

01 October 2015

Ms. Sally Morris  
South House  
The Street  
Clapham  
Worthing  
West Sussex  
BN13 3UU

Dear Mr Slater

Subject: South Downs National Park Authority (SDNPA) response to the Submission version of the Clapham Neighbourhood Development Plan

I enclose a copy of the SDNPA representation on the Submission version of the Clapham Neighbourhood Development Plan (CNDP). These comments have been prepared and agreed by SDNPA officers.

The SDNPA would like to commend the hard work and effort of the Neighbourhood Planning group and Clapham Parish Council in the preparation of the CNDP. Localism and planning in a protected landscape is challenging, as the group have to balance the aspirations of residents and visitors with the challenge of conserving and enhancing the special qualities of the South Downs National Park. In particular the SDNPA welcomes the ambition of the plan to allocate land for housing to meet some of the identified need in the local community. Providing housing for local people is critical in National Parks and the group should be commended for their efforts.

In summary the SDNPA believes that the modifications proposed in the attached representation will ensure the CNDP contributes to sustainable development, meeting the basic conditions whilst contributing towards the conservation and enhancement of the special qualities of the South Downs National Park.

If you have any questions regarding our enclosed representation please do not hesitate to contact Communities Lead Chris Paterson who will be able to provide further clarification if necessary.

Yours Sincerely

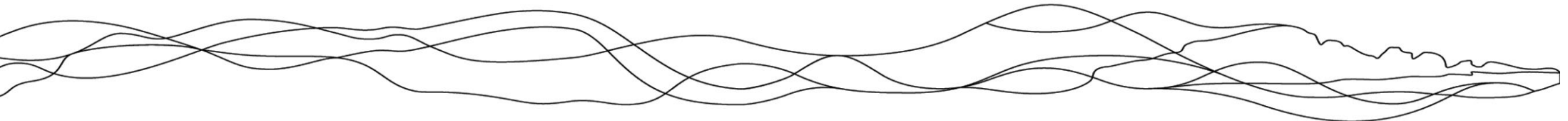
Chris Paterson

Communities Lead

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## SDNPA response to the pre submission draft Clapham Neighbourhood Development Plan

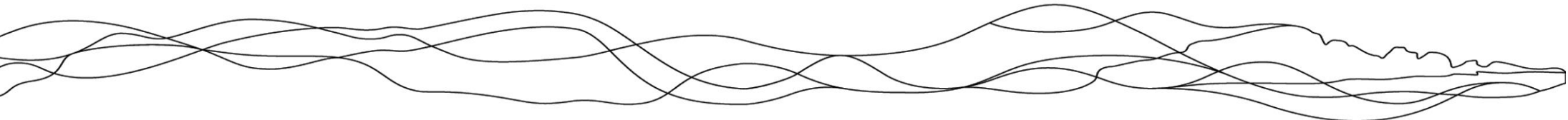
Ref	Page	Comment	SDNPA Recommendation to Clapham Parish Council
I		<b>General Comment</b>	
I.1		The progression of the Clapham Neighbourhood Development Plan (CNDP) to submission stage is to be welcomed and is a result of a considerable amount of hard work by the parish council and volunteers. We recognise that preparing the CNDP has been a challenge at a time when adopted Local Plan policy is largely out of date (Arun District Local Plan 2003) and draft policies for the SDNP Local Plan have been emerging. Also the absence of precedent NDPs in the National Park has understandably made your task more challenging. We also appreciate that the draft has been prepared with a limited budget to undertake any of the work. The resulting draft, therefore presents a considerable achievement of the Parish Council, steering group and other volunteers.	
I.2	All document	<p>The NDP would benefit from greater recognition of the National Park and the role that Clapham can play in supporting the purposes and duty of a National Park Authority. References are generally limited to linkages and footpaths rather than the wider purposes of conserving and enhancing natural beauty, wildlife and cultural heritage. Reference to the landscape character relevant to Clapham could be included in supporting text at section 3.4 In addition the South Downs Integrated Landscape Character Assessment should be referenced specifically in supporting documents. It is also worth considering the inclusion of the specific landscape character type for the Clapham Parish Area. This is defined as the Angmering and Clapham Wooded Estate. This will assist in providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency (Para 17 NPPF)</p> <p>Where reference to landscape is included within the CNDP it would benefit from using the term landscape character. The term landscape appears at page 44 - ES3 – (point b), page 39 HD8 (bullet point 5), page 39 HD7, page 38 HD3, page 33 BT6.1 and BT6.</p>	Review content of CNDP in light of established protection for National Parks (Environment Act 1995) and the DEFRA Vision and Circular for English National Parks and Broads (2010).
I.3	Policy HD6, page 38 Section 3.4 page	There is a need for greater clarity over where policies do and do not apply within the Parish. There is reference to the recognised village envelope in Policy HD6 but this is not defined clearly anywhere in the CNDP. If certain policies are applicable to certain parts of the parish (for example HD6) this should be shown clearly on the proposals map. The map shown at section 3.1 identified the built areas of Clapham it may be helpful to identify specifically which areas are considered the built areas of Clapham on the map, this could then be referred to throughout the plan. The SDNP	Review policies to ensure it is clear as to whether they apply throughout the entire parish or just in parts. Consider the inclusion of the 'recognised village envelope' on the proposals maps.



	18 Policy HD4, page 37	Local Plan: Preferred Options does not propose a settlement policy boundary for Clapham, therefore it is not necessary for CNDP to propose a Settlement Policy Boundary, however it is necessary to show where policies will apply and will not apply within the plan.	
1.4		The consultation statement supporting the submission version of the CNDP identifies policy BT9 (now BT8 in the submission version of the CNDP) as an aspirational policy but this is not clear in the submission version of the CNDP. The independent examination of Petersfield Neighbourhood Plan resulted in a modification which removed aspirational policies to an appendix with reference to the policies in the main text. This will ensure that the land use policies are clearly identified. We would recommend that you follow this approach.	Move aspiration (non-land use policies) to an appendix.
2		<b>Section 2 – Context</b>	
2.1	Page 13	Section 2.2.4 (first paragraph) amendments required to text  The South Downs National Park Authority became the organisation with statutory responsibility for writing planning policy for the National Park Area on the 1st of April 2012 1st April 2011. Its first Local Plan is currently in preparation, with the Options Consultation Document published in February 2014.	Amend policy as proposed
3		<b>Section 3 – About Clapham</b>	
3.1	Page 16-17	Section 3.1 History of the Parish of Clapham – The detailed history of the Church is not of particular relevance as there are no land use policies emanating from this information and evidence.	Consider removing this information or moving it to a separate appendix supporting the CNDP. This will ensure that the CNDP is a succinct document appropriate for use in the consideration of future planning applications.
4		<b>Section 5 - Neighbourhood Plan Policies</b>	
4.1	Page 31	Policy GA3 Safe Walk to School routes  The following rewording of policy GA3 is also proposed:  Working with the school, community and the Local Highway Authority school travel plans will be reviewed/developed and promoted. Safer routes to the school and school bus stops may be identified as part of these plans and the necessary improvements or additions will be provided, including resisting access to Clapham school by car. Measures, <u>to include</u> traffic calming, <u>to ensure</u> appropriate traffic speeds are achieved as part of overall schemes that fit within the landscape of	Additional Text / Revise wording

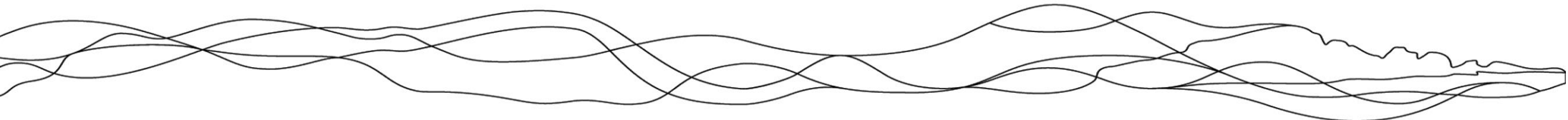
		the SDNP and improve cycling and walking opportunities for students and their families' will be supported	
4.2	Page 33	<p>Policy BT4 – The Village Shop / Café</p> <p>The current policy wording suggests proposals to extend the facility will be supported. This policy should recognise the current location of the shop and how any change to the facility or extension will impact on the character and appearance of the conservation area. This policy has the potential to conflict with Policy ES5 Conservation Areas as any changes to the café in its current location may have an adverse effect on the conservation area.</p>	Consider revision to policy BT4 to recognise the conservation area status and policy ES5
4.3	Page 33	<p>Policy BT6 Recreational and Tourism Activities</p> <p>Reference in the Policy BT6 to the recognised village residential boundary requires clarification. This recognised village residential boundary does not appear on any map, therefore further clarification to this boundary is necessary.</p> <p>See emerging SDNP Local Plan policy SD20: Sustainable Tourism and the Visitor Economy. It may be that this policy is unnecessary or conflicts with emerging SDNP Local Plan Policy. There is a need to ensure that all development supports the duty and purposes of the National Park and it may be appropriate to reference this at the end of the policy wording</p>	Review policy and consider emerging Local Plan policy SD20.
4.4	Page 33	<p>Policy BT7 Communications Infrastructure</p> <p>This policy suggests general support for communications infrastructure which includes telephone masts. Appropriate caveats should be included to protect the National Park special qualities. There will be a development management policy in the SD Local Plan on this topic. Draft policy SD57 should be reviewed to see where CNDP policy can provide additional details if necessary.</p>	Review necessity of policy or review policy wording.
4.5	Page 34	<p>Policy BT8 Sustainable Commercial Buildings</p> <p>There have been a series of recent changes to legislation relating to renewable and low carbon energy and local parking standards. See ministerial statement 23 March 2015 - "Local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network."</p> <p>See ministerial statement 25 March 2015 – "Neighbourhood plans should not be used to apply the new national technical standards"</p> <p><a href="https://www.gov.uk/government/speeches/planning-update-march-2015">https://www.gov.uk/government/speeches/planning-update-march-2015</a></p> <p>This policy suggests general support for energy-generating infrastructure which could</p>	<p>Review policy in light of emerging Local Plan Policy and National Legislation.</p> <p>Appropriate caveats should be included</p>

		include wind turbines, consideration should be given to the potential landscape impact of such infrastructure. Appropriate caveats should be included to protect the National Park special qualities	to protect the National Park special qualities
4.6	Page 34	Policy CFW1 Support Independent Living Should such accommodation be supported throughout the Parish or would more central locations where there is at least some access to facilities be more appropriate? See point 1.3 above reference to where the CNDP policies apply.	Review policies to ensure it is clear as to whether they apply throughout the entire parish or just in parts.
4.7	Page 35	Policy CFW2.1 Consider moving the following text from CFW 2.1 to the policy wording: Proposals to revitalise the old BMX track will be supported	Review policy wording
4.8	Page 35	Policy CFW3 Protection of assets of community value Clarification is required to explain the term suitable employment or service trade uses	Review policy wording
4.9	Page 35	CFW4 Local Green Spaces. Experience at the recent Petersfield NDP Examination highlights the need to evidence how these sites have been selected and justify how they meet the requirements as set out in the NPPF paragraph 77. What do they add to the existing level of protection? How are they demonstrably special? Use of the term 'special' within the policy is unclear, suggest the term 'exceptional' may be more appropriate.	Review designation in light of the criteria in the NPPF para 77, ensure evidence is available to support such proposals. Ensure policy CFW4 reflects national guidance.
4.10	Page 36	Policy HD1 – It is recommended that this policy is reworded as follows (additional text is underlined) <b>The Presumption in Favour of <u>Sustainable Development</u></b>	Clarification as to whether this is or is not a policy. Review necessity of policy or review policy wording.
4.11	Page 36	HD1.1 – The supporting text could benefit from reference to the status of the National Park, in particular reference to paragraphs 115 and 116, in particular it would benefit the CNDP to refer to the specific text set out below:  Great weight should be given to conserving 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 landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.	Additional Text / Revise wording
4.12	Page 36	HD2 – Quality of Development The current policy wording requires design briefs to be prepared and agreed in writing with the SDNPA on all forms of development including extensions and alterations. This is not considered realistic for all forms of development and all applications. It is suggested that the requirement for design briefs could be included in Policy HD5	Revise policy wording and consider requirement for design brief in Policy HD5



4.13	Page 37	<p>HD3 Housing mix</p> <p>The ability to seek a mix of homes will depend on the size of the site and may not always be possible for smaller sites. If the intention is to apply this to the housing site allocation it should be stated in policy HD5</p>	Review necessity of policy or review policy wording
4.14	Page 37	<p>HD4 Housing density</p> <p>Where is the evidence to support a density of 24dph. What if the homes are to be flats, which might meet the needs of a number of people in the community?</p> <p>The emerging SDNP Local Plan policy on affordable housing (SD24) seeks a 'target of at least 40%', rather than maximum, of 40% affordable housing so it would appear that this policy conflicts with the emerging SDLP policy SD24. The need to set an affordable housing requirement may be negated by the preparation of the SDNP Local Plan, so there is a need to consider whether there is anything that can be added by the CNDP, or will these be merely repetition.</p>	Review policy in light of emerging SDNP Local Plan Policy and comments made. Recommend the deletion of reference to maximum 40% affordable housing provision as this conflicts with emerging local plan policy.
4.15	Page 37	<p>HD4 Housing density</p> <p>Reference to the settlement boundary in this policy conflicts with the emerging SDLP which allocated no settlement policy boundary for Clapham. There is no Settlement Policy Boundary identified on the proposals map or other maps within the CNDP</p>	Review policy in light of emerging SDNP Local Plan Policy and comments made
4.16	Page 38	<p>HD5 Housing site allocation</p> <p>The SDNPA welcomes the ambition of the plan to allocate land for housing in order to meet some of the identified need in the community. This is one of the main reasons a community might wish to prepare a NDP.</p> <p>HD5.1 Experience from the Petersfield Neighbourhood Development Plan Examination shows the importance of understanding the current status of sites and their deliverability over the plan period. What information do you have to support the allocation of this site? Is there any realistic possibility that the builders merchant will move to a new location? The CNDP will need to demonstrate that any allocated sites are suitable, available and achievable before they can be allocated, as per reference in NPPF footnote 11.</p> <p>It is likely that a new housing development will provide a CIL receipt. As the redevelopment of the former BMX site is not a requirement based solely upon the extra burden that this new development would place on the village it would appear unlikely that such a scheme could be entirely funded through this means, albeit that some of the CIL receipt gained might go towards it. To require a developer to fund it entirely may be unreasonable and place the viability of their development into question.</p>	<p>Provide further detail to support the availability of this site for allocation for residential development</p> <p>Clarify intention of policy.</p>

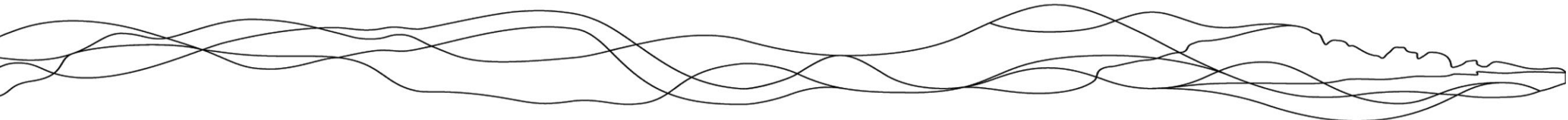
		The remainder of the policy is unclear. It may not be in the gift of the developer to provide a community development on the existing shop / café land as it is not within their ownership. Indeed how this would work with the existing uses on the land and what type of community facility are you seeking. Where is the alternative safe access to the site? Are there any constraints on alternative safe access to the site?	Clarify intention of policy.
4.17	Page 38	HD6 Windfall sites Where does this policy apply? Throughout the entire parish or only within parts of the core village. Reference is made to the recognised village envelope but this is not described elsewhere in the document. What do you mean by infill – is it land to the rear of the property of gaps within built frontages? Do any such places exist?	Consider the identification of a village boundary in order to more clearly define where this policy applies.
4.18	Page 39	HD8 – Attention to detail  Bullet point 5 (lighting schemes) - Consider the emerging SDNP Local Plan policy SD9: Dark Night Skies.	Review policy in light of emerging Local Plan Policy.
4.19	Page 40	HD9 – Local Connection  This policy needs to be reviewed in light of any allocations policy that Arun District Council operates and their response is required. If these homes are affordable houses, then they will be allocated to those on the housing register by Arun District Council in consultation with the housing provider and potentially the Parish Council (dependent on the protocols in your area).  The following text in the policy should be reviewed as affordable homes (to which this policy refers) are not available for purchase in the first instance. Purchase or rental shall be made available in the first instance only to persons fulfilling the above criteria  As written it is likely that this policy is considered too restrictive. HD9.2 refers to ADC housing policies allowing for 75% of affordable housing to be allocated for those with a local connection, this allowance needs to be formally referenced. Section 6.4.3 - Property Qualification Criteria 2 (PQC2) – Rural Housing of the Arun Housing Services Housing Allocations Scheme 2012 Amended 2014 sets out clear local connection criteria for rural housing in the District.  Consideration of Policy SD24 in the emerging SDNP Local Plan is recommended as this policy may not be necessary.	Need to review content of this policy with input from Housing Officers at Arun District Council.
4.20	Page 40	HD10 – Car Parking	Review policy in light of Ministerial



		<p>This policy may be in conflict with the Ministerial Statement of the 25<sup>th</sup> March which related to the need to ensure there is adequate parking provision both in new residential developments and around town centres <a href="https://www.gov.uk/government/speeches/planning-update-march-2015">https://www.gov.uk/government/speeches/planning-update-march-2015</a>. The thrust of the statement was concerned about the imposition of maximum parking standards. The Statement states that Local Planning Authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network.</p>	Statement.
4.21	Page 41	<p>HD12 Clapham and Patching School What evidence is there that the school may close in the life of the plan? The school premises have been identified in the Plan as a community asset which then conflicts with the suggested conversion to sheltered / assisted living accommodation etc.</p>	Seek further evidence and address conflicts between protecting community assets and Policy HD12.
4.22	Page 43	<p>ES2.3 – The planning system has little role to play in the change of use of land from woodland to another agricultural use, unless the trees are covered by a Tree Preservation Order. However, there may be a need for a felling license which is obtained through the Forestry Commission.</p>	Review information on Forestry Commission website and consider removing section ES2.3 from the CNDP.
4.23	Page 45	<p>ES4 – Buildings of structure and character  Title of text is missing the word ‘Special’. Policy ES4 contains a list of “Buildings and Structures of Special Character” which were so identified by Arun DC. These are what are more normally referred to as “Local Listings”. The criteria against which these buildings have been tested should be clearer and, ideally, should be those which the SDNPA will be using when we put together a SDNPA Local List. It would be helpful to keep all the policy text and list of buildings in a single policy box.</p>	Consider whether this policy is necessary as the protection of buildings and structures of special character could be achieved by working with the historic buildings officers at SDNPA to identify these structures and buildings on the SDNPA local list
4.24	Page 45	<p>ES5 – Conservation Area.  This policy is incorrectly titled because it is actually referring to the setting of Conservation Area. More fundamentally, given that there is nothing locally specific in the policy it is queried whether it is required in the CNDP</p>	Review policy in light of emerging Local Plan Policy SD39: Conservation areas.
4.25	Page 45	<p>ES6 Open Access and Permissive Paths As currently stated Policy ES6 is not a land use planning policy and is therefore not appropriate to be included in the CNDP. It is suggested that this aspirational policy could be moved to an appendix.</p>	Suggest removing Policy ES6 or moving the policy to an appendix for non-land use policies
4.26	Page 46	<p>ES7 Unlit village The proposed regulations or restrictions in relation to lighting are unlikely to be considered</p>	Consider moving elements of the policy described here to an appendix.



		appropriate for a land use policy document, specifically reference to turning lights off no later than midnight, this may be more appropriate as a aspirational policy in an appendix	
5		<b>Strategic Environmental Assessment (SEA)</b>	
5.1		<p>SDNPA agrees that the proposed housing for Clapham may increase the viability or retention of the primary school. This is a point that the SEA makes in paragraph 6.2:</p> <p><i>It has selected the housing numbers and type of business units to minimise the impact on the existing village, whilst recognising the critical part the modest number of additional households, together with the employees in the light industrial site, can play in ensuring the survival of existing village facilities, such as the school, shop/café and church.</i></p> <p>It is considered that the SEA could do more to bring this out in the assessment. For example, should the Community Facilities column in Table B show a '+' for 'Social'?</p> <p>In Table C, would it be appropriate to show a '-' for 'Social' in the 'No Policy' column?</p> <p><i>In relation to consideration of Reasonable Alternatives to the proposed plan SDNPA considers that the statement in paragraph 10.5: The SHLAA prepared by SDNP does not identify any land within the Parish as suitable for housing provides sufficient basis for having considered reasonable alternatives.</i></p> <p><i>Furthermore, it is conceded that: Not delivering homes for local people would be unlikely to secure a successful referendum vote (para 10.7) and therefore not a reasonable alternative for the NP.</i></p> <p>In summary, the absence of alternative sites on which to develop housing and the unacceptability of a plan that does not meet with the aspirations of the local population to see housing delivered through the Neighbourhood Plan, it is concluded that reasonable alternatives to the proposed plan are very constrained and have been fully considered in forming the plan."</p>	Rewording SEA
6		<b>Background Documents</b>	
6.1	Page 47	Background Documents list	Include emerging SDNP Local Plan. Include reference to the South Downs Integrated Landscape Character Assessment. Include reference to West Sussex Minerals Local Plan July 2003 and West Sussex Waste Local Plan April 2014 as these are part of the development plan for the area.



7		<b>Basic Conditions statement</b>	
7.1		Reference in the basic conditions statement to the West Sussex Minerals Local Plan July 2003 and the West Sussex Waste Local Plan April 2014, these should be listed under section 4, along with the SDNP Local Plan: Preferred Options	

