



## Summary of Representations made on the Regulation 16 Submission version of the Findon Neighbourhood Development Plan

1. This document provides a summary of the representations submitted in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 to the Findon Neighbourhood Development Plan (FNDP). This document is produced in compliance with the Neighbourhood Plan (Referendum) Regulations 2012.
2. The South Downs National Park Authority (SDNPA) published the FNDP for consultation from 12 February to 15 April 2016 in accordance with Part 5 of the Neighbourhood Planning (General) Regulations 2012. Representations were submitted during the publicity period by 8 respondents. The representations were received from statutory consultees, developers, their agents, and other organisations.
3. Paper copies of the representations can be viewed on request at the South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH.
4. Set out below is a summary of the issues raised in the representations. The South Downs National Park Authority Representation can be seen in full on our website by following this [link](#)

Name / Organisation	Date received	Method of submission	Summary of representation
David Hutchison/ Resident	25.03.2016	email	<ol style="list-style-type: none"> <li>1. General conformity with the Strategic policies of the Local Plan</li> <li>1.1 NPPF Para 184 states.....'Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.</li> <li>1.2 The FNDP states that it 'is being prepared in anticipation of the adoption of the new SDNP Local Plan, but focuses on being in conformity with the relevant saved policies of the 2003 Arun Local Plan' (page 11)</li> <li>1.3 However the FNDP offers no evidence to justify why the relevant strategic saved policies of the 2003 Arun Local Plan are given considerably more weight than the SDNPA Preferred Options 2015 strategic policies (the stage of the new SDNPA Local Plan) particularly with regard to housing and development</li> </ol>

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			<p>policy.</p> <p>2. Housing Need, Policy and Availability of Sites</p> <p>2.1 The FNDP states that the its aims include 'To review local housing need and the availability of sites within the built up area boundary to determine if future housing can be allocated without a review and extension of the current built up area boundary (page 8)</p> <p>.....and then goes on to state 'In order to support this protection of green field areas (AONB in the Arun 2003 Local Plan) the FNDP has determined to retain the settlement boundary in its current state and the SDNP have confirmed that it would not be within their remit to look at changing the settlement boundary as we are at an advanced stage of our FNDP. An independent Landscape Character Assessment of the Parish was commissioned at the start of the Plan process and this has informed decisions about the settlement boundary (see Evidence Base 42,43)' (page 13)</p> <p>2.2 The FNDP provides no evidence to justify why the aim on page 13 'to retain the settlement boundary in its current state' appears to have been determined before the review of local housing need and availability of sites within the built up area boundary has been concluded, other than by a general reference to the status of the built up area boundary in the AONB which has been superseded by the National Park status since 2012.</p> <p>2.3 The SDNPA emerging policy not to change the built up area boundary where Neighbourhood Plans are at an advanced stage does however require the Neighbourhood Plans to be in conformity with the emerging strategic policies on housing and include any site allocations that may be necessary to meet the strategic housing requirement. While the FNDP acknowledges a strategic requirement for 20 houses it has decided not to allocate any sites, has not found any available sites within the built up area boundary and proposes to retain the built up boundary in its current state and therefore the SDNPA emerging policy not to change the built up area boundary where the Neighbourhood Plan is at an advanced stage will not apply.</p> <p>2.4 The independent Landscape Character Assessment (Evidence Base 42,43) identified a small number of sites on the outside edge of the built up area boundary with a capacity for providing small clusters of houses where the landscape value and harm was considered to be moderate. The FNDP Housing Topic Group and the Steering Group prepared further appraisals of these sites using a similar methodology to the SDNPA SHLAA appraisals and proposed that the sites should include in the main public consultation as potential sites for small cluster of houses. The analysis of the public consultation responses concluded that there was no clear support for any of the proposed sites on the outside edge of the current built up area boundary and that despite a strategic housing requirement and no availability of any sites within the built up area boundary, the FNDP proposes to retain the built up area boundary in its current state.</p> <p>It was therefore the analysis of the public consultation responses that informed the proposal in the FNDP to retain the built up area boundary in its current state, not the independent Landscape Character Assessment.</p>

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			<p>2.5 A stated core objective of the FNDP is ‘Support housing development which meets identified needs where such housing is appropriate to its environment, and meets statutory planning guidelines and the intentions set out in this FDNP (page 25)</p> <p>2.6 A Housing Needs Survey was carried out by AIRS which identified some local housing need for both low cost market housing and affordable housing, however the FNDP provides no evidence to justify why the ‘intentions set out in this FNDP’ (restricting any housing allocations by the SDNPA to within the current built up area boundary) are given considerably more weight than the identified local housing need.</p> <p>2.7 Further, the emerging SDNPA local plan places considerable emphasis on the provision of affordable and lower cost housing as a strategic housing policy, but while the FDNP includes as Objective I ‘Seek to ensure that new dwellings contribute towards any local connection need for smaller, lower cost and affordable homes;’ (page 43) this objective is not carried through into FDNP Housing policies which propose to retain the built up area boundary in its current state whilst acknowledging that there are no available sites for housing within the boundary other than individual houses in a relatively few larger large gardens.</p> <p>2.8 With the SDNPA constrained by Government guidance on the thresholds where affordable housing can be sought as part of any development (sites with more than 5 houses), no such sites identified within the built up area boundary in its current state and a proposed restriction on any allocations outside the built up area boundary the FNDP does not meet the emerging strategic housing policy on low cost and affordable housing.</p> <p>3. FNDP Housing and Design Quality Policies</p> <p>HDI.1 The policy supports development on land within the settlement boundary but only if it is considered to be suitable for development against other Plan policies. The Parish will work with SDNPA to find ways to try to deliver the allocation.</p> <p>HDI.2 Neighbourhood plans are a reflection of the thinking and aspiration within the local community. Housing sites have been tested with our community and they have indicated that they do not agree with any of the land that has been put forward (see Evidence Base 59).</p> <p>HDI.3 This Plan indicates preferred uses for sites and establishes development principles; it does not however, include any allocations of land for development as there is no requirement for a Neighbourhood Plan to include allocations.</p> <p>HDI.4 Policy SD22 of the emerging SDNP Local Plan states that development will not normally be permitted outside of settlement boundaries. The residents of Findon agree with this approach.</p> <p>Policy HD I</p> <p>3.1 The SDNPA have set a strategic housing requirement for Findon, not a housing allocation.</p> <p>3.2 The policy is not deliverable as the FNDP acknowledges that there are no potential housing allocations within the built up area boundary other than individual houses in the few remaining larger gardens</p>

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			<p>(Evidence Base, Call for Sites within the Built Up Area Boundary)</p> <p>HD 1.2</p> <p>3.3 The FNDP provides no evidence of how the proposed housing sites 'were tested' with 'our community' other than giving those attending the open consultation event and responding via the website, the opportunity to disagree with the proposed sites and disagree with the provision of any new housing.</p> <p>3.4 The poster for the open consultation event did include reference to 'the pressure on local authorities to deliver new homes means no development is not an option'.</p> <p>3.5 However a clear statement that the SDNPA was about to publish Preferred Options 2015 (the emerging Local Plan) within three months and that this would include a strategic housing requirement for Findon, or a clear statement that the NPPF required a Neighbourhood Plan to be in conformity with strategic policies in a Local Plan was not available at the open consultation event or on the website, with the result that people attending the open consultation event or responding via the website believed that there was the opportunity to disagree with not only any of the proposed sites but also disagree with the delivery of any new housing other than individual houses in the few remaining gardens within the built up area boundary.</p> <p>3.6 This may call into question the weight given to the consultation responses, particularly given the opposition to cramped infilling and support for small clusters of lower cost housing (as an alternative to larger housing sites IF new housing was required) evidenced in the responses to the pre FNDP Questionnaire.</p> <p>3.7 The Steering Group also considered that it was not appropriate to prepare any initial illustrative sketch layouts and designs for the proposed sites, including the potential for low cost, affordable housing and landscape context green and vernacular housing, or involve the local community in mini planning workshops to develop ideas, before the open consultation event.</p> <p>HD 1.4</p> <p>3.8 Policy SD22 is intended to apply where there is no identified local housing need, or if there is an identified local housing need and this can be met from housing site allocations within the existing built up area boundary.</p> <p>Policy HD2 Local Connection</p> <p>3.9 Policy HD1 will not deliver any affordable housing as the FNDP acknowledges there are no available sites within the built up area boundary other than individual houses within the few remaining larger gardens.</p> <p>3.10 If this policy remains, the only potential delivery of affordable and low cost housing will be through a rural exception policy.</p> <p>3.11 The Arun District Council current policy on rural exception sites referred to in Policy HD2 for clarity, is not a 2003 saved policy. Arun DC found that the 2003 rural exception policy had not delivered in significant affordable housing in rural settlements or villages and amended the policy in 2012, to allow</p>

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			<p>one market house for every two affordable houses provided in the hope that this would bring forward some affordable housing.</p> <p>3.12 The SDNPA Preferred Options 2015 rural exceptions policy however retains a 100% affordable housing requirement for all rural exception sites in the National Park with no options for locality preferences where evidence has shown a 100% affordable requirement has not previously delivered any affordable housing.</p> <p>It's not clear if the FNDP is advocating an Arun 2012 approach to rural exception sites and if it is, evidence (Arun DC evidence and NPPF guidance) will need to be included to justify a distinct different local approach to rural exception sites in the FNDP.</p> <p>Policy HD4 Self Build Houses</p> <p>3.13 The FNDP policy is not in line with the SDNPA Preferred Options 2015 which includes 'on the edge of existing settlements' as well as within the built up area boundary as locations for sites for self-build houses.</p> <p>4. Evidence Base Consultation</p> <p>Pages 8 and 9</p> <p>4.1 The stage 2 appraisals of the 6 land parcels did not include a 'being green fields or grazing land could they be said to satisfy the SDNPA's specific duty to enhance and conserve the natural beauty of the area' criteria as that had already been considered in David Hares Landscape Character Assessment of the land parcels, this criteria being added back by the Steering Group after receiving the stage 2 appraisals.</p> <p>4.2 'The significant additional information about the sites that was not uncovered as part of the topic group's research' is inaccurate and not clarified. The topic group was specifically instructed by the Steering Group not to discuss the land parcels with the land owners or the occupants of the houses nearby to ascertain further information to complete the availability and amenity parts of the stage 2 appraisals.</p> <p>4.3 'The highly significant, over 73% of the feedback (evidence Base 59), resistance to the identified sites based upon concern as to the detrimental effect on amenity' is essentially subjective as no specific proposals on layout, scale, design, access, landscaping were put forward on which to base any objective assessment of the effect on amenity.</p> <p>4.4 'The community rejection of the identified parcels' is not an accurate statistical summary of the responses received when the consultation summary document (Evidence Base 59) is looked at in detail. For example, 42% of a total of 159 respondents were opposed to any housing allocation sites outside the current built up area boundary and didn't express a view on any of the specific land parcels while 24 % were opposed to the specific land parcels.</p> <p>4.5 There was also no specific opportunity for the community to express any preferences for the land parcels under the specific assumption that there would a definite requirement to allocate housing sites, or express a view on the SDNPA allocating the sites if the community did not wish to express any</p>

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			<p>preferences.</p> <p>4.6 There is no evidence offered to justify 'the widespread view that no suitable sites exist beyond the settlement boundary' that 'the community rejection confirmed' or how that widespread view was arrived at before the community rejected the land parcels.</p>
Highways England	30.03.2016	email	<p>Thank you for your email dated 3rd March 2016 inviting Highways England to be involved in the above consultation process.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We have reviewed the relevant documents for this consultation and have no comments.</p>
Southern Water	31.03.2016	email	<p>Thank you for consulting us on the above document.</p> <p>Southern Water is the statutory water and sewerage undertaker for Findon. We were consulted on the previous version of this NDP and sought policy provision supporting the delivery of any necessary utility infrastructure, whilst ensuring that such delivery is not unduly restricted. However, our previous representations have not been addressed therefore please find following our response in respect of the current NDP.</p> <p>Policy ESI: Gaps between settlements Page 39</p> <p>Southern Water understands Findon Parish Council's desire to protect the separate identity of the village. However, we cannot support the current wording of this policy as it could create a barrier to statutory utility providers, such as Southern Water, from delivering essential infrastructure required to serve existing and planned development.</p> <p>Policy ESI does not meet the basic conditions necessary for a NDP, namely to be in general conformity with the strategic policies contained in the development plan for the area of the authority, to have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to the achievement of sustainable development.</p> <p>National policies and guidance</p> <p>Southern Water may have to provide additional water or wastewater infrastructure to serve new and existing customers or meet stricter environmental standards. It is likely that there would be limited options with regard to location, as the infrastructure would need to connect into existing networks. The National Planning Practice Guidance (NPPG) recognises this scenario and states that 'it will be important to recognise that water and wastewater infrastructure sometimes has locational needs (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered'.</p>

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			<p>Therefore, utility infrastructure is considered to constitute the 'exceptional circumstances' envisaged by paragraph 116 of the National Planning Policy Framework (NPPF).</p> <p>Strategic policies</p> <p>Reference is made within the justification text for Policy ESI on the basis that Policy SD5 of the emerging South Downs National Park Local Plan seeks to retain settlement gaps. However, Policy SD5: Landscape Character allows development to take place providing certain criteria are met. The policy states that 'Development proposals which conserve and enhance the landscape character of the South Downs National Park [...] will be permitted. It should be clearly demonstrated that development proposals are [...] in accordance with the following requirements: [...] e) The open and undeveloped nature of existing gaps between settlements will be conserved and, where appropriate, enhanced.' Whilst Southern Water appreciates the desire to conserve the 'undeveloped nature' of the gap, there is scope within the SDNP's draft policy to submit development proposals that comply with its parameters. However the SDNP's local plan has not yet been adopted and as such leaves a policy vacuum in this respect. The current wording of Policy ESI is entirely prohibitive, and we consider that it does not meet the basic conditions as it is not supported in national policy - by preventing the development of essential utility infrastructure which may be required to meet the basic needs of the community it fails to contribute to the achievement of sustainable development. Findon's Basic Conditions Statement does not make reference to Policy ESI.</p> <p>As outlined above, we appreciate that the gap between settlements is valued and would seek to minimise the impact of any necessary infrastructure on their value. However, the policy in its present format is entirely prohibitive and could impact Southern Water's ability to effectively serve the future needs of the community.</p> <p>Proposed amendment</p> <p>In order to meet the basic conditions necessary for a NDP, we propose the following additional wording to policy ESI:</p> <p>New development within the Local Gap identified in the 2003 ADC Local Plan and shown in Map 2 will not be permitted, except in exceptional circumstances, such as where the proposed development meets specific necessary utility infrastructure needs and no feasible alternative site is available.</p> <p>New policy on the provision of infrastructure</p> <p>We can find no policies to support the delivery of new or improved utility infrastructure. Whilst we appreciate and support the inclusion of text under Chapter 5.2 Sustainable Development that confirms Findon's support of sustainable development by 'contributing to building a strong, responsive and competitive economy by [...] identifying and coordinating development requirements, including the provision of infrastructure', we consider that incorporation in policy would provide more certainty, helping meet the basic conditions necessary for a NDP, namely to: have regard to national policies and contribute to the achievement of sustainable development.</p> <p>National policies and guidance</p>

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			<p>Southern Water is the statutory water and sewerage undertaker for Findon. Southern Water has a statutory duty to serve new development, and is committed to ensuring the right infrastructure in the right place at the right time in collaboration with developers, the parish council and the planning authority. The 'made' Findon NDP and adopted SDNP Local Plan, will inform Southern Water's investment planning. Adoption provides the planning certainty required to support investment proposals to Ofwat, the water industry's economic regulator. Investment proposals are prepared every five years through the price review process.</p> <p>Ofwat's price determination last year will fund the investment programme in the period to 2020. There will be another price review in 2019, covering the investment period 2020 to 2025.</p> <p>Although there are no current plans, over the life of the NDP it may be that we need to provide new or improved infrastructure. Page 8 of the National Policy Statement on Wastewater states that 'Waste water treatment is essential for public health and a clean environment. Demand for new and improved waste water infrastructure is likely to increase in response to the following main drivers: More stringent statutory requirements to protect the environment and water quality; Population growth and urbanisation; Replacement or improvement of infrastructure; Adaption to climate change. The Government is taking measures to reduce the demand for new waste water infrastructure in England.....However, there will still be a need for new waste water infrastructure to complement these approaches and ensure that the natural and man-made systems are able to function effectively together to deliver a wide range of ecosystem services and other benefits to society'.</p> <p>Accordingly, we seek policy provision to support new or improved utility infrastructure. Such policy provision would also be in line with the main intention of the National Planning Policy Framework (NPPF) to achieve sustainable development. For example, one of the core planning principles contained in paragraph 17 of the NPPF is to 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'. Also paragraph 157 of the NPPF requires positive planning for development and infrastructure required in an area.</p> <p>Proposed amendment</p> <p>Accordingly, we propose the following additional policy:</p> <p>New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community, subject to other policies in the development plan.</p>
Arun District Council	13.04.2016	email	<p>We made extensive comments at Reg.14 and as such will not be making any formal Reg.16 comments due to work priorities on the Local Plan.</p> <p>However my comments in brief are:</p> <ol style="list-style-type: none"> <li>1. Please see ADC Reg.14 comments (included below) because the majority of the comments still apply</li> <li>2. The consultation statement in particular, the table which addresses how responses have been dealt with is written in quite an angry tone and at times very inaccurate. One very key point being, ADC is at</li> </ol>



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			<p>examination stage and the plan has been suspended for 18 months from January 2016. Further details can be found here: <a href="http://www.arun.gov.uk/local-plan-examination">http://www.arun.gov.uk/local-plan-examination</a></p> <p><b>Reg 14 Pre-submission comments (submitted to Findon Parish Council 16.09.2016)</b></p> <p>The Council fully supports the community's initiative to produce a Neighbourhood Development Plan. Neighbourhood planning aims to give people greater ownership of plans and policies that affect their area. The government is clear that the intention of Neighbourhood Development Plans should be to set out policies on the development and use of land in a neighbourhood area and that the local planning authority has a duty to support production of the plan.</p> <p>Our duty at this stage is therefore to assist the Neighbourhood Plan Group in making sure the draft subsequently submitted, is in a form that will allow the Examiner at a forthcoming examination, recommend that it goes ahead to referendum. The comments are reflective of comments from the Planning Department of Arun District Council as a consultee.</p> <p>We have tried to outline the areas where there may be some degree of divergence with national or local planning policy, to help you in preparing justification for these departures.</p> <p>The following list is intended to be a guide on some key issues identified in the plan:</p> <ol style="list-style-type: none"> <li>1. The paragraph numbering is inconsistent and would be helpful for referencing if it was all done.</li> <li>2. Policy BT1 Support for business: The second part of this policy (..provided that the impact on the amenities of surrounding properties is acceptable.) needs re-wording. How will this be assessed/quantified? How will this be used by DC?</li> <li>3. Policy BT2 Retention of employment land: The policy need re-wording to make it more robust and usable by DC. The last sentence should be deleted. (Ensure any residential ...)</li> <li>4. Policy BT3 Support for new commercial uses and Policy BT4 Retention of retail frontages. Any application should be judged on merits – i.e. like scale, impact, benefits. There is no evidence present to support reasons in the supporting text. The policy also does not appear to take into account the new provisions for permitted development for changes of use. It is recommended that the policy is re-written.</li> <li>5. Policy BT6 shopfront and business signage: Where is the evidence to support this policy? How will DC use this policy? Illuminated signs and advertisements will not be permitted? 'In keeping with the surrounding area' – which is what?</li> <li>6. Policy BT7 Improving signage: What is the definition of signage 'clutter'? There seems to be confusion of what a neighbourhood plan can do and what is the responsibility of the Local Planning Authority.</li> <li>7. Policy BT8 Support recreational and tourism activities: What are 'unacceptable impact on adjacent residential amenity'? How will DC effectively use this policy?</li> <li>8. Policy GA4 Parking and new development: What is the evidence to support that 'Development</li> </ol>

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			<p>proposals will be supported only if they include the maximum level of off street parking ...' ?</p> <p>9. Policy GA5 A24 improvements: This is written like more of a community project than a policy so recommend revision or moving to the back.</p> <p>10. Policy CFW3 Recreational facilities: What is the evidence to support this policy? Suggest re-wording especially the first sentence 'Existing open spaces including school playing fields, outdoor sport and recreation land should not be built on.'</p> <p>11. Policy CFW4 Provision of allotments: are there parcels of land formally designated as allotments? Might want to justify this a bit better than the map which shows one site.</p> <p>12. Policy CFW5 Protection of Assets of community value: This is written like the NDP can make decisions on what is included on the assets register. This has its own process and so the policy should be re-worded to reflect this. The parish council should ensure they register the buildings using the procedure to mitigate any unwanted circumstances in the future. Paragraph CFW5.2 needs to take into consideration the new change of use rights.</p> <p>13. Policy CFW6:Local Green Space: do they meet the criteria expressed in the NPPF?</p> <p>14. Policy CFW7:'Unlit village' status: This is written as more of an inspiration than policy. How is DC going to use this?</p> <p>15. Policy ES1 Gaps between settlements: This policy needs to look at the SDNP area as well as take into account the emerging ADC Local Plan which is at examination stage. It therefore needs to reflect the current situation.</p> <p>16. Policy ES2 Surface water management: the first bullet could be difficult in terms of compliance. With the reference to "downstream", probably best for this to be removed. Some of the text can be moved to supporting.</p> <p>17. Policy ES4 Renewable Energy: This is quite a restrictive criteria based policy. What is the evidence to support this? Last sentence reasonable and enforceable. Would NPPF and SDNP designation be sufficient?</p> <p>18. Policy ES5 Buildings and Structure of character: The whole policy needs to be in the box. At the moment it starts and stops. Some of this policy text needs to be in supporting text. It is recommended that this policy is worked up in conjunction with the SDNP.</p> <p>19. Policy ES6 Conservation areas and areas of special character: Map 3 is not quite legible.</p> <p>20. Policy HDI Spatial plan of the Parish: The use of the term "up to a maximum of 20 new dwellings" by imposing a ceiling or cap on total development does not have regard to national policy in which there is a presumption in favour of sustainable development. It is however understandable that those people preparing a neighbourhood plan will seek to estimate individual site capacities in order to appreciate whether or not provision will meet local need. Actual numbers of homes achieved on sites will be determined on a site by site basis when detailed schemes are prepared and assessed taking into</p>

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			<p>consideration site constraints. It is therefore recommended that it be reworded as "Development proposals of a minimum of 20 new dwellings ..."</p> <ol style="list-style-type: none"> <li>21. Policy HD2 Local Connection: Does this accord with the SDNP strategic policy? This policy conflicts with ADC policy. ADC only has a local connection criterion for rural exception sites.</li> <li>22. Policy HD3 Redundant agricultural and rural buildings and their immediate surroundings: This policy is very confusing and unwieldy. There are bits of text which are supporting within the policy. Suggest a re-write.</li> <li>23. Policy HD6 Alterations and roof extensions: What is the evidence to support this?</li> <li>24. Policy HD7 Edge of Boundary houses and paddocks: This is not a policy?</li> <li>25. The policies could be strengthened by including a cross reference evidence base and conformity reference to the local plan and the NPPF.</li> </ol> <p>Conclusion</p> <p>The plan needs a lot of work prior to being submitted for Reg.15 but is a good start. The main issue with this plan is that the justification and evidencing for the policies need clarity and a lot of the actual policies require clarity. The general layout needs improving for ease of reading.</p> <p>We have made the suggestions in this document in the spirit of easing the draft plan's progress to adoption, and they should not be taken as the District Council requiring or requesting changes to the document, as ultimately any decisions over the eventual contents and whether to take comments on board rest with the Findon Neighbourhood Plan Group and the Parish Council.</p> <p>The Council fully supports the community's initiative to produce the neighbourhood Development Plan and welcome any further discussions on the comments made.</p>
Natural England	14.04.2016	email	<p>Thank you for consulting Natural England on your Neighbourhood Development Plan (NDP). I note that we have provided previous comments on 11 September 2015. My brief comments on our outstanding concerns are as follows:</p> <p>Policy HD1 appears to set a target for the scale of development (minimum of 20 dwellings) and to ensure they are provided within the settlement boundary. I was not able to find a plan indicating any preferred sites. Nevertheless, the development is unlikely to result in significant effects on designated habitats; although of course, close consultation with the SDNP is essential when proposals come forward.</p> <p>Policy HD5 rightly seeks to limit changes to the exterior of the building. However, I am disappointed to note that consideration has not also be given to any possible use of the structure by protected species (notably bats) and the potential of suburbanization of individual and groups of suitable buildings because of features such as fencing, landscaping, parking and lighting.</p> <p>Due to the current pressure of consultations on land-use proposals, plans and appeals, I have not been able to spend the time I would have wished to review and comment on your Plan. Nevertheless, I hope you find these</p>

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			<p>comments helpful.</p> <p>If there are issues I have not covered, please let me know and I will respond as quickly as possible. If discussion would be helpful, please give me a call.</p>
West Sussex County Council	14.04.2016	email	<p>Thank you for the opportunity to comment upon the consultation Submission Neighbourhood Plan for Findon. The County Council provided comments at the Pre-Submission stage. However, it should be noted that a traffic management policy has been added to the Submission version. It is unclear as to why this policy includes the proposal to designate several roads in the parish as Quiet Lanes. Any proposal for this legal status would need to be supported by sufficient evidence. It is suggested that this part of the policy is removed; if it is to be retained then it could be stated in a 'community aspirations' section. It is suggested that the focus of policy GA5 is on ensuring safe and suitable road use for non-vehicular traffic.</p>
Knights on behalf of MLN (Land and Properties) Limited	15.04.2016	email	<p>1. INTRODUCTION</p> <p>1.1 This representation to the Findon Neighbourhood Plan Submission Consultation is submitted on behalf of MLN (Land and Properties) Limited who have an interest in Land in Findon.</p> <p>1.2 This representation is submitted in response to the Regulation 15 consultation, and in particular will focus on the housing policies of the plan.</p> <p>1.3 This representation will examine whether or not the plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and as applied to neighbourhood plans by section 38A of the 2004 Planning and Compulsory Purchase Act.</p> <p>1.4 The independent Examiner is required under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended), is required to determine whether:</p> <ul style="list-style-type: none"> <li>(a) the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;</li> <li>(b) the Plan meets the requirements of Section 38B of the 2004 PCPA where the plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area; and</li> <li>(c) that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.</li> </ul> <p>1.5 The Examiner is obliged to determine whether the Neighbourhood Plan complies with the Basic Conditions. These are that the Plan is required to:</p> <ul style="list-style-type: none"> <li>(a) have regard to national policies and advice contained in guidance issued by the Secretary of State;</li> <li>(b) contribute to the achievement of sustainable development;</li> <li>(c) be in general conformity with the strategic policies contained in the Development Plan for the area;</li> </ul>

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			<p>and</p> <p>(d) not breach, and is otherwise compatible with, EU obligations and human rights requirements.</p> <p>2. STRATEGIC CONTEXT</p> <p>2.1 The National Planning Policy Framework 2012 (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied. The Planning Practice Guidance provides Government guidance on planning policy.</p> <p>2.2 The adopted development plan for the area comprises the saved policies of the Arun District Local Plan 2003. The saved strategic policies of the Arun District Local Plan include policies relating to countryside, housing, settlement boundaries and strategic and local gaps although the Plan covered a period up to 2011.</p> <p>2.3 The South Downs National Park was first designated as an Area of Outstanding Natural Beauty (AONB) before being designated as a National Park on 1st April 2011. The South Downs National Park Authority (SDNPA), then became the body with the statutory responsibility of writing Planning Policy for the National Park Area on the 1st of April 2011.</p> <p>2.4 Prior to the National Park designation, Arun District Council had responsibility for making planning policy and planning decisions for development in the Findon Parish. The emerging Arun District Local Plan is currently subject to examination. The emerging Arun District Local Plan will exclude areas that fall within the South Downs National Park (including Findon). As such, the extant adopted development plan policies for Arun will cease to become operative once the emerging Arun Local Plan becomes adopted. This would have the effect of leaving a strategic policy vacuum for Findon (and other areas covered by the extant Arun Local Plan) that fall within the National Park until the emerging South Downs Local Plan is adopted.</p> <p>2.5 SDNPA are currently in the process of preparing their own Local Plan, however until such time that the SDNPA Local Plan is adopted, the saved policies of the Arun District Local Plan (2003) provide the Development Plan Framework for planning decisions in the Findon Parish, subject to their consistency with the NPPF.</p> <p>Arun District Local Plan “Saved” Policies (2003)</p> <p>2.6 The assessment below provides an overview of the saved Arun District Local Plan 2003 policies.</p> <p>The Proposals Map</p> <p>2.7 The Local Plan proposals map shows Findon as being located within an AONB, which has now been superseded by its National Park Designation. Findon is then shown as having a built up area boundary. No housing allocations are shown within Findon on the proposals map which demonstrates that no planned housing allocations have been delivered in Findon over the past 13 years, although some infill plots would undoubtedly have been developed within the settlement boundary over this period.</p> <p>2.8 To the south of the settlement, a Strategic and Local Policy Area has been identified. This area is</p>

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			<p>identified as a "Local Gap" where development will only be permitted if:</p> <ul style="list-style-type: none"> <li>(a) it is demonstrated to be necessary to meet the requirements of, or is consistent with, other policies of the Development Plan; and</li> <li>(b) either individually or cumulatively it does not contribute to the coalescence of settlements; and</li> <li>(c) attention is given to the long term enhancement of the landscape, amenity and conservation value within the gap and, where possible, to the improvement of public access.</li> </ul> <p>Relevant Saved Policies for Housing in Findon GEN2</p> <p>The boundaries of the built-up area for the purposes of the West Sussex County Structure Plan and this District Local Plan are defined on the Proposals Map. Development or redevelopment will be permitted within the built-up area boundaries, subject to the other policies in this plan. Outside the built-up area boundaries, development or redevelopment will not be permitted unless it is consistent with other Local Plan policies.</p> <p>GEN3</p> <p>Outside the Built-Up Area, as defined on the Proposals Map, the countryside will be safeguarded for its own sake. Development will not be permitted unless:</p> <ul style="list-style-type: none"> <li>(i) it meets the operational needs of agriculture, forestry, the extraction of minerals or the deposit of waste; or</li> <li>(ii) for quiet, informal recreation; or</li> <li>(iii) for the diversification of the rural economy; or</li> <li>(iv) for essential road schemes; or</li> <li>(v) it is in accordance with a policy in Sections 2 and 3 of the plan referring to a specific use or type of development.</li> </ul> <p>Permission will not be given for the extension of isolated groups of buildings or the consolidation of linear or sporadic development unless the proposal accords with criteria (i) to(iii) or (v).</p> <p>GEN5</p> <p>The Plan makes provision for 8,700 new dwellings to be built within the District during the period covered by the Plan (1996 - 2011).</p> <p>AREA I I</p> <p>Local Gaps, as identified on the Proposals Map will be protected and maintained between:</p> <ul style="list-style-type: none"> <li>(i) Findon and Worthing</li> <li>(ii) Angmering and Rustington/East Preston</li> <li>(iii) Felpham and Bognor Regis</li> <li>(iv) Walberton and Barnham</li> </ul>

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			<p>(v) Eastergate and Barnham</p> <p>Development in the Local Gaps will only be permitted if:</p> <ul style="list-style-type: none"> <li>(i) it is demonstrated to be necessary to meet the requirements of, or is consistent with, other policies of the Development Plan; and</li> <li>(ii) either individually or cumulatively it does not contribute to the coalescence of settlements; and</li> <li>(iii) attention is given to the long term enhancement of the landscape, amenity and conservation value within the gap and, where possible, to the improvement of public access.</li> </ul> <p><b>DEV17</b></p> <p>Within allocated and unidentified housing developments of 25 or more dwellings or residential sites of 0.8 hectare or more, irrespective of the number of dwellings, the Local Planning Authority will seek to secure the provision of affordable housing.</p> <p>The appropriate level and type of provision will be dependent upon identified local housing need, character of the area, suitability of the site and market conditions at the time of the submission of the relevant planning application.</p> <p>Where sites are considered suitable for affordable housing but other factors demonstrate that on-site provision is not appropriate, the Local Planning Authority will seek direct provision on another site or, in exceptional circumstances, accept a payment in lieu of provision.</p> <p>For the purposes of the Local Plan, affordable housing comprises both social and low cost market housing. The provisions made for social housing should ensure that appropriate arrangements are in place to ensure that it is provided, in perpetuity, to those in housing need in the District. This will usually be in conjunction with a Registered Social Landlord. The Local Planning Authority will use either planning conditions or obligations to ensure provision of the agreed social housing element as part of the overall development.</p> <p>The provisions made for low cost market housing should ensure that it will be available to people who cannot afford to rent or buy houses generally available on the open market.</p> <p><b>DEV18</b></p> <p>Proposals for affordable housing will be permitted on sites in the rural area, provided that:</p> <ul style="list-style-type: none"> <li>(i) there are no other policy constraints upon development except the location of the site outside the built-up area;</li> <li>(ii) the Local Planning Authority is satisfied that a need exists in the locality for affordable housing;</li> <li>(iii) the development meets the needs of: <ul style="list-style-type: none"> <li>(a) the existing residents of a particular parish, requiring separate accommodation, or</li> <li>(b) people who are not necessarily resident locally but who have long-standing links with the local community, or</li> </ul> </li> </ul>

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			<p>(c) ) people with the offer of a job in the locality, who cannot take up the offer because of lack of affordable housing;</p> <p>(iv) the site is well related to the existing settlement;</p> <p>(v) the development does not contain any element of private housing for sale or rent on the open market.</p> <p>Permission granted in these cases will be subject to a legal agreement which includes safeguards that the scheme provides for the identified local need and will continue to do so in the long term.</p> <p>Emerging South Downs National Park Local Plan</p> <p>2.9 The SDNPA are currently in the process of preparing a new Local Plan for the area. A draft Local Plan “Preferred Options” plan was approved by Members on 16 July 2015 and was subject to consultation between 2 September and 28 October 2015. The SDNPA anticipates having an adopted in place during 2017.</p> <p>2.10 The emerging Local Plan will shape growth and new development up to 2032.</p> <p>2.11 The preferred options local plan contained the following relevant policies as summarised in the paragraphs below.</p> <p>Core Policy SD1: Sustainable Development in the South Downs National Park</p> <ol style="list-style-type: none"> <li>1. When considering development proposals the Authority will take a positive approach that reflects the presumption in favour of sustainable development provided that they: <ol style="list-style-type: none"> <li>a) are consistent with the National Park purposes;</li> <li>b) pay due regard to the duty in pursuit of the purposes;</li> <li>c) conserve and enhance the special qualities of the National Park; and</li> <li>d) comply with all the relevant policies within this Local Plan.</li> </ol> </li> <li>2. If there is a conflict between the purposes, greater weight will be given to the first purpose.</li> <li>3. The Authority will work with applicants to find solutions to ensure that development proposals that are in accordance with the policies in this Local Plan can be approved without delay, unless material considerations indicate otherwise.</li> </ol> <p>Core Policy SD3: Major Development in the South Downs National Park</p> <ol style="list-style-type: none"> <li>1. In determining what constitutes major development the SDNPA will consider whether the development, by reason of its scale, character or nature, has the potential to have an unacceptable adverse impact on the natural beauty, wildlife or cultural heritage of, or opportunities for quiet recreation provided by, the National Park. The potential for adverse impact on the National Park will be dependent on the individual characteristics of each proposal and its context.</li> <li>2. Major Development will only be permitted in exceptional circumstances and where it can be</li> </ol>



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			<p>demonstrated to be in the public interest. In assessing development proposals, consideration will be given to:</p> <ol style="list-style-type: none"> <li>a) the proven need for the development, including in terms of any national considerations;</li> <li>b) the impact of permitting it, or refusing it, upon the local economy;</li> <li>c) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way;</li> <li>d) any detrimental effect on the environment, the landscape and quiet recreation, and the extent to which that could be moderated; and</li> <li>e) any detrimental effect on the special qualities of the National Park and whether they can be mitigated.</li> </ol> <p>Core Policy SD4/ DS: The Dip Slope</p> <ol style="list-style-type: none"> <li>1. Development proposals in the Dip Slope that comply with this Policy and the Development Strategy (SD22), will be supported provided that they comply with other relevant policies in this Local Plan.</li> <li>2. Moderate-scale growth, which is proportionate to the size of settlements and the landscape's capacity to accommodate further development, will be delivered in settlements identified in Policy SD22 (Development Strategy).</li> <li>3. Any growth in the Dip Slope should, as appropriate, deliver multiple benefits through ecosystem services. These may include provisioning services such as viticulture and regulating services such as water management.</li> <li>4. Development will be guided by the South Downs Integrated Landscape Character Assessment and Built Environment Characterisation Study, in compliance with Policy SD5 (Landscape Character) and Policy SD6 (Design), by taking into account the management and development considerations for the landscape types in this area.</li> </ol> <p>Strategic Policy SD22: Development Strategy</p> <p>2.12 Part I of Policy SD22 identifies settlements that will have defined settlement boundaries. Findon is one of the settlements listed. The supporting text to the policy confirms that the SDNPA will work with neighbourhood planning groups on reviewing their settlement boundaries, which will include Findon. The remaining parts of Policy SD22 are as follows:</p> <ol style="list-style-type: none"> <li>2. The principle of development within the settlement policy boundaries as defined on the Policies Map will be supported provided that it complies with the other relevant policies, is of a scale and nature appropriate to the character and function of the settlement and is in compliance with the policy for the relevant Broad Area (policies SD4/CP Coastal Plain, SD4/DS Dip Slope, SD4/WD Western Downs, SD4/SS Scarp Slope and SD4/WW Western Weald).</li> <li>3. Development proposals will not normally be permitted outside of settlement boundaries and the</li> </ol>

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			<p>countryside will be protected in accordance with relevant policies in the Local Plan and national policy. In exceptional circumstances, development in the open countryside will be permitted, where it is demonstrated to the satisfaction of the Authority that it is in accordance with the policy for the relevant Broad Area (policies SD4/CP Coastal Plain, SD4/DS Dip Slope, SD4/WD Western Downs, SD4/SS Scarp Slope and SD4/WW Western Weald), and:</p> <ol style="list-style-type: none"> <li>a) It is in accordance with Policy SD25 on rural exception sites, or</li> <li>b) It is in accordance with Policy SD27 on Sustaining the rural economy, or</li> <li>c) There is an essential need for a countryside location, or</li> <li>d) It is an appropriate reuse or redevelopment of an existing building(s).</li> </ol> <p>4. Development proposals within estates and large farms that support appropriate diversification, which may not otherwise be considered acceptable outside of settlement boundaries, may be exceptionally considered suitable providing that they clearly meet the following criteria to the satisfaction of the Authority:</p> <ol style="list-style-type: none"> <li>a) The development proposals comply with other relevant policies and are part of a comprehensive Estate or Farm Plan that conserves and enhances the landscape; and</li> <li>b) The development proposals as part of an estate or farm plan deliver multiple benefits in line with the Purposes and Duty and the special qualities of the National Park and in regard to ecosystem services.</li> </ol> <p>5. Small sites with the potential for development that are located within the National Park, but on the edge of settlements which are outside of the National Park, will only be allocated for development where they comply with other relevant policies.</p> <p>6. The efficient and effective re-use of previously developed land will be encouraged, where appropriate, and in compliance with other relevant policies.</p> <p>Strategic Policy SD23: Housing</p> <ol style="list-style-type: none"> <li>1. In accordance with Policy SD24 (Affordable Housing), the SDNPA will aim to deliver approximately 1,840 affordable homes between 2014 and 2032.</li> <li>2. The SDNPA will make overall provision for approximately 4,596 net additional homes between 2014 and 2032.</li> <li>3. These will be delivered through: <ol style="list-style-type: none"> <li>(i) the development of strategic sites and the allocation of land for housing in the Local Plan and neighbourhood plans;</li> <li>(ii) the implementation of planning permissions; and</li> <li>(iii) the development of land previously unallocated or identified (windfall), in accordance with Policy SD22 (Development Strategy) and subject to relevant policies in this Local Plan.</li> </ol> </li> </ol>

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			<p>4. The allocation of sites to accommodate approximately the following levels of housing in addition to extant planning permissions and windfalls: Findon – 20(the policy lists housing requirements for all other settlements, however only Findon is listed above for ease of reference.</p> <p>5. Development that meets an identified local housing need in settlements, in addition to the requirements set out above, is identified in neighbourhood plans and is in compliance with Policy SD22 (Development Strategy) and other relevant policies in this Local Plan will be supported.</p> <p>6. The size and type of homes for each proposal will be based on up-to-date evidence of local needs. A suitable mix will be determined through liaison with parish or town councils, housing authorities and rural housing enablers where applicable.</p> <p>3. NEIGHBOURHOOD PLAN POLICY ES I</p> <p>3.1 Emerging NP policy ES I states that new development within the Local Gap identified in the 2003 ADC Local Plan and shown in Map 2 will not be permitted.</p> <p>3.2 Whilst the above policy proposal would be consistent with the adopted Arun District Local Plan, the emerging Arun District Local Plan will not cover this location once it is adopted, and policies in the emerging SDNP Plan will replace them.</p> <p>3.3 The designation of local gaps or strategic gaps is a strategic matter and there are no emerging policies in the South Downs Local Plan that seek to make such designations.</p> <p>3.4 In landscape terms, emerging policy SD5 seeks to conserve and enhance the landscape character of the National Park. Development proposals are required to be informed by the South Downs Integrated Landscape Character Assessment (SDILCA) (2011) and appropriate site based investigations.</p> <p>3.5 The proposed Local Gap has not been robustly reviewed, and its relevance has not been supported or justified by a qualitative analysis or any other robust up to date assessment to measure the sensitivity or quality of the landscape, nor has an assessment been made regarding the contribution of any land parcel to maintaining a gap between settlements.</p> <p>3.6 Furthermore, no extent of strategic gap is proposed to be designated in the emerging plan.</p> <p>3.7 Without the evidence base required, this policy approach to designating a Local or Strategic Gap does not have regard to the NPPF. In particular, it does not have regard to paragraph 113 in the NPPF which requires distinction between the hierarchy of designated landscape areas, so that protection is commensurate with their status.</p> <p>3.8 In order to meet the basic conditions, it is therefore recommended that this policy be deleted from the plan.</p> <p>4. NEIGHBOURHOOD PLAN POLICY HD I</p> <p>4.1 Emerging NP Policy HD I states that development proposals of a minimum of 20 new dwellings, to meet the parish allocation set by the SDNP, will be supported provided that they are sited within the</p>

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			<p>settlement boundary of the built up area as defined on the BUAB map.</p> <p>4.2 Whilst the above policy would be in general conformity with the extant Arun Local Plan in terms of the defined settlement boundary, it is not considered that the proposal would be in conformity with the NPPF.</p> <p>4.3 The NPPF sets policies to contribute to the achievement of sustainable development.</p> <p>4.4 The policy as proposed in the NP would not contribute to the achievement of sustainable development.</p> <p>4.5 The plan attached at <a href="#">Appendix 1</a> shows all of the proposed designations and allocations of the NP on a Google Earth Plan and shows the settlement boundary, proposed Strategic Gap, Assets of Community Value, Local Green Space designations and other Local Open Space.</p> <p>4.6 It is evident from the plan that very few opportunities exist to facilitate the development of 20 dwellings within the existing settlement boundary. Furthermore, the NP does not identify any potential housing sites within the settlement boundary where housing could go.</p> <p>4.7 Very few opportunities exist for additional dwellings on existing garden land, and no opportunities to redevelop previously developed sites currently exist, given the predominantly residential character of the settlement.</p> <p>4.8 The piecemeal development of single dwelling plots within the existing settlement boundary is unlikely to deliver the minimum number of 20 dwellings envisaged over the plan period, nor would the development of single plots achieve the delivery of affordable housing.</p> <p>4.9 The South Downs SHLAA only identifies two potential sites that could facilitate additional residential development within the settlement boundary. These sites are given the reference AR020 and AR021. The SHLAA Extracts are attached at <a href="#">Appendix 2</a>. These extracts show that the sites are occupied by existing dwellings and are covered in mature trees. The trees on site AR020 are subject to a TPO. The total yield of the two sites combined is estimated to be in the region of 13 dwellings, which would not meet the minimum requirement to provide 20 dwellings within the settlement boundary.</p> <p>4.10 In line with Government Policy, the National Park seeks to focus housing policies on the delivery of affordable housing, although open market housing is allowed for in emerging Local Plan Policy SD23.</p> <p>4.11 Emerging Local Plan Policy SD22 seeks to direct the most housing development to the most sustainable locations, taking into account the availability of suitable land, the services available, the need to sustain balanced communities, and the function of and relationship between settlements. Amongst most of the smaller settlements, Findon is identified as having to deliver a minimum of 20 dwellings over the plan period, which recognises the fact that Findon has a good range of local services available, including public transport, a primary school, village hall, post office and local shops.</p> <p>4.12 NP Policy HD1 seeks to deliver a minimum of 20 new dwellings within the existing settlement boundary. The attached plan at <a href="#">Appendix 1</a> and the SHLAA extracts at <a href="#">Appendix 2</a> demonstrates that this would not be possible as no large sites are available within the settlement boundary, and the delivery of 20</p>

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			<p>open market and/or affordable houses could not be realistically delivered on infill plots or through the development of residential garden land.</p> <p>4.13 Policy SD24 will require the delivery of 40% affordable housing on sites of 6 or more dwellings, which for Findon, the two sites within the settlement boundary would amount to the delivery of just 6 affordable homes.</p> <p>4.14 The Housing Need Survey for Findon commissioned in 2013, which forms part of the NP evidence base confirms that there are 24 households with a local connection who cannot afford to purchase or rent on the open market.</p> <p>4.15 Whilst the proposed settlement boundary would be in accordance with the soon to be superseded Arun Local Plan, NP Policy HDI would not contribute to the achievement of sustainable development, nor would it have regard to the NPPF in terms of housing numbers, the proposed restrictive settlement boundary, and the constraining effect it would have on the delivery of affordable housing to meet local needs.</p> <p>4.16 National Planning Practice Guidance (NPPG) states that the NP must not constrain the delivery of important national policy objectives. Boosting significantly the supply of housing, including affordable housing and other types of housing is one such national policy objective. The tightly drawn settlement boundary proposed in the NP would clearly conflict with the national policy objectives of the NPPF. NP policy HI would therefore not deliver the affordable housing sought in the emerging plan, would conflict with National Park objectives and would conflict with the social dimension of sustainable development. The policy therefore does not plan positively to support the local development required.</p> <p>4.17 NP Policy HDI therefore does not meet the basic conditions required by the legislation.</p> <p>5. RECOMMENDATIONS</p> <p>5.1 It is not considered that the NP as it currently stands would meet the basic conditions and therefore does not meet the statutory and legal requirements to proceed to a referendum.</p> <p>5.2 It is therefore recommended that the plan be reviewed and modified to include a review of the settlement boundary, in addition to allocating a potential housing site(s) including, potentially reserve housing sites should the housing requirement figure for Findon change as a result of further review and examination of the emerging SDNP Local Plan. This would enable the architects of the Neighbourhood Plan to retain control over the choice of housing sites in the area, and in addition, should additional land be required, the Neighbourhood Plan would still exercise some control, albeit in a more positive way that would contribute to the achievement of sustainable development and positively address National Park objectives.</p> <p>5.3 NPPG confirms that should there be a conflict between a policy in a neighbourhood plan and a policy in a Local Plan, Section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the</p>

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			<p>development plan.</p> <p>5.4 In this case, if the NP was to proceed in advance of the Local Plan, and the Local Plan subsequently adopted, then the Local Plan would take precedence over the Neighbourhood Plan where there is conflict. If the LP is adopted in 2017, then the NP is likely to be “out of date” not long after its adoption, which may render the current NP process to be pointless. It would certainly be the case that the NP does not support the strategic development needs of the emerging Local Plan and conflicts with National Park objectives.</p> <p>5.5 It is evident from our submissions that the settlement boundary does need to be reviewed. Given that we do not consider that the NP as currently drafted meets the basic conditions, we consider that the NP should not proceed to referendum and that the plan is redrafted to both redraw the settlement boundary in consultation with the SDNPA, local residents and landowners and allocate suitable housing sites.</p> <p>5.6 Should the Examiner agree with our conclusions, then Knights consider that a parcel of land to the south of Findon would be suitable and deliverable. The site in question has the capacity to deliver around 25 - 35 dwellings, which could be a mix of open market and affordable houses. The delivery of at least 25 dwellings on this site would enable a minimum of 10 affordable homes to be delivered to meet local needs. A plan showing the location of the site is attached at <a href="#">Appendix 3</a>.</p> <p>5.7 The site has sufficient road frontage to enable a safe and acceptable access to be provided. This has been confirmed by an assessment of the site by SCP Transport Consultants, who have also established that there is potential to deliver an improvement to the local highway network through the provision of an access to the site that would involve alterations to the junctions of Cross Lane and Nepcote Lane with the Findon Bypass.</p> <p>5.8 Two draft access layouts produced by SCP are provided at <a href="#">Appendix 4</a> and feature: Nepcote Lane being closed off at its junction with the Findon Bypass; and access to the site being taken from Cross Lane, which would also provide a replacement route from Nepcote Lane to the Findon Bypass and vice versa. These access options would in turn improve the safety of this section of the Findon Bypass by replacing the two adjoining junctions with the bypass with a single junction and consequently reduce the risk of road accidents in this area.</p> <p>5.9 Landscaping could be provided within the gap on the south side of the re-aligned Netcote Road to supplement the existing planting along the south site boundary that screens the site.</p> <p>5.10 In terms of topography, the ground is gently sloping, and topography from either a delivery or landscape point of view would not be a constraint to development. The site is totally self-contained (which is plainly evident when undertaking a visit to the site - which we would encourage the Examiner, the Parish Council and LPA to do as part of their assessment of the site's development potential) and offers the potential for further landscape treatment such that any landscape impact of its development could be mitigated. Overall the site is considered to be a logical extension to and rounding off of the existing edge</p>

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			<p>of the settlement, particularly given the strong/well defined existing boundary features that are present, as shown in the aerial images that accompany this submission at <a href="#">Appendix 5</a>.</p> <p>5.11 Furthermore we note that the LPA's comments on the draft NP (as contained in an officer report to the 14 April meeting of planning committee) include that the NP “departs significantly from the emerging South Downs Local Plan” and a number of concerns have been raised regarding Policy HD1 of the NP, including that:</p> <ul style="list-style-type: none"> <li>(a) Sites need to be allocated to allow for the delivery of approximately 20 homes (rather than relying on windfalls);</li> <li>(b) This may require a change to the settlement boundary if sufficient sites cannot be found in the settlement; and</li> <li>(c) The LPA will continue to consider allocating land in or around the village as insufficient evidence has been presented that land cannot be allocated without harm to the landscape character.</li> </ul> <p>5.12 With the above in mind, we note that the LPA's 2014 SHLAA reaches similar conclusions about the potential impact of other potential sites on the edge of the settlement on the character and appearance of the landscape and assert that the subject site at Cross Lane/Nepcote Lane is a suitable site for allocation to meet the requirements of the emerging South Downs Local Plan - particularly given that it is a totally self-contained site with potential for further landscape treatment associated with its development as outlined above.</p> <p>5.13 Otherwise there are no known constraints in terms of flood risk. The site is otherwise located in Flood Zone 1 (land assessed by the Environment Agency as having a less than 1 in 100 annual probability of river or sea flooding).</p> <p>6. SUMMARY</p> <p>6.1 The Neighbourhood Plan does not have regard to national policy in that it would constrain important policy objectives.</p> <p>6.2 The emerging SDNP Local Plan is expected to be adopted in 2017, and therefore any conflict or tension between the two development plan documents would be resolved in favour of the Local Plan as the later Development Plan document to be adopted.</p> <p>6.3 It is concluded that the Neighbourhood Plan as submitted does not meet the basic conditions, and should not proceed to a referendum.</p> <p>6.4 In order to enable the plan to proceed to referendum and to enable the plan to meet the basic conditions, it is recommended that the settlement boundary be reviewed and suitable sites and a reserve site is allocated for housing in order to ensure that the plan would meet national and local policy objectives and to ensure that the plan would contribute to the achievement of sustainable development. A site to the south of Findon is put forward as a suitable site for allocation for residential development as part of this representation.</p>

Name / Organisation	Date received	Method of submission	Summary of representation
			6.5 In the event that the Examiner considers it necessary to hold a hearing session to examine the Neighbourhood Plan, then Knights, on behalf of MLN (Land and Properties) Limited wish to attend the hearing session to explore the issues raised further.
Environment Agency	15.04.2016	email	<p>Thank you for consulting the Environment Agency on the Findon Submission Neighbourhood Plan. We are a statutory consultee in the planning process providing advice to Local Authorities and developers on pre-application enquiries, planning applications, appeals and strategic plans.</p> <p>Together with Natural England, English Heritage and Forestry Commission we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:</p> <p><a href="http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf">http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf</a></p> <p>We aim to reduce flood risk, while protecting and enhancing the water environment. We have had to focus our detailed engagement to those areas where the environmental risks are greatest.</p> <p>We note that Section 5.7 of the document supports the development of a minimum of 20 new dwellings sited within the settlement boundary of the Built up Area as defined on Map 2. Please note that the Built up Area is located in a sensitive groundwater area (Source Protection Zones 1 and 2). Any new dwellings would need to connect to the mains foul drainage system. An Environmental Permit for sewage effluent under the Environmental Permitting Regulations 2010 is unlikely to be granted in this location.</p>