

Report to	Planning Committee
Date	8 August 2013
By	Director of Planning
Title of Report	Fernhurst Neighbourhood Development Plan – Draft for informal consultation
Purpose of Report	To agree the formal response to Fernhurst Parish Council from the SDNPA to the draft Fernhurst Neighbourhood Development Plan

Recommendation: The Committee is recommended to: Agree that the proposed recommendations to Fernhurst Parish Council be submitted in response to the informal consultation draft of the Fernhurst Neighbourhood Development Plan (or ‘neighbourhood plan’).

1. Introduction and Summary

- 1.1 Fernhurst Parish Council is one of 3 Front Runners in the National Park awarded funding by the Department of Communities and Local Government at the end of 2011 to assist with neighbourhood planning. The Parish subsequently applied for designation of the neighbourhood area, which was agreed by the NPA in September 2012 (the designated area is attached as **Appendix 1**).
- 1.2 Fernhurst is the most advanced Parish in preparing a neighbourhood plan (or neighbourhood development plan – its full title in the legislation), where the main settlement is within the National Park. This is demonstrated by the publication by the Parish Council of a draft plan containing policies and proposals for the neighbourhood area and individual sites. The Parish has sought comments from members of the community over a six week consultation period ending on 21 July 2013. The Plan seeks to address a 15 year period from 2013 to 2028.
- 1.3 The Parish Council are required by the Regulations to submit the Plan to the Local Planning Authority which must undertake a minimum period of 6 weeks of consultation (the “publicity” stage). This provides a second period during which the NPA can make a representation on the Plan – at this stage directly to an examiner. The Parish Council are keen to see the Plan progress to examination later this year. The exact timing of a referendum is still to be determined but it would conceivably follow shortly after a successful examination.
- 1.4 The Neighbourhood Planning Officer, Link Officer for Chichester District, Planning Policy Manager at SDNPA and Housing Delivery Manager at the District Council have had a number of meetings with members of the Parish Council Steering Group as the plan has been developing. In particular, SDNPA was given the opportunity to comment on a working draft. This has led to changes in a number of policy areas, however this is the first opportunity for SDNPA to make a representation on Fernhurst’s amended draft.

2. Background

- 2.1 Neighbourhood Planning is an entirely new feature of planning policy. By April 2012, the Localism Act and Neighbourhood Planning Regulations had provided the statutory powers for local communities to prepare a planning policy document to address planning issues of local significance. These ‘neighbourhood plans’ will, on adoption, form part of the development plan for the neighbourhood area, alongside strategic planning policies

(prepared by the District Council, or in the future by SDNPA). All neighbourhood plans are tested by an independent examiner, who must determine whether the plan should proceed to a public referendum of everyone in the neighbourhood area (and potentially beyond) on the electoral roll.

- 2.2 Fernhurst Parish Council was one of the first Parish Councils to identify its interest in taking forward a neighbourhood plan for their community. The Parish Council saw this as an opportunity to set out the development the community wishes to see happen, where it should take place and the standards it would need to achieve to be in keeping with the built and natural environment.
- 2.3 The neighbourhood plan continues a history of active engagement by the community in addressing local issues and concerns. A Parish Action Plan was completed in 2005 and a Village Design Statement prepared by the community and formally approved as Supplementary Planning Guidance (SPG) by Chichester District Council in 1999. There are two conservation areas in Fernhurst. The Fernhurst village Conservation Area Character Appraisal was prepared by the District Council in close collaboration with a local Working Group, local historians, The Fernhurst Society and Fernhurst Parish Council. The Appraisal was approved as SPG in November 2000; the SDNPA's Historic Buildings Officer is now reviewing this document with the help of local people. There is no appraisal for the Kingsley Green Conservation Area.

3. The Fernhurst Neighbourhood Plan – Draft for informal consultation

- 3.1 The Plan (is attached as **Appendix 2**) covers the whole of the Parish and deals with a 15 year plan period, starting in 2013. The plan area includes Fernhurst village situated on the A286, nearly 2½ miles to the south of Haslemere. Kingsley Green, to the north of Fernhurst is a small settlement also situated along the A286. The rest of the Parish is characterised by the gently undulating lowland vale landscape and the heavily wooded greensand hills.
- 3.2 The opening chapter describes the particular planning context of being situated in an English National Park. Reference is made to the overarching policies in the National Planning Policy Framework concerned with the conservation of the landscape, scenic beauty, wildlife and cultural heritage of the Parks and guidance set out in the DEFRA Vision & Circular for English National Parks and the Broads 2010. The Purposes and Duty are introduced and the role National Parks Authorities should take in supporting affordable housing is set out. The strategic context provided by extant policies in the 1999 Chichester District Local Plan and emerging SDNPA Local Plan is explained.
- 3.3 Fernhurst has chosen to structure their plan under different topic headings, drawing on the findings of the volunteer working groups. 9 topic areas are identified plus a site allocations section and a review of the existing settlement boundary.
- 3.4 The plan briefly introduces the particular landscape qualities (cross-referencing the Integrated Landscape Character Assessment (Update) for the South Downs 2011) and historical evolution of the Parish and constructs a concise socio-economic profile, drawing on key statistics taken from the 2011 Census.
- 3.5 The Steering Group lays down a single challenge for the community and stakeholders in Fernhurst to consider: “*What will a sustainable parish of Fernhurst look like in 15 to 20 years time?*” This is a clear and memorable challenge for participants in the neighbourhood planning process to address.
- 3.6 The Plan does not at this stage provide the full answer to this question: no Plan “Vision” statement has been identified, which is understandable at this early stage. However, it is considered a Vision should be integrated into the final version of the Plan in order that everyone can see an encapsulation of what Fernhurst aspires to become in 2028.
- 3.7 There has been a reasonably extensive body of work undertaken by the working groups, some of which have met several times during the Plan’s preparation. This has led to a very thorough appraisal of all the issues directly affecting the Parish. However, apart from a small number of general public meetings, which were advertised in the community, and the

household questionnaire, it is less clear how “hard-to-reach” groups have been actively targeted. It will be vital this issue is addressed in the final consultation statement submitted to the Local Planning Authority. There remain weaknesses in the Evidence Base for the Plan:- a viability assessment to show that sites can be delivered and a Sustainability Appraisal or SA (incorporating a Strategic Environmental Assessment): these are being addressed. The justification for site selection would benefit from a landscape capacity assessment. A Housing Needs Survey is required to underpin the housing policies: this is considered particularly important in the absence of any strategic housing target. There is also an opportunity to improve the scope of the design policies to ensure they have the best possible chance of delivering schemes of a high quality.

Recommendation: The Plan should consider including a Vision statement for the Parish and supporting information setting out how hard-to-reach groups have been engaged. Gaps in the evidence base need to be addressed. The Plan should be amended, where necessary, to take account of further evidence gathering and an opportunity be given for the local community to comment on the changes.

3.8 Drawing on the challenges and issues facing Fernhurst parish, the Neighbourhood Plan identifies the following objectives:

- Protect and enhance the Parish’s role in the SDNP, including as a tourist destination.
- Address the housing needs of those with a local connection to Fernhurst Parish, particularly older people and those unable to access housing at current market values.
- Ensure the most sustainable use of brownfield sites.
- Focus development, where possible, in Fernhurst village, being the most sustainable location in the Parish, and take advantage of opportunities in other parts of the Parish.
- Provide for the changing needs of businesses and employment within the Parish.
- Enhance and provide for the community’s infrastructure needs.
- Ensure the design of development respects the local vernacular.

3.9 Many of these objectives address issues it is reasonable to imagine will feature prominently in the emerging SDNPA Local Plan.

4. Basic Conditions for a Neighbourhood Plan

4.1 Neighbourhood Development Plans are tested by an independent examiner. They are required to meet certain “basic conditions”:-

- 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 contained in the development plan for the area of the Authority (or any part of that area),
- Not breach and otherwise be compatible with EU obligations: human rights requirements, the Strategic Environmental Assessment Directive & Habitats Directive are relevant in this instance.

4.2 The Basic Conditions are intended to ensure an appropriate balance between communities being able to take control of their areas, whilst ensuring neighbourhood plans do not inappropriately constrain the delivery of important strategic policies for the local area.

4.3 The National Planning Policy Framework (NPPF) sets out the role for neighbourhood plans in the planning system. This means neighbourhoods should:

“develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development

(The strategic planning context for Fernhurst is provided by the 1999 Chichester Local Plan and the NPPF) and

“plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan” (para. 16).

- 4.4 Neighbourhood plans (or neighbourhood development orders) should not promote less development than set out in the Local Plan or undermine its strategic policies.

5. Policies and Proposals

- 5.1 This report has summarised key issues and concerns for Members relating to the draft Plan.

Affordable housing policy (AHI)

- 5.2 The first two policy sections deal with the issues of affordable and market housing. The affordable housing policy (AHI) seeks to encourage the provision of intermediate housing for those with a local connection to Fernhurst Parish. Intermediate housing is defined in the Plan as homes for sale or rent provided at a cost above social rent, but below market levels. This housing would be provided to eligible households whose needs are not met by the market.
- 5.3 However, while encouraging intermediate housing, social rented housing on new development schemes is restricted. The neighbourhood plan argues that the turnover of the existing stock of social rented properties will be able meet the need arising during the first five years of the Plan period. Data relating to the churn of properties and numbers on the Housing Register are referenced in the supporting text to AHI.
- 5.4 This is a significant departure from the way affordable housing has tended to be addressed in Local Plans. Local Planning Authorities usually set a threshold above which, on principle, schemes will be expected to contribute to the delivery of affordable housing across a range of tenures - sometimes specified in policy, unless it can be demonstrated this is financially unviable. In the case of exception sites, 100% provision of affordable housing is normally required although the National Planning Policy Framework now provides additional support for a component of market housing where this needed to cross-subsidise affordable dwellings.
- 5.5 The question is whether this policy is appropriate when housing need for the Parish, as recorded by the Housing Register, and the components of this need, e.g. for particular sizes of property, will fluctuate over time and are not bound by historic trends. Furthermore, the Housing Register data needs to be treated with a degree of caution. Sometimes people are deterred from registering for properties in certain areas because they perceive they have little chance of being housed. Consequently, the Register under-reports the level of need. To address this problem, it was recommended that an up-to-date Housing Needs Survey be undertaken for the Parish, however this has not been undertaken as a means of justifying this policy.
- 5.6 There is also concern that imposing restrictions on an individual tenure runs contrary to the DEFRA Vision and Circular, which places a particular emphasis on affordable housing in National Parks - social rented and intermediate tenures - ahead of general/market housing. The NPPF is clear Local Planning Authorities should plan for a mix of housing based on current and future demographic trends (para. 50). Until the SDNPA Local Plan is in place, the requirements for affordable housing set out in the 1999 Chichester District Local Plan and Interim Statement for Affordable Housing (2007) apply. This requires the provision of affordable housing on developments of 5 or more dwellings. Only a small number of sites in Fernhurst will be capable of triggering this threshold in the Parish, arguably scarce and valuable opportunities to provide additional affordable housing. The imposition of a restriction would also be contrary to Policy H9 of the Chichester District Local Plan which sets out the circumstances in which exception sites will be supported.
- 5.7 While the Plan has sought to directly encourage intermediate housing, a restriction on social-rented housing in a single parish, against a background of considerable unmet and newly arising need for affordable housing, would send out a signal that SDNP is not pro-actively addressing this issue, including evidence of a high need for socially rented properties in the Coastal West Sussex Strategic Housing Market Assessment (SHMA). This identifies that in the Chichester part of the National Park there was a need for 85 affordable dwellings over 5 years on top of what is expected to be supplied through re-lets and schemes already with planning permission: it suggests 66% of these should be properties for social rent.

- 5.8 A restriction on social rent properties would inevitably inhibit the provision of social-rented housing to meet specific categories of need: e.g. for larger properties, raising the potential of longer waits for certain types of property compared to the situation without the proposed policy being in place. People waiting for larger properties on the Chichester Housing Register already tend to have to wait longer for housing. A reliance entirely on intermediate housing to address affordable housing need makes the assumption that Band D applicants on the housing register (those outside the priority categories) are able to afford intermediate housing.
- 5.9 The Plan, does recognise, in principle, the needs arising in Fernhurst's immediate hinterland, e.g. Lurgashall, Lodswood, Woolbedding and Linch, although this has not been quantified.
- 5.10 **Recommendation:** It is suggested that SDNPA raises concern about the omission of social rented housing from Policy AH1 during the first 5 years of the plan period. The Plan needs to consider newly arising need and the potential circumstances of households not on the Housing Register. The impact a restriction could have on the timely delivery of affordable housing in particular need categories should be considered. A Housing Needs Survey should be undertaken to establish the range of housing needs in the Parish.

Market housing policy (MH1)

- 5.11 The Plan sets out a staged approach to the delivery of net additional open market dwellings. During the first phase of the plan period 75 dwellings are proposed. These would predominantly be delivered on 4 allocation sites allocated in the Plan (see below). Of the 75 dwellings, at least 80% of properties should be either 1 or 2 bed properties. Further market dwellings will be permitted during the remainder of the Plan period subject to the requirement that 80% of the market dwellings on allocation sites have been completed and occupied and evidence of need being agreed jointly by SDNPA and Fernhurst Parish Council (this evidence of need would not be required for smaller schemes of less than 5 dwellings). There is also a requirement that any "single development which results in significantly more than 75 net additional dwellings being provided in aggregate across Fernhurst Parish" must not be permitted.
- 5.12 There are considered to be a number of practical difficulties with the application of such a policy. No justification has been given for linking the 4 site allocations. Normally, each one would be determined on its individual merits having regard to material planning issues such as the 5 Year Housing Land Supply. It would add unnecessary complexity for Development Managers if clauses were added to each neighbourhood plan requiring the acceptability of individual development schemes to be assessed against the completion and occupation of other schemes. While there may be very exceptional reasons to apply such an approach, it has not been demonstrated in this instance.
- 5.13 The policy also implies that a cap on the number of dwellings is operated during the second phase of the Plan period until 80% of the market dwellings on allocation sites have been occupied. In this case, it is considered the policy could have the adverse consequence of inhibiting small windfall schemes which otherwise would be appropriate development. The owners of such sites would be unduly penalised by the need to wait until the 4 allocated sites had been substantially completed.
- 5.14 It is also suggested that reference to the Parish Council in determining whether there is additional demand during the second phase is removed. The introduction of neighbourhood planning has not changed the consultation arrangements for individual planning applications.
- 5.15 The overall target of 75 dwellings takes into account that the Vision and Circular states that National Park Authorities should identify suitable opportunities for addressing local housing needs and that National Parks cannot provide "unrestricted housing". The Plan seeks to address two main types of housing need: the desire for older persons to downsize (as confirmed by a local survey) and the difficulties for first time buyers in accessing housing. The Plan also notes the constraints on key local infrastructure – there is no further capacity for the Primary School to expand on its existing site beyond what is already planned. A further consideration influencing the housing target is planning permission for the King

Edward VII Hospital site, which has started to be implemented. This scheme will potentially provide a very significant level of housing close to Fernhurst Parish.

- 5.16 The Parish Council has been undertaking desk based analysis, site visits and meetings with landowners and occupiers to identify suitable and available sites. However, the selection of sites thusfar has not been informed a consideration of reasonable alternative options as might be identified through a Sustainability Appraisal/SEA (a screening opinion undertaken by the SDNPA Environmental Policy and Sustainability Officer has advised an SEA is needed in order to satisfy the requirements of EU Directive 2001/42/EC; accordance of the Plan with EU obligations is also one of the Neighbourhood Planning “Basic Conditions” tested at examination). This is now being addressed. It is also considered that in order to come to a robust view of the relative merits for locating new development in the Parish that a Landscape Capacity Assessment will be useful in justifying the Plan’s strategy.
- 5.17 The Coastal West Sussex SHMA identifies the issue of the housing stock in the National Park (in the Chichester and Arun districts) being skewed towards larger and higher value properties. The market housing policy has responded to this issue by identifying that 80% of new dwellings should be 1 or 2 bed properties. Smaller properties clearly have the benefit of simultaneously assisting older people who wish to release housing equity and “downsize” and young people wishing to make their first steps on the housing ladder but constrained by their ability to raise the necessary deposit and secure mortgage finance on reasonable terms. The SHMA and Neighbourhood Plan provide compelling evidence of the problem of very high house prices across all types of housing and the premium being sought in attractive locations such as Fernhurst. Changes to welfare policies also would appear to suggest some additional small properties are required for social rented accommodation.
- 5.18 However, too much emphasis is being placed on smaller properties. If all affordable housing is incorporated into the needs requirements, this suggests a greater proportion of larger homes is required, i.e. 3 and 4 bed (just over 30% of the need for affordable properties is for 3 bed homes according to the SHMA). The availability of larger social rented properties can be an acute problem because they tend to turnover less frequently. There are also doubts over the willingness of older people to downsize even if more smaller properties become available and accepting the results of the local survey.
- 5.19 The 80% requirement therefore needs to be moderated. There is a need in this area of the Park for less expensive family accommodation across all tenures. The policy should also provide for some flexibility to take account of emerging local needs evidence at the point a planning application is submitted, rather than relying upon a fixed target over a 5 year timespan.
- 5.20 **Recommendation:** The phasing requirements for the Plan should be simplified removing the requirement for future housing delivery to be linked to the delivery of the 4 allocation sites. This would allow for individual planning schemes to be determined on their merits against the policies in the Neighbourhood Plan, NPPF and SDNPA Local Plan as a whole. Policies in the Neighbourhood Plan need to be informed by a thorough testing of options through a Sustainability Appraisal (incorporating the need for an SEA), preferably informed by a landscape assessment for the Parish. This will provide evidence to underpin the selection of sites identified in order to meet the dwelling target figure. The Plan should consider the need for family homes (3 bedrooms in particular), particularly to address affordable housing needs. The policy should allow some flexibility for the negotiation of the overall mix of homes on individual sites where more up-to-date evidence is available to the Local Planning Authority.

Allocations:

- 5.21 The Plan features 4 site allocations. The Steering Group found that the local community were overwhelmingly against the development of new Greenfield sites prior to the use of brownfield land in the Parish. It was also felt that, with Fernhurst’s location within a National Park, this approach best accords with Park Purposes and Duty.

- 5.22 Having taken account of the existing Chichester Strategic Housing Land Availability Assessment (SHLAA), the Plan sets out to meet the needs it has identified through a combination of windfalls and development of these sites:-
- The Oil Depot, Midhurst Road,
 - Former Syngenta site, Midhurst Road,
 - Hurstfold Industrial Estate, Surney Hatch Lane
 - Bridgelands site, Verdley Place.
- 5.23 The **Oil Depot** site (Policy SA1) is 0.3 acres situated towards the centre of the Village. This is identified for 3-6 dwellings, mainly smaller properties. The site is assumed to be available and there are no further comments to make.
- 5.24 The **Syngenta** site (Policy SA2) in Midhurst Road is 27 acres. The site has been subject to recent pre-application discussion.
- 5.25 It is a very substantial brownfield site, one of the largest in the National Park. The site has a long history with redevelopment having been discussed for a number of years. To date, only one previous application for a mixed use development has been formally submitted in 2007 to Chichester District Council (CDC). This application was withdrawn prior to going to the CDC Committee. There is also an extant permission dating from the 1980s for a 6,200sqm office building. The site is unoccupied apart from a relatively new industrial unit, close to Midhurst Road, and the Pagoda building.
- 5.26 Part of Fernhurst Parish Council's reasoning for preparing a neighbourhood plan (as set out in their "Front Runners" application) was to give the community greater say on the planning requirements for this site:
- "the residents of Fernhurst are keen to ensure that any development is properly integrated into village life so as to avoid the feeling of it being an isolated development with the associated loss of community."* The application also noted the ability of the Neighbourhood Plan to be developed and adopted to a significantly faster timescale than the SDNPA Plan.
- 5.27 The size of the Syngenta site suggests it could be of strategic significance to the National Park. What constitutes a strategically significant site will vary from place to place in the country. Within the South Downs LPA area, Syngenta is one of only a handful of large brownfield sites with the potential to accommodate development. At the current time, its suitability to accommodate different types of development is still to be tested by SDNPA and there will be alternative options available to meet the Local Plan's strategy. While there may be benefits to bringing forward Syngenta, there are clear disadvantages, such as the relative isolation of the site and the possibility that development could detract from the role of larger centres such as Midhurst and Haslemere.
- 5.28 With unanswered questions regarding the future role of such a large site, it is considered the allocation of Syngenta will need to be considered through the Local Plan first. The policy is therefore premature. Legal advice suggests there is a risk of the Neighbourhood Plan not meeting the Basic Condition of being in general conformity with the strategic policies contained in the development plan for the area of the Authority (or any part of that area). There is no formally adopted strategic policy in the development plan which has allocated housing in this location.
- 5.29 A prototype neighbourhood plan for Dawlish was tested at examination in June last year. In this case, the Examiner noted in his report that there are "substantive differences" between the Dawlish Parish Neighbourhood Plan and the Teignbridge Council's emerging strategic policies. He considered there was a clear conflict between the two documents and that the strategic policies of the District Council needed to be "settled". The allocation of Syngenta at this time could potentially undermine the development of the Local Plan which still needs to take place (a "Preferred Option" is due in 2015). The Neighbourhood Plan would be required to justify a strategic element of the SDNPA's planning strategy contrary to para. 16 of the NPPF.

- 5.30 **Recommendation:** The site is likely to form part of the consideration of future development options in the Local Plan. It is suggested the Syngenta policy is removed from the Plan as it is premature.
- 5.31 The **Hurstfold Industrial Estate**, Surney Hatch Lane (Policy SA3) is just under 5 acres. The Estate is presently occupied by a range of small light industrial uses. According to the Plan, this business activity occupies less than 2,500m² of floorspace. The Plan refers to the benefit that may be gained from the site being improved. There is a planning permission for the redevelopment of the northern part of the site (where the existing commercial buildings are located) for 4,000m² of mixed B1, B2 and B8 use granted in 2007. Work has started on the permitted scheme and a Certificate of Lawfulness of Development has been issued.
- 5.32 There is concern among the local community about the impact this scheme could potentially have on residential amenity - two residential properties lie directly adjacent to the Estate and the volume of traffic movements to and from the site. This includes the vehicle movements associated with restoring an area of demolished greenhouses to the south of the site to agricultural use (a condition attached to the permitted scheme).
- 5.33 The highways impact of the mixed use development were considered by West Sussex Highways Department which noted the site is “extremely remote, inaccessible and located in an unsustainable location” and the road network “to the site from both Lickfold and Fernhurst is extremely rural in nature, tortuous and wholly inappropriate for use by any large vehicles”. No objection was made, however, due to the “existing significant uses on the site” and that the planning application would not lead to a material increase in movements.
- 5.34 The Chichester Employment Land Review (2009) evaluated existing employment areas in the District. It considered the overall “commercial quality” of employment areas and reviewed whether they would be suitable for current and future employment uses. Hurstfold scored 10 out of 30 in this assessment, the lowest score out of the 39 sites surveyed. The ELR did not, however, advocate the release of the site, but recommended its suitability as an employment area should be kept under review. It noted that there were tenants in place and the planning application for B uses (described above), suggested the site still had economic potential.
- 5.35 The National Park Authority published its own Employment Land Review in May 2012. The ELR noted the positive role played by a “network of small employment sites in the non major towns, larger villages or isolated sites”. It observes that such sites tend to be “well occupied with little visible signs of marketing and vacant space”. They may not be intensively used but can provide value as storage space or for occasional work. The consultant (Roger Tym & Partners) refer to their own consultations showing that a network of small, local sites is “vital”. The demand for such space, the study suggests, is likely to increase over time as technology improves, helping to facilitate more remote working from small commercial properties.
- 5.36 The Neighbourhood Plan proposes the site should be developed for up to 10 residential units. However, prior to the construction of any residential units at Hurstfold, the equivalent quantum and size of the existing B class units must be reprovided at an appropriate location within the Parish. An appropriate location is one defined as being “demonstrably sustainable as a commercial location, for example by virtue of being on or close to the main road network”. The policy refers to the need for design and landscaping of any development being of the highest standards, demonstrating how it is in keeping with local character and the prevailing landscape of the Low Weald. It refers to the landscaping of the site achieving “genuine benefits”, the supporting text explains this might include the restoration of the former glasshouses land to agriculture or woodland.
- 5.37 The proposal raises some significant policy issues: clearly the existing buildings, which are occupied by a variety of workshops, storage and business users would be lost. The existing occupants could struggle to find alternative accommodation which meets their needs.
- 5.38 Policy B8 of the 1999 Chichester District Local Plan seeks to safeguard business, industrial or warehousing sites. It specifically seeks to resist the loss and types and sizes of site or

accommodation of which there is limited availability in the locality. The policy does, however, recognise the need for the relocation of uses which currently create damage to the surrounding environment or which adversely affect surrounding residences. The site allocation would not create a loss of floorspace since this is conditional on the provision of new premises elsewhere and in a more sustainable location. As already described, the Plan refers to the blight currently experienced by residents in adjacent residential properties from the commercial activities on Hurstfold. The Neighbourhood Plan also states that the majority of the businesses based at Hurstfold “do not provide services of direct benefit to the residents of Fernhurst” and the nature of the businesses means “very few employ staff”.

- 5.39 The policy proposes a housing development outside and well away from the settlement policy area where such development is restricted. Para. 55 of the NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the needs of rural workers to live near their place of work, the development represents the optimal viable use of a heritage asset or would be appropriate enabling development or results in the re-use of redundant or disused buildings. None of these criteria apply. The final criterion that new housing may be considered acceptable where the design of the dwellings are “exceptional quality” or “innovative” in nature could be relevant in this case. A change of use to housing could also lead to a significant reduction in traffic movements and may lead to views into the site being enhanced.
- 5.40 However, it is considered the principle of a change of use to housing cannot be established until the effects of such a proposal have been fully considered and assessed against alternatives. The Sustainability Appraisal and landscape capacity assessment would be necessary to underpin such a decision.

Recommendation: while there are shortcomings to this site as an employment location, partially supported by the strategic planning (SDNPA & CDC) evidence base, it is considered vital work still needs to be undertaken to justify the loss of this employment site to housing.

- 5.41 **Bridgelands site, Verdley Place** (Policy SA4) is 5.7ha and used to support the activities at the Syngenta site. The site consists of a number of “derelict warehouse-type units” and a large green meadow and has planning permission for commercial uses. The site is considered by the Plan to have poor access and the existing buildings are described as “unsightly”. The policy proposes that the site is redeveloped to provide ten residential units while retaining the mature trees which occupy a large proportion of the site. It is also proposed the site provides car parking facilities for existing adjacent residential properties which currently are forced to park on a narrow lane. Landscaping and design of the scheme must be of the highest quality and follow similar requirements to those specified for the Hurstfold allocation.

Recommendation: while there are shortcomings to this site as an employment location, as described by the Neighbourhood Plan, as with Hurstfold, it is considered further work needs to be undertaken to justify the loss of this employment site to housing.

- 5.42 The rest of the Plan contains a series of Development Management policies by topic area (Policies SCI, SBI, EEI-4, TOI-5, CFI-2, TRI-2, DEI-3 and EMI-2). These do not raise significant issues and where there are minor matters these will be raised with the Parish Council. There is a general need to improve the robustness of the Plan’s design policies to ensure the best prospect of high quality schemes being delivered.

6. Resources

- 6.1 This Neighbourhood Plan has been supported by a DCLG Front Runners grant of £20,000. Half of this sum was distributed to the Parish Council in September 2012. There is sufficient funding remaining to cover the costs of an examination and referendum.

7. Risk management

- 7.1 There are considered to be a number of issues relating to the Plan which are likely to affect its ability to meet the Basic Conditions. As there are considered to be significant gaps in the

evidence base for the Plan, it is recommended that a further Regulation 14 consultation is undertaken by the Parish Council prior to submission of the Plan and supporting documents to SDNPA.

8. Crime and Disorder Implication

8.1 It is considered that the proposal does not raise any crime and disorder implications.

9. Human Rights Implications

9.1 The draft NDP has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

10. Equalities Act 2010

The Parish Council will need to prepare a Consultation Statement to support the Submission version of the Neighbourhood Plan setting out how all sections of the local community (people who live, work or carry on business in the neighbourhood area), including "hard-to-reach" groups, have been engaged in the plan's production.

11. External Consultees

10.1 Consultation with statutory bodies was undertaken by the Parish Council. SDNPA Officers have informed colleagues at Chichester District Council (in Planning, Housing Investment and Economic Development) of the Plan's emerging proposals.

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Appendices Appendix 1 – designated neighbourhood area
Appendix 2 – draft NDP May 2013

SDNPA Consultees Chief Executive Officer, Director of Corporate Services, Director of Planning, Director of Strategy and Partnerships, Director of Operations, Chief Finance Officer, Monitoring Officer & Legal Services.