



Clapham Neighbourhood Development Plan Decision Statement: December 2015

I. Introduction

- 1.1 Under the Town and Country Planning Act 1990 (as amended), the South Downs National Park Authority has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted; that the submission version of the Clapham Neighbourhood Development Plan has been altered as a result of it; and that this plan may now proceed to referendum.

2.0 Background

- 2.1 The Clapham Neighbourhood Development Plan relates to the area that was designated by the South Downs National Park Authority as a neighbourhood area on 13 November 2014. This area corresponds with the Clapham Parish Council boundary apart from a small strip of land which lies in Arun District Council and is outside the South Downs National Park Local Planning Authority Area. This strip of land has been excluded from the designated Neighbourhood Area.
- 2.2 Following the submission of the Clapham Neighbourhood Development Plan to the National Park Authority, the plan was publicised and representations were invited. The publicity period ended on 2 October 2015.
- 2.3 Mr John Slater BA (Hons) DMS MRTPI was appointed by the South Downs National Park Authority with the consent of Clapham Parish Council, to undertake the examination of the Clapham Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.
- 2.5 Having considered each of the recommendations made by the examiner's report, and the reasons for them, the SDNPA and Clapham Parish Council have decided to make the modifications to the draft plan referred to in Table 1 below, to secure that the draft plan meets the basic conditions set out in legislation.

3.0 Decision

3.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.

3.2 Having considered each of the recommendations made by the examiner’s report, and the reasons for them, South Downs National Park Authority in consultation with Clapham Parish Council has decided to accept the modifications to the draft plan. Table I below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner’s recommendations.

Table I.

Recommended modification	Examiners report reference	Proposed decision
<p>Proposals Map That the Village Envelope Plan prepared by the Parish Council and the LPA, be inserted as the Proposals Map at the position currently shown as 5.8 of the Submission Plan, in lieu of the current Proposals Map with the boundaries of the Recognised Village Envelope, the two allocation sites, the 3 Local Green Spaces and the location of the flint walls be incorporated on to the Proposals Map with an appropriate key.</p>	Page 9	Retain separate maps as at present, and add new map showing ‘recognised village envelope’. A combined map obscured important details which would be required for consideration of planning applications.
<p>Policy GA2 Footpath and bridle/cycle path network Insert the wording “subject to compliance with other development plan policies” at the end of the first sentence of the policy.</p>	Page 10	Accept and make modification to policy wording.
<p>Policy GA3 School Travel Planning The policy be deleted but that the following text be inserted within the supporting text “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</p>	Page 10	Accept and make modifications. Policy and supporting text will be moved to

<p>these plans and necessary improvements or additions will be provided, including discouraging access to Clapham school by car. Measures, including traffic calming, to ensure appropriate traffic speeds are achieved as part of overall schemes that fit within the landscape of the SDNP, and which improve cycling and walking opportunities for students and their families, will be supported.”</p>		<p>Appendix of the Clapham NDP – Aspirational Policies</p>
<p>Policy BT1 Support for Business Policy wording to be revised as follows: “Proposals to upgrade or extend existing employment sites will be supported provided that the impact of the use on the amenities of surrounding properties is acceptable unless the proposal would cause unacceptable harm to the amenities of local residents””</p>	<p>Page 11</p>	<p>Accept and make modification to policy wording.</p>
<p>Policy BT2 Retention of Employment Land Delete the second paragraph of the policy wording.</p>	<p>Page 11</p>	<p>Accept and make modification to policy wording.</p>
<p>Policy BT3 Support for new commercial uses Policy wording to be revised as follows: “Change of use to Class B1 uses (including light industry) and new development for such uses will be supported, where the impact on surrounding residential and community amenity is acceptable <u>is not unacceptable</u> and other policy considerations are complied with. Change to Class B2 uses (general industry) or Class B8 (distribution and storage <u>for units over 500sqm</u>) will be resisted. Use of the piece of land shown on the Proposals Map (at 5.10) will be permitted for small light industrial start-up or retail units. Any such proposal would be expected to make improvements to the access into the site.”</p>	<p>Page 13</p>	<p>Accept and make modifications to policy wording. Supporting text to be updated accordingly (see appendix I).</p>
<p>Policy BT4 The Village Shop / Café Insert at the end of the policy “Any proposal to alter or extend the current shop will need to show that it will preserve and enhance the Conservation Area”</p>	<p>Page 13</p>	<p>Accept and make modification to policy wording.</p>
<p>Policy BT5 Improving Signage Policy wording to be revised as follows: “Proposals for the improvement of signage for local facilities will be supported, provided that they enhance <u>are appropriate to</u> their surroundings and do not add to signage ‘clutter’. Illuminated shop-front signage will not <u>normally</u> be permitted.”</p>	<p>Page 13</p>	<p>Accept and make modification to policy wording.</p>

<p>Policy BT6 Recreational and tourism activities Policy title and wording to be modified as follows: “Policy BT6 <u>Sustainable</u> Recreational and tourism activities Sustainable tourism development proposals, and/or extensions to or expansion of existing tourism and recreation uses, will be supported in principle. Proposals relating to land outside the recognised village residential boundary envelope as shown on the map at Schedule A will need to demonstrate that the proposed use is sustainable and will not have an adverse impact on the rural landscape <u>character</u>, but will promote the unique characteristics of the area. In all cases, appropriate levels of parking facilities must be provided.”</p>	Page 14	Accept and make modification to policy wording, but with reference to separate map
<p>Policy BT7 Communications Infrastructure Policy wording to be modified as follows: “All new residential, employment and commercial development must be designed to connect to high quality communications infrastructure. Support will be given for proposals that help to provide improved/additional connectivity for the Parish as a whole <u>subject to them not having an undue impact upon the landscape of the National Park</u>.”</p>	Page 14	Accept and make modification to policy wording.
<p>Policy BT9 Agricultural/Horticultural/Horiscultural employment Delete policy.</p>	Page 15	Accept and delete policy. Supporting text to be deleted.
<p>Policy CFW1 Support Independent Living Insert ‘and provided that the site falls within the recognised village envelope as shown on the map at Schedule A.’ at end of policy wording</p>	Page 15	Accept and make modification to policy wording, but with reference to separate map.
<p>Policy CFW3 Protection of assets of Community Value Policy wording to be modified as follows: “Proposals that will enhance the viability and/or community value of any property that may be <u>has been</u> included in the register of Assets of Community Value will be supported. Proposals that result in the</p>	Page 16	Accept and make modification to policy wording.

<p>loss of such a property, or in significant harm to its community value, will be resisted, unless it can clearly be demonstrated the continuing operation of the property is no longer economically viable. Typically this would mean the site has been marketed at a reasonable price for its current or any other suitable employment or service trade uses for at least a year, and no interest in acquisition has been expressed.”</p>		
<p>Policy HD1 The Presumption in favour of <u>Sustainable</u> Development Insert “Sustainable” in the title of the policy before “Development” Move the policy and the supporting text to a new section after the Introduction to the Neighbourhood Plan Policies in Chapter 5 (section 5.2) and adjust all policy numbers accordingly Insert at the end of the policy “unless material circumstances dictate otherwise. Planning permission will also be granted where relevant policies of the Neighbourhood Plan are out of date or silent unless: - Other relevant policies in the development plan for Arun or the South Downs National Park indicate otherwise: - or any adverse impacts of the policies would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole - or specific policies in the NPPF or other material considerations indicate that development should be restricted.” Insert in the supporting text “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 these areas, and should be given great weight in National Parks and the Broads.</p>	Page 17	Accept and make modifications; policy will be moved, title changed, additional criteria added and supporting text revised, and consequential renumbering carried out.
<p>Policy HD2 Quality of Design Delete policy.</p>	Page 18.	Accept and delete policy.
<p>Policy HD3 Housing Mix Delete the text of the policy and replace with “All applications for new housing will need to demonstrate how the proposal meets the specific housing needs of the current and future households within the parish”</p>	Page 18.	Accept recommendation, delete policy wording and replace with new text. The supporting text

		will be updated accordingly (see Appendix I).
<p>Policy HD4 Housing Density Delete paragraph 2 and 3 of the policy wording.</p>	Page 19	Accept and make modifications. The supporting text will be updated accordingly (see Appendix I).
<p>Policy HD5 Housing Site Allocation Policy wording to be modified as follows: “Permission will be granted, within the Plan period, for a maximum of <u>approximately</u> 30 new homes on the land identified on the Proposals Map (5.10).</p> <p>The development will provide a housing mix as defined in policy HD3; it will also redevelop the former BMX track site to a recreation/leisure site and provide a replacement/enhancement of the existing shop/café site either on the existing site, within the new housing development site, or adjacent to the Village Hall.</p> <p>Any such development proposal would be expected to provide alternative, safe access to the site. The development will be expected to provide a housing mix to meet the specific housing needs of the existing and future residents of Clapham in terms of house types and tenures including an appropriate level of affordable housing”</p>	Page 20.	Accept and make modifications. The supporting text will be updated accordingly (see Appendix I).
<p>Policy HD6 Windfall Sites Policy wording to be modified as follows: “Permission will be granted for small residential developments of up to five units, on infill and redevelopment sites within the recognised village envelope (as shown on the map at Schedule A), subject to the following conditions being met: i) The development complies with the other relevant policies of the adopted Neighbourhood Development Plan;</p>	Page 21	Accept and make recommended modifications.

<p>ii) The scale and design of the development is appropriate to the size, character and role of the settlement. In deciding whether the scale is appropriate, account will be taken of the cumulative impact of extant unimplemented permissions within the Parish as a whole;</p> <p>iii) The <u>character of the landscape and Parish built environment</u> is conserved or enhanced, especially where the character of the area is specifically recognised, such as the SDNP, Conservation Area and Listed Buildings;</p> <p>iv) The proposal creates safe and accessible environments that offer good access via a range of transport modes. Sites where it is possible to walk easily to local facilities will be considered preferable to sites that are further away, thus making car journeys to shops and schools more likely;</p> <p>v) Land is demonstrated to be used effectively and comprehensively. Arbitrary subdivision of land or piecemeal development will be considered unacceptable;</p> <p>vi) Wildlife must be conserved or enhanced.”</p>		
<p>Policy HD7 Outdoor Space Delete “and should contribute to providing native tree cover and improved biodiversity” in the first sentence of the policy.</p>	Page 21.	Accept and make recommended modifications. ‘The SDNP Local Plan Policies on Landscape Character, Design and Trees, Woodlands and Hedgerows will support the aspirations intended by this policy.’ Added to supporting text (see Appendix I)
<p>Policy HD8 Attention to detail Policy wording to be modified as follows: “<u>The design of new housing should give full consideration to the following items:</u> The following items must be considered early in the design process and integrated into the overall scheme:</p>	Page 21	Accept and make recommended modifications.

<p>• Bin stores and..”</p>		
<p>Policy HD9 Local Connection Delete criteria f and delete the last paragraph of the policy.</p>	Page 22	Accept and make recommended modifications.
<p>Policy ES1 Surface Water Management That the policy be reworded as follows: - “New development, apart from small residential and commercial extensions, will not be approved unless it can be demonstrated that the development will not increase the risk of flooding either to itself or other land, arising from the carrying out and the use of the development. Any planning permission for new development will be subject to a condition requiring that full details of the proposed surface water drainage scheme has been submitted (including details of its route, design and specification and details of its management and maintenance) and have been approved in writing by the Local Planning Authority. The development shall not be occupied until the drainage scheme has been implemented in accordance with the agreed details” The supporting text needs to be amended to indicate that Sustainable Drainage Systems may be appropriate and to include details as to it not being acceptable in areas with a high water table. The representations from WSCC offer appropriate wording.</p>	Page 23	Accept and make recommended change to policy text. Supporting text will also be updated as per Appendix I.
<p>Policy ES2 Protection of trees and hedgerows Policy wording to be modified as follows: “Development that damages or results in the loss of ancient trees/ancient woodland/trees of arboricultural and amenity value or loss of hedgerows or significant ground cover and <u>irreplaceable</u> habitat will be resisted <u>unless the need for, and benefits of, the development in that location clearly outweigh the loss</u>. Development proposals must be designed to retain wherever possible ancient trees, trees of good arboricultural and amenity value and hedgerows. Proposals <u>which affect sites with existing trees or hedgerows</u> should be accompanied by an independent survey that establishes the health and longevity of any affected trees or hedgerows, and a management plan to demonstrate how they will be so maintained.” Delete “development on agricultural land will not be permitted” from para ES2.3.</p>	Page 24	Accept and make recommended changes to policy and supporting text.
<p>Policy ES3 Renewable Energy</p>	Page 24	Accept and make

<p>Amend policy as follows:</p> <p>Proposals for energy-generating infrastructure using renewable or low carbon energy sources, to serve individual properties or groups of properties, will be supported provided that:</p> <p>(a) The energy-generating infrastructure is located as close as practicable to, and is in proportion to the scale of, the existing buildings or proposed development it is intended to serve;</p> <p>(b) The siting of the energy-generating infrastructure and its scale and design minimise the impact on landscape, heritage assets, views and wildlife, do not compromise public safety, and allow continued safe use of public rights of way;</p> <p>(c) Adjoining uses are not adversely impacted in terms of noise, vibration, stroboscopic effect, or electromagnetic interference;</p> <p>(d) Where appropriate, the energy-generating infrastructure and its installation complies with the Micro-generation Certification Scheme or equivalent standard;</p> <p>(e) Proposals for energy-generating infrastructure on land in agricultural production or on Grade 1 or 2 agricultural land will not be supported. Such equipment placed upon industrial or farm buildings will be supported provided that there is no adverse impact in terms of noise and visual impact.</p> <p>Notwithstanding the above, schemes which can be proven to provide benefit to the community will be considered on their merits.</p>		recommended modifications.
<p>Policy ES4 Buildings and Structures of Character</p> <p>Title and policy wording to be modified as follows:</p> <p>Policy ES4 Buildings and structures of <u>Special</u> character</p> <p><u>The Plan identifies the following buildings and structures as locally important heritage assets which contribute to the distinctiveness of the Parish:</u> The following properties should be included in the SDNP list of Buildings and Structures of Special Character, as they are of significant local interest and contribute to Clapham's distinctiveness:</p> <ul style="list-style-type: none"> · North House, The Street (this property is designated in the ADC Supplementary Planning Document) · The Old Rectory, The Street (now divided into South House and North House) · Springbourne and Summerfold, Rectory Lane (including small barn belonging to Springbourne) · Tudor Barn and adjoining buildings (previously Clapham Farm) · The Old Post Office and 158 The Street · Flint Cottage and Bramble Cottage, The Street 	Page 25	Accept and make recommended modifications to policy and supporting text.

<ul style="list-style-type: none"> · Holt Farm House, Holt Lane · Bay Tree Cottage, Brickworks Lane, Clapham Common · The Old Barn and The Old Stables, Brickworks Lane, Clapham Common · Clapham Lodge, Woodland Close <p><u>The effect of a proposal on the significance of these non-designated heritage assets will be taken into account in determining an application in order to avoid or minimise conflict between the conservation of the heritage asset and its contribution to distinctiveness of the Parish and any aspect of the proposal.</u></p> <p>Development proposals relating to the buildings of local character listed above will be expected to retain their local distinctiveness, and removal of part or all of them will not be permitted unless it can be demonstrated that they cannot be put to an alternative beneficial or viable use. Article 4 Directions will be sought to remove permitted development rights to further ensure that the character of the buildings are maintained.”</p> <p>Insert the final sentence of the policy relating to the Parish Council requesting the SDNPA to serve Article 4 Directions be placed in the supporting text.</p>		
<p>Policy ES5 Conservation Areas Change the title of the policy to “Protecting the Setting of the Conservation Area”</p>	Page 25	Accept and change title of the policy.
<p>Policy ES6 Open Access and Permissive Paths Delete policy and insert within supporting text.</p>	Page 25	Accept and delete policy. Text will be inserted in the Appendix of Clapham NDP – Aspirational Policies
<p>Policy ES7 Unlit Village Status Policy wording will be amended as follows: “ Development proposals which detract from the unlit environment of the Parish will not be supported. The importance of dark skies will be respected throughout the Parish as a priority. Street lighting will be discouraged even within the core village until such time as the majority of the community within the village demands it, at which point the type of lighting will be required to conform to the highest standard of light pollution restrictions</p>	Page 26	Accept and make recommended modifications.

<p>at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use (e.g. ensuring lighting is deflected downwards rather than outwards or upwards, that it is switched off after midnight at the latest, and that movement-sensitive triggers are regulated to reduce illumination periods to a minimum), including floodlighting at equine establishments and on sports fields or sports grounds.”</p>		
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Appendix I

Modified supporting text for policy changes described above

Modified supporting text for Policy BT3

BT3.1 Light industrial uses will be supported. However, general industrial use (B2) and distribution and storage (B8) in units of over 500 sq. m. are considered inappropriate for the Parish due to the heavy goods traffic they can generate. The current level of heavy goods traffic has a highly detrimental effect on Clapham Common (see Evidence Base). Any increase in such traffic would have a further detrimental effect on the Parish and on existing businesses.

BT3.2 The current use of the WSCC Depot site causes issues of noise and traffic and is felt to be inappropriate in this location. The site is brownfield land, and is expected to close in the lifetime of the Plan. If the site were to become available, use for small ~~start-up~~ light industrial units would reduce the size and volume of traffic, and provide opportunities for local people to start new businesses (a need for which has been expressed in the survey – see Evidence Base).

Modified supporting text for Policy HD3 (renumbered as HD1)

HD1.1 The housing needs survey undertaken in 2014 identified a need for local housing to meet the needs of both young and old. ~~Lifetime Home standards will assist with the needs of our ageing population, and affordable housing will give our younger people a chance to remain in the Parish.~~

HD1.2 The Housing Needs survey identified a need for affordable housing to give our younger people a chance to remain in the Parish. Residents told us through the Parish Survey that they wanted all new development to be in keeping with the surrounding area and to include bungalows for the elderly and affordable housing.

Modified supporting text for Policy HD4 (renumbered as HD2)

HD2.1 To ensure that new development does not harm the established character and appearance of the local area.

HD2.2 ~~The Housing Needs survey identified a need for affordable housing in the Parish. Residents told us through the Parish survey that they wanted all new development to be in keeping with the surrounding area and to include bungalows for the elderly and affordable housing.~~ Clapham Common is built at 24 units to the hectare; Woodland Close at 14 units to the hectare. For development to be in character with the locality, the density should be maintained at 24 units per hectare approximately the same level.

Modified supporting text for Policy HD5 (renumbered as HD3)

HD3.1 The Parish does not have a housing allocation; however, the Housing Needs Study identified a local requirement for homes. The site is brownfield land; it is currently being used as a Builder's Merchants, which causes issues of noise and traffic, and is felt to be inappropriate in this location. The site is expected to close in the lifetime of this Plan.

HD3.2 ~~In seeking to bring this site forward for development the Parish wishes to secure the future of the village shop/café and to improve the plan provision for Parish children.~~ Prior to planning permission being sought for any development at Site HD4, a design brief shall be prepared and shall then be submitted as part of the evidence in support of the planning application. The design brief should be prepared in consultation with relevant parties including the SDNPA and Clapham Parish Council

HD3.3 The policy proposes approximately 30 new homes. The development site is just over 1 hectare; for the development to be in character with the locality, the density should ~~not exceed 30 units~~ be in keeping with the surrounding settlement.

Modified supporting text for Policy HD7 (renumbered as HD5)

HD5.1 Good quality outdoor space improves recreation opportunities for young and old, contributes to the open feel of the village and provides opportunities to increase biodiversity.

HD5.2 The SNDP Local Plan Policies on Landscape Character, Design, and Trees, Woodlands and Hedgerows will support the aspirations intended by this policy.

Modified supporting text for Policy ES1

ES1.2 Consideration should be given to the use of Sustainable Drainage Systems (SUDS) as alternatives to conventional drainage where appropriate, but infiltration techniques may not be suitable where the winter water table is less than 0.7 of a meter below ground level. Sustainable drainage systems on private property, whether they are private or adopted, must be approved by the relevant Local Planning Authority (SDNPA) prior to the commencement of development, and must confirm to the recommendations of the SUDS Manual produced by CIRIA. All approved sustainable drainage systems shall be recorded on the flood risk register and maintenance arrangements identified for the lifetime of the development.

Modified supporting text for Policy ES4

ES4.2 Article 4 Directions will be sought to remove permitted development rights to further ensure that the character of the buildings are maintained