

West Wittering Neighbourhood Plan – Discussion paper on the Way Forward

Introduction

The West Wittering Neighbourhood Plan has been an important workstream for the Parish Council since the Plan area was designated on 15th March 2013.

This Discussion Paper has been produced to consider some significant issues raised by the recent public consultation. We need a steer on how to address these issues and the way forward for the Plan. The Issues are as follows:

1. The Legality of the Public Consultation
2. Housing Allocations
3. Housing Mix and Second Homes
4. The Green Gap
5. The Village Design Statement

Item 1: The Legality of the Public Consultation

The West Wittering Neighbourhood Plan was approved for public consultation by the Parish Council on 9th January 2020. The statutory Regulation 14 consultation took place between 24th February 2020 - 6th April 2020. Consultation arrangements were published advertising three 'drop in' events and stating that "Hard copies can be viewed at the following places;

- Parish Office, The Pavilion, Rookwood Rd by arrangement
- Medical Centre Cakeham Rd East Wittering
- The Landing Café Pound Road
- Witterings Library Oakfield Avenue

It will also be available on the Parish Council's website at www.westwitteringparishcouncil.gov.uk, where you can also respond online".

On the 26th March 2020 the country went into lockdown due to the Covid-19 situation. People were asked to stay at home and only to go out if it was essential. Most public venues were closed, including the Parish Office, café and library used as deposit points for hard copies of the Neighbourhood Plan. Whilst the consultation period was extended for a further three weeks, these facilities remained closed.

Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 says:

"Before submitting a plan proposal to the local planning authority, a qualifying body must—

- (a) publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area—*
 - (i) details of the proposals for a neighbourhood development plan;*
 - (ii) details of where and when the proposals for a neighbourhood development plan may be inspected;*
 - (iii) details of how to make representations; and*
 - (iv) the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;*
- (b) consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan; and*
- (c) send a copy of the proposals for a neighbourhood development plan to the local planning authority".*

The closure of the venues where hard copies of the Neighbourhood Plan could be inspected means that it could be argued that the Parish Council has not complied with Regulation 14 because the details published under (a)(ii) were not available for the full 6 weeks.

Advice

The risk that the Examiner could fail the Plan on this technicality is too great. We advise that the Parish Council undertakes a second Regulation 14 consultation, this time making it clear that there will be no drop in events or ability to view hard copies and all the information will be available online. This is in case there is a future tightening of lockdown restrictions at the time of the second consultation.

It should be noted that another consequence of Covid-19 is that neighbourhood plan referendums have been postponed until May 2021. A delay of approximately 3 months to the project plan to enable the second Regulation 14 consultation is not therefore likely to affect the final deadline. This delay can also be used to strengthen the evidence base as discussed in items 3 and 4.

Whilst the advice is to re-run the Regulation 14 consultation, that does not mean that the first one was wasted. We have gained much more input, especially from statutory consultees, so we can make changes to the Plan that meet the concerns raised. This should mean a smoother ride at the second consultation and less outstanding issues for the Examiner to adjudicate on.

Whilst many of the changes suggested relate to minor text and policy wording, there are some that raise more fundamental issues. These are addressed below.

Item 2: Housing Allocations

The draft Plan contains two housing allocations, one for 25 dwellings at Church Road and one for 15 affordable dwellings at Rookwood Road. Several objections have been received to these sites, from those who do not think they are suitable and from those who believe there are other preferable sites. This is not unusual, however there are two representations which raise concerns that are significant for the Plan's future progress.

Firstly, Chichester District Council has raised concerns about the justification for limiting development to 25 dwellings on part of a larger site at the Church Road site when over 200 homes are being promoted on the whole site. The District Council has also objected to the allocation at Rookwood Road, not in principle but on the grounds that it should come forward under the 'exception site' policy in the Local Plan rather than as an allocation.

The second significant representation comes from Welbeck Homes, which is promoting a development of 226 dwellings on the site at Church Road, including the part of the site proposed for allocation in the Neighbourhood Plan.

The Parish Council and its consultants were not aware of the Welbeck proposal until March, and it is a game-changer for the Plan. The issue of whether this site is appropriate for over 200 dwellings is a strategic matter that is best dealt with through the Local Plan. However, the Local Plan has been delayed and it may be many years before it is adopted. To go ahead with a smaller proposal in the Neighbourhood Plan would put all the onus on the Parish Council to defend against the larger proposal. Whilst some Neighbourhood Plans have been brought forward under these circumstances it requires significant resources and determination, and ultimately could in any event be superseded by decisions on the Local Plan.

With respect to the Rookwood Road site, your consultants do not agree with Chichester District Council's view that sites for 100% affordable housing cannot be allocated. Nonetheless it is true that the current Local Plan Policy 35 Affordable Housing Exception Sites would allow this site to come forward without allocation. A community aspiration could be added to the Plan relating to this project and the potential for forming a Community Land Trust.

Advice

In these circumstances the Parish Council is advised to remove both housing allocations from the Plan and replace them with a criteria-based policy which sets out how planning applications for development outside of current settlement boundaries will be treated. This would be used for any applications which are submitted ahead of the Local Plan on the basis of a shortfall in housing supply.

It should be noted that the evidence work done to support housing allocations (the Site Assessments and the Strategic Environmental Assessment) is not wasted but can be used to inform the criteria-based policy. They can also help the Parish Council with any representations it makes on planning applications that come forward on the assessed sites.

Item 3: Housing Mix and Second Homes

Chichester District Council has challenged the requirement for bungalows in the housing mix of sites, and also the policy restricting new homes to principal residences (i.e. not more second homes).

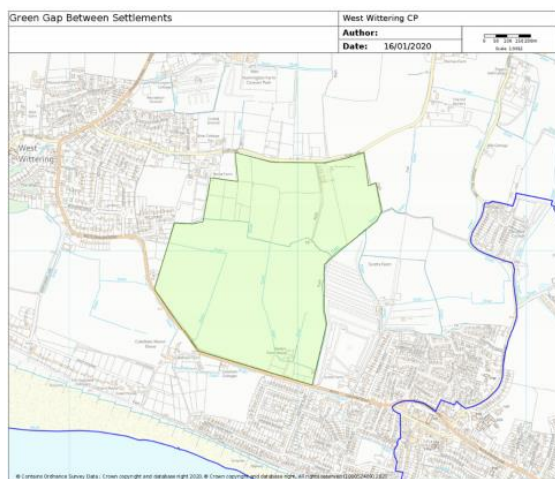
The evidence base for bungalows is a questionnaire carried out in 2016 which found that around 30% of people thought that they need or would in the future need a bungalow. However, the survey material provided does not say how many people responded so it is difficult to say how robust it is.

Similarly, whilst we have provided evidence of the number of second homes in the parish, there is only anecdotal evidence of what impact this has on West Wittering.

Advice

If the Parish Council wishes to retain these policies, it is recommended that the evidence for them is strengthened by a new Housing Needs Survey which asks people about the need for bungalows and for their perceptions about the impact of second homes on the community. This could be twin tracked with the second Regulation 14 consultation.

Item 4: The Green Gap



Chichester District Council considers that there is no development pressure that might result in the loss of the significant area of countryside that is identified a 'green gap' in the Plan. On this basis and without any significant justification for the inclusion of this area as green gap, CDC would not currently support this policy.

Advice

If the Parish Council wants to keep this policy, it is recommended that further work be undertaken on why it is important and what pressures it faces.

Item 5: The Village Design Statement

The revised Village Design Statement (VDS) was appended to the Neighbourhood Plan and consulted on at the same time. The amendments were purely updates to legislation and no representations were received about its content.

Chichester District Council has queried why this was appended to the Neighbourhood Plan rather than put forward for adoption as a Supplementary Planning document (SPD). Another representor queried whether the revised SPD would have the same weight as the existing one.

The rationale for appending the VDS to the Neighbourhood Plan is so that it is examined at the same time and made part of the Development Plan at the end of the process. This has been done elsewhere (for instance Balcombe, Seaford and Henfield).

If the revised VDS is taken down the SPD route it will have to wait until there is an adopted policy for it to supplement, either in the Neighbourhood Plan or the emerging Local Plan. If it is attached to the design policy in the current Local Plan it will become out of date when that Plan is replaced.

Advice

That the VDS remains an appendix to the Neighbourhood Plan so that it can be examined and made part of the Development Plan at the same time. The advantage is that it will be adopted quicker and carry more weight than an SPD.

Claire Tester, Plan4Localism
02/06/2020