Pre-submission Review (Health Check) Report on the Wisborough Green Neighbourhood Plan, for Planning Aid England on behalf of Wisborough Green Parish Council and Chichester District Council

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10.10.14

Context

Following a 'final' public consultation exercise over summer 2014, the latest Draft of the Wisborough Green Neighbourhood Plan has been passed to me for a Pre-submission Review or 'Health Check' before being formally submitted to Chichester District Council (the Local Planning Authority) for Independent Examination. This desk-based review has focussed on the Neighbourhood Plan document itself, though certain other material has been involved, such as the 'Chichester Local Plan: Key Policies 2014 -2029' which is currently undergoing Hearings as part of its formal Examination. Part of the Neighbourhood Plan area lies within an area for which the South Downs National Park Authority is the Local Planning Authority.

Main findings

It is clear that the Wisborough Green Neighbourhood Plan is, overall, a comprehensive and professional piece of work with a well documented history. The 'Wisborough Green Neighbourhood Plan 2014 to 2029, Draft 6' ,dated 3.10.14,which I have reviewed, is generally clearly set out and written, has benefitted from several years of careful local consultation and also shows the benefits of close working with Chichester District Council and the South Downs National Park Authority, as well as professional consultancy assistance.

The Plan policies (33 'general' & 4 site specific) are generally well justified, explained and clearly set out , as is the distinction between these proposed, statutory , policies and the Projects set out in the Community/Parish Action Plan section of the document, which, whilst not formally part of the Neighbourhood Plan, are, in practice, the community's suggested means of Plan implementation. These projects are set out in a commendably clear and concise tabular format .There remain some elements yet to be completed, including obtaining confirmation from Chichester District Council that Strategic Environmental Assessment (SEA) , Habitats Regulation Assessment (HRA) and Equality requirements have been met and the opening Plan Summary. There are also a few areas where additional clarification is needed, whilst use of the document would be greatly facilitated by numbering its paragraphs. **Overall however, I consider that, once the points set out in my review have been addressed, the 'Wisborough Green Neighbourhood Plan 2014 to 2029' would be ready for submission.**

Set out below are my tabulated findings on Process and Content, followed by my Recommendations and Comments page by page:

Part 1 – Process

	Criteria	Source	Response/Comments
1.1	Have the necessary statutory requirements been met in terms of the designation of the neighbourhood area?	See 'Neighbourhood Plan Area' p.4	**YES Designation formally confirmed by both Chichester District Council (CDC) and the South Downs National Park Authority (SDNPA)**
1.2	If the area does not have a parish council, have the necessary statutory requirements been met in terms of the designation of the neighbourhood forum?		N/A
1.3	Has the plan been the subject of appropriate pre-submission consultation and publicity, as set out in the legislation, or is this	See 'Consultation Process' p.5 setting out work going back to the 2003 Parish Plan & 'Introduction' p.6	YES Clearly explained sequentially , including reference to on-going consultation with CDC and SDNPA , the latter of which is the planning authority for part of the Neighbourhood Plan area. There has also

	underway?	Also Consultation Response material on the Parish NP website	been consultation with West Sussex County Council , for example on surface water management p.56
1.4	Has there been a programme of community engagement proportionate to the scale and complexity of the plan?	See above p.5 ,p.6 & website	YES Very much so ! Engagement has been extensive over a number of years and certainly proportionate to the scale and complexity of the Plan
1.5	Are arrangements in place for an independent examiner to be appointed?	See 'Introduction' p.6	Reference is made to the need for an independent examination by an examiner appointed by CDC and it must be assumed that the Council has this in hand.
1.6	Are discussions taking place with the electoral services team on holding the referendum?	See 'Introduction' p.6	Reference is made to the Referendum stage and to the fact that this will be organised by CDC. No specific reference is made to any discussions taking place, but it must be assumed that this is in hand.
1.7	Is there a clear project plan for bringing the plan into force and does it take account of local authority committee cycles?	See ' Community (Parish ?)Action Plan' pp.67-69 See ' Community (Parish?) Action Plan pp. 67 -69	The process to be followed once the Plan has been submitted to CDC for formal Examination is explained, though there is no reference to the relationship between this and Council's committee cycles. It is assumed that this will be a matter for discussion between the District Council and the Parish Council in due course. With respect to Plan Implementation , this is clearly and comprehensively set out, project by project, in tabular form under subject headings . It is made clear that this material is not part of the statutory policies, but rather the community's suggested means of implementation. This clearly sets out why each project is needed , who is responsible for it and where the funding is expected to come from. However, there are no time scales indicated , no reference to committee cycles is made and there is no indication of project priorities eg. by means of ranking.
1.8	Has an SEA screening been carried out by the LPA?	See 'Planning Policy Context' p.27	It is stated that, in the opinion of CDC, the Neighbourhood Plan does

			not require an SEA. However, this appears to be awaiting confirmation by the District Council.
1.9	Has an HRA screening been carried out by the LPA?	See 'Planning Policy Context' p.27	HRA screening is not considered necessary as the Plan proposals do not involve building on any sensitive habitat sites. However, this also needs confirmation by the District Council

1.10	Has there been an Equality check?	See ' Planning Policy Context' p.27	Standard employment /job application phrasing has been used to cover this, but perhaps the words 'equal opportunity' should also be included here , to cover future potential in-comers to the village as well as those already resident. Suggest checking on this with the District Council.

Part 2 - Content

	Criteria	Source	Response/Comments
2.1	Are policies appropriately justified with a clear rationale?	See 'Policies' pp.29 - 66	YES In each case, the 'intent' is followed by 'justification'
2.2	Is it clear which parts of the draft plan form the 'neighbourhood plan proposal' (i.e. the neighbourhood *Development plan*) under the Localism Act, subject to the independent examination, and which parts do not form part of the ' plan proposal', and would not be	See 'Policies' pp.29 -66 See pp.67 – 69	It is reasonably clear that this section contains the Plan's proposed statutory policies - 33 of them 'general' and 4 of them development site specific - which form the core of the Plan. The section that follows – pp.62-66 , the 'Community (Parish?) Action Plan', is clearly identified as a non-statutory indication, in the form of specific projects, of the community's intentions as far the

	tested by the independent examination?		implementation of the Plan is concerned.
2.3	Are there any obvious conflicts with the NPPF?	See 'Planning Policy Context' p.27 & 'Policies' pp.29-66	NO OBVIOUS CONFLICTS. In the Policy Context it is explained that the Neighbourhood Plan must be in 'general compliance' with both the NPPF and the emerging CDC Local Plan. There is also reference to the situation in the South Downs National Park area of the Parish , where up to date 'strategic' policies have yet to emerge. The NP policies and their respective supporting statements make appropriate references to these 'higher' policies.
2.4	Is there a clear explanation of the ways the plan contributes to the achievement of sustainable development?	See 'Policies' pp. 29 -66 & eg. the Settlement Boundary policy discussion on p.29	YES. Considerations about achieving sustainable development 'run as a thread ' through all the policies.
2.5	Are there any issues around compatibility with human rights or EU obligations?	See 'Planning Policy Context' p.27 & response to 1.8 & 1.9 above.	There are no obvious issues , though there is a need to confirm this with CDC . See above.
2.6	Does the plan avoid dealing with excluded development including nationally significant infrastructure, waste and minerals?		YES. There would not appear to be any references in the Policies to such development
2.7	Is there consensus between the local planning authority and the qualifying body over whether the plan meets the basic conditions including conformity with strategic development plan policy and, if not, what are the areas of disagreement?	See response to 1.3 above ,Policy OA4 p.31 and 'Policies' p.62.	YES. There appears to be consensus , achieved as a result of on-going consultation and working together with both CDC and SDNPA . For the former see eg. consistency with the findings of CDC on the Strategic Housing Land Availability Assessment (SHLAA) p.62

2.8	Are there any obvious errors in the plan?		NO OBVIOUS ERRORS , though there is a need for some minor additions, adjustments and clarifications. See Recommendations
2.9	Are the plan's policies clear and unambiguous and do they reflect the community's aspirations?		YES. The policies are generally clearly and concisely stated ,and are, as far as can be ascertained by a review such as this, unambiguous and compatible with each other. The Plan's policies would appear to reflect the aspirations of the Wisborough Green community developed as they have been as a result of well organised consultations over a number of years.

RECOMMENDATIONS & COMMENTS

I note that some parts of the document still need to be completed eg. the 'Plan Summary' p.3 ,some of the tables ,illustrations and the list of 'Conformity Reference Documents' p.71 [see details below] . There is a need to obtain confirmation from CDC on the SEA, HRA and Equality statements p.27. If indeed it is a 'Community Action Plan' set out in pp.67-69, the contents page and first reference to this at the start of the document should say this and not 'Parish Action Plan' (which also risks confusion with the 2003 Plan of that name) . Also on the 'Community Action Plan' it would be helpful to have some indication of priorities between the different Projects, as well as some indication of timescales if possible. The section on the Site Specific Policies, pp.62 -66, is clearly set out , but perhaps could be more 'bold' in explaining that the 'benefits' of the site in each case outweigh the remaining issues , if that is indeed what has been concluded. Finally and importantly, numbering the paragraphs would greatly help all users of the Plan document.

Overall, I consider that, once these and the other points set out below have been addressed, the 'Wisborough Green Neighbourhood Plan 2014 to 2029' would be ready for submission.

More detail in page order

Contents Page - Change 'Parish Action Plan' to 'Community Action Plan'
Page 3 - 'Plan Summary' to be completed.
Page 8 - Good clear and concise statement of Plan objectives .
Page 15 - Need to confirm when the house was built on the site of the former school canteen .
Pages 9 -26 - The Section 'About Wisborough Green' is an exemplar in demonstrating a thorough understanding of the history and features of the Parish and is nicely concluded by a good little SWOT analysis
Page 27 - The Plan seems realistic in its approach in seeking general compliance with the emerging CDC Local Plan (which is currently undergoing its formal Examination) since the existing Local Plan dates from 1999. The Plan's relationship to the as yet to emerge (?) SDNPA Plan is also clearly explained .
Page 27 cont. - The fact that neither an SEA nor a HRA statement are required needs to be confirmed by CDC, as also should be the statement on Equality, which would also benefit from the inclusion of the term 'equal opportunity'.
Pages 27 – 66 generally - The Policies are well introduced and considerations of achieving sustainable development 'run as a thread' through all the policies and supporting text.
Page 36 - CDC Local Plan policy numbers to be added.
Page 37 - Photos to be added.
Page 40 - 'Local Green Space' – Details for Policies LGS5 & LGS6 have to be confirmed with the landowners and a photo added.
Page 41 - 'Local Open Space' - Photo needed for LOS3 School Field ?
Page 43 - 'Use of s 106 Agreements and CIL to support community development'. Policy CD1 . I assume that this has been agreed, in principle, with CDC. If this is the case, should it not say so ?
Page 44 - 'Retention of Assets of Community Value' . Policy CD2. Ditto
Page 45 - Local Occupancy Conditions - Has this justification section been agreed in principle with CDC ? If this is the case , should it not say so ? Also, survey results need to be added at the end of the third paragraph of the Justification.
Page 47 - Housing Need , Policy H2 – Provides a good 'link through' to the site specific policies. A figure needs to be inserted on the percentage of the population who will be reaching retirement age in the penultimate line of the first paragraph of the Justification.
Pages 50 – 52 - Design Standards policies , Vernacular . This is clearly a matter on which the community feels very strongly and the reader is left in no doubt about this on these pages (including Policies DS2 & DS3) !
Page 54 - 'Provision of Off-Road Parking' . I assume that this has been agreed with both CDC and WSCC as Highway Authority ?

Pages 56 -57 ' Surface Water Management' . Has this been agreed with WSCC & CDC ? 'Waste Water Management'. Has this been agreed with Southern Water ?
Page 59 - 'Street Lighting' Need to confirm the WSCC undertaking to upgrade provision – last sentence of Justification paragraph 1 . Also table to be completed (if results are available) on required street lighting, based on household survey October 2014 (?)
Page 61 - 'Renewable Energy Schemes' . I assume that this section, including Policy IN6, has been agreed with CDC and SDNPA ?

Pages 62 – 66 Site Specific Policies. The 4 sites are clearly identified, each with a plan, and justified for inclusion , with 'benefits' and 'issues' set out in each case. Should not the text be more bold however in stating that the benefits outweigh the problems and issues . The 'traffic light' system sustainability criteria have to be added on p.62.
Page 64 - Winterfold Fields . Need to ensure that the correct land is shown on the plan ; to add the site area in hectares ; and to add the SHLAA reference number.
Page 65 - Clarks Yard. Need to add the site area in hectares and the SHLAA reference number.
Page 66 - Glebe Field. Need to add the site area in hectares.

Page 67 - Need to confirm that this is to be termed the 'Community Action Plan' . Good, clear tabulations of projects with information about responsibility and funding, but should some indication of priority and timescales not be included ?
Page 69 - 'Other Projects' Are there any to be added here ?
Page 70 - Some work to do it would seem in putting the web-based 'Local Evidence Base' in place.
Page 71 - 'Conformity Reference Documents' list to be added.

GW 10/10/14