

Table 1

			Response
Southern Water	Policy EH4	<p>Southern Water support this policy and its intention to limit additional flood risk as a result of any new development. We would add that whilst Southern Water is not responsible for land drainage or the risk of flooding from rivers, surface water, ordinary/minor watercourses, or groundwater, flooding from such sources can adversely impact the functioning of our assets.</p> <p>In connection with the drainage and flooding issues affecting Boxgrove as set out in paragraph 3.3.2 of the Boxgrove Neighbourhood Plan, Southern Water welcome the aim of the Parish council not to exacerbate the level of flood risk in the area, as an increased risk could affect the functioning of the foul drainage network. Therefore, Southern Water would expect new development to apply the drainage hierarchy for surface water as set out in the Planning Practice Guidance and Approved Document H3 of the Building Regulations.</p>	Noted
		<p>Additional policy on the provision of water and wastewater infrastructure</p> <p>Southern Water is the statutory wastewater undertaker for Boxgrove and as such has a statutory duty to serve new development within the parish.</p> <p>Although there are no current plans, over the life of the Neighbourhood Plan, it may be that we will need to provide new or improved infrastructure either to serve new development and/or to meet stricter environmental standards.</p> <p>It is important to have policy provision in the Neighbourhood Plan which seeks to ensure that the necessary infrastructure is in place to meet these requirements. However, we could find no policies to support the provision of new or improved utility infrastructure. One of the core planning principles contained in paragraph 17 of the NPPF is to '<i>proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs</i>'. Also the National Planning Practice Guidance states that '<i>Adequate water and wastewater infrastructure is needed to support sustainable development</i>'.</p> <p>Although the Parish Council is not the planning authority in relation to wastewater development proposals, support for essential infrastructure is required at all levels of the planning system.</p> <p>Proposed amendment</p> <p>To ensure consistency with the NPPF and facilitate sustainable development, we propose an additional policy as follows:</p> <p><i>New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan</i></p>	Policy EH10 added
Mr Addison		<p>I have recently visited one of the consultation evenings at the village hall to review the proposals in the Boxgrove Neighbourhood Plan and have no objections in general to the principles of the plan or to the housing site allocation off Priors Acre. I also have no objections in principle to the suggested 'reserved' site at Halnaker provided it provides for the realignment of the southern arm of the dangerous Halnaker crossroads junction to a safer location.</p> <p>As regards the volume and speed of traffic through the village, this is becoming more of an issue and will only worsen when the strategic site for 2,000 dwellings at Tangmere comes forward. This and the proposed developments at Shopwhyke Lakes and Westhampnett will put severe pressures on Portfield roundabout and it is feared that many existing residents of Tangmere will use Boxgrove and Lavant as a short cut to avoid delays at Portfield. The volume of traffic through Boxgrove will therefore undoubtedly increase. The speed of traffic through the village is already an issue and the village traffic calming group are currently working on possible solutions to try and mitigate this. However, funding is an issue and therefore S106 and CIL contributions should be required towards funding; both from developments within Boxgrove but also from the strategic development site at Tangmere.</p>	Noted. Make the PC aware.
CDC	Page 5	Amend title of Chichester Local Plan to read Chichester Local Plan: Key Policies 2014-2029 (CLPKP). Reference also needs to be made the NP being a joint plan with the South Downs National Park Authority (SDNPA) and that currently the development plan also includes the saved policies from the Chichester Local Plan – First Review (April 1999) for the SDNPA area. (Similarly section 2.1.2 on Page 9 also needs amending to include these references).	Agree
CDC	Page 10 Section 3	The NP is to be commended for its identification of community facilities, the asset register, reference to the Community Infrastructure Levy (CIL) and how the Parish wishes to spend the allocation. However, the NP does not appear to support or value Boxgrove Village Hall as it does other community buildings. The Parish Council may need to reconsider this for consistency in the NP.	Village Hall is a charitable trust and therefore never likely to come up for sale. It is not felt necessary to include it on the register
CDC	Page 16: Section 3.5 Getting Around	It is noted that the NP is generally positive with regard to encouraging non-car modes of transport. The document may benefit from clarity and more detail about where any such related infrastructure is desired. For example this could be by way of a marked plan etc. Such an approach might be of assistance where Neighbourhood Plans for neighbouring/abutting parishes seek to sensibly interrelate so as to support and build upon one another's aspirations.	Noted. The Plan has a clear map suggested permissive paths which could be used by neighbouring parishes to build upon.
CDC	Page 22: Section 4.2 Core Objectives - 3 Community	The text states to 'create new and improve and maintain Parish facilities by retaining the facility of a village shop and pub'. The NP goes on to set out the wish to enhance and extend existing play and exercise facilities, provide opportunities for activities and support services but does not mention anything about protecting, supporting, extending, improving the village hall and the services it provides or the St Blaise Centre. The text may need some minor rewording on this basis.	The community have not ever mentioned a wish to extend the current Halls so the team does not feel that it can add this. Any application for such an extension would be upon normal planning merits.
CDC	Page 23: Para 4.2 Core Objectives	States 'Issues that are not relevant to the NP, will be dealt with via a Community Action Plan'. It is not clear where this plan is and it would be helpful if this was referenced or if some indication as to when/where/how it will be drafted was included in the text.	See Appendix A
CDC	Page 24: Section 4 – Housing	As the site at Halnaker Crossing has been removed from the NP the text in the first bullet point may no longer be required.	Agree

			Response
CDC	Page 27: Policy SB1 – Settlement boundary/ recognised village envelope	The map showing the settlement boundary at Boxgrove (Map G) has not been updated in accordance with the amended settlement boundary identified in the Site Allocations DPD. This amendment identifies how the parish is meeting the housing numbers set out in the CLPKP. It would also be helpful if the policy made reference to the map where the boundary is set out. Map F indicates the 'Recognised village envelope' for Halnaker but it is not clear what the intention of this boundary is or what is meant by this terminology. No settlement boundary has previously been identified by CLPKP for Halnaker and it does not form part of the settlement hierarchy identified in the CLPKP. Is the intention that the recognised rural envelope boundary fulfils the role of a settlement boundary? If not then what role does this boundary fulfil and how does this relate to the determination of planning applications? CDC also questions how this boundary has been defined as there are some quite large open areas included if the intention is that this is a settlement boundary. Equally if the purpose of the boundary is to identify an area where windfall sites will be considered acceptable in principle then again there are a number of areas that are opened up to potentially speculative development. Suggest that this is carefully considered again and clarified. The bullet point criteria need to comply with CLPKP Policies 45 and 46.	This policy was originally included following a proposal by Goodwood Estate for development at Halnaker. That proposal was removed and the policy is now not needed. Remove wording.
CDC	Page 29: Policy EH3 Reinstatement and restoration of land at Boxgrove and Eartham Quarries	Suggest the wording clarifies when this would happen, at the end of the quarrying for example. The original planning permission will have specific conditions relating to this that would need to be complied with.	Policy states 2021 which is what is stated in the planning permission.
CDC	Page 29: Policy EH5 Development on Agricultural Land	Need to state which grades are included in 'best and most versatile land' as the maps shows all grades. 'other land-based rural business' . It is not clear what this means; suggest this is checked for compliance with CLPKP.	Wording agreed by previous Examiners. land-based rural business is a term used in the NPPF
CDC	Page 30: Policy EH6 Landscape Character and important views	There needs to be a map identifying clearly the 'important views' that are considered relevant to the NP. In addition the second paragraph is not clear and may benefit from some rewording.	Shown on the Townscape appraisal maps in the EB but will be added as an appendix.
CDC	Page 31: Policy EH7 Dark Skies	Street lighting may be required for highway safety and/or crime/security reasons. The last sentence is unlikely to be a realistic requirement.	Don't agree. The policy is flexible as it requires conformance with the highest standards. This policy has been approved by examiners in many other parishes which adjoin the SDNP.
CDC	Page 31: Policy EH8 Conserve and Enhance the Heritage Environment	1st bullet point – it may be more appropriate to include 'natural beauty and wildlife' in other policies (for example ecology etc.) rather than in this specific policy aimed at the heritage environment. Last bullet point – unclear what is meant by 'existing designed or natural landscapes'.	Amended. Designed or natural landscapes refers to landscapes that have been 'built' as apposed to those that were formed naturally
CDC	Page 32: Policy EH9 South Downs National Park	Suggest this is brought more in line with the SDNPA wording.	SDNP are happy with the policy
CDC	Page 32: Policy EE1 Support existing employment and retail	Suggest that the policy wording is checked to mirror and include reference to Chichester Local Plan: Key Policies Appendix E Appropriate Marketing Guidance which expands on the intention of the policy as worded.	Policy amended
CDC	Page 33: Policy EE2 Tourism activities	Second para - is the intention that this relates to built facilities? This is not listed as a use that is currently acceptable in Policy SB1? The policy states that the proposed use should be sustainable but in this context this is not a justification for building outside the settlement boundary. Suggest some further thought is given to the wording of the policy.	We are happy as written. Policy SB11 states 'where other policies within this Plan incite otherwise'
CDC	Page 34: Policy EE3 Communications Infrastructure	Suggest the policy may read better if a new para starts after the end of the first sentence. The policy appears to support approval for all communications masts, is this the intention? May need to consider this further in terms of the wording of the policy. Also need to consider the potential impact on wider views and the landscape etc.	Added the potential impact on wider views and the landscape to the policy

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CDC	Page 34: Policy EE4 Agricultural/ Horticultural/ Equine/ Vinicultural employment	The policy as currently worded is inflexible; suggest the inclusion of criteria (for example in relation possibly to marketing, viability etc).	Marketing info added
CDC	Page 34: Policy EE5 Rural Buildings	This should comply with CLPKP Policy 46; also need to be clear what is meant by tourism purposes (for example, holiday lets or other use?)	Tourism is a recognised term within the CDC Local Plan. We don't feel it needs explanation. This policy merely introduces some Parish specific provisions into Policy 46 such as traffic.
CDC	Policy LC1 Support Independent Living	The definition of 'independent living' needs to be clear.	Don't agree Independent living means all disabled people having the same freedom, choice, dignity and control as other citizens at home, at work and in the community. It does not necessarily mean living by yourself or fending for yourself. It means rights to practical assistance and support to participate in society and live an ordinary life.
CDC	Policy LC3 Protection of assets of community value	CDC welcomes the identification of The Anglesey Arms as being included on the Asset Register. The other policies in this section refer to the village shop and Boxgrove School but make no mention of the village hall. Suggest the text may need some minor rewording on this basis.	The Village Hall is held in trust and cannot be sold. The school is unlikely to be purchased by the community if it were to come on the market.
CDC	Page 36: Policy LC2 Healthcare facilities	Suggest the inclusion of the words 'subject to the other policies in the Boxgrove Neighbourhood Development Plan' in the policy.	Agree
CDC	Page 37: Policy LC6 Village Shop and Policy LC7	Boxgrove School are referred to but there is no reference to the village hall? Suggest some rewording on this basis. Policy LC6 does not currently provide flexibility and it may be helpful to relate this to when and under what circumstances any alternative use may be considered, for example as with the employment and retail policies above, by including reference to Chichester Local Plan: Key Policies Appendix E. Appropriate Marketing Guidance.	Done
CDC	Page 37: Policy LC7 Boxgrove School	Suggest the inclusion of the words 'subject to the other policies in the Boxgrove Neighbourhood Development Plan' in the policy.	Done
CDC	Page 38: Policy H1 Quality of Design	Some of the criteria may not be achievable (for example, criterion 2, 6 and 9). Suggest some of the wording is reconsidered and checked to be deliverable and enforceable.	Don't agree. All of these features are important if design is to be of a high standard. The PC has already raised the issue of poor design with CDC.
CDC	Page 40: Policy H3 Windfall Sites	Need to be clear what is meant by 'recognised village envelope', is this intended to be a settlement boundary or is the intention that countryside policies are relevant inside the envelope? Suggest careful consideration is required of this policy as this could potentially lead to unsolicited development. Criterion vii) – all land in the settlement boundary is acceptable in principle so this may need to be reworded. Criterion viii) – suggest adding the words 'as appropriate' at the end of the sentence. It is not clear from the wording whether these sites are to be allocated as the wording only refers to 'support' for development. Site 7 Land at The Old Granary There is currently no overriding requirement for the parish to identify any further housing allocations. This is a sensitive site in close proximity to various recognised heritage assets. However, it is noted that a detailed heritage impact assessment has been compiled in relation to the proposal for this site. If the Parish considers there is sufficient local community support for the inclusion of this site, and subject to any comments made by key statutory bodies, it is suggested that it may be helpful to include additional criteria to protect the characteristics of the site and mitigate any potential impact development proposals may have. Any such policy, for example, could use the findings of the heritage impact assessment to inform a more detailed and robust policy that would seek to enhance and not detract from the significance of the identified heritage assets in this sensitive location. In this respect it is also suggested that it may be clearer if the site is set out in a policy in its own right rather than as part of the windfall policy. Site 8 The Old Coal Yard, Halnaker This site already has planning permission and therefore there is no reason to include this proposal. Site 10 – Brambles at Crockerhill CDC questions the evidence to support the inclusion of this site. There does not appear to be any justification for this proposal for a single dwelling in the countryside.	The Parish would always prefer to see existing brownfield sites developed before other sites in the BUA. New policy H5 added.
CDC	Page 41: Policy GA1 Footpath and cycle path network	Second para makes reference to seeking developer contributions directly from new housing; however, these cannot be sought unless they are required to make the development acceptable, in other cases contributions will be covered by CIL.	Agree

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CDC	Page 42: Policy GA2 Parking in new developm ent	It may help to reference that the standards are West Sussex County Council standards.	Don't agree. By stating 'current standards' it gives the Plan longevity. Also recommended by previous Examiners.
CDC	Page 43: Policy GA3 Streets and Access Ways to serve new residential developm ent	What is meant by 'access ways' in first para? Second para – why are only informal play areas included? Third para – need to check that this is acceptable with the Highway Authority.	Access ways refer to any access created to a development. Not all access ways are roads.
	Page 43: Policy GA4 Promoting sustainabl e movement	<p>Question if the intention is as written as in all likelihood an 'increase in travel demand' would be generated by new housing, is the intention to support more housing development?</p> <p>First bullet point – this needs to be reconsidered as the mechanisms set out cannot be used in the way suggested by the policy.</p> <p>Last para of policy – is this intended to relate to the Parish Council portion of CIL? It may be more appropriate to include this within the text of the NP rather than the wording of the policy.</p> <p>The policy states 'Funds collected under the provisions of CIL, will be targeted at the following schemes'</p> <p style="padding-left: 40px;">Traffic calming and public realm schemes</p> <p style="padding-left: 40px;">Road improvements, including new cycle routes and facilities, safer pedestrian crossings</p> <p>potential remodelling of Halnaker crossing.</p> <p>CDC's Infrastructure Business Plan (IBP) for Boxgrove Parish identifies three projects which refer to transport and one project (IBP/649) identified in the NP. It would be helpful for the parish if the NP text was expanded and cross referenced to the IBP for consistency.</p>	Done
Historic England	2.1.1	In sub-section 2.1.1 reference should also be made to paragraph 58 of the National Planning Policy Framework, which states <i>"...neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics."</i>	Done
Historic England	2.1.2	In sub-section 2.1.2, the South Downs National Park Authority is the planning authority for the area of the Park, not Chichester District Council, although the Park Authority chooses to exercise its planning authority function through an agency agreement with the District Council.	Done
Historic England	Section 3	<p>We welcome the snapshot of the history of Boxgrove parish in section 3, although we would like to see a greater explanation of the historical development of the settlements in sub-section 3.1, particularly from the Middle Ages until today. It would be helpful to explain a little more about the listed buildings in the parish in sub-section 3.3.4 e.g. their ages, their architectural styles and their spatial distribution, which would be best shown on a map.</p> <p style="padding-left: 40px;">It would be helpful to explain when the conservation areas were designated, whether or not the designations have been reviewed, what their special interest (the reason for designation) is and the date of their character appraisals and/or management plans .It would also be helpful to show their boundaries on a map.</p> <p>The National Planning Practice Guidance states <i>"... where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the local plan into action at a neighbourhood scale. ... In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions"</i>.</p> <p>Is there a list of locally-important buildings and features ? Non-designated heritage assets, such as locally important buildings, can make an important contribution to creating a sense of place and local identity. Have the Chichester Historic Environment Record and West Sussex Historic Landscape Character Assessment been consulted, the former for non-scheduled archaeological sites, some of which may be of national importance ?</p> <p>Is the condition of heritage assets in the parish an issue ? There are no heritage assets within the parish on Historic England's Heritage at Risk Register, but the Register does not include grade II secular buildings outside London. We are aware that the South Downs National Park Authority has undertaken a survey of Grade II listed buildings to ascertain whether any are at risk of neglect, decay or other threats – are there any at risk in that part of the Plan area within the Park ? Has there been a survey of the condition of grade II buildings in the remainder of the Plan area ? Has there been any or is there any ongoing loss of character, particularly within the Conservation Area, through inappropriate development, inappropriate alterations to properties under permitted development rights, loss of vegetation, insensitive streetworks etc ?</p> <p>We would like to see a reference to the historic environment of the parish being conserved and enhanced in the Vision and whilst we welcome Objective 1, we would prefer to see specific mention of the historic environment in the first objective as the terms "built environment" and "historic environment" are not interchangeable. Not all heritage assets are built and the National Planning Policy Framework refers to the historic environment (distinguishing it from the built environment in paragraph 7) and specifically defines the "historic environment". We would also like the first sub-objective under "Environment" to be "conserving and enhancing the character.....". We welcome the fifth Environment sub-objective.</p>	<p>The Conservation Area Appraisals along with the history provides all of this information. The maps show the location of all the heritage assets.</p> <p>Policy EH8 makes it clear that the responsibility for ensuring the condition of the Conservation Areas and heritage assets will be undertaken by a sub-committee of the Parish Council.</p> <p>Textual changes added</p>
Historic England	EH1	We welcome Policy EH1 as trees and hedgerows are often components of historic landscapes. In fact, we would like to see "or historic" after "arboricultural and amenity" to reflect this point.	Done

			Response
Historic England	EH2	We welcome criteria b) and c) of Policy EH2, although we would prefer the siting of the energy-generating infrastructure and its scale and design to <u>avoid</u> any harmful impacts on the <u>significance</u> of heritage assets, bearing in mind that the National Planning Policy Framework recognises that development within the setting of heritage assets can be harmful to their significance (paragraphs 129 and 132), and that S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to preserving the setting of listed buildings. We would also prefer c) to read ".....environment and the special interest, character and appearance of the conservation areas of the Parish".	Done
Historic England	EH6	We welcome Policy EH6 in principle, although we feel that it rather confuses impact on landscape character and visual impact. The two are different considerations, as recognised in the Guidelines for Landscape and Visual Impact Assessment, published by the Landscape Institute. Not allowing any development that caused any loss or diminution any of these views is very strict and it might be better to say something like "Development should preserve the attributes of views and vistas that contribute to the character, appearance and special interest of the conservation areas or to the significance, or appreciation of that significance, of heritage assets".	Done
Historic England	EH8	We also welcome Policy EH8 both in its own right and as being in accordance with the National Planning Practice Guidance advice to "put broader strategic heritage policies from the local plan into action at a neighbourhood scale". However, the policy should refer to the significance of heritage assets, as significance is the essence of such assets and reflects what is important about them.	Done
Historic England	EE4	We presume that Policy EE4 is intended to prevent changes of use of land in agricultural or horticultural or equine or viticultural employment use to other uses. However, as currently written, the policy also presumes against changes of use of land in agricultural or horticultural or viticultural use to equine use, which would presumably be acceptable to the Parish Council.	Feel the policy is worded correctly
Historic England	EE5	We welcome the fifth criterion of Policy EE5. We have previously noted that paragraph 58 of the National Planning Policy Framework states "...neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics." We therefore welcome Policy H1 in principle, but to be comprehensive, we consider that it should provide greater guidance on building form, materials, heights etc. Also, Is the policy underpinned by the required "understanding and evaluation" of the Plan area's "defining characteristics". Is there, for example, a Village Design Statement? We note that the heading to sub-section 3.3.3 is "Heritage and Character", that the Vision refers to "rural character" and that the first sub-objective under "Environment" refers to the character of the Parish's built environment, but whilst we are aware that there are character appraisals for the Boxgrove and Halnaker Conservation Areas, has there been any characterisation exercise for the Plan area as a whole? Historic England considers that Neighbourhood Development Plans should be underpinned by a thorough understanding of the character and special qualities of the area covered by the Plan. Characterisation studies can also help inform locations and detailed design of proposed new development, identify possible townscape improvements and establish a baseline against which to measure change. The appendix to this letter contains links to further information on characterisation and we would be pleased to offer further information on this matter.	Noted
Historic England	H3	We welcome criteria i), iii) and viii) (ix) of Policy H3, although we would like to see criterion viii) require the development proposals to be informed by the archaeological (and environmental) surveys. We note that Site 7 Land at The Old Granary, Boxgrove is adjacent to the Boxgrove Conservation Area. We further note that the Boxgrove Conservation Area Townscape Appraisal Map identifies an important view across this land. The proposed allocation of this site for housing therefore seems rather at odds with Policy EH6, although we note that this view is not specifically referred to in the text of the Conservation Area Appraisal. The extent to which this view contributes to the special interest, character and appearance of the Conservation Area is limited and, in any event, it would appear possible to retain the view through the careful design of the development. We therefore agree with the conclusions of the Heritage Impact Assessment (which we welcome) that, if developed sensitively, the development of this site need not detract from the positive qualities of the Conservation Area. We also agree with the conclusions of the Assessment that there would be no unacceptable impact on the setting or significance of Boxgrove Priory Scheduled Monument or the Grade II listed Priory Farmhouse. We therefore raise no objection to the allocation of Site 7. Site 10 Brambles, Crockerhill is close to the Grade II listed Crockerhill House, but we consider that the development of this site would not necessarily have an unacceptable impact on the setting of this listed building and therefore raise no objection to the allocation of Site 10. We note that Site 8 The Old Coal Yard, Halnaker, already benefits from planning permission.	Noted and H3 amended

			Response
Genesis	Basic Conditions Statement	<p>The evidence base for the BNP includes a Basic Conditions Statement which correctly sets out the basic conditions a Neighbourhood Plan must meet and which an examiner must consider before it can proceed to referendum. The conditions are:</p> <ul style="list-style-type: none"> • Having regard to national policies and advice, whether it is appropriate for the Neighbourhood Plan to be made • Having special regard to the desirability of preserving any listed building or its setting or the character or appearance of any Conservation Area <ul style="list-style-type: none"> • Contribute to the achievement of sustainable development • Be in general conformity with the strategic policies of the development plan for the area • Be compatible with the European Union (EU) and European convention on human rights (ECHR) obligations <p>In our view however, the basic conditions have not informed the content of the BNP or the policies themselves. For instance,</p> <ul style="list-style-type: none"> · land at the Old Granary Boxgrove adjoins the Conservation Area and is within the setting of several nearby listed buildings and yet it has been identified as a potential residential development site in policy H3. In our view the development does not pay special regard to the desirability of preserving any listed building or its setting or the character or appearance of any Conservation Area. It therefore conflicts with basic condition test 2 · Land at the Old Granary Boxgrove and the allocation of land at Crockerhill in policy H3 are both within open countryside outside any existing settlement policy boundary as defined in the adopted Chichester Local Plan. This is in conflict with basic condition test 4 as the allocations are not in conformity with adopted Local Plan policy which resists new development in countryside locations. · Policy SB1 of the BNP states that the settlement boundary sets the distinction between the built form of the Parish of Boxgrove and the surrounding countryside and will protect the countryside from unnecessary development. There is no settlement boundary for Halnaker but a recognised village envelope exists. Crockerhill and Strettington as small hamlets do not have either. Policy GA4 of the BNP also promotes sustainable development in accessible locations away from open countryside. However policy H3 has allocated sites outside the settlement boundaries and the village envelopes in countryside. There is therefore conflict between policy H3 and SB1 and GA4. In encouraging development in unsustainable locations the proposed allocations are also in conflict with basic condition test 3. As it stands therefore it is our view that the content of the BNP has not been properly assessed against the Basic Conditions and without further justification and/or changes to the selected development allocations in H3 it is difficult to see how an Examiner could conclude the BNP meets the conditions and allow it to progress to referendum. <p>The evidence base for the BNP includes a Basic Conditions Statement which correctly sets out the basic conditions a Neighbourhood Plan must meet and which an examiner must consider before it can proceed to referendum. The conditions are:</p> <ul style="list-style-type: none"> • Having regard to national policies and advice, whether it is appropriate for the Neighbourhood Plan to be made • Having special regard to the desirability of preserving any listed building or its setting or the character or appearance of any Conservation Area <ul style="list-style-type: none"> • Contribute to the achievement of sustainable development • Be in general conformity with the strategic policies of the development plan for the area • Be compatible with the European Union (EU) and European convention on human rights (ECHR) obligations <p>In our view however, the basic conditions have not informed the content of the BNP or the policies themselves. For instance,</p> <ul style="list-style-type: none"> · land at the Old Granary Boxgrove adjoins the Conservation Area and is within the setting of several nearby listed buildings and yet it has been identified as a potential residential development site in policy H3. 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Crockerhill and Strettington as small hamlets do not have either. Policy GA4 of the BNP also promotes sustainable development in accessible locations away from open countryside. However policy H3 has allocated sites outside the settlement boundaries and the village envelopes in countryside. There is therefore conflict between policy H3 and SB1 and GA4. In encouraging development in unsustainable locations the proposed allocations are also in conflict with basic condition test 3. As it stands therefore it is our view that the content of the BNP has not been properly assessed against the Basic Conditions and without further justification and/or changes to the selected development allocations in H3 it is difficult to see how an Examiner could conclude the BNP meets the conditions and allow it to progress to referendum. 	Points addressed elsewhere in the table

			Response
Genesis	LC5	<p>Apart from our concerns about the Basic Conditions, we also object to the allocation of land south of 14 Priors Acre Boxgrove, as a potential local open space in policy LC5 of the BNP. This site (also known as land south of Deepdale, Priors Acre Boxgrove) is currently the subject of a planning application (LA Ref 17/02097/FUL) for a very modest development comprising 1 No, 3 bed chalet bungalow.</p> <p>According to paragraph LC5.1 of the BNP, local open spaces have been identified in policy LC5 because:</p> <p>‘Our outdoor spaces are vital to maintaining a happy and healthy community. Surveys have shown how much they mean to residents and visitors. These open spaces contribute to the open and pleasant ambience of the area and to wildlife biodiversity and habitat’.</p> <p>Schedule B of the BNP provides further justification and states:</p> <p>‘ The following areas are considered to be Local Open Spaces. They each contribute to the open feel of the Parish and are places valued by residents.</p> <p>1. Land south of 14 Priors Acre Small area of land at the entrance to Boxgrove House which enhances the street scene’ - 0.02ha . We strongly object to the allocation of site 1 as a local open space because: Local open space has no statutory backing in the NPPF. The NPPF refers to accessible public open space which provides opportunities for sport and recreation (paragraph 73-74) but the site is not this as it is in private ownership, fenced with a thick hedge, has no public access and is overgrown with nettles. It provides no opportunity for public sport or recreational use. The photos below show the site as it is today.</p>	<p>This small parcel of land was added after the first public engagement meeting. It has now been removed from the Plan as it serves no public value.</p>
Neame Sutton	H3	<p><i>(i) Amount of housing proposed:</i></p> <p>As a family with growing children my Clients fully acknowledge, and endorse, the need to ensure that communities adequately plan to meet the future needs of its residents, and as such supports the principle of a Boxgrove Neighbourhood Plan.</p> <p>However, it is equally important to make sure that this is balanced with the need to preserve and enhance the special environmental qualities of the village.</p> <p>As currently drafted the Boxgrove Neighbourhood Plan goes beyond meeting the future needs of Boxgrove for the period up to 2029 without any reasoned justification.</p> <p>Policy 5 of the Adopted Chichester Local Plan: Key Policies 2014-2029, states that small scale housing sites will be identified to address the specific needs of local communities, as defined by the District’s Strategic Housing Market Assessment (SHMA), and in relation to Boxgrove identifies the need to allocate sufficient site/s to deliver a total of 25 dwellings in the period 2017 to 2029.</p> <p>This level of development is derived from a detailed assessment of the housing potential and capacity of individual parishes and settlements undertaken by Chichester District Council. This analysis has considered the size and character of individual settlements, levels of local housing need, the availability of everyday services and facilities, and levels of accessibility and public transport. It has also taken account of known development constraints and potential sites in each parish (paragraph 7.25 of the Adopted Local Plan specifically refers).</p> <p>Furthermore, it reflects the fact that new housing should be directed primarily towards larger, more sustainable settlements. In this respect, Boxgrove is identified as a service village, which is a third tier settlement in the Council’s settlement hierarchy after the sub-regional centre of Chichester City and settlement hubs of East Wittering/Bracklesham, Selsey, Southbourne and Tangmere, and is therefore consistent with the aims of achieving sustainable development, as set out in the National Planning Policy Framework (the Framework).</p> <p>The Neighbourhood Plan acknowledges at Section 3.4 that 22 of its 25 dwelling allocation has been met by the appeal which was allowed at Land off Priors Acre on 26th May 2016 (APP/L3815/W/15/3138439), thus leaving a residual of 3 dwellings to be found.</p> <p>In addition to the above, planning permission has also been granted (against Officers advice), for one new dwelling and 5 tourist accommodation units (BX/16/01196) at the Old Coal Yard, Halnaker, in November 2016 and therefore contributes towards the overall parish allocation of 25, and thus only leaving 2 dwellings to be allocated for the period up to 2029.</p> <p>However, given that the Parish Housing Figures are expressed as “<i>indicative housing numbers</i>” and that they should be “<i>regarded as providing a broad indication of the potential scale of housing</i>” then it could be argued that the needs of Boxgrove until 2029 have been adequately met in full by the development at Priors Acre. This option does not appear to have been fully considered, and as a consequence the Neighbourhood Plan is lacking in any reasoned justification for its approach to allocate additional sites.</p>	<p>The justification for the inclusion of these sites is :</p> <ol style="list-style-type: none"> 1. The sites were identified by the public before the decision on the Priors Acre site was known, despite this subsequent consultations with the residents has still shown support for the sites. It is the duty of the NP team to reflect the wishes of the residents in preparing the Plan; 2. CDC has already begun looking for additional sites for housing and the Parish wishes to be proactive in planning for the future. It still intends to allocated the site at Halnaker Crossing when it reviews the Plan after adoption.

		Response
Neame Sutton	<p>Incorrect identification of housing allocations as windfalls:</p> <p>In addition to the established housing commitments of 23 dwellings, Policy H3 (Windfall Sites), of the Neighbourhood Plan, seeks to encourage residential developments on infill and redevelopment sites within the defined settlement policy boundary (SPB) of Halnaker and Boxgrove. Indeed, this is consistent with the objectives of the Framework and Policy 2 of the Adopted Chichester Local Plan.</p> <p>The Policy then seeks to allocate 3 additional small sites (less than 6 dwellings), as follows: Site 7 – Land at The Old Granary – 3-6 single storey dwellings Site 8 – The Old Coal Yard – 1 dwelling Site 10 – Brambles – 1 dwelling.</p> <p>With the exception of Site 8, which is a site with planning permission and therefore a commitment, Sites 7 and 10 cannot be regarded as windfall sites and should therefore be deleted.</p> <p>It is fully acknowledged that Chichester District Council has stipulated that sites of less than 6 dwellings cannot be counted against parish housing numbers (paragraph 7.28 of the Adopted Local Plan). However, this is on the basis that small windfall sites are those arising from “change of use, conversions and small infill sites” (paragraph 7.11 of the Adopted Local Plan) ie, brownfield sites.</p> <p>By definition, windfall sites are those not previously identified, and those that can come forward during the plan period without revision to the Local Plan. In this respect, Sites 7 and 10 fail the second test, in that they comprise greenfield sites/garden land outside the defined settlement policy boundary and therefore conflict with Local Plan policy. Accordingly, they cannot be considered to meet the basic condition of complying with the strategic objectives of the Local Plan, and as a consequence should be deleted.</p>	Policy re-worded.
Neame Sutton	<p>(iii) Location of proposed housing sites:</p> <p>Notwithstanding the above views, the Neighbourhood Plan fails to provide any reasoned justification for the identification of those sites allocated for development.</p> <p>The only explanation appears at paragraph H3.2, which states that “residents showed their approval for some small developments within the villages” and that although they cannot be taken into account in the overall housing numbers “they cannot be ignored as residents have voiced their approval”.</p> <p>It is evident from the Site Assessment and Neighbourhood Plan surveys that the overwhelming majority of residents voted in favour of land at Halnaker Crossing to accommodate the future needs of Boxgrove. However, this site has been omitted on the basis that the Parish Council could not afford/would not risk spending the funds necessary to undertake a Strategic Environmental Assessment (SEA) to support the Neighbourhood Plan. This is not a valid planning reason to omit a site from further consideration.</p> <p>Consequently, this approach fails to take account of the majority view of the community and as such fails to have regard to the objectives of Neighbourhood Planning, as set out in the Framework at paragraph 184, which states that “Neighbourhood Planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community”.</p> <p>Furthermore, whilst not every Neighbourhood Plan is expected to be accompanied by a SEA, it is however compulsory to provide either a statement of reasons as to why SEA was not required, or an environmental report. Neither of which has been undertaken as part of the Regulation 14 Neighbourhood Plan.</p> <p>This is of particular relevance given that the Neighbourhood Plan area contains sensitive environmental assets that may be affected by the policies and proposals.</p> <p>In addition, the Adopted Chichester Local Plan recognises that there are key infrastructure constraints that limit development at Chichester and Tangmere eg, wastewater treatment and need for A27 improvements, and anticipates that post 2019 Tangmere could accommodate an additional 1,000 dwellings.</p> <p>In order to address these issues, the Neighbourhood Plan should be accompanied by a detailed Site Assessment Report that sets out the methodology undertaken for each site assessment, including the criteria against which each sites has been assessed. It is not clear from the evidence base that this process has been undertaken.</p> <p>This is a fundamental failing to the due diligent process of preparing a Neighbourhood Plan in a fair and transparent manner, and undermines the soundness of the Boxgrove Neighbourhood Plan.</p> <p>It is noted that since the first iteration of the Regulation 14 Pre-Submission Neighbourhood Plan was published in May 2017, a Heritage Impact Assessment has been retrospectively carried out by Whaleback (August 2017) to now support the proposed allocation of 3-6 dwellings on land west of The Old Granary.</p> <p>The Heritage Report examines the setting of the site within its context and this is graphically illustrated on the Site Setting Map on page 6. However, this map has omitted those trees along the site frontage onto The Street and also those trees along the access road to the Old Granary, which it is argued contribute to the sites character and appearance and this part of Boxgrove as you enter the village. Accordingly, they too should be identified as important tree groups on the map.</p> <p>Furthermore, the Report at page 21 seeks to assess the impact of the proposed development, as far as it can, acknowledging that the development “has not yet been designed so the effects cannot be assessed”.</p> <p>However, the diagram on page 21 shows a proposed layout with 2 single storey buildings arranged as an agricultural yard situated to the rear of the site and a 2 storey dwelling sited on The Street’s frontage.</p> <p>The inclusion of a 2 storey dwelling sited on The Street’s frontage is contrary to Policy H3 which seeks to allocate the site for a “courtyard of 3-6 single storey residences with gardens and screened parking.”</p> <p>The 2 storey dwelling does not therefore form part of the proposals for the site and should therefore be deleted. Indeed, my Clients have been consistently advised by the Parish Council’s advisor that any development that takes place on this site will be restricted to single storey.</p>	<p>The removal of the Halnaker site is not what the Parish wishes and it will seek to reintroduce it when the Plan is reviewed. However, the residents do want a NP and feel that is important to establish the Plan as created without further delay.</p> <p>The SEA statement from CDC was attached to the consultation documents at the time of the Reg14 consultation.</p> <p>There are detailed site assessments for each site in the Evidence Base.</p> <p>Heritage Statement notes passed to Whaleback.</p>

			Response
Neame Sutton		<p>(iv) Failure to publish key documents:</p> <p>The Neighbourhood Plan makes reference (paragraph 1.3 and 1.4), to the fact that both a Consultation Statement and Basic Conditions Statement have been prepared to support the Neighbourhood Plan. However, neither document is available to view alongside the Regulation 14 Neighbourhood Plan and is considered to be a failure of the process, particularly in light of the fact that a SEA has not been undertaken to underpin the Plan.</p> <p>Furthermore, in the absence of a Consultation Statement, it is not clear the extent to which the local community and those with a land interest in Boxgrove has had in the decision making process to ensure that the Neighbourhood Plan is representative of the communities desires and aspirations. For example, those who voted in favour is expressed in the Site Assessment document, but this is not balanced with those who voted against each option.</p> <p>It is noted that the Regulation 14 Neighbourhood Plan stipulates that these will be made available at the Regulation 15 stage. Having enquired about their availability, the Parish Council has taken the view that these cannot be published until the process of engagement is complete and the documents finalised. However, these documents could, and should be, made publicly available on the Council's website in draft form, and could simply be updated as the Neighbourhood Plan emerges</p>	<p>Do not agree. There is a full evidence trail on the web site of all the consultations that have been undertaken and the responses. Examiners on 6 previous plans have never asked for the consultation statement to be completed before the Reg 15 stage.</p> <p>The Basic Conditions Statement was advertised alongside the Reg 14 Consultation as can be seen here https://www.boxgrovenp.co.uk/evidence-base</p>
Neame Sutton		<p>(v) Drafting errors within the Neighbourhood Plan:</p> <p>It is evident from review of the Regulation 14 Neighbourhood Plan that a number of drafting errors have occurred, as follows:</p> <ul style="list-style-type: none"> • Within the Contents on page 2 and 3 there is reference at 5.4 to a Site Allocations section. However, this is not present within the report. As a consequence, the proceeding numbering is out of sequence; • Notwithstanding my Client's assertion that sites 7 and 10 are not necessary to meet future needs and should therefore be deleted, in the event that they remain within the Plan then they should comprise a separate specific Housing Allocation Policy as they do not comprise windfalls so should not be included within Policy H3; • The Plan should explain more clearly the spatial strategy for the village and would benefit from a specific policy that sets out how the 25 dwellings are to be met; 	<p>Numbering will be changed. New policies added</p>
SDNPA	2.1.2	<p>The SDNPA is the planning authority for the area of the parish within the National Park. It would better to describe the parish as falling within two planning authority areas rather referring to the SDNPA as 'secondary'. The South Downs Local Plan is currently out for pre-submission consultation until the 21st November 2017. Prior to this, a preferred options consultation was carried out in September-October 2015. The South Downs Local Plan is due to be adopted in September 2018.</p>	Done
SDNPA	SB1	<p>We note the settlement boundary and recognized village envelope shown in Maps F and G. We would query where the village envelope for Halnaker has come from and whether it is justified? It is also not clear how the village envelope is intended to function – does it have the same status as a settlement boundary? Map F shows the boundary for Halnaker directly abutting the SDNP and at one point (Mews Cottage, Park Lane) extending into the SDNP. Putting aside our fundamental questioning of the purpose of the envelope, we are concerned and object to the proposed boundary extending to the SDNP boundary as this does not follow the built form of Halnaker and includes substantial areas of paddocks and the grounds of Halnaker House. We also have concerns about the boundary being drawn right up to the Devils Ditch. In addition we would recommend that Mews Cottage is not included in the boundary as it falls on the far side of Park Lane. We assume that the Boxgrove settlement boundary will be extended to reflect the small housing allocation at Policy H3. The policy wording should refer to other policies in the development plan rather than just the Neighbourhood Plan.</p>	See above. Removed
SDNPA	EH4	<p>The Neighbourhood Plan could seek to take a stronger stance on surface water management, particularly given the localized flooding issues. Emerging South Downs Local Plan policy will require development to ensure there is no net increase in surface water run-off, taking into account climate change.</p>	Wording amended to read - New development should not increase the risk of flooding elsewhere and wherever possible, reduce overall flood risk.
SDNPA	EH5	<p>Map C has data from the Natural England Magic Map - this data set appears to be rather incomplete and we assume just shows land which happens to have been surveyed. If so, it could be misleading. Land not surveyed would need to be surveyed using the Agricultural Land Class methodology at the point of an application. Perhaps this policy could be reworded to remove reference to Map C, and just refer to safeguarding the most fertile agricultural land from development in accordance with the NPPF?</p>	Agree
SDNPA	EH6	<p>The supporting text refers to extracts from the Halnaker and Boxgrove Conservation Area Appraisals. As this policy is about landscape character it would be appropriate to refer to the predominant landscape character which is the Goodwood Wooded Estate Downland. Key characteristics of this area include the rolling chalk ridges, extensive areas of broadleaved and mixed leaved plantation as well as areas of ancient woodland and the historic parkland landscapes of Goodwood and Halnaker Park.</p> <p>It would be helpful to show the important local views and features on a map. It is not clear what is meant by positive 'unlisted' buildings – it would be more helpful to include a list of such buildings. Are the Goodwood flint walls a feature from which you can have views or look out from? These appear to be more likely local heritage assets in themselves rather than important views.</p>	All old the information is included in the character appraisals - we will make this information more prominent as an appendix.
SDNPA	EH7	<p>We welcome the policy on dark night skies. Dark night skies are a special quality of the SDNP and this is recognised by the National Park's International Dark Sky Reserve status.</p>	Noted
SDNPA	EH9	<p>We note and welcome policy EH9 which is in line with the purposes and duty of the National Park. The supporting text refers to just a small area of the parish being within the SDNP. However, at least 50% of the parish area is within the SDNP and this area provides the rural setting for the settlements as well as the locally valued views to the Downs and footpaths leading to the wider countryside. Key attractions such as Halnaker Windmill and Goodwood are also in the SDNP. Greater prominence should therefore be given to the SDNP area of the parish throughout the Neighbourhood Plan</p>	Agreed

			Response
	EE2	The emerging South Downs Local Plan has a detailed policy on Sustainable Tourism which will apply to proposals within the National Park. However, the Boxgrove Neighbourhood Plan could incorporate elements of this policy into policy EE2 to ensure tourism proposals are considered consistently across the parish. For example, additional criteria to Policy EE2 could include ensuring proposals make use of existing buildings wherever possible, proposals minimise the need to travel by car and outside the settlement boundary, proposals have access to the public rights of way network.	Wording amended.
	EE4	This policy is quite inflexible and currently refers to the change of use of land rather than buildings which does not require planning permission in most cases. The policy could be more positively worded to support proposals that promote and protect employment activity in farming, forestry and tourism.	Wording amended.
	H3	We welcome the completion of a Heritage Impact Assessment in support of the allocation of development of land at the Old Granary, Boxgrove. In light of the evidence base and to strengthen the policy, reference should be included to maximizing enhancements and minimizing harm to the setting of identified heritage assets. In addition, we recommend that the supporting text relating to the Old Granary site includes some additional wording along the lines that the design and layout of the development will need to reflect the historic sensitivities of the site. In addition to the courtyard development there is also the possibility of reinstating a detached dwelling along the frontage of the site given the historic precedence for a dwelling here. We would also question whether the site merits its own policy rather than being grouped in with other windfall development.	New policy H5 with additional text
SDNPA	GA1	This policy references that new housing development will be expected to contribute (via development contributions) to enhancement of footpath/cycle network. However, this is unlikely to meet the tests of S122 of the Community Infrastructure Levy (CIL) Regs, which state a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is a) necessary to make the development acceptable in planning terms; b) directly related to the development, and; c) fairly and reasonably related in scale and kind to the development.	Policy amended
SDNPA	GA4	The Parish Council have clearly identified priorities for future CIL funding which is very helpful although the schemes themselves would better sit in the supporting text rather than the policy text. The Plan should make clear that this is how the Parish Council will direct its proportion of CIL. CDC and SDNPA will ultimately decide on how other CIL money is spent.	Policy amended
WSCC	GA2	should refer to the WSCC parking standards	Don't agree. By stating ' current standards' it gives the Plan longevity. Also recommended by previous Examiners.
WSCC	GA3	<i>It is suggested that this policy is amended in order to achieve the plans objectives, and requirement in GA1, for an enhanced cycle network within to serve new development. As set out in the policy "Streets shall be designed to provide a minimum of a single pedestrian footway and for the maximum design speed of 20mph", could be enhanced with reference in supporting text to a preferred approach, that where possible a shared footway cycleway (if possible segregated from traffic) is sought.</i>	Agreed
WSCC	LC4 and Schedule A	These identify the playing fields at Boxgrove primary school to be designated as Local Green Space. If development or expansion is required at Boxgrove Primary school Local Green Space designations should not restrict these developments, particularly considering policy LC7 of the Plan.	Don't agree. The loss of school playing fields is an important issue for residents who wish to see the current level of provision retained. If the school needs to expand it should do so within the existing hardstanding areas.
WSCC	EH3	seeks to reinstate historic public footpaths. The Parish Council should seek to record these, or indeed other routes around the parish, on the basis of claiming unrecorded access rights from historic or user evidence; alternatively the relevant landowner may be agreeable to dedicate the route(s). Further information can be provided from WSCC PROW team on request. There is support for the consideration of Public Rights of Way in the Neighbourhood Plan. The Parish Council are encouraged to seek to enhance their PROW network both in terms of creating new paths and increasing modal use of certain paths, e.g. upgrading footpaths to bridleways so as to allow lawful use by cyclists and horse riders. Boxgrove's bridleways are small in number and require use of road highways to connect between them. Some suggestions for paths are as follows: <ul style="list-style-type: none"> • New bridleway linking bridleway 3575 with Tinwood Lane (this is a long-standing used route but is not legally recorded as a bridleway); • Establishing a bridleway from Boxgrove village along footpath 285 (Town Lane), across the A285 using a suitable road crossing facility, and then running south-west would encourage walking and cycling use to/from Strettington and, if extended to Maudlin, would be a safer link to Chichester; • Establishing a bridleway from Boxgrove village connecting direct to Tinwood Lane would allow future cyclists to access directly into the South Downs whilst avoiding use of the A285; and • A new footpath running north from Halnaker Windmill to footpath 398 would provide a local circular route incorporating the attractive views from the windmill. 	Added to Appendix 1