verb in the phrase "has been approved").

78. Having considered the representations, I judge that some of the wording suggested by Southern Water would be suitable for this policy. I do not go along with Southern Water's suggested additional wording. This refers to development having to provide a connection to the nearest point of adequate sewerage capacity as advised by Southern Water. Such a requirement should be a matter of normal development control under policy GEN9 of the 2003 Local Plan and does not need to be specially covered in the Neighbourhood Plan. The suggestion by Southern Water that there should be a requirement for "surface water management measures...to ensure that the risk of flooding both on-site and downstream is not significantly increased" is also in my view unnecessary as this aspect should be covered by the requirement for a surface water management plan.

79. On a minor point, the reference in this policy to "change of use applications" is superfluous since proposals involving a material change of use of any land or buildings fall within the definition of "development", and so would be covered by the words "all development proposals".

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13 Policy GEN9 of the Arun District Local Plan deals with foul and surface water drainage.

14 Town and Country Planning Act, 1990, Section 55.
80. Taking all the above matters into account, I recommend that this policy be amended so that it reads:

Surface Water Management.

All development proposals other than minor household or commercial extensions (less than 10% increase in floor space) will be required to provide a surface water management plan detailing methods of dealing with surface water arising from the development, and will be supported provided that the development would not compromise the emerging Surface Water Management Plan for the Lidsey Catchment or the Aldingbourne and Barnham Rife Strategy.

Policy ESD6

81. Answers to my written questions have confirmed that the word "Gaps" in the introductory bold text to this policy should have read "Gap" (as the policy was intended to refer to only one strategic gap) and that the sentence beginning "New highway development..." was meant to be in green colour as part of the policy.

82. The intention of this policy is apparently to prevent any development, including the construction of any roads, in the "strategic gap" or "green infrastructure corridors". The extent of these areas is not set out anywhere in the submission version of the Neighbourhood Plan, and if the policy were to have effect it would be necessary for the plan either to include maps showing the boundaries of these areas, or to explain where such information is available. Information on strategic gaps can be found in the 2003 Arun District Local Plan. However, what is referred to in the Neighbourhood Plan as a strategic gap is designated as a "Local Gap" in the 2003 Local Plan. (The gap between Bognor Regis and Felpham is subject to policy Area 11 in the 2003 Local Plan, not policy Area 10 which applies to strategic gaps as designated in that plan). 15 "Green Infrastructure Corridors" are not defined in the development plan, but are to be found in the draft local plan.

83. Southern Water states that it cannot support policy ESD6 because it would create barriers to the provision of essential infrastructure by utility providers, such as a new sewerage pumping station. Southern Water suggest that the policy should be amended so that utility infrastructure should be permitted within designated areas in exceptional circumstances, if no reasonable alternative site is available.

84. The District Council has objected to policy ESD6 on the ground that it does not accord with the development plan. The County Council also opposes this policy on similar grounds. There is good reason for these objections. Policy DEV 15 of the 2003 Arun District Local Plan is headed: "Safeguarding the Main Road Network" and one of the schemes listed under this policy is the "A259 Bognor Regis Relief Road indicative line""). The relevant map (Inset B - Bognor Regis-Felpham) shows indicative lines for a road along a roughly east-west route and a north-south link passing through an area designated as a "strategic or local gap". Policy DEV 15 clearly ranks as a "strategic policy" for the purposes of comparing a development plan with a neighbourhood plan and policy ESD6 would not be in general accordance with this aspect of the 2003 Arun District Local Plan.

85. I have considered whether policy ESD6 could be amended to make it generally accord with the development plan; but I have decided against doing so, as a policy so amended would do little more than repeat what is in the development plan. Policy Area 11 of the 2003 Arun District Local Plan safeguards local gaps

15 Further reference is made to this point in my comments on policy ESD11.
from most forms of development: among other things, for example, it provides that development will only be permitted if either individually or cumulatively, it does not contribute to the coalescence of settlements. I conclude that the most straightforward course would be to omit policy ESD6. This means that the amendment suggested by Southern Water becomes not relevant.

86. Therefore I recommend that policy ESD6 be omitted from the Neighbourhood Plan.

**Policy ESD7**

87. A "building" is defined in planning legislation as including "any structure or erection"\(^{16}\), so it is not necessary to repeat the words "building" and "structure"; and avoiding the repetition would make the policy more concise. I recommend that the bold text be amended so that this policy is labelled: "Buildings of Character".

88. The wording of the policy needs to be altered to make it grammatical - as drafted, the words "their", "them" and "they" refer to "Development proposals", which does not make sense. The other problem with this policy is that it is more onerous than both national policy and legal requirements relating to conservation areas, under which special attention has to be paid to the need to preserve or enhance (not preserve and enhance) the character or appearance of such areas.

89. Putting those points together, I recommend that the words "and structures" be omitted from the first sentence so that it refers to "The following buildings", and that the text after the list of buildings should read:

   Development proposals will be expected to retain or enhance the local distinctiveness of the buildings listed above and the removal of part or all of them will not be permitted unless it can be demonstrated that they cannot be put to a beneficial or viable use.

**Policy ESD8**

90. I recommend that if this policy were to remain in the plan (see below) the bold text be amended so that the policy is labelled: "Felpham Conservation Area".

91. The policy as drafted provides that proposals within or affecting the setting of the conservation area will be dealt with in accordance with "ADC Draft Local Plan policy DM31". Policy DM31 of the "Summer 2013" version of the draft local plan relates to designated nature sites. This version of the draft local plan contained a policy on conservation areas numbered as DM27.\(^{17}\) In the latest version of the draft local plan (dated February 2014), there is no policy numbered DM31. There is a policy on conservation areas, numbered HER DM3,\(^{18}\) the wording of which is similar to the earlier draft policy numbered DM27.

92. Because the draft local plan has not yet been subject to public examination it may change. Some policies may be revised or omitted. Therefore I see two options: either the desired wording should be set out in the Neighbourhood Plan, so that it would remain, irrespective of any changes to the emerging local plan; or - if those responsible for the Neighbourhood Plan are happy to rely on conservation area policy as eventually expressed in the finalised version of the local plan -

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\(^{16}\) Town and Country Planning Act 1990, Section 336.

\(^{17}\) Source: "Local Plan (Summer 2013)" page 238.

\(^{18}\) Source: "Publication Version of the Local Plan" February 2013, page 171.
there would not be any point in having this policy, since it would merely repeat local plan policy and would therefore be superfluous.

93. Since I consider there is little to choose between those two options, I make alternative recommendations. I recommend that either policy ESD8 be omitted, or alternatively, if this policy is included, it should be worded the same as policy HER DM3 of the February draft of the local plan.

**Policy ESD9**

94. I recommend that the bold text be amended so that this policy is labelled: "Building Design".

95. I have some doubts about the feasibility of requiring proposed new buildings to "reflect the design principles of their time" - implying that new buildings should have a modern design and not be a pastiche of the old - whilst also contributing positively to historic character; but I have decided not to interfere with this aspect of the policy. It accords with national policy guidance to the effect that planning policies should not stifle innovation.

96. As I have commented above in relation to policy ESD7, the requirement for conservation areas and their settings to be "conserved and enhanced" (as opposed to "conserved or enhanced") is contrary to national policy guidance and to the requirements of legislation, so a minor amendment is needed.

97. I therefore recommend that this policy be amended to read:

   **Policy ESD9: Building Design**

   The design of new buildings must reflect the design principles of their time so that the richness of varied character would continue and would be extended into the future. However, the quality of design must ensure that new buildings contribute positively to the historic character of the area. Listed buildings and their settings, and conservation areas and their settings, will be conserved or enhanced to reinforce the quality and character of Felpham.

**Policy ESD10**

98. I recommend that the bold text be amended so that this policy is headed: "Tree Protection".

**Policy ESD11**

99. One of my written questions concerned this policy, partly because the introductory text in bold appears to express support for a road, whereas the rest of the policy expresses support for an Enterprise Zone ("The new Enterprise Zone (Bognor Regis) linked to the Bognor Regis North Relief Road is supported"). The enterprise zone mentioned here does not appear to be within the Neighbourhood Plan area, and this point has been confirmed to me in writing on behalf of the Parish Council. In response to my questions and to a comment by Arun District Council, the Parish Council has also agreed that the policy in the submission plan is ambiguous.

100. The supporting text to policy ESD11 also appears to be erroneous, in referring (in paragraph 8.13) to "The Local Strategic Gap". This appears to be a conflation of

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19 Source: Note sent to me on 14 April in response to a question in an email from me. The note states: "Yes the BREZ is outside of the Felpham Parish Boundary".
two policy designations. The development plan defines "Strategic Gaps" and "Local Gaps", and the area involved here is designated as a "Local Gap".

101. There are some parallels between this policy and policy ESD6. In essence, the Parish Council is apparently seeking to express support for the Bognor Regis Northern Relief Road ("BRNRR") and for the northern part of a link road between the BRNRR and a new area of commercial development on a former airfield near Bersted. As noted above in relation to policy ESD6, an indicative route for the BRNRR and a north-south link road between the BRNRR and Felpham Way is shown on Inset B of the maps accompanying the 2003 Arun District Local Plan; but the intention of policy ESD11 of the Neighbourhood Plan is evidently not to support the southern part of this possible link road, only to support the northern part.

102. West Sussex County Council has pointed out that the design of the access arrangements to the area of new commercial development is still being determined. A new link road connecting the A259 Felpham Way and the BRNRR has evidently been modelled as part of a transport study in 2013, but further work is ongoing. As far as I can tell from the available plans, the northern part of the indicative route of the link road currently being studied by the County Council does not pass through Felpham Parish, so is outside the area of the Neighbourhood Plan. The policies of the plan can only have effect in the plan area. It is conceivably possible that the alignment of the route might in the future be changed so that it impinges on land within the parish, but that seems unlikely in view of the presence of watercourses and anyway it is necessary to work on the basis of what is shown in the development plan.

103. Even setting aside the problems of ambiguity, I conclude that this policy should not be included in the Neighbourhood Plan because it purports to refer to either an enterprise zone or a possible proposed road scheme, both of which are not within the plan area.

104. I recommend that policy ESD11 be omitted from the Neighbourhood Plan.

Policy ESD12

105. I recommend that the bold text be amended so that this policy is headed: "Design Details".

Policy ESD13

106. I have three reservations about this policy. First, it seems to me that the policy is directed at matters covered by building regulations, and more appropriately controlled by those regulations rather than by planning controls. Secondly, several parts of the policy are imprecise - for example, the requirement to install cavity wall and loft insulation "where relevant", the requirement to install on-site energy generation from renewable sources "where feasible", and the requirement for "consideration to be given" to upgrading a property in certain cases. Thirdly, the reference to extensions increasing property size by 30% appears arbitrary and unsupported by evidence.

107. Some of the points above have been raised as criticisms by the District Council, which has also expressed concerns about the effect of installing "green features" on the appearance of attractive old buildings and conservation interests generally.

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20 This area is listed under Policy Area 11 ("Local Gaps") on page 44 of the 2003 Arun District Local Plan and is labelled on the Inset B map with that policy number. It is not covered by policy Area 10 in the 2003 Local Plan.
As has been pointed out for the Parish Council, the District has a target to contribute towards reducing "greenhouse gas" emissions by 2027 as part of UK-wide targets, and the Neighbourhood Plan is evidently seeking to assist with this target, which is locally an important issue. Nevertheless I share the District Council’s view and judge that the duplication with other legislation, combined with the imprecision and apparent arbitrariness of this policy outweigh the factors in its favour.

108. For those reasons I recommend that this policy be omitted from the Neighbourhood Plan.

**Policy ESD14**

109. I recommend that the bold text be amended so that this policy is headed: "Renewable Energy".

110. The last bullet point refers to the requirement for a scheme to be agreed with the planning authority for removal of the infrastructure. Such a requirement would not necessarily have to be by means of a scheme agreed with the planning authority; the requirement could be achieved by imposing a condition on a planning permission; and if necessary, a breach of a condition can be enforced against by a breach of condition notice, against which there is no right of appeal. A general term such as "requirement" would be preferable, as it would cover a legal agreement, a legal undertaking or a planning condition, and allow developers and the planning authority a degree of flexibility. I therefore recommend that the wording of this last sub-paragraph of the policy be amended to read:

Planning permission is subject to a requirement that the energy generating infrastructure is removed as soon as reasonably practicable once it is no longer used for energy generation.

**Policy ESD15**

111. I recommend that the bold text be amended so that this policy is headed: "Burial Space".

112. The policy sets out support in principle for the use of land to increase burial space but is not site-specific. The need for burial space has emerged as a pressing issue from the plan preparation process, but I understand that the Parish Council does not feel able to allocate a specific site for reasons relating to ownership and current Church policy.

113. The process of formulating land use plans can often involve the designation of land for particular types of development, or absence of development, without owners agreeing. The Parish Council appears to have a piece of land in mind as the logical location for increased burial space. Nevertheless I can understand why in this instance the Neighbourhood Plan is not able to be specific. In the circumstances I consider that the policy can be improved by providing a little more guidance about how the phrase "subject to the appropriateness of the location" should be interpreted, and I recommend accordingly.

114. I recommend that the policy be amended to read:

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21 This refers to a breach of condition notice under Section 187A of the 1990 Town and Country Planning Act, not to an enforcement notice alleging a breach of condition.
Policy ESD15: Burial Space
Support will be given to the use of land in the parish to increase burial space subject to the proposed development being appropriate having regard to its location and to its effect on the appearance and amenities of the locality.

Policies GA1 and GA2
115. I recommend that the bold text be amended so that the heading reads: "Pedestrian and Cycle Connections".

116. In the version of the plan sent to me, the second sentence of policy GA1 is incomplete, but it was apparently intended to read: "All new building developments (other than extensions to existing properties) must provide new or improved cycleways and footpaths." This requirement would be impracticable for many types of development, including those not having a street frontage. The Parish Council has suggested that the policy could be limited to developments having a significant traffic impact; but defining what would constitute "significant traffic impact" would be difficult.

117. It seems that the intention of policy GA1, taken together with policy GA2, is that where developments could reasonably not make any physical provision (for example, by allocating land within a development site) for cycleways and footpaths, a financial contribution would be sought. This could conceivably be either through Section 106 agreements or undertakings, or by allocating funds from a Community Infrastructure Levy ("CIL"). I understand that Arun District Council intends to set a CIL charge, but at present this is only at preliminary draft stage, because of delays to the local plan process.

118. In view of the unknown factors relating to the means of operating policies GA1 and GA2, I consider that these two policies should be combined and phrased in a way which sets out the aim of supporting development proposals which would help to improve or provide cycleways and footpaths, by alternative means. I therefore recommend that policy GA2 be omitted, and that policy GA1 be amended to read:

Policy GA1: Pedestrian and Cycle Connections
Support will be given to proposals which would increase or improve the network of cycleways, footways and footpaths, either by making land available for that purpose or by means of financial contributions through legal agreements or (when adopted for the District) the Community Infrastructure Levy.

Policy GA3
119. I recommend that the bold text be amended so that this policy is headed: "Publicity and Signage".

120. As I pointed out in raising a question on this policy, the introductory text in bold refers to public transport but the policy itself does not. The Parish Council has suggested that the reference to public transport should be removed. A desire to encourage better planning of public transport could perhaps be transferred to the Community Action Plan mentioned on page 36 of the Neighbourhood Plan.

121. Requiring developments which provide improved publicity and signage promoting Felpham’s facilities to “enhance” their surroundings would be unduly onerous. A requirement that such developments should not harm their surroundings would
be more realistic and justifiable. On a more minor point, as a matter of grammar the word "they" in the submission plan version of the policy refers to "facilities", which does not appear to be the real intention of the policy, so a suitable correction is necessary.

122. I recommend that the policy be amended so that it reads as follows.

**Policy GA3: Publicity and Signage**

Developments which would provide improved publicity and signage relating to the promotion of Felpham's facilities will be supported provided that such developments would not detract from the visual or environmental amenity of their surroundings.

**Policy GA4**

123. This policy has a neutrally worded heading or label and no amendment to this part of the text is necessary. However, the statement in the policy itself that traffic calming and shared space features on the A259 will be "required from development where appropriate" is unsatisfactorily vague. It does not tell developers or decision-makers what types of development are intended to be covered by this requirement or how the traffic calming and shared space features will be required. I recommend that the policy be re-worded as follows:

**Policy GA4: Traffic Calming and Shared Space**

Proposals for development which would enable or help traffic calming or shared space features to be provided will be supported.

**Policy CLW1**

124. This policy and supporting text is not just about independent living as suggested in the introductory bold text - the policy also covers care homes. I recommend that the bold text be amended so that this policy is labelled: "Provision for the Elderly" (or, if preferred, similar wording such as "Provision for Old People").

**Policy CLW2**

125. I recommend that the bold text be amended so that this policy is labelled: "Leisure Facilities".

126. There is a conflict within this policy. It states that recreational space including playing fields "should not be built on", but then states that the development of recreational buildings will be supported (subject to certain provisos). The recommended wording below is aimed at eliminating this inconsistency.

127. I recommend that the policy be re-worded as follows.

**Policy CLW2: Leisure Facilities**

Existing recreational space including school playing fields and land used for outdoor sport and recreation should not be built on, except for buildings which would enhance sporting or recreational activities on the land. Proposals for the development of such buildings will be supported provided that their scale and design would be in keeping with the character of the location and that the impact on the amenity of surrounding properties would be acceptable.

**Policy CLW3**

128. I recommend that the bold text be amended so that this policy is headed: "Allotment Provision".
129. Arun District Council has queried how "convenience and accessibility" would be decided and have suggested changing this part of the policy so that it refers to "a similar location". However, the term "similar location" would still require judgements to be made. On balance, I only recommend a slight amendment to the wording of this policy to make it a little more concise, as follows.

Policy CLW3: Allotment Provision

Proposals which would result in harm to or loss of allotments will not be permitted unless replacement provision would be made, of at least similar quality, convenience and accessibility for the existing plot holders.

Policy CLW4

130. This policy is unusual, since - unlike other policies - the whole policy appears in bold font, with no other text. I recommend that the bold text be amended so that this policy is labelled: "Health Care Facilities".

131. Arun District Council has commented that contributions (which I take to mean money payments) may not be applicable, and that the National Health Service will inform the District Council whether or not there is a need. The policy is also rather vague, as it states that developer contributions "may be sought". Having regard to these points, I recommend that the policy be simplified using the following wording:

Policy CLW4: Health Care Facilities

Proposals for new health care facilities will be supported.

Policy CLW5

132. I recommend that the bold text be amended so that this policy is headed: "Assets of Community Value".

133. As I have recommended for policy BT2, I think it would be preferable to place the statement which appears in the last part of this policy about the "viability test" into the supporting text. I therefore recommend that the policy itself should end with the word "viable", with "economically viable" amended to "financially viable" to be consistent with policy BT2. The District Council's suggestion that "at least" should be replaced by "as a minimum" in the later text could be adopted if considered appropriate - I do not see any significant difference either way.

Policy CLW6

134. I recommend that the bold text be amended so that this policy is headed: "Local Green Spaces".

135. A policy expressing "no support" is indeterminate and sets out what is really no more than a neutral position, unlike more positive policies elsewhere in the plan which express support for proposals. Lack of support is not the same thing as opposition. Nevertheless it would appear that the intention of this policy is to oppose development of land designated as Local Green Space. I refer to "development" here as it is difficult to see why the policy should relate to "redevelopment", especially as the policy on Local Open Space relates to "development". To be capable of being implemented, and to provide the sort of unambiguous guidance for planning decisions which is looked for in national policy advice, a more clear-cut statement of opposition to development is needed.

136. I do not consider it necessary to refer to a specific part of the National Planning Policy Framework. Moreover, although policy CLW6 states that the Parish Council
has designated areas as Local Green Space "in accordance with the National Planning Policy Framework", policy CLW6 does not actually follow the guidance in paragraph 76 of the NPPF, which states: "By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances." This has some similarity to standard green belt policy, albeit without the normal reference to "inappropriate" development. As I have just noted, policy CLW6 does not rule out new development, it merely expresses lack of support.

137. On balance, I consider that it is probably better to omit a reference to the NPPF, but if desired, this could be included by referring to the "National Planning Policy Framework 2012". It would be advisable to mention the publication date, in case a new policy framework is issued during the lifetime of the Neighbourhood Plan.

138. By amending the policy so that it allows development as an exception in "very special circumstances", the policy would not only accord with green belt policy but would also cover the sort of circumstances mentioned by Southern Water, who are evidently concerned that an essential, unavoidable (though non-emergency) need could arise for a development involving utility infrastructure such as a pumping station.

139. I think it would be preferable for the policy to refer specifically to the map showing Local Green Spaces rather than an appendix.

140. Taking the above matters into account, I recommend that the policy be amended to read:

Policy CLW6: Local Green Spaces
The Parish Council has designated the areas shown on Map D as Local Green Space. Proposals for the development of land designated as Local Green Space will not be permitted except in very special circumstances.

Policy CLW7 (labelled CLW6)

141. I recommend that the bold text be amended so that this policy is headed: "Local Open Spaces".

142. The comments above about the reference to a map and to the policy expressing "no support" apply again. I suggest that the rather vague "will not be supported unless..." should be replaced by "will not be permitted unless...". There is also a minor error in the text of this policy in that a word (which I guess to be "land") is omitted from "development of designated" in the second line.

143. After I questioned the fact that a built-up area (the new housing development at Blake's Mead) was shown on Map E as Local Open Space subject to this policy, a revised map was submitted on behalf of the Parish Council. On this revised map, only the open spaces within Blake's Mead are shown as subject to this policy. As it would not be sensible to apply the policy to a built-up area, the revised map should be substituted for the version in the submission plan.

144. I recommend the following wording:

Policy CLW7: Local Open Spaces
The Parish Council has designated the areas shown on Map E as Local Open Space. Proposals for development of land designated as Local Open Space will not be permitted unless such development would promote or enhance the use of the land as Local Open Space.
Other Aspects of the Plan and Related Documents

Section 6 - Introduction to Policies

145. On page 22 of the plan, under the heading "The Presumption in Favour of Sustainable Development", there is a paragraph which states:
"Felpham Parish Council will take a positive approach to its consideration of development. The Council and the local planning authorities will seek to work with applicants and other stakeholders to encourage the formulation of development proposals that can be approved."

146. Then the immediately following paragraph refers twice to "this policy". I have two comments on this part of the plan. First, I doubt that the Parish Council as the body responsible for preparing the Neighbourhood Plan can properly commit the District Council (the local planning authority) to a particular way of working. Second, this text reads as if at least some of it is intended to be a policy of the plan. If so, the Parish Council may wish to consider whether to give it the status of a policy, by labelling it with a heading and reference number and printing it in colour like the other policies, subject to amendment allowing for my comment about the reference to the planning authorities. I am not making this a recommendation; it is a suggestion for consideration.

Additional Policy Suggestion

147. Southern Water has suggested that the plan should have an additional policy, stating: "New and improved utility infrastructure will be encouraged and permitted in order to meet the identified needs of the community." Although I can understand the reasons for this suggestion, I do not see a compelling case for including a special policy of this type in the Neighbourhood Plan. It would go beyond policies in either the 2003 Local Plan or the emerging draft Local Plan; and the implied commitment to permit all proposals for new and improved utility infrastructure, subject only to the criterion about "identified needs", would be too sweeping. Therefore I do not recommend including this suggested policy.

Supporting Text

148. There are several places in the text of the plan where unexplained terms are used. It would help readers to understand the plan if such terms were briefly explained, or if a source reference were given, especially as there is no glossary. Examples are:

- In paragraph 8.13 - the reference to "Type A" Green Infrastructure Corridors: I suggest that the plan could mention that "Type A" is defined at paragraph 17.0.14 of an Arun District Council document "Draft Local Plan 2013-2028 Consultation".
- In policy ESD1 - the unexplained reference to "12 out of 12 Greens": I have covered this point in paragraph 58 above.
- In several places, terms such as "Class B1 light industrial use" are used. Many readers of the Neighbourhood Plan will not be familiar with the legislation being referred to here (the Town and Country Planning (Use Classes) Order 1987 as amended).
- Unexplained abbreviations such as CIL, which again many readers may well not recognise.

149. The need to amend the tables on pages 23, 26, 32 and 34 as mentioned in paragraph 34 above should be noted.
Basic Conditions Statement

150. The revised policy comparison table mentioned in paragraph 15 above (this is the table emailed to me, with the additional column including the policies of the 2003 development plan) should be substituted for the table on pages 8-10 of the Basic Conditions Statement. Some further amendments to this table will need to be considered to take account of omitted policies. The text at paragraph 2.2 of the introduction to the Neighbourhood Plan should also be amended, to avoid it appearing to state that the Localism Act requires the Neighbourhood Plan to accord with the Draft Arun District Local Plan 2013-2028 (or, as it may now be, 2029).

Maps

151. As has been pointed out by the District Council and other parties, the map in the Basic Conditions Statement is unclear. Although the parish boundary can be made out and the words in the key can be guessed at, the map is not properly readable. There are similar problems with the maps in the plan itself. I understand that those involved are aware of these problems and that steps are being taken to provide improved versions in the final version of the plan.

Consultation Statement

152. Arun District Council has commented that the table on page 19 of this document does not accurately reflect the District Council's representation. As far as I can see, most of the District Council's representations have not been included in this table. The District Council also want it to be noted that comments made by the District Council's transport policy team were made on behalf of the District Council as a body, not by the transport policy team as an independent party. It should be possible to allow for these points with some appropriate amendments to the Consultation Statement.

The Next Stage - the Referendum and its Area

153. This report contains quite a large number of recommendations, relating not only to policies in the plan but also to parts of the supporting text and the maps. These points will now need to be considered as part of the next stage.

154. I recommend that the Neighbourhood Plan, as amended following my recommendations, be submitted to a referendum. I do not see any reason to alter the plan area for the purpose of holding a referendum.

155. If the plan goes forward to a referendum and receives a simple majority of the votes cast, it will then proceed to be "made" by Arun District Council, so that it can become part of the statutory development plan for the area, carrying the weight appropriate to such plans when planning decisions are taken.

Graham Self MA MSc FRTPi
17 April 2014.
APPENDIX 1: SUGGESTED EDITING CORRECTIONS

Note: The list below is not intended to be comprehensive, as I have only included the most obvious textual errors and have not listed those which could be regarded as matters of style or taste.

Page

9. "Agencies" in paragraph 3.9 should be "Agency's".

9. "sort" in paragraph 3.9 should be "sought".

9-10. The paragraph numbering is missing from most of these pages.

10-11. "Felpham Conservation Area" should be a sub-heading in bold text. The text in paragraphs 3.16 and 3.17 should be swapped, then another sub-heading "Other Areas" is needed before paragraph 3.17.

11. "Exist" in paragraph 3.17 should be "exists".

11. "in the village" is repeated in the first sentence of paragraph 3.21.

11. "which are frequent however..." in paragraph 3.26 should be "which are frequent. However...".

12. In paragraph 3.32, the full stop after "schools should be a colon and "provision's" should be "provisions".

13. "retails" in paragraph 3.48 should be "retail".

13. "kilometers" in paragraph 3.48 should be "kilometres" (unless you want to use US spelling!).

19. "Arun DC Council" in paragraph 5.8 should either be "Arun DC" or Arun District Council".

22. The paragraph numbering is missing from the paragraphs towards the bottom of this page.

27. Paragraph after 8.3 - paragraph number missing (so later paragraphs will need to be re-numbered).

32. "Netwotk" should be "network".

32. Paragraph after 9.1 - paragraph number missing.

33. Paragraph after 9.3 - paragraph number missing.

35. "tranquility" in paragraph 10.6 should be "tranquillity".

35. CLW6 should be CLW7.

35. Policy CLW6 - missing word in "development of designated".

38. The numbering in this Contents list (2, 2, 2, 4, 5, 7, 7 etc) appears haphazard.
39. "of preparing" should be "of preparing".
40. "what development" should be "what development".
40. "plan by" should be "plan by".
40. "and local" should be "and local".
40. "the plan" should be "the plan".
45. "has as borders of" - delete "of".
45. "recreational value" should be "recreational value".
45. "It also has" should be "They also have". Alternatively, "Old Rectory Gardens" (plural) should be "Old Rectory Garden" (singular).
45. The same applies to "it is a place", "It is the gardens" and "across it".
45. "the promenade" should be "the promenade".
45. "The greenswards" should be "The greenswards".
46. "to Felpham" should be "to Felpham".
46. "Way to" should be "Way to".
46. "Rife Way" should be "Rife Way".
46. "to the" should be "to the".
46. "the Parish" should be "the Parish".
46. "gap between" should be "gap between".
46. "Housing development" should be "Housing development".
46. "old and" should be "old and".
47. "adopted development" should be "adopted development".
47. "site is" should be "site is".
47. "for development" should be "for development".
47. "historic background" should be "historic background".
47. "tranquility" should be "tranquillity".
48. "This this" should be "This".
49. "playing fields...its" should be "playing fields...their".

Map B
"Conservation Areas" should be "Conservation Area".