

Appendix 3. SDNPA response to Petworth Pre Submission Neighbourhood Development Plan

All references to emerging South Downs Local Plan policies relate to the Preferred Options rather than any subsequent revision (unless specified). All text to be added is underlined, all deleted text is ~~struck through~~.

Ref	Comment	SDNPA Recommendation to Petworth Town Council
General Comments		
N/A	<p>The progression of the Petworth Neighbourhood Development Plan (PNDP) to pre-submission stage is to be welcomed, it's the result of a considerable amount of hard work by the Town Council and volunteers. We recognise that preparing the PNDP has been a challenge as the group prepare policies which must be in general conformity with Chichester Local Plan (the current development plan), whilst taking account of policies in the emerging South Downs Local Plan.</p> <p>The Petworth NDP group should be congratulated on developing a clear plan which focuses on key issues affecting Petworth. It is considered to be straightforward, transparently responsive to local consultation and consistently well-written. The policies offer checks and balances, which would offer Development Management proper opportunities to defend the character of Petworth in most foreseeable circumstances.</p>	N/A
Plan period	Suggest roll forward to 2033 to be in line with emerging South Downs Local Plan.	Update 2032 - 2033
Parish description	There is a little bit of confusion between how the parish is located in Chichester District and the National Park e.g. paragraph 1.4 and 2.2.	Suggest the following text: <u>All of Petworth Parish is located in Chichester District and most of the parish is also located in the South Downs National Park. The National Park Authority is the local planning authority for that part of the parish that is located in the National Park. Chichester District Council is the local planning authority for that part of the parish outside the National Park.</u>
South Downs Local Plan references	The NDP references the Local Plan incorrectly a number of times e.g. para 5.4. It is the 'emerging South Downs Local Plan' and not the 'South Downs National Park Local Plan.'	Review text

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National Park references	Reference to the Park should be clear as to whether they mean Petworth Park or the National Park.	Review text, e.g. para 3.5
Duplication	Many policies conclude with ‘provided that the proposed development it in accordance with the policies contained within this Plan and the Development Plan.’ This is unnecessary and repetitious. If it is felt to be important to the plan then consider its inclusion just once at the front of the document.	Remove text throughout document.
	Use individual letters, numbers or roman numerals within policies to allow clear reference to the specific part of the policy.	Use letters, numbers or roman numerals to identify different parts of policy.
	A number of policies refer to planning matters being determined to the ‘satisfaction of Petworth Town Council’ e.g. policies H3 and ESD5. This is incorrect as the Town Council only comments on planning applications. The NPA is the LPA that determines planning applications.	
Minerals and Waste	No mineral safeguarding issues have been identified.	Note
2.0 A portrait of Petworth		
Para 2.11	Although we praise the succinctness of the plan, the growth of the town in the 20 th Century is covered in just one sentence. Being that this was the main period of housing growth and it influences very strongly the feel of the town, particularly from the south, this might be worthy of greater mention.	
Para 2.13	The South Downs Local Plan will meet pre-submission in Autumn 2017.	Update for submission version
3.0 Overall Plan Vision and Key Principles		
Para 3.8	Rather than ‘responsibilities’ the correct reference is to the socio economic ‘ <u>duty</u> .’	Amend text
Para 3.10	The extension of Hampers Common Industrial Estate does not have planning permission. This is an allocation under a saved Local Plan policy from the Chichester District Local Plan 1999.	Amend text
4.0 Planning Principles		

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5.0 Housing		
Table 5.1 Allocated housing number	This table implies a level of preciseness which is not replicated in the site allocations.	Amend heading to be ' <i>Indicative</i> housing number' or approximate etc. Alternatively put a range of housing numbers in rather than a precise figure.
5.10	Discussion was had about the identification of sites that might not be immediately available but could come forward within the plan period. They were sites considered to be of importance to the town and needed to be treated carefully. However, these 'opportunity sites' do not appear in the document.	Consider including opportunity sites within the supporting text to assist in highlighting these important areas.
Policy H3: Housing type and Mix	This issue is dealt with by strategic policy SD27 of the draft Pre-Submission Plan. It is appreciated that there wasn't a housing mix policy in the Preferred Options Local Plan but given that there now is, it is not felt that policy H3 is needed. There is a discrepancy between H3 and SD27 as H3 sets a threshold of 5 dwellings and SD27 applies to all housing development.	Delete unless there is locally specific information to indicate an alternative mix.
Policy H4 Affordable Housing Provision	This issue is dealt with by strategic policy SD28 of the draft Pre-Submission Plan. There are major differences between policies H4 and SD28 with different quantum and thresholds. In order to be in general conformity with the existing and emerging Local Plan it is suggested that affordable housing policies be removed from Neighbourhood Plans.	Delete unless there is locally specific information to indicate an alternative mix.
5.19	Site H6 is currently outside of the settlement boundary	Error
Policy H5 / H6 / H7	As a group of sites, their existing rural character should influence the design and mitigation measures. Historically this part of Petworth was the location for small scale horticulture providing a distinctive setting to the town. Horticulture, community gardens, allotments, orchards, food trees integrated into the settlement design would all support this character and provide links to the area's history. 'Development proposals on the site should: <u>be landscape-led</u> '	Incorporate into design and layout of allocations links to historical past of this area. Additional text for all site specific policies.
Policy H5: Rotherlea	It is noted that the Neighbourhood Plan proposes a density of development that is lower than the current application. The policy should include reference to the pond and the need to successfully integrate it into any scheme as well as the need to safeguard and enhance biodiversity.	Include further detail.
5.24	...will address traffic impact <i>by removing school traffic from local roads.</i>	Clarity

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Policy H6: The Square Field	<p>This is a surviving historic field whose boundaries remain unchanged. These boundaries are mature and contribute to the character of this part of Petworth, providing historic continuity close to the settlement. Therefore they should be retained. As a result access via the north would retain the field boundary and ensure the multiple benefits it will deliver (as GI) can be realised.</p>	<p>Include the need to retain the historic field boundaries within the policy.</p>
Policy H7: Petworth South	<p>The selection of this site for allocation exemplifies the conundrum of planning and localism in a protected landscape. This is an area which the SDNPA has had some concerns about developing but it meets many of the objectives of residents of Petworth and extensive consultation underpins its allocation. It is anticipated that with the strengthening of the policy as set out below, these objectives can be balanced with those of the National Park.</p> <p>The policy refers to views in and out, design of the site layout, a “well designed gateway” and the need for landscaping. The supporting text refers to density increasing away from the eastern and southern fringes. However it is felt that the policy could say more and incorporate many of the ideas from the masterplan to give a stronger steer. The opportunity needs to be grasped to improve the southern aspect of the town particularly given the views from higher ground to the south as well as from other key locations such as Lavington Park (Seaford College). The policy should require that the development is of a high quality and sustainable design which responds to the local landscape and doesn’t introduce features of standard suburban developments such as windy roads and close-boarded fencing.</p> <p>It is appreciated that the sunken nature of the A285 would be detrimentally affected by moving the access to the north, but the policy should specify that the resulting more southerly vehicular access should be as a spine through the centre of the development and not form the southern boundary in as far as is possible.</p> <p>The policy should state that the external edges of the development should reflect traditional settlement edge in form i.e. “organic” not built up to the squared off boundaries of the existing field.</p> <p>The masterplan indicates that the new dropping off place for school children is within the school grounds on what currently appears to be playground. Policy H7 does not include this land within the site boundary and therefore it is not clear from the policy that this is in the intention.</p> <p>The supporting text could be more detailed in terms of why the site has been selected</p>	<p>The policy be strengthened to incorporate more detail.</p> <p>Major development test to be completed by SDNPA in consultation with PTC.</p>

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	<p>to include for example how it meets the objectives and its proximity to town centre services as identified through the site assessment work. Alternatively greater reference should be made to the site assessment document.</p> <p>Masterplan – It needs to be demonstrated that the indicative masterplan has been developed using a landscape-led approach. It shows the removal of extant field boundaries and then goes on to prescribe a ‘strong landscape structure’ and tree and hedgerow planting. The road layout currently also seems very standard. To be landscape-led this plan should be identifying the key landscape features in the area which contribute to local character and provide opportunities to deliver multiple benefits for both people and wildlife. These might well be historic landscape features, which given their time-depth may be valuable and worth retaining. Local roads have a pattern (character) which could help to influence the design of this scheme, for example do they follow contours or are they cross contour.</p> <p>It may be beneficial to get all relevant stakeholders together (including WSCC Highways) to develop the masterplan further. This would also help to demonstrate that the indicative figure of 100 dwellings is appropriate for the sites.</p> <p>It is considered that the allocation of this site may constitute ‘Major Development’. Paragraph 116 of the NPPF states that planning permission should be refused for major development in National Parks, except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Draft Core Policy SD3 of the Local Plan: Preferred Options deals with major development. In the context of a National Park, major development is a proposal that by reason of its scale, character or nature has the potential to have a serious adverse impact on the natural beauty, wildlife or cultural heritage of, or recreational opportunities provided by, the National Park. As a consequence a major development test will need to be carried out. This work will comply with the NPPF both in terms of national considerations, and the emerging Local Plan Policies.</p>	
6 Environment, Sustainability and Design Quality		
Policy ESD1: Character and	<p>This policy is generic and could be more locally specific for example:</p> <ul style="list-style-type: none"> In terms of landscape character Petworth falls within the Low Weald, Sandy Arable 	The policy be strengthened to incorporate more locally specific detail.

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Design	<p>Farmland and Greensand Hills character areas. Key features could be extracted and incorporated into the plan</p> <ul style="list-style-type: none"> • Are there opportunities to connect areas of green infrastructure within the parish? • What is the local character in terms of built design? Could other studies be referred to? • Are there particular hard and soft landscape treatments that might be most suitable? <p>There is no mention of contemporary architecture. Is this supported or is the town refraining from any contemporary typologies.</p>	
6.9	<p>Focal points could include residential squares, <u>key buildings</u> or local green spaces.</p> <p>Design could reflect the immediate character of existing buildings.</p>	Re-phrase, this might not be desirable.
ESD2: Housing Density	This policy sets a housing density for residential development. The policy will be tested through planning applications and examination. It is considered appropriate, but then does not need to be repeated in each of the allocation policies.	Remove repeat references.
Policy ESD3 (Design and access statements)	The requirements of a design and access statement is not a matter than can be required by policy through a Neighbourhood Plan. This occurs in regular places within the plan and needs amending. However, the intentions and guidance it provides are supported.	<p>Remove policy or convert to an informative / supporting text. The following wording is suggested as a starting point:</p> <p><u><i>A Design and Access Statement is a concise report accompanying certain applications. They provide an opportunity for applicants to explain how the proposed development is a suitable response to the sites and its setting. the following topics could be considered:</i></u></p> <ul style="list-style-type: none"> • Context and character etc.. <p>Add boundary / curtilage treatments i.e. walls and hedges within public realm, no close boarded fencing.</p>
ESD4: Preserving Local Green Spaces and will be preserved and where possible enhanced <u><i>and will be protected in accordance with the NPPF:</i></u>	Not necessary, their preservation is set out in the NPPF and enhancement is unlikely to require development.

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ESD5: Public Green Spaces	<p>It may be better to title policy and designations as ‘public open space’ – consistent with standard terminology and would avoid confusion with ‘local green space’.</p> <p>Second paragraph is phrased awkwardly, ‘demonstrably not possible to the satisfaction of Petworth TC...’ – better to say ‘the applicant has robustly demonstrated that...’</p> <p>It is the responsibility of the Local Planning Authority not PTC to be satisfied as to the ability or otherwise to provide on-site provision. This would be done in consultation with PTC. It is likely, given the tightly packed nature of the town that on site provision on most windfall sites will not be possible.</p>	<p>Minor word changes to improve readability.</p> <p>Remove reference to PTC.</p>
6.19	Petworth is incorrectly spelled in the final sentence.	Typo
Policy ESD6	<p>This policy needs to be strengthened and require developers to take a landscape-led approach to master-planning and design in order to minimise the impacts from the outset through layout and design choices as opposed to trying to cover them up with planting at the end.</p> <p>The first criteria requires development to maintain a visual connection with the countryside. It is not clear what this means. Does this mean a transition from urban to rural or is it about views?</p> <p>An LVIA must be undertaken iteratively and in collaboration with design development. This is the case for all of the allocated sites.</p> <p>Evidence used in landscape-led planning is not only published by SDNPA or Petworth, there’s lots of other evidence which should be informing layout, design and mitigation measures. Not least the Petworth EUS and similar syntheses of historic evidence such as HLC.</p>	The policy be strengthened to require a landscape-led approach.
Policy ESD7: Biodiversity and Trees	<p>1st criteria – The need to demonstrate that there is no adverse impact would be difficult for any applicant to achieve.</p> <p>para 2 should read ‘...networks within <u>and beyond</u> the site.’ Maintain permeability for wildlife through the site to key landscape features beyond it. These sites are part of the landscape (there’s no distinction between town and countryside in landscape) and the two should blend together to provide resilience for wildlife and benefits (ecosystem services) for people.</p>	Suggest the first criteria refers to adverse impacts on protected species and designated sites.

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	The emerging South Downs Local Plan includes policy SD11 on trees, woodland and hedgerows. This sets different criteria and provides more detail.	Suggest removal of policy in relation to trees etc and reference to the South Downs Local Plan to avoid conflict and confusion. Suggest policy includes some positive wording regarding the need to conserve and enhance biodiversity as part of proposals.
7 Working and Shopping		
WS1: Petworth Town Centre	Policy WS1 requires a retail impact assessment for all retail applications outside Petworth Town Centre. This is more demanding than draft policy SD38 if the Local Plan.	Revise policy to require retail impact assessment for all retail applications over 150 m2
Policy WS2	This is headed “visitor accommodation” but also relates to A3 uses.	Suggest ‘Visitor economy’ or Visitor Needs?
Policy WS4 – Land East of Hampers Common Industrial Estate	This policy is dominated by the requirements for parking and access alongside screening and visual impact. If it is necessary to hide something it’s probably in the wrong location. Screening can be a landscape impact in itself if it doesn’t reflect local landscape character (patterns of features), therefore there needs to be more thought in relation to landscape effects of the proposed development. What other functions is this screening going to provide? Could there be innovative design solutions to both mitigate impacts and deliver multiple benefits, e.g. green walls adjacent to busy roads for example.	Although the site is less sensitive than H7, could some of the development requirements relating to that allocation be incorporated into WS4. There is no need for industrial development to be any less scrutinised than residential.
7.22	Para 7.22 gives the site area of Land East of Hampers Common as 0.5 ha. The ELR gives it as 1.4 ha.	The site area is between 1.2 and 1.4 ha. Amend text.
8 Getting Around		
GA1	It is questioned as to whether the fairly demanding parking standards for 1 and 2 bedroom housing in GA1 may inadvertently cut across the density and design consideration set down in ESD2 and 3? Is it realistic/necessary to achieve 2 spaces per 2/3 bed dwelling for infills in the densely built up town centre area? Should there be some flexibility for proposals within the Town Centre Boundary?	Suggest the policy could be clarified to note that the standards set out incorporate both allocated and visitor (unallocated) parking, and include the need for the design of parking to integrate with the context.
GA2: Pedestrian and cycle	... and cycle connections to <u>routes to</u> the town centre...	Minor text changes

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movement	New paragraph – Contributions will be sought from <u>all applicable development</u> the developer to enhance.....	
GA2 and GA3	<p>It would appear that these policies are requiring developer contributions for infrastructure that potentially isn't directly related to the site allocations. This would be effectively 'double dipping', as it is also likely that they are projects that would naturally fall to be put forward for inclusion as part of the SDNPA's Infrastructure Business Plan.</p> <p>Policy GA3 and para 8.16 seeks developer contributions towards controlling traffic movements through the town. This would be done through CIL, it would be better to reference this in Chapter 11.</p>	<p>Can it be demonstrated that the policy requirements are fully compliant with reg122 of the CIL regulations.</p> <p>Delete GA3, include information in the GA Chapter and Chapter 11.</p>
LW2 Playing fields	Similar to ESD5 – stated '...there is evidence that the site or facility is not surplus to requirements...' – should this be 'the applicant should either provide evidence that the existing facility is surplus to requirements, or must provide alternative facilities...'?	
LW3: Assets of Community Value	This is not a planning policy. The designation of an ACV requires an application to Chichester District Council.	Remove.
LW5 Additional community facilities	Reads more as an objective than a policy	Reconsider policy wording
11.0 Delivery		
	<p>PNDP is one of the first to start to consider the implications and possibilities surrounding CIL. We congratulate them on starting to think about this at such an early stage.</p> <p>Para 11.4 says that all new development will pay CIL. This is not correct. CIL is only liable on residential development and new retail floorspace over 280sqm.</p> <p>CIL came into effect on 01 April 2017. Here is a link to our website giving further information on CIL https://www.southdowns.gov.uk/planning/community-infrastructure-levy/</p> <p>There appears to be a number of objectives identified throughout the Plan that the Neighbourhood proportion of CIL could help to achieve/support. It would perhaps</p>	Incorporate the objectives into para 11.4.

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	<p>therefore be worthwhile either highlighting them as they currently appear in the Plan, or to re-iterate in Section 11. The objectives identified for potential inclusion are:</p> <ul style="list-style-type: none"> • WS01 • WS02 • WS05 • WS06 • GA02 • GA03 • GA04 • GA05 • LW01 • LW02 	
DI	<p>The phrase “mitigate the impact of the new development is either already in place, or will be provided to an agreed timescale” is unlikely to be achievable or reasonable. Mitigating the impact of the development is potentially a job for CIL money and there is no guarantee of timescale for provision.</p> <p>Similarly, the third paragraph of the policy requires infrastructure and maintenance of the provision to either be agreed for provision prior. Petworth TC might be able to ring-fence how they want to be spend their proportion of CIL, but it will be SDNPA P&P Committee ultimately making the decision on where the SDNPA proportion of CIL will be spent on an annually, based on the Infrastructure Delivery Plan.</p>	Amend text
<p>Sustainability Appraisal, Habitats Regulation Assessment, Market Square proposals and Site Assessments</p>	<p>Comments to be provided by Officers and will be made public on the SDNPA website.</p>	

