

West Wittering Neighbourhood Development Plan 2019-2029

A report to Chichester District Council on the West Wittering Neighbourhood Development Plan

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Executive Summary

- 1 I was appointed by Chichester District Council in March 2023 to carry out the independent examination of the West Wittering Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 18 April 2023.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on addressing the various pressures which arise from its coastal location and its attractiveness to tourism.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the West Wittering Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
24 July 2023

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the West Wittering Neighbourhood Development Plan 2019-2029 (the 'Plan').
- 1.2 The Plan has been submitted to Chichester District Council (CDC) by West Wittering Parish Council (WWPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative Plan, or a potentially more sustainable Plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan. It has a clear focus on maintaining the character and appearance of the neighbourhood area and addressing the housing and social pressures which arise from the attractiveness and popularity of its coastal location.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by CDC, with the consent of WWPC, to conduct the examination of the Plan and to prepare this report. I am independent of both CDC and WWPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the SEA screening statement;
- the HRA screening statement;
- the Village Design Statement;
- the Environmental Report
- WWPC's responses to the clarification note;
- the representations made to the Plan;
- the Chichester Local Plan Key Policies 2014 to 2029;
- the Site Allocations DPD 2014 to 2029;
- the emerging Chichester Local Plan 2021 to 2039;
- the NOMIS website (Office for National Statistics);
- the National Planning Policy Framework (July 2021);
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 18 April 2023. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.15 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined by written representations and without the need for a public hearing.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 WWPC prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the first and the second (July to September 2022) pre-submission versions of the Plan. It captures the key issues in a proportionate way. In the round it is an excellent example of a Statement of this nature.
- 4.3 Section 2 of the Statement set out details of the range of consultation events that were carried out in relation to the initial stages of the Plan. The events included:
- the engagement with stakeholders;
 - the Call for Sites;
 - the Heritage and Assets Workshop;
 - the ongoing engagement with residents;
 - the engagement with local business; and
 - the engagement with Residents' Associations.
- 4.4 The Statement also provides details of the way in which WWPC engaged with statutory bodies. The process has been both proportionate and robust. The appendices either reproduce the materials used or summarise the findings of the various events and engagements. This is best practice. It also brings life, depth, and interest to a statement of this nature which, by nature of its statutory role, can otherwise be rather descriptive.
- 4.5 Sections 4 and 5 of the Statement provide specific details about the comments received during the consultation process associated with the pre-submission versions of the Plan. They identify the principal changes that worked their way through into the submission version of the Plan.
- 4.6 Consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach towards seeking the opinions of all concerned throughout the process. CDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.8 Consultation on the submitted plan was undertaken by CDC and ended on 17 March 2023. This exercise generated comments from the following organisations:
- Maritime Management Organisation
 - Historic England
 - Chichester District Council
 - Southern Water
 - Environmental Agency
 - West Sussex County Council
 - Natural England
 - National Highways
- 4.9 Comments were also received from residents.
- 4.10 I have taken account of the various representations in examining the Plan. Where it is appropriate to do so, I make specific reference to the individual representations in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of West Wittering. West Wittering is bordered on two sides by water on the western extremity of the Manhood Peninsula facing Hayling Island across the entrance to Chichester Harbour. It is seven miles south west of Chichester. The only main road access to the peninsula is from the A27 Chichester bypass and the A286 (which becomes the B2179). Its population in 2011 was 2700 persons living in 1740 houses. It was designated as a neighbourhood area on 15 March 2013.
- 5.2 The western part of the parish is in the Chichester Harbour Area of Outstanding Natural Beauty (AONB). The parish is a popular destination for visitors and tourists. It has an attractive beach which is served by an extensive car park.
- 5.3 The built development in the parish is in two separate parts. The first is the village of West Wittering itself. It has an attractive historic core based on St Peter's and St Paul's Church and Pound Road. The second is more modern (post-1945) development in the east of the parish abutting its boundary with East Wittering.

Development Plan

- 5.4 The Chichester Local Plan Key Policies was adopted in July 2015. It sets out the basis for future development up to 2029.
- 5.5 The broader strategy for the parish is set out in two important policies in the Local Plan. Policy 2 (Development Strategy and Settlement Hierarchy) identifies West Wittering as one of a series of Service Villages. The policy comments that outside of Chichester and the Settlement Hubs, the Service Villages will be the focus for new development and facilities. It also advises that in the service villages provision will be made for small scale housing developments (consistent with the indicative housing numbers set out in Policy 5), local community facilities, including village shops, that meet identified needs within the village, neighbouring villages and surrounding smaller communities, and small-scale employment, tourism, or leisure proposals. Policy 5 (Parish Housing Sites 2021 to 2029) sets out the requirements for development in the various settlements in the plan area's hierarchy. In this context West Wittering is expected to deliver 50 new homes in the Plan period.
- 5.6 The following other policies in the Local Plan are particularly relevant to the West Wittering Plan:

Policy 22	Integrated Coastal Zone Management for the Manhood Peninsula
Policy 29	Settlement Hubs and Village Centres
Policy 33	New Residential Development
Policy 35	Affordable Housing Exception sites
Policy 38	Local and Community Facilities
Policy 43	Chichester Harbour AONB
Policy 44	Development around the Coast
Policy 45	Development in the Countryside

- 5.7 The Site Allocations DPD was adopted in January 2019. It supplements the approach taken in the Local Plan Key Policies and, as its title suggests, it allocates sites to ensure that the strategic housing targets will be met. Section 11 of the Plan comments about West Wittering. Whilst land is not allocated for housing development, the Plan advises that the settlement boundary has been redrawn to reflect the recently built development in the parish.
- 5.8 CDC is now well advanced in its preparation of an updated Local Plan. It will cover the period up to 2039. In process terms, the timings involved have allowed the submitted neighbourhood plan directly to take account of this new local planning context. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the plan area. This is good practice and reflects key elements in Planning Practice Guidance on this matter. I address the relationship between the submitted neighbourhood plan and the emerging Local Plan in the part of Section 7 of this report which comments about the way in which the Plan would be monitored and reviewed.

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 18 April 2023. I drove into the neighbourhood area along the A286 from Chichester. This gave me an initial impression of its setting and character in general, and the context of its wider setting.
- 5.10 I looked initially at the part of the parish adjacent to East Wittering. In doing so I saw the significance of the retail units in Church Road.
- 5.11 I then looked at the proposed green gap between West Wittering and East Wittering both from the B2179 between the two settlements and from the public footpath which runs parallel to the western boundary of the Scotts Holiday Village. I saw that it was characterised by its flatness and its agricultural uses. I appreciated the various views from within the gap.
- 5.12 I then looked at West Wittering village. I saw the retail units in Rookwood Road opposite the Parish Council offices. I walked down to the Pound to look at the Church and the School. I enjoyed a guided tour of the church by a very helpful warden. I saw the significance of the school to the wider community.
- 5.13 I walked down to the beach and the D-Day memorial. After a coffee in the 'The Coffee Hut' I walked along the beach to the East Head Spit. Thereafter I followed the footpath to the north and east to Coastguard Lane.
- 5.14 When I was back in the village, I walked along Elms Lane to the Cricket Club and the Croquet Club. I then carried on so that I could see the proposed green gap from a different perspective. I saw that Elms Lane had a very rural character and appearance to that of the built part of the village.
- 5.15 I then drove along the B2179 towards Chichester. I saw the significance of the holiday parks including the Walnut Tree Park and the Wicks Farm Holiday Park.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 6.3 I assess the Plan against the basic conditions under the following headings:
- National Planning Policies and Guidance*
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021. This approach is reflected in the submitted Basic Conditions Statement.
- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the West Wittering Neighbourhood Plan:
- a plan led system – in this case the relationship between the neighbourhood plan and the adopted Chichester Local Plan Key Policies and the Site Allocations DPD;
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms subject to the recommended modifications included in this report. It sets out a positive vision for the future of the neighbourhood area within the context of its role in the settlement hierarchy. It proposes policies to safeguard the existing retail and community uses. It also proposes specific policies which relate to the impacts of tourism activity in the parish. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance Paragraph ID:41-041-20140306 which indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.10 As submitted, the Plan does not fully accord with this range of practical issues. Most of the recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for visitor accommodation (Policy WW6) and for economic development (Policy WW7). In the social role, it includes policies on a Principal Residence Requirement (Policy WW5) and on community facilities (Policy WW12). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It includes policies on design (Policy WW1), on preventing coalescence (Policy WW2), on rights of way (Policy WW9), on coastal enhancements (Policy WW10) and on biodiversity (Policy WW11). WWPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in Chichester plan area in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to the policies in the development plan. Subject to the recommended modification in this report, I am

satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement, CDC undertook a screening exercise (December 2016) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, CDC concluded that the Plan is likely to have significant effects on the environment and accordingly would require a SEA. This screening opinion was updated and refreshed in March 2023.
- 6.16 On this basis WWPC commissioned a SEA. The Environmental Report (ER) was published in February 2020. The ER is thorough and comprehensive. It draws the following conclusions:

'The assessment has concluded that the current version of the Neighbourhood Plan is likely to lead to significant positive effects in relation to the 'Population and Community' SEA theme. This relates to the focus of the Neighbourhood Plan on safeguarding and enhancing community infrastructure, facilitating the delivery of housing which meets local needs and through supporting economic vitality by enhancing the prospects for employment locally. The Neighbourhood Plan is also likely to lead to significant positive effects in relation to the 'Health and Wellbeing' SEA theme, linked to its promotion of improved and accessible network of footpaths, enhancements to green infrastructure networks and safeguarding open space provision to encourage active lifestyles.

The Neighbourhood Plan will also bring positive effects in relation to the 'Landscape' and 'Historic Environment' SEA themes. These benefits largely relate to the Neighbourhood Plan's emphasis on protecting and enhancing the special qualities of the AONB, supporting the quality of the public realm, and through incorporating high-quality and sensitive design through new development proposals. Additionally, the Neighbourhood Plan will bring positive effects in relation to the 'Biodiversity' SEA theme through retaining habitats, enhancing ecological networks, and delivering net gain. However, given the approaches taken forward through the Neighbourhood Plan will help limit potential effects from new development areas rather than secure significant enhancements, these impacts are less likely to comprise significant positive effects overall.

Regarding the 'Climate Change' SEA theme, the Neighbourhood Plan will potentially lead to positive effects through policies and community aspirations which seek to address the climate crisis. However, this is dependent on the extent to which proposals incorporate mitigation and adaptation measures through design, along with the level of available funding and community support for such projects.

The Neighbourhood Plan will also initiate several beneficial approaches regarding the 'Transportation' SEA theme, given its focus on reducing traffic congestion, supporting modal shift towards sustainable transport options and by ensuring that new

developments are accessible and provide appropriate access to local services and facilities. In relation to the 'Land, Soil and Water Resources' SEA theme, the Neighbourhood Plan will lead to the loss of relatively limited areas of land classified as the best and most versatile agricultural land. Otherwise, in relation to this SEA theme, the Neighbourhood Plan will initiate several beneficial approaches through the implementation of provisions which seek to maintain and enhance the quality of the waterways, drainage ditches and coastline of the parish. However, these are not considered to be significant in the context of the SEA process given the scope of the Neighbourhood Plan and the scale of proposals.'

- 6.17 The ER comments about the reasonable alternatives for the delivery of new houses in the parish. Paragraph 4.8 sets the scene in commenting that:

'West Wittering is designated as a 'Service Village' within Policy 2 'Development Strategy and Settlement Hierarchy' of the Local Plan. The Local Plan highlights that provisions will be made for the small-scale housing developments consistent with the indicative housing numbers set out in Policy 5 'Parish Housing Sites 2012-2029', stated as 50 dwellings for West Wittering. However, the Site Allocations DPD prepared to help deliver the housing numbers across Chichester District confirms that this housing target has already been achieved through extant planning permissions.'

- 6.18 Paragraph 4.9 comments about the emerging Local Plan as follows:

'The preferred approach set out through Policy S5 of the Local Plan Review 'Parish Housing Requirements 2016-2035' highlights a target of 25 new dwellings to be delivered in West Wittering during the plan period. In response to this, the West Wittering Neighbourhood Plan Steering Group were keen to consider how the 25 dwellings should be delivered through the Neighbourhood Plan. As part of this process, a call for sites process was undertaken for the parish of West Wittering.'

- 6.19 The ER then describes the call for sites process and the way in which the various sites were assessed as follows:

'To support the development of a spatial strategy to deliver the proposed 25 dwellings through the Neighbourhood Plan, the SEA process has considered five options for delivering this requirement. The options, which comprise different combinations of the four sites identified as suitable and available through the call for sites process, are as follows:

Option 1: Delivery of the housing number through a single allocation on Site 8 'Land at Church Road (Site 3)';

Option 2: Delivery of the housing number through a single allocation on Site 2 'Walnut Tree Caravan Site';

Option 3: Delivery of the housing number through a combination of allocations at Site 1 'Land west of Northfields' and Site 8 'Land at Church Road (Site 3)';

Option 4: Delivery of the housing number through a combination of allocations at Site 1 'Land west of Northfields' and Site 2 'Walnut Tree Caravan Site'

- 6.20 Policy WW3 of the Plan does not directly allocate sites for housing purposes. Nevertheless, it sets out a general and criteria-based approach to new residential development in the Plan period.

Habitat Regulations

- 6.21 CDC undertook a separate Habitats Regulations Assessment (HRA) of the Plan (May 2022). It concludes that the Plan is likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such it concluded that Appropriate Assessment is required. The Appropriate Assessment report is both thorough and comprehensive. It takes appropriate account of the significance of the Chichester and Langstone Harbours SPA, Pagham Harbour SPA, the Ebernoe Common SAC, The Mens SAC, Singleton and Cocking Tunnels SAC, Wealden Heaths Phase 2 SPA, and the Chichester Harbour Fluvial Catchment. The Appropriate Assessment concludes that having considered the proposed mitigation and avoidance measures to be provided in-perpetuity through Contributions to Bird Aware Solent (Chichester Local Plan 2014-2029, Policy 50) CDC concludes that with mitigation the plan will not have an adverse effect on the Integrity of the European protected sites.
- 6.22 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. The wider process provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan obligations.

Human Rights

- 6.23 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.24 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and WWPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It also includes a package of non-land use Community Aspirations.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity, this section of the report comments on all the policies. I address the Community Aspirations after the policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1-3)

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional fashion. It makes a very effective use of well-selected maps. A very clear distinction is made between its policies and the supporting text.
- 7.9 The Introduction (Section 1) addresses the background to the neighbourhood planning agenda. It comments about how the Plan has been prepared and how it will be used within the Plan period. It comments on when the neighbourhood area was designated and includes a map of the defined area (Plan A). It also describes the Plan period in paragraph 1.3.
- 7.10 Section 2 describes keys elements of the neighbourhood area. It does so in a very effective fashion. It is comprehensive in its coverage and includes information on its interesting history.
- 7.11 Section 3 sets out a Vision and the Objectives of the Plan. The Vision is as follows:
'West Wittering will remain a beautiful, tranquil, and biodiverse part of the Manhood Peninsula, retaining its rural character while allowing for minor sympathetic developments meeting local needs. It will be an inclusive and diverse community which promotes and upholds equality for all. Residents and visitors to the village will benefit from a thriving economy, improved transport, and infrastructure together with a better quality of life. West Wittering beach will remain an outstanding, environmentally-friendly beach.'

- 7.12 The remainder of the section of the report addresses the policies as described in paragraphs 7.5 to 7.7 of this report.

Policy WW1 Design

- 7.13 This policy sets out the Plan's approach to design. It is underpinned by an updated version of the Village Design Statement. The policy comments that subject to other relevant development plan policies, development will be supported provided that its design, form, and detail is of a high quality to reflect the attractive and unique landscape, seascape and townscape character of West Wittering having regard to the Village Design Statement and the character areas defined within it and, where relevant, to the Chichester Harbour Management Plan. It also advises that development will be supported where it maximises opportunities to achieve zero energy buildings, with measures to reduce water use and appropriate drainage and helps to combat and mitigate the impacts of climate change.
- 7.14 In the round the policy is an excellent local response to Section 12 of the NPPF. The submitted Village Design Statement is a first-class piece of work.
- 7.15 In order to allow the elements of the policy to be implemented by CDC through the development management process I recommend that the policy is separated into its two component parts. I also recommend that the second part of the policy is prefaced with the same commentary about compliance with other development plan policies as is the case with the first part. These modifications will provide the clarity required by the NPPF.
- 7.16 I recommend that the first part of the policy draws the reader's attention to the location of the Village Design Statement in the wider document. I also recommend that a key is added to Map 3 so that its purpose is clear. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Break the policy into its two component parts (with the second starting with Development will...)

In the first part of the policy add '(Appendix 2)' after 'Design Statement'

At the beginning of the second part of the policy add: 'Subject to other relevant development plan policies'

Provide a key to Map 3 which highlights the reference to character areas in the Village Design Statement

Policy WW2 Preventing Coalescence

- 7.17 This is an important policy in the wider context of the Plan. It identifies a Green Gap between the two main areas of built development in the parish. The policy comments that within the Green Gap development will only be supported if it does not detract from the openness and rural landscape character of this area and it does not contribute to the perceived or actual coalescence between the two main settlement areas of West Wittering.
- 7.18 I looked at the proposed Gap carefully during the visit. I saw its openness, its relationship to the two built up parts of the parish and the views which it provides locally (to Cakeham Tower) and more broadly to the surrounding landscape.

- 7.19 CDC questions the need for the policy given the limited development pressures in the identified area. In its response to the clarification note, WWPC commented that the proposed Green Gap:

‘provides an important gap between the two settlement areas of the Parish and ensures that there is no coalescence between the two parts. The Parish Council has assessed the extent to which the designation of a gap achieves an ambition which cannot be otherwise met by the application of national and local planning policies and feel that this gap, if not protected, could fall within criteria for development as it is adjacent to the two settlement areas in the village. It is also prime agricultural land that is sown and harvested each year and should not be lost. It is a heartfelt desire of the community to protect the space for as long as possible. Residents value the benefits of the impact of the space, the views offered and the contribution to dark skies. It provides the setting for Cakeham Tower (Grade 1 listed). The gap is of importance to visitors who admire the openness and views towards the Downs and the coast.’

- 7.20 I have considered this matter very carefully. On the balance of the evidence, including my own observation of the character and scale of the proposed Green Gap, I am satisfied that the policy takes an appropriate and distinctive approach to this matter. It reflects the spatial distribution of built development and the overall significance of the Green Gap to the character of the parish.

- 7.21 Within this overall context I recommend that the policy is modified so that its reference is to the identified Green Gap rather than preventing coalescence. Plainly the two issues overlap. However, the identified Gap is of such a scale that only planned strategic development would lead to the coalescence of the two parts of built development in the parish. The recommended modification to the policy focuses on the Green Gap and the expectations for development within the identified area. On this basis its emphasis is safeguarding of the openness and rural character of the Gap. I recommend a consequential modification to the policy’s title. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with:

‘Development proposals should respond positively to the identification of the Green Gap as shown on Map 4 and safeguard its rural character and appearance.

Development proposals which would unacceptably detract from the rural character and appearance of the Green Gap will not be supported.’

Change the policy title and the heading above paragraph 4.5 to ‘The Green Gap’

Policy WW3 Housing development

- 7.22 This policy proposes a criteria-based approach towards new housing development in the parish. It sets out to reflect West Wittering’s status in the local settlement hierarchy. The Plan comments that the adopted Local Plan target of 50 homes will be met through existing planning permissions. As such I am satisfied that this requirement has been met. Nevertheless, the Plan sets out a supporting approach to provide a general context within which development can come forward in the Plan period.

- 7.23 The policy is comprehensive. It sets out a series of location, design, and heritage issues.
- 7.24 I recommend a series of modifications to the policy to ensure that it meets the basic conditions. The recommended modifications take account of CDC's representations and WWPC's responses to the clarification note. In summary they are as follows.
- the deletion of criterion b on the 5-year housing land supply position. As CDC comment this is an application of national planning policy rather than a matter which needs to be addressed in this or any neighbourhood plan.
 - a reconfiguration of the policy so that criteria a and c become the two key criteria which are then underpinned by more detailed elements of the policy where those criteria are met.
 - a refinement of the detailed element on housing to meet local needs. There is no evidence that bungalows will be appropriate for every site or that the effect of such an approach has been tested for viability purposes.
 - a simplification of the element of the policy about delivering connections between new developments and local facilities and its application on a proportionate basis.
 - a simplification of the element of the policy on heritage assets, including the relocation of explanatory text to the supporting text.
- 7.25 I also recommend that elements of explanatory text in the policy are repositioned into the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with:

'Proposals for residential development will be supported where:

a) the site is within the settlement boundary as identified in the policies map; and

b) the scale of development is proportionate to the existing settlement and reflects West Wittering's identification as a service village in the Chichester Local Plan settlement hierarchy.

Development proposals of 10 units or more should include a mix of housing types to meet local needs. At least 30% of the total number of dwellings should be affordable housing. The affordable housing component shall be delivered via a Community Land Trust or similar organisation and should ensure that the housing will be retained in perpetuity as affordable housing with a preference for households with a local connection.

As appropriate to their scale and location, the design of housing developments should maximise opportunities for connectivity between the site and existing commercial and community facilities to ensure that the development is fully integrated into the local environment and residents have the opportunity walk or cycle to access local facilities.

Development proposals should conserve and enhance any heritage assets affected on or immediately adjacent to the site in a manner appropriate to their significance. Proposals should demonstrate that potential effects for remains of

archaeological interest have been considered. Where a proposal has potential to result in loss of archaeological remains of interest, it should be demonstrated that the layout and design of the development have been chosen to preserve remains in situ, giving the greatest priority to remains of national importance.

Development proposals should identify the necessary infrastructure to support the development proposed and the way in which it will be delivered.

At the end of paragraph 4.7 add:

'Elements of Policy WW3 comment about archaeological matters. Proposals should demonstrate that potential effects for remains of archaeological interest have been considered, including a review of records for the site and surrounding area held by the Chichester Historic Environment Record. Where appropriate it may be necessary to supplement this with a more detailed archaeological assessment, potentially including on-site investigation works. The need for assessment and investigation should be determined through consultation with the District Council's archaeological advisor. Where archaeological remains are not judged to merit preservation in situ, it will be necessary to make an appropriate record before their loss and to ensure the findings of investigation are made available to the public within the neighbourhood area.'

Policy WW4 Replacement dwellings

- 7.26 This policy refers to replacement dwellings. It reflects specific circumstances in the parish as described in paragraph 4.10 of the Plan.
- 7.27 The policy comments that subject to other relevant development plan policies, new housing development which replaces existing dwellings will be supported within the settlement boundaries where the development does not result in a loss of small units (1 to 2 bedrooms) or bungalows and the development reflects the character and density of the surrounding area.
- 7.28 I have considered the policy's approach towards retaining smaller homes through the implementation of the policy. In doing so I have taken account of CDC's representation and WWPC's response to the clarification note. On the balance of the evidence, I recommend that this element of the policy is deleted. It would be difficult to implement through the development management process and in any event most proposals for replacement dwellings seek to rationalise the existing floorspace/footprint and to ensure that the resulting house (or houses) meets modern standards.
- 7.29 Nevertheless I recommend that the policy offers specific support for proposals which would result in the replacement of an existing dwelling with two small dwellings (subject to character and layout issues). This approach would respond to WWPC's ambitions for the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with:

'Subject to other relevant development plan policies, proposals for replacement dwellings will be supported within the settlement boundaries where the development reflects the character and density of the surrounding area.'

Development proposals which would replace one house with two small houses (with one or two bedrooms) will also be supported where the development

reflects the character of the surrounding area and would not unacceptably detract from its density and the amenities of existing dwellings.'

Policy WW5 Principal Residence Requirement

- 7.30 This is another important policy of the Plan. It seeks to respond to the high number of second homes in the parish and their effect on the operation of the local housing market.
- 7.31 The resulting policy comments that new open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a Principal Residence. It also advises that sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement and that new unrestricted second homes will not be supported at any time, including on allocated sites.
- 7.32 The policy is underpinned by the information in the supporting text and in the Background Evidence Paper. It is also reflected in the relationship between the number of homes in the parish and the number of persons usually living in the parish as set out in paragraph 5.1 of this report (as supplied by NOMIS). This information also highlights that 388 (22.3%) of the 1740 homes have no usual residents.
- 7.33 Based on all the evidence I am satisfied that the policy has been appropriately considered. In addition, its format and content provide sufficient information and guidance to allow CDC to apply its restrictions in a consistent way throughout the Plan period. I recommend that the supporting text clarifies that the policy will apply to the development of any allocated sites which may emerge in the future as identified in the Local Plan (as advised in WWPC's response to the clarification note). In all the circumstances the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

At the end of paragraph 4.11 add: 'For clarity the policy applies to all new residential development in the parish other than proposals for replacement homes. Specific guidance for replacement homes is addressed in Policy WW4 of this Plan.'

Policy WW6 Visitor Accommodation and Facilities

- 7.34 This policy seeks to respond to specific circumstances in the parish. They are neatly summarised in paragraphs 4.12-4.14 as follows:

'West Wittering is a popular destination for holiday makers and day trippers to the beach. Many of the dwellings are second homes and there are several holiday parks. The population of the village can therefore vary hugely depending on the season with the population of the village doubling at the height of the summer season but the area seeming empty and deserted out of season.

The visitor related employment and income to local businesses is very seasonal and it is considered that the local economy and employment prospects for local people would be improved if visitor accommodation and facilities were provided that encouraged longer term and year-round visitors.

In recent years there has been a trend to rent out existing dwellings on short term lets for holiday accommodation. Whilst this can provide increased use of second homes, helping to mitigate the impacts described above, it can also cause significant disruption

to permanent residents especially where these dwellings are used for parties by large groups.'

- 7.35 The policy comments that good quality visitor accommodation will be supported where this is suitable for year-round visitors, and where it reflects the character and nature of the village. It also comments that the change of use of private dwelling houses into accommodation for more than six people (Houses in Multiple Occupation) or for short term lets will not be supported where this would harm the tranquil character of the parish or disturb neighbouring residents or create an unacceptable level of additional on street parking either individually or cumulatively.
- 7.36 In general terms the policy takes a positive and distinctive approach to these matters. The policy addresses very specific issues which relate to its attraction to tourists and those looking for holiday accommodation.
- 7.37 In the first part of the policy I recommend the deletion of the reference to high-quality accommodation. It is not defined in the policy or the supporting text and, in any event, would be difficult to implement through the development management process. The quality of holiday accommodation is ultimately a matter for a developer to determine.
- 7.38 As the Plan identifies, the element of the policy which relates to short term lets is currently a matter on which CDC needs to consider on a case-by-case basis on the extent to which a material change of use has taken place (from a former private dwelling). The Government is looking at ways of addressing this wider issue which has been driven by the popularity of booking sites such as Airbnb and the associated opportunities which exist for the owners of second homes to let their properties to others. I recommend that the policy is modified so that it properly addresses this matter. I also recommend modifications so that the criteria in the second part of the policy can be applied clearly and consistently by CDC throughout the Plan period. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development

Replace the policy with:

'Proposals for visitor accommodation suitable for year-round visitors and which reflects the character and nature of the village will be supported.

Insofar as planning permission is required, the change of use of private dwelling houses into accommodation for more than six people or for short-term lets will not be supported where this would cause unacceptable harm to the tranquil character of the parish, where it would unacceptably detract from the amenity of neighbouring properties or where it would create an unacceptable level of additional on street parking.'

Policy WW7 Economic Development

- 7.39 This policy seeks to encourage appropriate economic development in the parish and to diversify its economy. Paragraph 4.16 of the Plan advises that:
- 'Employment prospects in the tourism sector..... are largely seasonal and low paid. These include employment in the retail sector as, whilst most shops stay open all year, their trade is significantly reduced in the winter. A limited number of B1/B2/B8 businesses are located in the parish, mostly in converted farm buildings or based from*

home. Increasing the amount and variety of employment opportunities in the village would help to maintain a healthy balance of age groups in the population and make the local economy more resilient. However, these should be small (micro) businesses of up to 10 employees to avoid impacting the character of the area.'

- 7.40 The policy offers support for small/micro businesses with up to ten employees subject to other relevant development plan policies.
- 7.41 In general the policy takes a positive approach to this matter which has regard to Section 6 of the NPPF. Nevertheless, I recommend that the policy is recast in order to remedy two issues. The first removes the reference to the number of employees. As CDC comment there is no direct relationship between any harm to the environment and the number of employees. The second ensures that buildings in the countryside are physically capable of conversion. The recommended modification ties the policy to the criteria in Policy 46 of the Local Plan. I also recommend consequential modifications to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the economic dimension of sustainable development.

Replace the policy with:

'Development proposals for small/micro businesses will be supported where they are within the identified settlement boundaries or they involve the conversion or reuse of a building in the countryside and comply with the criteria in Policy 46 of the Chichester Local Plan: Key Policies'

Replace the final sentence of paragraph 4.16 with: 'However, these should be small (micro) businesses to avoid impacting the character of the area. They should either be in the settlement boundaries or within buildings within the countryside which are capable of conversion to such uses. The latter issue will ensure that the policy is consistent with Policy 46 of the Local Plan.'

Policy WW8 Retail Facilities

- 7.42 Paragraph 4.17 of the Plan advises that the retention and enhancement of existing retail facilities is important to the sustainability of the village and that improvements to the public realm and outdoor customer facilities in the vicinity of the shopping parade would also support community cohesion, visitor facilities, and business resilience.
- 7.43 The policy reflects these matters and comments that the development for new or expanded local small-scale retail facilities will be supported where they are located within or adjacent to the existing parade as identified on the Policies Map. It also advises that improvements to the public realm and outdoor customer facilities in this area will also be supported and that the loss of local retail facilities will be resisted where this requires planning permission unless there is clear justification as set out in Local Plan policies.
- 7.44 I looked at the retail outlets in Rookwood Road carefully during the visit. It was clear that they are at the heart of the community and serve both residents and visitors. The retention of these retail facilities will contribute to sustainable development and will assist in the overall sustainability of the parish.
- 7.45 I am satisfied that the policy complements the approach taken in Policy 29 of the Local Plan. Nevertheless, I recommend a modification to its wording so that the policy applies

the criteria in the Local Plan policy. I also recommend that the policy is simplified by referring to the area shown on the Policies Map rather than to the 'parade' of retail uses. Whilst there is a concentration of shops in Rookwood Road, it is not a traditional planned 'parade' of retail units more traditionally found in town and village centres.

- 7.46 I am also satisfied that the policy has regard to national policy. It specifically acknowledges the flexibility which Class E of the Use Classes Order now provides to the use of retail, commercial and service uses.

Replace the policy with:

'Development proposals for new or expanded small-scale retail facilities within or adjacent to the area in Rookwood Road identified on the Policies Map will be supported. Proposals for the improvements of the public realm and outdoor customer facilities in this area will also be supported.'

Insofar as planning permission is required, proposals which involve the loss of retail facilities in the area in Rookwood Road shown on the Policies Map will not be supported unless there is clear evidence that one of the criteria in Policy 29 of the Chichester Local Plan applies to the proposal.'

Policy WW9 Rights of Way and Quiet Lanes

- 7.47 This policy celebrates the importance of rights of way and other forms of access in the parish. Paragraphs 4.18 to 4.21 of the Plan highlight specific noteworthy features.
- 7.48 It comments that public rights of way and quiet lanes are suitable for informal recreational use and proposals to enhance them for such use will be supported subject to other relevant development plan policies. It then advises that any development that results in the loss or degradation of such routes, such as through the introduction or increase in amount or size of vehicular traffic, will be resisted.
- 7.49 In general terms the policy takes a positive approach to this matter. I saw the range and attractiveness of the footpath network in the parish during the visit.
- 7.50 I recommend that the policy is broken into its two component parts. In the first part, I recommend the deletion of the unnecessary explanatory text about the importance of the network which is already fully addressed in the supporting text. In the second part of the policy, I recommend the deletion of the specific reference to increased traffic volumes. This is not a matter which can be directly controlled by the development management process and CDC will be able to make decisions on any planning applications which may affect the attractiveness of the network on a case-by-case basis. In coming to this recommendation, I have taken account of WWPC's response to the clarification note. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimension of sustainable development.

Replace the policy with:

'Development proposals to enhance the public rights of way and quiet lanes identified on the Policies Map for informal recreational use will be supported subject to other relevant development plan policies.'

Development proposals which would unacceptably detract from the attractiveness or the use of such routes will not be supported.'

Policy WW10 Coastal Enhancements

- 7.51 The policy acknowledges the importance of the coastline in the parish. It also takes account of local initiatives and management plans.
- 7.52 It comments that proposals for the enhancement of the coast within the parish will be supported where they take account of Integrated Coastal Zone Management strategies for the Manhood Peninsula and the Chichester Harbour Conservancy Management Plan. It also advises that proposals that damage these assets, including through urbanisation and domestication of the foreshore, will be resisted.
- 7.53 I am satisfied that the policy takes an appropriate approach to this important matter to the character and appearance of the parish. I recommend two detailed modifications to the wording used to ensure that the policy has the clarity required by the NPPF. Otherwise, it meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace:

- **‘the coast within the parish’ with ‘the coastline’**
- **‘through urbanisation and domestication of the foreshore, will be resisted’ with ‘which would result in an urbanisation and/or domestication of the foreshore, will not be supported.’**

Policy WW11 Biodiversity, Geodiversity and Mitigating the Impacts of Climate Change

- 7.54 The policy acknowledges the importance of the biodiversity and geodiversity assets of the parish including European, national, and local designations. The policy also comments that there are several undesignated assets, including land owned by the National Trust, land under Environmental Stewardship Agreements, priority habitats, notable road verges and local geological sites.
- 7.55 The supporting text includes a wealth of detail on the assets. This is best practice and highlights that the approach taken is evidence-based.
- 7.56 The policy comments that development proposals must achieve a net-gain in biodiversity assets of at least 10%. It also advises that development proposals must also demonstrate how they have enhanced the natural capital of the area and increased its resilience to climate change wherever possible. It also comments that development proposals affecting non-designated sites will be expected to retain and support the enhancement of these assets except where essential for the viability of the site (such as access) and then any harm should be minimised and mitigated.
- 7.57 The policy takes a very comprehensive approach to these matters. In the round I am satisfied that the approach taken has regard to Section 15 of the NPPF.
- 7.58 I recommend that the policy is broken into its two separate components. This will provide clarity for the decision maker as development proposals will not necessarily apply to both parts of the policy.
- 7.59 I recommend that the first part of the policy is modified so that it can be applied on a proportionate basis. I recommend that the descriptive elements of the second part of the policy are deleted. They add no value to the policy itself and are otherwise already addressed in the extensive supporting text. Otherwise, the policy meets the basic

conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Replace the policy with:

‘Development proposals should achieve a net-gain in biodiversity assets of at least 10% (demonstrated by reference to the Defra Biodiversity Metric). As appropriate to their scale, nature and location, development proposals should seek to enhance the natural capital of the immediate locality and increase its resilience to climate change.

Development proposals should retain and support the enhancement of non-designated biodiversity and geodiversity assets except where the works proposed are essential for the viability of the site (such as access). In these circumstances, any harm to the asset concerned should be minimised and where practicable mitigated.’

Policy WW12 Community Facilities and Open Spaces

- 7.60 This policy acknowledges the importance of community facilities to local people. Paragraphs 4.25 to 4.29 of the Plan highlight the importance of specific facilities.
- 7.61 The policy comments that proposals for the provision of new community facilities and open spaces that provide for everyday needs within West Wittering will be supported. It also advises that proposals that would result in the loss of existing community facilities and open spaces will only be acceptable if evidence demonstrates they are no longer needed by the community or would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- 7.62 The policy takes a positive and robust approach to the importance of community facilities to the well-being of residents of the parish. I looked at several of the identified facilities during the visit. Their local significance was self-evident. The policy correctly identifies that the demand for community facilities may change in the Plan period and/or that replacement facilities may be secured through redevelopment proposals.
- 7.63 I recommend that the order of the policy is reversed so that the facilities are listed before the policy element. I also recommend that the policy itself is modified to offer support for proposals for the improvements of existing facilities in addition to the development of new facilities. Such proposals are as likely to come forward within the Plan period as those for new facilities. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

Reverse the order of the two parts of the policy (so the list of facilities comes first).

Replace the first sentence of the policy (as submitted) with: ‘Proposals for the improvement or extension of the community facilities listed above and for the provision of new community facilities and open spaces that provide for everyday needs within West Wittering will be supported.’

Policy WW13 Lighting

- 7.64 This policy sets out detailed guidance on lighting. Its second part addresses proposals in the Chichester Harbour AONB.

- 7.65 The policy takes a positive approach. I recommend that the first part of the policy is modified so that it sets out the criteria which apply to proposals rather than to anticipate the outcome of planning applications. Plainly other development plan policies will need to be assessed by CDC as proposals are considered. I also recommend a detailed modification to the wording in the third criteria and in the second part of the policy to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace ‘proposals will be supported where it can be demonstrated that the following criteria have been addressed:’ with ‘proposals should respond positively to the following criteria:’

In the third criterion replace ‘significant adverse’ with ‘unacceptable’

Replace the first two sentences of the second part of the policy with: ‘Development proposals that are within or may affect Chichester Harbour AONB should also demonstrate that their lighting elements will not have unacceptable effects on wildlife and that they comply with the Dark Skies policies set out in the Chichester Harbour Management Plan regarding the designated Dark Skies Discovery Sites.’

Policy WW14 Infrastructure

- 7.66 The policy comments that new and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other relevant development plan policies
- 7.67 The policy takes an appropriate and non-prescriptive approach. I recommend the deletion of the unnecessary use of the word encouraged. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

Replace the policy with: ‘Proposals for new and improved utility infrastructure will be supported where they meet the identified needs of the community and other relevant development plan policies.’

Community Aspirations

- 7.68 Section 5 of the Plan includes a series on Community Actions. They are non-land use matters which have naturally arisen as the Plan was being produced. They are set out in a separate part of the Plan as recommended in national guidance.
- 7.69 The various Actions are distinctive to the parish. In some cases, they will directly complement the land use policies. The following Actions are particularly noteworthy:

Aspiration 2 – Highways and Transportation

Aspiration 3 – Community led Housing

Aspiration 8 – Chichester Harbour

Aspiration 11 – Short Term Lets

Monitoring and Review

- 7.70 Section 6.5 highlights the need for the Plan to be monitored and reviewed. In the same way in which there is no requirement for a parish council to produce a neighbourhood plan, there is no need for a 'made' plan to be reviewed. Nevertheless, WWPC has demonstrated a positive approach to this matter. In this context, I recommend that this part of the Plan comments about the potential significance of the emerging Local Plan and identifies its adoption as a key stage for WWPC to assess the need or otherwise for a review of the Plan.

At the end of paragraph 6.5 add: 'The Plan has been prepared within the context of the current Chichester Local Plan. The District Council is currently preparing a new Local Plan which will cover the period to 2039. The Parish Council will assess the need or otherwise of a review of the neighbourhood plan within six months of the adoption of the emerging Local Plan.'

Other matters - General

- 7.71 This report has recommended a series of modifications both to the policies and to the text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for CDC and WWPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Other Matters – Specific

- 7.72 CDC has suggested a series of amendments to specific policies and to the more general parts of the Plan. They have been very helpful for examination purposes. Where the proposed amendments relate to specific policies, I have addressed them in earlier parts of this report (on the policy concerned). I recommend the following specific modifications on more general matters which are necessary to ensure that the Plan meets the basic conditions:

At the end of paragraph 2.1 add: 'The coastal edge of West Wittering is part of the Solent Maritime Special Area of Conservation (SAC).'

In Paragraph 3.1 delete 'draft' in the first sentence and then the second sentence.

In Objective 15 replace 'Police and Highways Authority' with 'the Police, the Highways Authority, the District Council and West Wittering Estates'

In Objective 19 replace 'To provide' with 'To support the provision of'

Other Matters – Village Design Statement

- 7.73 In the round the Village Design Statement (VDS) is an excellent document and forms an important part of the Plan. However, I recommend modifications to its context as highlighted by CDC.

- 7.74 The recommended modification to paragraph 4.2 is a factual addition and will ensure that the VDS is consistent with the Plan itself. The recommended modifications to the Planning Guidelines are designed to ensure that the VDS fulfils its purpose (in supporting planning policies) rather than seeking to create its own policies. In the case of Guideline 16, this can be achieved by making the approach more general. In the case of Guideline 21, the approach proposed is both unclear and beyond planning control. As such I recommend its deletion.

At the end of paragraph 4.2 add: 'The coastal edge of West Wittering is part of the Solent Maritime Special Area of Conservation (SAC).'

Replace Planning Guideline 16 with: 'Extensions should ensure that the resulting building remains in character and scale with other buildings in the immediate locality.'

Delete Planning Guideline 21 (and renumber the guidelines thereafter).

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2029. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the West Wittering Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to Chichester District Council that subject to the incorporation of the modifications set out in this report the West Wittering Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Chichester District Council on 15 March 2013.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
24 July 2023