

Southbourne Parish Neighbourhood Plan 2014-2029

Addendum Report

A Report to Chichester District Council of the Examination into the Southbourne Parish

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1.0 Introduction and Role of the Independent Examiner

- 1.1 In considering whether the Southbourne Parish Neighbourhood Plan met the basic conditions, I assessed the general conformity of this plan against the 1999 Local Plan earlier this year with my final report being submitted to Chichester District Council and Southbourne Parish Council in May 2015.
- 1.2 The Chichester Local Plan: Key Policies 2014-2029 (CLPKP) was adopted on 14 July 2015. This has replaced the previous 1999 Local Plan in its entirety for the parts of Chichester District outside the South Downs National Park. The policies contained in the new Local Plan provide the up to date policy framework for sustainable development in the district up to 2029. Neighbourhood planning provides communities with the power to establish policies to shape the future development of their local areas at the parish level. This Report considers the extent to which the examination of the Southbourne Parish Neighbourhood Plan, referred to as the Plan, is compatible with the relevant policies of the newly adopted CLPKP.
- 1.3 For avoidance of doubt the development plan against which I was instructed to assess the Southbourne Parish Neighbourhood Plan earlier this year was the Chichester District Local Plan first review, which was adopted in April 1999. From 28 September 2007, only the remaining 'Saved Policies' had any effect for development management purposes.
- 1.4 My role as an Independent Examiner, when considering the content of a neighbourhood plan is limited to testing whether or not the draft neighbourhood plan meets the basic conditions, and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended). This role is narrow; it is not testing the soundness of a neighbourhood plan or examining other material considerations.
- 1.5 Paragraph 8 of Schedule 4B to the Town & Country Planning Act 1990 (as amended) [excluding 2b, c, 3 to 5 as required by 38C(5)], states that the Plan must meet the following “basic conditions”;
- it must have appropriate regard for national policy;
 - it must contribute towards the achievement of sustainable development;
 - it must be in general conformity with the strategic policies of the development plan for the local area;
 - it must be compatible with human rights requirements and
 - it must be compatible with EU obligations.
- 1.6 In accordance with Schedule 4B, section 10 of the Town & Country Planning Act 1990, Part 2 (as amended), the report contained recommendations and made the recommendation that modifications specified in the examination report are made to the draft plan and that the draft plan as modified, may be submitted to a referendum, covering the entire Southbourne Parish Neighbourhood Plan area to which the Plan relates.
- 1.7 As stated in my examination report in May 2015, I have found that the Plan in relation to the *basic conditions* meets the following tests:

- it has appropriate regard for national policy;
- it would contribute towards the achievement of sustainable development;
- it is compatible with human rights requirements and
- it is compatible with EU obligations.

1.8 The Plan has not been formally assessed as to whether the Plan is in general conformity with the strategic policies of the **newly adopted** development plan for the local area, as at the time of the examination, the CLPKP was itself still subject to examination.

1.9 In examining the Plan earlier this year, due to age and relevance of the saved policies of the Chichester District Local Plan first review adopted in April 1999, I gave greater weight to advice contained in the NPPF in the examination of this Plan, than the saved extant local plan policies.

1.10 This Addendum Report seeks to consider the extent to which the Plan complies with the strategic policies of the recently adopted CLPKP, as requested by the local planning authority and Southbourne Parish Council.

2.0 **Conformity with the Strategic Policies for the local area contained within the Chichester Local Plan: Key Policies 2014-2029 (CLPKP), adopted on 14 July 2015**

2.1 At paragraph E2.1 of the Strategic Environmental Assessment prepared by Urban Edge in August 2024, this report states that,

“The Southbourne Parish Neighbourhood Plan will form an important part of the statutory development plan for Chichester District outside of the South Downs National Park. It will implement the strategic direction established in the Chichester Local Plan Key Policies Pre Submission 2014 - 2029 in so far as it relates to Southbourne Parish, and allocate sites for development to meet the parish’s housing, employment and infrastructure needs between now and 2029.”

2.2 The SEA was therefore prepared having regard to the strategic direction of the CLPKP. Furthermore, in relation to the Basic Conditions Statement at paragraph 5.4, this states:

“They also reflect the provisions of the CLPKP and especially its Policy 20, which establishes Southbourne village as a strategic development location in the District to deliver 300 new homes. The Table therefore also includes references to the most relevant CLPKP policies as a guide to the reasoning and evidence used by the Neighbourhood Plan in finalising its policies.”

2.3 In preparing the Basic Conditions Statement, the strategic policies of the development plan for the local area were therefore considered.

2.4 I now review the extent to which the Plan policies, as recommended in my Examination Report, May 2015, reflect the recently adopted CLPKP policies.

2.5 Recommended Plan Policy 1

“Policy 1: ~~Development within the Settlement Boundaries~~ Spatial Strategy”

The Neighbourhood Plan will support development proposals located inside the Settlement Boundaries of Southbourne/Prinsted, Nutbourne West and Hermitage/Lumley/Thornham, as shown on the Policies Map, provided they accord with other provisions of the Neighbourhood Plan and development plan. ~~Development proposals outside the Settlement Boundary will be required to conform to development plan policy in respect of the control of development in the countryside.~~

4.4 This policy encourages / directs future development in the parish to the established settlements of Southbourne/Prinsted, Nutbourne West and Hermitage / Lumley / Thornham.”

- 2.6 The Basic Conditions Statement avers that Policy 1 is in general conformity with the Pre - Submission Local Plan CLPKP policies 2, 4, 5, 8, 20, 42, 43 and 50. The CLPKP defines Southbourne as a “Settlement Hub” and retains the concept of settlement boundaries. CLPKP Policy 2 confirms, *“that there is a presumption in favour of sustainable development within the Settlement Boundaries which will be reviewed through the preparation of Development Plan Documents and/or Neighbourhood Plans, reflecting the following general approach:*

*Respecting the setting, form and character of the settlement;
Avoiding actual or perceived coalescence of settlements; and
Ensuring good accessibility to local services and facilities.”*

- 2.7 In relation to the adopted CLPKP, I consider that recommended Plan Policy 1 would meet the Basic Condition of being in conformity with the relevant now adopted CLPKP policies.

2.8 Recommended Plan Policy 2

“Policy 2: Housing Site Allocations”

The Neighbourhood Plan allocates the following sites for housing development of a mix of mainly 1, 2, 3 and 4 bedroom homes, as shown on the Policies Map, subject to the development principles outlined:

- I. 150 dwellings on land at Loveders Mobile Home Park, Main Road, provided the scheme:
 - a. is accessed from the A259 Main Road only;*
 - b. meets its public open space requirements by providing land to form part of the Green Ring proposed in Policy 3, comprising a playing field, an equipped children’s play space and informal open space;*
 - c. safeguards land within the site for the future erection of a pedestrian footbridge over the railway east of Southbourne station and connects this to the footpath network of the Green Ring;**

- d. enables the provision of a new footpath to Southbourne railway station, to the satisfaction of Network Rail, and makes a reasonable financial contribution to the cost of implementing this footpath;
- e. demonstrates by way of a site specific flood risk assessment that the proposed development would be acceptable incorporating Sustainable Drainage Systems (SuDS) to prevent increases in surface water flood risk; and
- f. includes a Solent-wide strategic mitigation package proportionate to the scale of the recreational disturbance to the Chichester Harbour SPA.

II. 125 dwellings on Land North of Alfrey Close, provided the scheme:

- a) is accessed from the A259 Main Road;
- b) meets its public open space requirements by providing land to form part of the Green Ring proposed in Policy 3, comprising informal open space and an equipped children's play space;
- c) demonstrates by way of a site specific flood risk assessment that the proposed development would be acceptable incorporating Sustainable Drainage Systems (SuDS) to prevent increases in surface water flood risk; and
- d) includes a Solent-wide strategic mitigation package proportionate to the scale of the recreational disturbance to the Chichester Harbour SPA.

III. 25 dwellings on Land at Gosden Green, provided the scheme:

- a) is accessed from the A259 Main Road by way of a new road along the eastern boundary of the site; ~~the alignment and specification of which takes into account the provisions of Policy 9 of the SPNP;~~
- b) meets its public open space requirements by providing land to form part of the Green Ring proposed in Policy 3, comprising informal open space;
- c) includes a Heritage Statement identifying mitigation proposals where evidence indicates potential presence of remains;
- d) demonstrates by way of a site specific flood risk assessment that the proposed development would be acceptable incorporating Sustainable Drainage Systems (SuDS) to prevent increases in surface water flood risk; and
- e) includes a Solent-wide strategic mitigation package proportionate to the scale of the recreational disturbance to the Chichester Harbour SPA.

IV. 50 dwellings on Land at Nutbourne West, provided the scheme:

- a) is accessed from the A259 Main Road only;
- b) provides a significant landscape buffer along all its boundaries, comprising structural landscaping, public allotments, informal open space and a children's play area;
- c) makes a reasonable financial contribution towards a package of drainage works to mitigate the impacts of the development and to ensure that existing flooding problems in the vicinity of the site and downstream are not exacerbated;
- d) makes provision for car parking spaces to benefit dwellings adjoining the site;
- e) includes a Heritage Statement identifying mitigation proposals where evidence indicates potential presence of remains;
- f) demonstrates by way of a site specific flood risk assessment that the proposed development would be acceptable incorporating Sustainable Drainage Systems (SuDS) to prevent increases in surface water flood risk; and

g) includes a Solent-wide strategic mitigation package proportionate to the scale of the recreational disturbance to the Chichester Harbour SPA.

All the proposed allocations will be expected to deliver affordable housing in accordance with the policies of the development plan and to provide financial contributions to meeting their infrastructure requirements and other provisions of the Neighbourhood Plan, as indicated in Proposal 2.

2.9 The Basic Conditions Statement in relation to the Pre – Examination version of the CLPKP identified that Examination Plan Policy 2 was in conformity with the then draft CLPKP policies 9, 31, 33 and 34.

2.10 In regard to the adopted CLPKP policies, I am of the opinion that the Plan housing allocations policy also reflects the recently adopted Local Plan policies, concerning infrastructure requirements as indicated in adopted Policy 9; and adopted Policy 31 (in that the Loveders Mobile Home Park allocation at Southbourne village would replace a caravan site, which is not protected by this policy). The Plan is also consistent with adopted CLPKP Policy 33 concerning design quality, in that the Plan sites are capable in principle of meeting the design standards of that policy). The housing site allocations should also prove to be consistent with the affordable housing expectations in adopted CLPKP Policy 34, subject to viability.

2.11 **Plan Policy 3: The Green Ring**

“The Neighbourhood Plan proposes the establishment of a Green Ring around the village of Southbourne, as shown on the Policies Map, comprising a variety of green infrastructure assets, including informal open space, allotments, a playing field, a footpath/cycleway network, children’s play areas, woodland and land of biodiversity value.

Development proposals that lie within the broad location of the Green Ring will be required to align their public open space requirements with its objectives, so that they contribute to its successful formation and maintenance. Proposals that will lead to the unnecessary loss of Green Ring land or features or that will prejudice the completion of the Green Ring will be resisted.”

2.12 In my examination of the draft policies, I considered that this policy was acceptable in relation to the then adopted planning policies.

2.13 In the Basic Conditions Statement, having regard to the policies of the Pre – Submission version of the CLPKP, draft Southbourne NP Policy 3 was considered consistent with:

- a. Policy 48 (in respect of requiring proximate development proposals to contribute to building and maintaining the biodiversity value of the Green Ring);
- b. Policy 52 (which establishes the design principles of green infrastructure assets in the district); and
- c. Policy 54 (which resists the loss of open space and recreational land and seeks to increase the level and quality of its provision in development proposals).

- 2.14 Concerning the revised adopted CLPKP Policies 48, 52 and 54, I agree that these remain consistent with Plan Policy 3: The Green Ring.

2.15 **Recommended Plan Policy 4: Housing Design**

“Development proposals will be supported, providing their scale, density, massing, height, landscape design, layout and materials, including alterations to existing buildings, reflect and enhance the architectural and historic character and scale of the buildings and landscape of Southbourne Parish.

All development proposals must be able to demonstrate they will not increase the risk of flooding on or adjoining the proposals site, ~~informed, if appropriate, by a site specific flood risk assessment, incorporating Sustainable Drainage Systems (SuDS) to prevent increases in surface water flood risk. and that they will safeguard and enhance biodiversity in accordance with Policy 7 of the SPNP.~~”

- 2.16 In the Basic Conditions Statement, Draft Plan Policy 4 on housing design, was considered to be consistent with draft Policy 33 in the CLPKP Pre – Submission version of the Local Plan. This required development proposals to meet the highest standards of design and to respect and enhance the character of the surrounding area. I consider that Plan Policy 4 is compatible with adopted CLPKP Policy 33 and also adopted CLPKP Policy 42 concerning flood risk mitigation and water management.

2.17 **Recommended Plan Policy 5: Employment**

“Development proposals for new business-related development will be supported, provided:

- i. they do not adversely impact neighbouring residential properties; and*
- ii. they do not lead to the loss of existing community facilities;*
- iii. they do not adversely affect transport and other infrastructure.*

Development proposals that enhance the operational effectiveness and appearance of existing employment sites and facilities, or to redevelop those sites to provide modern commercial units and associated facilities, will be supported, provided they do not adversely impact neighbouring residential properties.

Development proposals that will result in the loss of employment floorspace will be resisted, unless it can be demonstrated that either there will be an increase in jobs as a result of the proposals enabling a higher employment density to be achieved or the use is no longer viable.

In assessing viability, developers should prepare and submit:

- a) a marketing report; and*
- b) a viability assessment;*

to support development for other land use proposals and be willing, at the discretion of the local planning authority to fund a “peer” review of both the marketing report and viability assessment, if requested.”

2.18 In assessing Plan Policy 5: Employment, in respect of the Pre – Submission version of the CLPKP, the Basic Conditions Statement, found that the Plan’s draft Policy 5 was consistent with the then draft CLPKP, Policy 26. This encouraged proposals that will enhance existing employment sites, subject to successfully addressing local amenity issues. This emerging local plan policy sought to protect existing uses from unnecessary loss. In relation to adopted Policy 26, this CLPKP policy is augmented by Appendix E. This sets out, “appropriate marketing Guidance” to demonstrate whether there is no realistic prospect of existing land uses continuing in the future. Examination neighbourhood plan Policy 5, with the recommended amendment, is consistent with Policy 26 and the supplemental guidance in Appendix E.

2.19 **Recommended Plan Policy 6: Village Centre & Local Shops**

“Development proposals to change the use of existing shops or commercial units will be resisted, unless it can be demonstrated their continued use is no longer viable.

In assessing viability, developers should prepare and submit:

a) a marketing report; and

b) a viability assessment

to support development for other land use proposals and be willing, at the discretion of the local planning authority to fund a “peer” review of both the marketing report and viability assessment, if requested.”

2.20 The relevant Pre – Submission CLPKP policy against which draft Plan Policy 6 was assessed in the preparation of the Basic Conditions Statement, was draft Policy 29. In the case of the adopted CLPKP Policy 29, the viability testing arrangements set out in Appendix E to the adopted CLPKP shall also apply. Thus, Recommended Plan Policy 6 is consistent with adopted CLPKP Policy 29 in respect of protecting retail uses in local centres, parades or at isolated locations from unnecessary loss.

2.21 **Recommended Plan Policy 7: Environment**

Development proposals ~~must seek to avoid having any significant environmental effects on designated environmental and landscape assets,~~ should conserve and enhance designated environmental and landscape assets, especially the Chichester and Langstone Harbours Special Protection Area and Chichester Harbour Area of Outstanding Natural Beauty. Where effects are unavoidable and their impact may be less significant to the surrounding locality, then the proposals must show how these effects will be mitigated to the satisfaction of the local planning authority.

In addition any development proposals must contribute to and enhance the natural environment by ensuring the protection of local assets and the provision of additional habitat resources for wildlife and green spaces for the community.

2.22 In terms of the Pre – Submission Draft CLPKP, the Basic Conditions Statement observed that Plan Policy 7 was consistent with a range of policies, most notably policies 45, 48, 49, 50 and 52 in the then draft Local Plan, in continuing the protection and enhancement of designated and non-designated environmental assets. I concur that in relation to the adopted CLPKP that Recommended Plan Policy 7 will also conform to adopted local plan policies, 45, 48, 49, 50 and 52.

2.23 **Plan Policy 8: Education**

“The Neighbourhood Plan allocates land to the west of Bourne Community College, as shown on the Policies Map, for outdoor educational and recreational uses, and for any ancillary buildings related to the recreation use, provided they:

- i) are accessed from the existing access to the College site off Park Road;
- ii) any disturbance to the amenity of local residents by way of noise and light pollution is avoided or satisfactorily mitigated; and
- iii) make provision for land to contribute to the delivery of the Green Ring in Policy 3 of the SPNP.”

2.24 In considering this draft Plan Policy against the Pre – Submission CLPKP, the Basic Conditions Statement commented that the neighbourhood plan policy conformed to Policy 45 of the Pre – Submission CLPKP. This was because the expansion of outdoor recreational facilities for the community college cannot be met from within the settlement boundary at Southbourne village and that the proposals will have minimal impact on the landscape and rural character of the area.

2.25 Regarding the possible expansion of the Bourne Community College with new outdoor recreational facilities, outside the settlement boundary, this could be justified having regard to adopted CLPKP Policy 45, to the extent that the College expansion proposals were to require a countryside location and meet essential, small scale, and local need, which cannot be met within, or immediately adjacent to existing settlements.

2.26 **Draft Plan Policy 9: Transport**

2.27 Notwithstanding that the Basic Conditions Statement indicated that draft Plan Policy 9: Transport, would have conformed to Pre – Submission draft CLPKP Policy 38, the adopted Development Plan, at the date of the Southbourne Parish Neighbourhood Plan examination, was the Chichester District Local Plan first review, adopted in April 1999. From 28 September 2007, only the remaining 'Saved Policies' had effect for development management purposes.

3.0 **Conclusion**

3.1 Although the Southbourne Parish Neighbourhood Plan has been formally examined in relation to the former saved policies of the Chichester District Local Plan first review, adopted in April 1999, this Addendum report demonstrates that the recommended policies and policy changes identified as a result of that independent examination would also be justifiable in relation to the relevant recently adopted local plan policies in the CLPKP.

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