

## Southbourne Modified Neighbourhood Plan 2014-2029 Regulation 16 Consultation Responses

Summary of representations received by Chichester District Council (CDC) as part of Regulation 16 publication and submitted to the independent examiner pursuant to paragraph 9 of Schedule 4B to the 1990 Act

Parish Name: Southbourne Parish Council  
Consultation Date: 2 March to 14 April 2023

All the original representation documents are included, in full, as part of the examination pack. The table below may be a summary of the representations received so may not always be a verbatim report.

Name and Reference	Date received	Method of submission	Summary of representation
Southern Water (001)	28.03.23	Email	<p>Southern Water is the statutory wastewater undertaker for the Parish of Southbourne. We note that our suggested modifications in the Regulation 14 consultation were not addressed, and therefore have re-emphasised our key points below.</p> <p>The modifications sought to reflect the difference that exists between the separate requirements for wastewater <u>conveyance</u> (ie the sewer network of pipes and/or pumping stations) and wastewater <u>treatment</u> (ie the Wastewater Treatment Works (WTW) which cleans wastewater before it is returned to the environment). This differentiation will help to ensure clarity when this policy is applied to future decision making on planning applications, and will ensure the policy meets the Basic Conditions, having regard to national policy, specifically paragraph 16(d) of the National Planning Policy Framework (NPPF) 2021.</p> <p>In addition to the above, and with reference to Section A(ii) of this policy, whilst we support the requirement for higher water efficiency standards in new development, we would add that one of Southern Water's key priorities for reducing flows in the wastewater network is to prevent surface water from entering these systems. This may be through our work to remove existing surface water connections to the foul network, and in addition, through our reliance on the planning system to ensure new connections of surface water to foul/combined systems are not permitted to be made.</p>

			<p>Unless or until Schedule 3 of the Flood and Water Management Act 2010 is enacted, water companies cannot refuse applications to connect surface water to combined sewer networks. If flooding occurs due to excessive prolonged rainfall, a policy to prevent surface water from being connected to the foul/combined sewer network will help to ensure that new development does not add to the pressure already placed on sewer networks and storm overflows during wet weather.</p> <p>The addition of a new criterion (v) suggested below will also ensure the neighbourhood plan meets the Basic Conditions by aligning with the emerging Chichester Local Plan, in which Policy NE16 sets out in criterion c) that '<i>no surface water from new development will be discharged to the public foul or combined sewer system</i>'.</p> <p><b>What improvements or modifications would you suggest?</b></p> <p><b>Proposed amendment</b></p> <p>Having regard to the above, we propose the following modifications to Policy SB20, section A(i) along with a new criterion (v) as follows (new text underlined);</p> <p><i>i. The sewer network can accommodate the additional demand for sewerage disposal either in its existing form, through interim solutions or through planned improvements to the system to ensure sufficient wastewater <u>conveyance and treatment capacity</u> is in place in advance of the first occupation of the development;</i></p> <p><i>ii. The Water Efficiency Standard of 110 litres per person per day as set out in the National Technical Standards will be achieved in new development to reduce the volume of wastewater entering the foul sewer;</i></p> <p><i>[...]</i></p> <p><i><u>v. Surface water should be managed as close to source as possible, following the drainage hierarchy, and will not be permitted to drain to the foul or combined sewer network.</u></i></p>
Historic England (002)	29.03.23	Email	We have no comments to make on this occasion.

Network Rail (003)	30.03.23	Email	<p>Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.</p> <p>Our main concern is the footbridge proposed in policy <b>SB21: Sustainable Travel</b>. As a publicly funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development. Consequently, we expect any mitigation required to be funded at no expense to Network Rail.</p> <p>While we have no objections to the footbridge in principle, please note that the construction and maintenance should be undertaken by the Local Authority and Network Rail should not be considered as the asset owner.</p> <p>Following on from this, can the Council confirm the exact location of the footbridge at this stage? Network Rail would require this as it may represent opportunity to close other level crossings in the vicinity.</p>
Smith Simmons (P White) (004)	03.04.23	Email	<p>Please see my comments below on the draft Southbourne Parish (Submission Modified Plan) 2014- 2029 (SPNP3). They are duly submitted by the due date of 14 April 2023. My comments are submitted in my capacity as a local resident of Farm Lane Nutbourne within the parish of Southbourne and a practicing chartered town planner based in Chichester.</p> <p><b>Background</b></p> <p>I commented on the first draft Review Plan in 2021 (SPNP2) before the Neighbourhood Plan Examiner concluded it should not proceed to referendum and was withdrawn. I did not support that plan because the allocation of land on the east side of the parish for 1250 dwellings in draft policy SB2 would have been premature to the confirmation of the proposed quantum of housing in the Chichester Local Plan Review. The proposed housing site also encroached significantly into an identified wildlife corridor and the Southbourne</p>

		<p>- Hambrook Local Gap shown in the Landscape Gap Assessment forming part of the evidence base for the Local Plan and Neighbourhood Plan.</p> <p>I commented on the Pre Submission Modified Neighbourhood Plan (SPNP3) dated October 2022 but they have not led to further changes in this Submission version Plan. I am therefore pleased to re-state them for the attention of the Examiner. My comments are as follows:</p> <p><b>Basic Considerations for Neighbourhood Plan Preparation</b></p> <p>For the Southbourne Neighbourhood Plan to progress, it has to meet the Basic Conditions for plan preparation.</p> <p>Paragraph 8(2) of Schedule 4B of the Town and Country Planning 1990 Act sets out the basic conditions a Neighbourhood Plan must meet and which an examiner must consider before it can go to referendum. The statutory tests are:</p> <ul style="list-style-type: none"> <li>• Having regard to national policies and advice, whether it is appropriate for the Neighbourhood Plan to be made.</li> <li>• Having special regard to the desirability of preserving any listed building or its setting or the character or appearance of any Conservation Area.</li> <li>• Contribute to the achievement of sustainable development.</li> <li>• Be in general conformity with the strategic policies of the development plan for the area.</li> <li>• Be compatible with the European Union (EU) and European convention on human rights (ECHR) obligations.</li> </ul> <p>National policy in the Planning Practice Guidance (PPG) Paragraph: 009 Reference ID: 41-009-20190509 and basic condition 4 above both say a draft neighbourhood plan must be in general conformity with the strategic policies of the development plan in force. In addition, the PPG makes clear Neighbourhood plans are not tested against the policies in an emerging local plan.</p> <p>It is noted from the foreword for SPNP3 that it does not allocate land for housing because the housing target for Southbourne parish in the overarching strategic Chichester Local Plan Review has not yet been agreed</p>
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		<p>or been subject to any testing. The draft SPNP3 has therefore properly taken account of national policy and has been prepared in accordance with basic conditions 1 and 4 above.</p> <p>Moving ahead of the Local plan Review process and the housing numbers allocated to the parish was flawed last time. The current Plan remedies that and the approach is supported.</p> <p><b>The Evidence Base for the Neighbourhood Plan</b></p> <p>The evidence base for the new SPNP3 includes the Landscape Gap Assessment of Terra Firma (May 2019). This has identified 'gaps' between settlements located along the A259 in the East-West Corridor that should be protected from development to help maintain the identity of individual settlements; and considered the impact of potential development on designated landscapes including the south downs national park (SDNP) and the Chichester Harbour Area of Outstanding Natural Beauty (AONB).</p> <p>Since the last Pre Submission Modified Neighbourhood Plan was produced, the importance of countryside gaps has been recognised in the emerging Submission Local Plan policy NE3 of Chichester District Council.</p> <p>Local Plan Policy NE3 has been informed by the Landscape Assessment and is titled Landscape Gaps Between Settlements. Lower case policy text at paragraph 4.10 of the Local Plan recognises that in many parts of the plan area villages are located relatively close together. It says this is particularly the case along the A259 towards the west of Chichester. This is therefore a policy that directly applies to Southbourne.</p> <p>It says retaining the separate identity of each settlement is recognised as a key consideration of any development strategy and this approach is highly valued by local people. Landscape gaps can help guide where new development should be built and ensure the maintenance of open land between settlements. The policy NE3 therefore states:</p> <p><b>In order to prevent coalescence of built-up areas, maintain the individual identity of settlements, actual or perceived, and ensure the integrity of predominantly open and undeveloped land between settlements is not undermined, the generally open and undeveloped nature of gaps between settlements will be protected. The precise boundaries of gaps will be defined in either a Site Allocations DPD or through Neighbourhood Plans.</b></p> <p><b>What improvements or modifications would you suggest?</b></p>
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		<p><b>The Inset Maps of SPNP3</b></p> <p>Neighbourhood Plan policy SB13 refers to Wildlife Corridors and properly pays regard to the corresponding wildlife corridor policy NE4 of the emerging Local Plan. The wildlife corridors are shown on the relevant inset plans of the Neighbourhood Plan, and this is supported.</p> <p>Local Plan policy NE3 is a different policy which deals with landscape gaps between settlements but there is no corresponding policy in the Neighbourhood Plan.</p> <p>A new Neighborhood Plan policy should therefore be included which deals with landscape gaps in accordance with Local Plan policy NE3. The identified landscape gaps in the parish should be identified on the Neighbourhood Plan Inset plans. This approach would comply with paragraph 13 of the NPPF which states that Neighbourhood Plans should support spatial development strategies in Local Plans and should shape and direct development outside of these strategic policies.</p> <p>The gaps identified in the Landscape Gap Assessment within Southbourne Parish are Gap 9 - Hermitage and Southbourne and Gap 10 - Southbourne and Hambrook. Both gaps should therefore be shown on the Policy Inset Maps 1 and 2 of SPNP3. The Gaps along with the other environmental constraints shown on the Inset Maps should inform potential site selection in the next Neighbourhood Plan Review.</p> <p>This amendment would ensure the Neighbourhood Plan better complies with the basic conditions tests 1 and 4 as the Plan would have regard to national policy in the NPPF and be more in conformity with the District Development Plan.</p> <p><b>SPNP3 Policy Comments</b></p> <p>Policy SB2 should be deleted. It should not allocate land north of Cooks Lane as the site has outline consent including access (18/03145) and approval for the remaining reserved matters - appearance, landscaping, layout, and scale in August 2022 (22/00157). The consented site could be included within the settlement boundary in SB1, and the applications referred to in the lower case policy wording. The requirements for the site will be controlled by planning condition in the outline and reserved matters consents.</p>
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Chichester Harbour Conservancy (005)	11.04.23	Email	<p>Following the Conservancy's response in December 2022 to the Southbourne Parish Neighbourhood Plan pre-submission modified Plan 2014-2029 consultation; Conservancy Officers have reviewed the latest Southbourne Modified Neighbourhood Plan 2014-2029, to see if our comments have been incorporated in the modified version.</p> <p>Whilst we are pleased to see that our comments urging the Parish Council to include the AONB designation on the relevant maps has been actioned; we are disappointed that the remaining comments we made, suggesting minor tweaks to strengthen the wording of various policies within the Plan, have not been incorporated/actioned.</p> <p>We attach our comments again as those relating to the policies within the Plan are still applicable, and we would urge the Council to incorporate the suggested tweaks/additions to the policies, which are mostly of a minor nature in terms of wording changes or additions, but which would have a significant impact by virtue of providing more robust policies which more accurately reflect the status of the AONB as set out in the Countryside and Rights of Way Act 2000, and in paragraph 176 of the NPPF and Local Plan Policy 43.</p> <p>We also notice that the criteria within Policy SB1: <i>'avoid actual or perceived coalescence between settlements'</i> has been deleted – we would urge the Council to reinstate this important criterion which is designed to safeguard landscape character and rural the setting of the AONB.</p>

		<p>With regard to the proposed Southbourne Parish Wildlife Corridors set out in the Southbourne Modified Neighbourhood Plan 2014-2029, we fully support these, and we note that those set out in the emerging Local Plan are much narrower than those shown in the Southbourne Modified Neighbourhood Plan 2014-2029. We would urge the Council to incorporate the areas shown in the Southbourne Modified Neighbourhood Plan 2014-2029 Parish Wildlife Corridors into the ‘Strategic Wildlife Corridors’ within the emerging Local Plan, to be consistent and to allow sufficient protection for these areas which are so vital to our wildlife and wellbeing.</p> <p><u>Letter 14 December 2022:</u></p> <p>This letter sets out Chichester Harbour Conservancy’s comments on the above consultation. Please note that these have been considered and agreed by the Planning Committee at Chichester Harbour Conservancy, which met on 12th December 2022 to discuss the consultation.</p> <p>Chichester Harbour Conservancy is a unique organisation in that it is the only Harbour Authority with statutory responsibility for an Area of Outstanding Natural Beauty (AONB). Further details are explained in the Appendix to this response.</p> <p><u>General comments</u></p> <p>A large proportion of the Southbourne Parish lies within Chichester Harbour AONB. The Countryside and Right of Way (CRoW) Act (2000) sets out the duty of regard to the primary purpose of AONBs, which is to conserve and enhance natural beauty. As such, all relevant policies which affect the AONB should incorporate this requirement, as we set out below with regard to the relevant policies. The AONB Supplementary Planning Document and AONB Management Plan should also be referred to in all the relevant policies to ensure that the AONB has the protection it requires in the legislation as well as in the National Planning Policy Framework (paragraph 176 – ‘Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.’) This emphasis on conserving and enhancing natural beauty is also reflected in the adopted Local Plan Policy 43. The Southbourne Neighbourhood Plan should reflect this high status of protection afforded to the AONB.</p> <p>The Policies map and inset maps at the end of the pre-submission modified plan show various designations, including SPA and Ramsar sites, wildlife corridors, and Local Green Spaces, but do</p>
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		<p>not show the AONB designation. This is a serious omission – <u>it is absolutely crucial that the AONB designation is shown, as it affects a significant proportion of the Parish</u></p> <p><u>Comments on changes to the policies</u></p> <p><u>Policy SB1 (Development within and outside the settlement boundaries)</u> has been expanded to include key design criteria on which proposals inside the settlement boundaries will need to meet in order to be supported. Conservancy Officers support these additions to SB1, which strengthen the policy; however, we would urge the Parish Council to add a criterion that any proposal affecting the AONB or its setting should conserve and enhance its natural beauty and scenic qualities.</p> <p><u>Policy SB4 (Design in Southbourne Parish)</u> now includes criterion C which relates to development within Chichester Harbour AONB or its setting, stating that:-  <i>‘....detailed consideration should be given to the distinctive character and qualities of the AONB consistent with the aims of the AONB Management Plan. Buildings taller than 2 storeys are likely to be visible from the harbour and coastal path and may also be visible from the South Downs National Park. Proposals will be expected to demonstrate how their individual or cumulative effect has avoided significant harm to the AONB or to long views from the SDNP.’</i></p> <p>The Conservancy is pleased to see this addition to the general design policy, and welcomes the reference to the AONB Management Plan, although we consider that <u>‘avoiding significant harm’</u> suggests that some harm may be acceptable within the AONB. This is inconsistent with legislation and policies in place to protect AONBs – and therefore we would urge the Parish Council to change the wording to require that development <b><u>conserves and enhances the natural beauty of the AONB</u></b>, to accord with the purposes of designation as set out in the CRoW Act, Local Plan Policy 43 and NPPF paragraph 176.</p> <p><u>Policy SB6 (Design and Heritage in Hermitage)</u> includes criteria vi. which requires that proposals have regard to ‘the openness of the south of the area and the uninterrupted views towards Chichester Harbour’ but does not mention the AONB or the AONB SPD guidance. <u>Policy SB7 (Design and Heritage in the Prinsted Conservation Area)</u> includes reference to Chichester Harbour AONB and the AONB SPD. <u>Policy SB8 (Design and Heritage in Nutbourne West)</u> mentions open views to Chichester Harbour to the south but again does not mention the AONB or the AONB SPD guidance.</p>
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Barton Willmore (now Stantec) (R Shepherd) (006)	11.04.23	Email	Land East of Southbourne - See full details of representation below: <a href="#">006 Barton Willmore - R Shepherd.pdf (chichester.gov.uk)</a>

National Highways (007)	13.04.23	Email	<p>National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.</p> <p>We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, particularly the A27 in the vicinity of Southbourne.</p> <p>We have reviewed the amended consultation document and note that there are no changes to the proposed policies from the previous version of the document which would impact on the SRN.</p> <p>As noted in our previous consultation response, SPNP3 does not discuss any employment, housing, or other significant development, other than the land North of Cooks Lane which has the benefit of an outline planning consent.</p> <p>We would, nonetheless, reiterate once more that the financial contributions related to land North of Cooks Lane are required to be secured as follows:</p> <ul style="list-style-type: none"> <li>• The A27 Chichester Bypass contribution will be undertaken via a Section 278 Agreement with National Highways in line with the Chichester District Planning Obligations &amp; Affordable Housing Supplementary Planning Document, Section 4 Standard Obligations and Charges, paragraph 4.51 (of £1,803/dwelling)</li> <li>• The A27/Emsworth Road/A259 Warblington junction contribution will be via a Section 278 Agreement with Hampshire County Council, and this will be negotiated by the relevant officer of Hampshire County Council.</li> </ul>
S Talbot (008)	13.04.23	Email	<p><u>Paragraph 5.13 and Policy SB1</u></p> <p>I fully support the Southbourne Modified Neighbourhood Plan 2014-2029 Submission Modified Plan (January 2023) in its entirety.</p>

		<p>In particular, I support Policy SB1 which in essence directs development to within the established Settlement Boundaries in the parish. No further provision for housing is necessary for the reasons set out in Para. 5.13, which I support. Attention can be given to the quantity and location of any new allocation only when the new Local Plan is adopted, which was the opinion of the Examiner (Examiner’s Report March 2022: para 8) who dealt with the second Neighbourhood Plan (now withdrawn). In the meantime, piecemeal development outside the Settlement Boundaries should be resisted in order to safeguard the opportunity to secure proper plan-led development in the parish in the future.</p> <p><u>Paragraphs 5.61, 5.72 and Policies SB13 A and SB14</u></p> <p>In particular, I support the provision made for the Lumley and Ham Brook Wildlife Corridors (Policies SB13 and 14). In particular, I support the area included within the Neighbourhood Plan for the Ham Brook Wildlife Corridor as shown on the NP map (Plan D page 47) and the Policies Map Inset 1 (page 67). The area identified in the draft Local Plan (Strategic Wildlife Corridors) is considerably smaller. The surveys undertaken/commissioned by the Parish Council, which have been validated by the Sussex Biodiversity Record Centre, confirm that a larger area is justified.</p> <p>For example, the evidence commissioned by the District Council (CDC Wildlife Corridors Technical Consultation Document, July 2021) shows contributory branches of the Ham Brook Chalk Stream to the west (Figure 1) which have not been included in the CDC strategic corridor. It is not clear why. Chalk streams are rare and worthy of protection. Prolific evidence of water voles was discovered during the Parish Council survey of these side-streams.</p> <p>The District Council bat survey had only two recording points, nevertheless significant bat activity was recorded not only within the CDC proposed Corridor but also to the west and north west outside the CDC Corridor (CDC Wildlife Corridors Technical Consultation Document, July 2021 – Figure 2). Additional bat surveys organised and commissioned by the Parish Council were more wide ranging and fully support the identification of a wider area as shown in the Neighbourhood Plan.</p> <p>At a meeting between officers of the District Council and the South Downs National Park (SDNP), SDNP officers “queried whether they [Wildlife Corridors] are substantial enough to perform</p>
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			<p>intended function” (Duty to Cooperate Statement of Compliance Jan 2023, page37). This would appear to support the case in general for larger and wider Corridors.</p> <p>Is the District Council Map definitive, or a strategic guideline? The Local Plan (Policy NE4 and para. 4.16) appears to confirm the boundaries as definitive. However, discussions between CDC and the National Park (Duty to Cooperate Statement of Compliance Jan 2023, page 38), appear to show agreement that details would be defined in Neighbourhood Plans. This conflict requires rectification.</p> <p><b>What improvements or modifications would you suggest?</b></p> <p>No change to the Policy or Maps in the Neighbourhood Plan, but I request the addition of a sentence confirming that the boundaries shown in the Neighbourhood Plan are definitive to clear up any apparent conflict between the Neighbourhood and the Local Plan.</p>
G Talbot (009)	13.04.23	Email	<p><u>Whole plan:</u></p> <p>I fully support the Southbourne Modified Neighbourhood Plan 2014 – 2029 Submission Modified Plan (January 2023) in its entirety.</p> <p><u>Paragraphs 5.61 and 5.68 – 5.74 and Policies SB13 and SB14</u></p> <p>I strongly support the provision for Wildlife Corridors at the Lumley and at Ham Brook chalk streams as shown in the Modified Neighbourhood Plan.</p> <p>The importance of such Wildlife Corridors is emphasised by Natural England in its press release dated 3<sup>rd</sup> April 2023 which related to the “Species Recovery Programme Capital Grant Scheme”. Tony Juniper (Chair) said “ England’s wildlife is subject to a range of pressures with many species seeing drastic decline. The fragmentation of habitats, historic losses of natural areas, pollution, the changing climate and the impact of invasive alien species have all played their part, to the point today where nearly 40% of England’s wildlife species are in decline and about 15% in danger of becoming extinct here.”</p>

			<p>The press release included water voles as one of the threatened species. These are an important part of the food chain and have been recorded in the Southbourne Wildlife Corridors as proposed in the Modified Neighbourhood Plan.</p> <p>In a radio interview following the press release, Tony Juniper confirmed that Wildlife Corridors should be sufficiently large and diverse in order to provide functioning connecting routes between established habitats. Ancient hedgerows, watercourses and trees all contribute to the value of these Corridors.</p> <p>Southbourne Parish occupies a pivotal location between established habitats within Chichester Harbour and the South Downs National Park, and the Modified Neighbourhood Plan provides the opportunity to safeguard two very important routes linking these areas.</p>
Chichester District Council (010)	13.04.23	Email	<p><u>General:</u></p> <p>The Parish Council (PC) and Neighbourhood Plan Working Group are to be commended on their wish to produce a modified version of the existing 'made' Southbourne Parish Neighbourhood Plan following the withdrawal of the previous draft plan earlier this year. The previous extensive evidence, background work and documentation has helped inform this modified version of the 'made' plan and is clearly presented on the PC website. The Parish Council's determination and commitment to this work on behalf of the local community is recognised by Chichester District Council (CDC) as their work continues to provide an exemplary example of community-led planning.</p> <p>The draft Southbourne Modified Neighbourhood Plan Submission Modified Plan 2014- 2029 January 2023 (NP) is well written, clear and the policies are in general focused and precise. The layout and presentation of maps complements the document, however, where it is considered there are opportunities for improvements and clarity then suggestions are made below.</p> <p>The Basic Conditions Statement at para 2.9 also provides a list of principles the Parish Council understand have been agreed with CDC. Where views may vary, CDC has included comments under the various policies below. At this time the Habitats Regulations Assessment (HRA) Screening Matrix and Appropriate Assessment Statement for the submitted version of the Southbourne Modified Neighbourhood Plan 2014-2029 Submission Modified Plan (January 2023)</p>

		<p>remains outstanding. Once complete the Statement will be published and submitted to the examiner.</p> <p><u>Page 11 para 3.3:</u></p> <p>Reference is made here (and elsewhere in the draft NP submitted documents) to advice provided by CDC on the inclusion of the site at Cooks Lane as an allocation in the modified NP. This is an option CDC suggested could be considered when the PC was looking at drafting a modified version of the 'made' plan. However, various parishes have taken different approaches to addressing such sites where permission has already been granted. For example, Westbourne PC included a policy for a site as an allocation in that situation, whereas Chidham and Hambrook PC adjusted the settlement boundary and did not allocate such sites. Consequently, any final decision on the approach to be taken has been for the PC in consultation with its planning advisors and for an examiner to consider in due course.</p> <p>CDC understands the wishes and aims of the PC to secure some form of protection for the parish from speculative development prior to the new Local Plan coming in to force and being adopted. Although CDC appreciates the concerns of the PC and the local community, the modified neighbourhood plan, and the allocation of an already committed site, will only be tested in relation to that aspect of protection once it has moved successfully through the process and is then considered at a planning application appeal by an Inspector in relation to the relevant legislation and tests.</p> <p><b>Page 23 Policy SB2 Land North of Cooks Lane, Southbourne Village</b></p> <p>See comment above in relation to the approach of the inclusion of this site as an allocation.</p> <p>As a suggested update to the text in para 5.14 – the reserved matters application (22/00157) was approved on 31 August 2022.</p> <p>There may be a typo in bullet point 6 in the reference to 12% in relation to biodiversity, should this read 10% rather than 12%.</p> <p>Whilst the split of 70% open market and 30% affordable is in line with current policy, the further breakdown of the affordable percentage into 70% affordable rent and 30% intermediate no longer</p>
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			<p>meets current policy. Instead, recommend the 30% of affordable housing should be split as follows, in accordance with the CDC's most up to date HEDNA (2022):</p> <ul style="list-style-type: none"> <li>25% First Homes</li> <li>35% Social Rent</li> <li>22% Affordable Rent</li> <li>18% Shared Ownership</li> </ul> <p>Although this does not apply to the current planning consent which remains extant, should this consent lapse, the above policy will need to be implemented and consequently it is recommended Policy SB2 is amended to reflect this.</p> <p><b>Page 25 Policy SB3 Local Housing Needs</b></p> <p>Support the guiding principles of the policy to ensure a wide range of dwelling sizes and tenures are provided to meet local need. Based on the latest evidence there is a high level of need for 1 bedroom, rented dwellings (56% of those on the housing register with a connection to Southbourne) and therefore suggest that a reference to this need is included within the policy.</p> <p><b>Page 37 Policy SB10 Employment Land</b></p> <p>Support parts A and B. However, there is no protection for existing employment sites within this policy to prevent them from being redeveloped into a non-commercial use, although this is covered by adopted Local Plan Policy 26. We would recommend reference to LP Policy 26 is included to ensure the security of employment sites.</p> <p>Part A – suggest amend wording to read ‘...without causing significant harm to <b>neighbouring uses</b> <del>local amenities</del>’ to provide protection to nearby uses and as it is not clear what is meant by ‘local amenities’ this should be removed.</p> <p>Part B – it is not considered necessary to include the figures relating to jobs per square metre as this does not enable flexibility in applying the policy.</p> <p><b>Page 39 Policy SB11 Community Facilities and Local Shops</b></p>
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		<p>The policy would benefit from a reference to appropriate marketing guidance in the adopted Local Plan Appendix E where loss of local community facilities and shops is proposed.</p> <p><b>Page 41 Policy SB12 Land for expanding Education and Recreational Uses</b></p> <p>It is noted the allocation lies partly within an area currently being proposed by CDC as part of the longer term development of Southbourne through the new Local Plan. This approach has now been published formally as <a href="#">Policy A13</a> Southbourne Broad Location for Development as the regulation 19 version (publication version) of the new Local Plan, with consultation having ended on 17 March 2023. The <a href="#">map</a> showing the proposed area has also been published alongside.</p> <p>Whilst it is not considered the proposal would necessarily undermine any longer term plans, CDC would be looking to West Sussex County Council to support the allocation as proposed both as landowner and service provider.</p> <p>Is the word ‘and’ necessary at the end of criterion 3 of the policy, should it be deleted or be at the end of criterion 4?</p> <p><b>Page 43 Policy SB13 Green and Blue Infrastructure Network</b></p> <p>The continuation and completion of the Green Ring is supported as an example of positive plan making. The draft policy builds on that concept and extends it more widely through the parish to establish a green and blue infrastructure network recognising the value and importance of this to the local community.</p> <p>Question what is meant by ‘gross development site area of more than 2 ha’, this needs to be clear, is the intention that this refers to the application site area?</p> <p>It is difficult to read the detail of the map to apply this to applications, a GIS version would provide greater clarity. Any improvements to make the map clearer and easier to apply would be welcome.</p> <p>(See also comments below re. Policy SB14 Biodiversity).</p> <p><b>Page 46 Policy SB14 Biodiversity</b></p>
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		<p>Para 5.72 – the NP wildlife corridor is included as part of a wider green and blue infrastructure policy (Policy SB13). Reference is made in the NP text here to wildlife corridors proposed by CDC; these have now been published formally as the regulation 19 version (publication version) of the new Local Plan, with consultation having ended on 17 March 2023. The various strategic wildlife corridors are identified as part of a new emerging strategic local plan policy, <a href="#">Policy NE4</a>, along with the various <a href="#">maps</a> showing the proposed strategic wildlife corridor boundaries.</p> <p>It is acknowledged the Parish Council has made reference to this in the NP consultation statement:</p> <p><i>Policy SB13 is considered non-strategic in so far as this Parish area is concerned. It has been defined and mapped using CDC data and the results of the Parish Council surveys that have been verified and included in the Sussex Biodiversity Record 2022. In the unlikely event the new Local Plan is adopted with a different boundary then that will supersede the proposed boundary.</i>  <b>RECOMMEND – no change.</b></p> <p>It is accepted the strategic Local Plan policy will be subject to testing through examination prior to the adoption of any relevant policies. However, bearing in mind the stage the new Local Plan has now reached, CDC must draw attention to the difference between the NP and new LP identified corridors/boundaries which, as a consequence, may impact upon development proposals in the area differently over potentially a short period of time subject to the dates of potentially the NP being made and the new LP being adopted.</p> <p><b>Page 51 Policy SB16 Local Green Spaces</b></p> <p>The PC has included the reference numbers of these sites on the Inset Map but it would also help if this was reflected in the key and/or with a link to the list of sites for ease of use.</p> <p><b>Page 54 Policy SB18 Special Protection Areas and Ramsar Sites</b></p> <p>If the intention is for the policy to cover other future species/habitats that are at a European level of protection and may appear, the title may benefit from being wider to include any other HRA issues for example.</p> <p><b>Page 52 Policy SB17 Achieving Dark Skies</b></p>
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		<p>Part B – last sentence - add the words ‘if required’ to provide flexibility to the policy to read ‘.....an appropriate lighting scheme will be secured, <b>if required</b>, by planning condition.’</p> <p><b>Page 56 Policy SB19 Zero Carbon Buildings</b></p> <p>The ambition of this policy is commendable but would urge caution in relation to how far the policy may build on adopted Local Plan Policy 40 Sustainable Design and Construction rather than seeking to achieve higher standards that will need to be tested through emerging policies (in terms of viability and examination) in the forthcoming new Local Plan.</p> <p>Adopted LP Policy 40 Sustainable Design and Construction says “<i>Where appropriate, the proposals apply sound sustainable design, good environmental practices, sustainable building techniques and technology, including the use of materials that reduce the embodied carbon of construction and the use of re-used or recycled materials;</i>” and therefore it could be considered that Part D is seeking to implement Policy 40 in a more specific way as draft NP Policy SB19 does not specify a level of embodied carbon above which applications will be refused. However, in practical terms this is a considerable ‘ask’ for smaller developments to quantify although data is increasingly available for a wide range of standard building materials.</p> <p>Part A – requires all development to be ‘zero carbon ready by design’. Any proposals will need to be tested for viability. It is also not clear how this requirement will be tested/assessed for compliance by Development Management officers.</p> <p>The requirements of other policies in the LP may also affect orientation and layout of housing developments which may mean the aim of this policy cannot always be achieved to its maximum. Suggest wording could reflect what the policy strives to achieve with evidence submitted with a planning application to indicate what the developer has done to consider this issue in their design. It is also not clear how outline and reserve matter applications would be addressed – layout is more likely to be considered at reserve matter stage, but overall numbers and the information required by this policy would be better considered at outline application stage and then also carried over to reserve matter stage which could then be a different housebuilder.</p> <p>Parts B – it is not clear what is meant here by the wording in line 3 ‘..... <i>tested to ensure the buildings will perform as predicted.</i>’ Also question if the provision of a Post Occupancy Evaluation</p>
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		<p>Report as indicated for LPA assessment would pass the tests for a condition or that expertise is within the LPA.</p> <p>Part C – again not clear what is meant by ‘<i>where feasible</i>’, is the intention this should apply when viable?</p> <p>Part D - Whole Life Cycle Carbon Emission Assessment would need to be added to the local list of validation requirements with evidence of why this was required.</p> <p><b>Page 59 Policy SB20 Water Infrastructure and Flood Risk</b></p> <p>Part A – it should be noted that Southern Water has two years to complete the upgrade work.</p> <p>Part D – it is not clear where or how extensive these low-lying areas are or on what basis they are being identified; they are not defined on a policies map with evidence to justify their location and boundaries.</p> <p><b>Page 62 – Sustainable Travel</b></p> <p>Para 5.105 makes reference to the ambition for a footbridge over the railway line although it is not clear how this would be delivered or implemented. Whilst CDC recognises the Parish’s long term wish to encourage links north/south it is questioned how this may be more than aspirational at this stage.</p> <p><b>Page 67 and 68 Policies Map Insets 1 and 2</b></p> <p>Suggest the inclusion of the reference numbers of the local green space sites are reflected in the key and/or with a link to the list of sites for ease of use. GIS versions of the maps would also be helpful for future use.</p> <p><b>Page 70 Appendix A – Modification Proposal Statement</b></p> <p>See separate CDC Modification Statement document.</p> <p><b>Page 75 Appendix C</b></p>
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			<p>Suggest adding link from the text to the relevant supporting evidence document.</p> <p><b>Page 76 Appendix D</b></p> <p>As for Appendix C, suggest adding link from the text to the relevant supporting evidence document.</p> <p><u>CDC Modification Statement - Submission Version</u></p> <p><b>Chichester District Council Modification Statement under Regulation 17e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended) – August 2021</b></p> <p>There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:</p> <ol style="list-style-type: none"> <li>1. Minor (non-material) modifications. <b>OR</b></li> <li>2. Material modifications which do not change the nature of the plan or order would require examination but not a referendum. <b>OR</b></li> <li>3. Material modifications which do change the nature of the plan or order would require examination and a referendum.</li> </ol> <p>The submission version of the Southbourne Modified Neighbourhood Plan Submission Modified Plan 2014-2029 January 2023 sets out in Appendix A – Modification Proposal Statement that the Parish Council proposes to modify and update a series of policies in the ‘Made Plan’ to cover the same plan period of 2014-2029. The revised list of policies with the previous ‘Made Plan’ policy references are included in the table at Appendix A paragraph 3.1 along with new policies clearly identified as:</p> <ul style="list-style-type: none"> <li>• Policy SB2 Land north of Cooks Lane, Southbourne Village</li> <li>• Policy SB3 Local Housing Needs</li> <li>• Policy SB17 Achieving Dark Skies</li> <li>• Policy SB19 Zero Carbon Buildings</li> <li>• Policy SB21 Sustainable Travel</li> </ul>
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			<p>In addition, 'Made' Policy 4 Design has been expanded to present a number of policies aimed at specific areas of the parish. Similarly, 'Made' Policies 3 The Green Ring and 7 Environment have been divided into distinct parts in new policies covering a wider range of green infrastructure matters:</p> <ul style="list-style-type: none"> <li>• Policy SB13 Green and Blue Infrastructure Network</li> <li>• Policy SB14 Biodiversity</li> <li>• Policy SB15 Trees, Woodland and Hedgerows</li> <li>• Policy SB16 Local Green Spaces</li> <li>• Policy SB18 Special Protection Areas and RAMSAR Sites</li> </ul> <p>Consequently, when taken together it is considered that in combination the policy modifications have the potential to change the nature of the plan.</p> <p>In terms of the Modification status as per the Modification Statement under Regulation 17e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended) of the Plan, the Council therefore concludes the submitted Southbourne Modified Neighbourhood Plan Submission Modified Plan 2014-2029 January 2023 constitutes <b>material modifications which are significant or substantial enough as to change the nature of the Neighbourhood Development Plan and therefore the Plan would require an Examination and a Referendum.</b></p>
Environment Agency (011)	13.04.23	Email	<p>The Neighbourhood Plan confirms that there will be no development coming forward as part of this plan. Based on the information currently available, the modified Neighbourhood Plan raises no environmental concerns for us. We do have a few minor comments as set out below:</p> <ol style="list-style-type: none"> <li>1. We are supportive of the wildlife corridor running the length of the Lumley Stream and Ham Brook and applaud the ambition to protect these chalk streams which are of great biodiversity value (Policy SB13). Where possible, restoration should also be targeted. The CaBA Chalk Stream Restoration Group launched a Chalk Stream Strategy in 2021 and an implementation plan in 2022. These can be accessed <a href="#">here</a> and may provide helpful information/guidance. Please note the Environment Agency is not responsible for the content of any external websites.</li> <li>2. In paragraph 5.67, there is reference to Natural England's guidance on nitrate neutrality (version 5 June 2020). A summary guide (<a href="#">NE776</a>) was published in June 2022 so this reference is likely to need updating.</li> </ol> <p>We will continue to work with partners to influence the Development Plan Documents in your area.</p>

Andrew Black Consulting obo Obsidian Strategic (012)	13.04.23	Email	Land South of Main Road, Hermitage - See full details of representation below: <a href="#">Southborne Parish NP Consultation - Andrew Black Consulting - obo Obsidian Strategic - April 2023 - .pdf (chichester.gov.uk)</a>  <a href="#">Microsoft Word - Southbourne Modified NP Response Form March 2023 - ABC.docx (chichester.gov.uk)</a>
Reside Developments (013)	13.04.23	Email	See full details of representation below: <a href="#">013 Reside Developments - F Goodson.pdf (chichester.gov.uk)</a>
L Hicks (014)	13.04.23	Email	I would like to record my support for this whole Modified Neighbourhood Plan.
Henry Adams obo WSCC Estates (015)	13.04.23	Email	Land adjacent to Prinsted Lane - See full details of representation below: <a href="#">015 Henry Adams obo WSCC Estates .pdf (chichester.gov.uk)</a>
LRM Planning obo Hallam Land Development (016)	14.04.23	Email	Land West of Southbourne, north of A259 and south of the railway line - See full details of representation below: <a href="#">016 LRM Planning Ltd K Coventry obo Hallam Land Managment.pdf (chichester.gov.uk)</a>
S Jupp (017)	14.04.23	Email	See full details of representation below: <a href="#">017 S Jupp.pdf (chichester.gov.uk)</a>
Lichfields obo Church Commissioners (018)	14.04.23	Email	Land West of Southbourne - See full details of representation below: <a href="#">018 Lichfields T Johnston obo Church Commissioners.pdf (chichester.gov.uk)</a>



West Sussex County Council (019)	14.04.23	Email	<p>Only comment on the Reg 16 Southbourne Neighbourhood Plan Review would be to repeat the below comment we made in our Reg 14 comments as follows:</p> <p>For information, the JMLP was partially reviewed and adopted in 2021, and is now known as the <a href="#">West Sussex Joint Minerals Local Plan 2018 (Partial review March 2021)</a>.</p> <p>Otherwise, this response is from WSCC as a service provider rather than landowner; any response from the Assets Team should be treated separately from this response.</p>
J and L Brook (020)	13.04.23	Email	<p>Many thanks to you and all the other councillors for the painstaking work you have put into the Modified Plan. The amount of detail is phenomenal and so constructive. We really hope you can get it through the labyrinthine paths of approval quickly to provide the measure of protection we urgently need. When you reach the referendum you will have our support.</p>
Nova Planning obo Metis Homes Ltd (021)	19.04.23	Email	<p>Land at G and R Harris Scrapyard – See full details of representation below: <a href="#">021_Nova_Planning_obo_Metis_Homes.pdf (chichester.gov.uk)</a></p>