

## Chichester District Council Local Planning Authority

### Tangmere Neighbourhood Plan 2014-2029

#### DECISION STATEMENT

##### 1. Introduction

- 1.1 Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of Neighbourhood Plans and Orders and to take plans through a process of examination, referendum and adoption. The Localism Act 2011 (Part 6 Chapter 3) sets out the local planning authority's responsibilities under Neighbourhood Planning.
- 1.2 This report confirms that the modifications proposed by the examiner's report have been accepted, the draft Tangmere Neighbourhood Plan has been altered as a result of it and that this plan may now proceed to referendum.

##### 2. Background

- 2.1 The Tangmere Neighbourhood Development Plan relates to the area that was designated by Chichester District Council as a neighbourhood area on 23 July 2013. This area is coterminous with the Tangmere Parish Council boundary that lies within the Chichester District Council local planning authority area.
- 2.2 Following the submission of the Tangmere Neighbourhood Plan to the Council, the plan was publicised and representations were invited. The publicity period ended on 11 June 2015.
- 2.3 Mr John Slater was appointed by Chichester District Council, with the consent of Tangmere Parish Council, to undertake the examination of the Tangmere Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that, subject to making modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Plan referendum.
- 2.5 Having considered each of the recommendations made in the examiner's report, and the reasons for them, the Parish Council has decided to make the

modifications to the draft plan referred to in Section 3 below, to ensure that the draft plan meets the basic conditions as set out in the legislation.

### 3. Decision

3.1 The Neighbourhood Planning (General) Regulations 2012 require the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.

3.2 Having considered each of the recommendations made by the examiner's report, and the reasons for them, Chichester District Council in consent with Tangmere Parish Council, has decided to accept the modifications to the draft plan. Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38 A of the Act) in response to each of the examiner's recommendations and the justification for them.

**Table 1: Recommendations by the Examiner agreed by Chichester District Council in consent with Tangmere Parish Council**

POLICY	MODIFICATION RECOMMENDED	JUSTIFICATION
All text	All references to the Chichester <i>District</i> Local Plan should be changed to the Chichester Local Plan – Key Policies 2014-29.	For clarity and updating
Para 4.6	In paragraph 4.6 in the second sentence delete “that are not replaced by the TNP” and insert at the end of the paragraph “except when there is a conflict between the non strategic policies in the local plan and the policies contained in this Neighbourhood Plan, in which case the policies in this plan will take precedence”.	To meet the Basic Conditions.
Page 39	Remove the site identified as dark pink but with no reference on the key.	For updating and completeness.
Page 40	Retitle Policies Map Inset as Concept Plan.	For clarity
Para 1.12	That the first sentence of paragraph 1.12 be changed to “Chichester District Council determined that a strategic environmental assessment of the TNP was not required due to the reasons set out in the Screening Report.”	For clarity
Policy 2 Strategic Housing Development criterion i	Replace “of” by “including” in criterion i.	For clarity

Policy 2 (Policies Map)	That the Medical Centre be removed from the area shown on the Policies Map as Strategic Housing Development.	Correction of mapping error
Policy 2 Strategic Housing Development (Policies Map)	The field to the west of Saxon Meadow should be coloured pink on the Policies Map to be included as Strategic Development Location. The Concept Map and the Settlement Boundary should be amended accordingly.	To meet the Basic Conditions.
Policy 2 Strategic Housing Development criterion iv	Criterion (iv) change “development plan policy” to “Policy 34 of the Chichester Local Plan Key Policies 2014-29.	For clarity
Policy 2 Strategic Housing Development criterion v	Delete criterion (v) and renumber.	For clarity
Policy 2 Strategic Housing Development new criterion	Insert a final criterion “Development will be dependent on the provision of infrastructure for adequate waste water conveyance and treatment to meet strict environmental standards.”	To meet the Basic Conditions.
Para 4.23	In paragraph 4.23 change “around” to “at least” before 25 m.	For clarity and completeness
Policy 3 Employment Uses	Delete “Chichester development plan” and insert “Policy 19 of the Chichester Local Plan Key Policies 2014-29”.	For clarity
Policy 3 Employment Uses	Insert at the end of the second paragraph of the policy “unless as an ancillary use to serve the employment facilities”.	To meet the Basic Conditions.
Policy 4 Tangmere Academy	Insert at the end of criterion iv “unless it can be demonstrated to the satisfaction of Southern Water that the development will not increase the flow on the network.”	To meet the Basic Conditions.
Policy 5 The Yews, City Field Way	Insert “subject to compliance with other policies” after “supported”.	For clarity and to meet the Basic Conditions.
Policy 7 Land to the west of Malcom Road	Delete criterion (iii) and paragraph 4.50.	For clarity
Policy 8 Tangmere Green Infrastructure Network	Delete “Policies Map” and insert “Plan G”.	For clarity
Policy 9 Tangmere Sustainable	Delete “Key Diagram” and insert “Plan G”.	For clarity and correction

Movement network		
Policy 9 Tangmere Sustainable Movement network	Insert “and” between “strategic” and “local” in criterion (ii).	For clarity
Policy 9 Tangmere Sustainable Movement network	Insert “where appropriate” before “travel plans” in criterion (ii).	For clarity

#### **4. Conclusion**

- 4.1 The Authority (Chichester District Council) confirms that the Tangmere Parish Neighbourhood Development Plan 2014-2029, as revised, meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act and complies with the provisions made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Tangmere Parish Neighbourhood Plan can now proceed to referendum.
- 4.2 It is recommended that the Tangmere Parish Neighbourhood Development Plan 2014-2029 should proceed to referendum based on the neighbourhood area defined by Chichester District Council on 23 July 2013.
- 4.3 This decision has been made according to the advice contained in the above report in response to the recommendations of the examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to the Neighbourhood Development Plan.