

# Wisborough Green Parish Council

Evidence Base and Policy Development  
Final Report

October 2019

## Quality information

### Prepared by

Jessica Cooke  
Graduate Planner

### Checked by

Jesse Honey  
Associate Director

### Approved by

Jesse Honey  
Associate Director

## Revision History

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2	September 2019	Final draft	Wisborough Green Parish Council	Sheena Overington	Neighbourhood Plan Review Group
3	September 2019	Final for Locality sign-off	JH	Jesse Honey	Associate Director

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#### **Disclaimer**

This document is intended to aid the preparation of the Neighbourhood Plan and can be used to guide decision making and as evidence to support Plan policies, if the Qualifying Body (QB) so chooses. It is not a Neighbourhood Plan policy document. It is a 'snapshot' in time and may become superseded by more recent information. Wisborough Green Parish Council is not bound to accept its conclusions. If any party can demonstrate that any of the evidence presented herein is inaccurate or out of date, such evidence can be presented to the Neighbourhood Plan at the consultation stage. Where evidence from elsewhere conflicts with this report, the QB should decide what policy position to take in the Neighbourhood Plan and that judgement should be documented so that it can be defended at the Examination stage.

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## Abbreviations used in the report

### Abbreviation

CIL	Community Infrastructure Levy
CDC	Chichester District Council
EA	Environment Agency
EBPD	Evidence Base and Policy Development
EiP	Examination in Public
JNCC	Joint Natural Conservation Committee
LDS	Local Development Scheme
LP	Local Plan
LPA	Local Planning Authority
MHCLG	Ministry of Housing, Communities and Local Government
NERC	Natural Environment and Rural Communities Act 2006
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SDNP	South Downs National Park
WGPC	Wisborough Green Parish Council
WSCC	West Sussex County Council

## Executive Summary

### Introduction and context

Wisborough Green Parish Council is revising its 'made' Neighbourhood Plan (adopted in 2016) for its designated area, which lies within the Chichester District of West Sussex.

This document comprises an Evidence Base and Policy Development (EBPD) study provided by AECOM to WGPC as part of the preparation for the revised Neighbourhood Plan. There has been close communication between WGPC and AECOM throughout its development and, as such, feedback from WGPC has informed the final report.

### Policies reviewed

This EBPD covers all three new policies set out in the revised draft Wisborough Green Neighbourhood Plan, with detailed commentary and conclusions on each appearing in Appendix 1 of this report. These policies are named as follows:

- Parking Provision and Standards
- Communications and Connectivity
- Biodiversity

In addition to these new policies, this EBPD covers revisions to eleven of the existing adopted policies. The revisions aim to provide greater clarification where it has been evidenced that the policy has produced some ambiguity in practice. These policies are named and numbered as follows:

- OA1: Development Allocation
- OA2: Spatial Strategy
- OA3: Settlement Boundary
- OA5: Local Gaps
- EN4: Conserving the Heritage Environment
- EN5: Local Green Space
- ED1: Development of New and Existing Business
- ED2: Encourage and Support Business Home Working
- ED3: Site Specific Policy
- IN3: Street Lighting and Dark Night Skies
- IN4: Climate Change, Energy Conservation and Renewable Energy Schemes
- DS2: Vernacular for New Developments-

Appendix 2 sets out AECOM's comments on revisions to these eleven existing Neighbourhood Plan text. For each minor revision commented on, the Appendix references the revision, its location, and AECOM's response. It can be assumed that for any minor revision made by WGPC that does not appear in Appendix 2, AECOM has no comments to make and/or implicitly supports the revision as an improvement to the existing text.

### Report methodology

The aim of the EBPD is to review the existing evidence base, identify any gaps within it, and then present policy options and recommendations based not only on the existing evidence base but also on any additional relevant information that applies.

Where draft policy text already exists, as is the case for all three new and eleven revised policies, the aim of the EBPD is to review and comment on those policies, in particular in terms of any

amendments that may be required to ensure that the policy meets the Basic Conditions of Neighbourhood Planning.

The review of policies will be comprehensive, in that it will assess not only the policy text itself but also, where relevant and appropriate, the evidence upon which that policy is based. It seeks to verify that:

- Evidence has been assembled from robust sources;
- Stakeholder-derived evidence has been considered in a way that reflects the views of all sections of the community;
- Relevant third-party comments/issues have been addressed;
- Reasonable conclusions have been drawn from that evidence;
- All useful evidence available has been referenced;
- There are no evidence gaps that need to be filled;
- The draft policy is clearly written, distinct from and in general conformity with the strategic policies in the development plan; and
- In so doing, the policy meets the Basic Conditions.

If the AECOM review finds that the draft policy or the evidence on which it is based has any potential for strengthening or improvement, recommendations in this regard will be clearly set out.

AECOM's review of the evidence base focuses on three lines of inquiry:

- **Policy understanding**, which summarises what assessors think the policy intent is and follows on from an inception call with the group;
- **Evidence assembly**, which covers basic checks including:
  - Whether evidence has been gathered from verifiable and reputable sources;
  - Whether any third-party comments have been taken into account (e.g. from developers, landowners, and/or statutory bodies); and
  - Whether there are any gaps and obvious sources not referred to (e.g. Local Plan background studies);
- **Evidence analysis**, which considers whether the evidence referred to has been appropriately understood and analysed, and reasonable conclusions reached in drawing up policy. This stage of the review also considers:
  - Whether evidence is, on balance, proportionate; and
  - Whether the evidence has already had a degree of external scrutiny (e.g. from the Local Planning Authority (LPA)) in which case such comments are considered.

## Conclusions and Recommendations

An important general finding is that all references to the NPPF are now outdated, because the first Wisborough Green Neighbourhood Plan was examined against the NPPF 2012. Since that time, the NPPF 2012 has been replaced by the NPPF 2019. Therefore, it has now become necessary to state at the start of the document the NPPF revision that is referenced throughout the plan, which should now be NPPF 2019 only.

Both the wording and the paragraph numbers of the NPPF changed between its two iterations. This means that where individual NPPF paragraphs are referenced, the numbering needs to be updated. Therefore, in our comments on the revised policies (presented in Appendix 2) the correct paragraph references have been incorporated. There are some additional changes required across the rest of the plan document, and these are listed below;

- Page 4, Section 2: should read 'NPPF, **2019**'.

- Page 11, Section 4: should read '**paragraph 151**' rather than 'paragraphs 95 and 97'. Reference could also be added on this page to paragraph 180 c) which supports dark skies.
- Page 17, Section 3: should read '**paragraphs 149-154**' rather than 'paragraphs 93-99'.
- Page 30, Section 5: no change required as these paragraphs remain the same.
- Page 36, Section 6: should read '**paragraph 77**' rather than 'paragraph 55'.
- Page 42, Section 2: should read '**paragraphs 99- 100**' rather than paragraphs 76-77'.
- Page 48, Section 2: should remove the reference to NPPF paragraph 47 as it is no longer a stated requirement for LPAs to set out their own approach to housing density. There is, however, potential to replace this reference with one to **paragraph 123**, which requires plans to use minimum density standards for city and town centres and other locations that are well served by public transport, and to consider using minimum density standards for other parts of the plan area.

## Headline summary of policy specific findings

### **New Policy 1: Parking Provision and Standards**

In the context of the first parking policy having been struck out by the Examiner, it is very important that this second attempt is supported by a stronger, more robust evidence base with less risk of being considered anecdotal. The increased emphasis on sustainable transport in the 2019 NPPF further strengthens the case for robust evidence, as well as for explicit consideration and reference of sustainable modes of transport within the policy, for example spaces for electric vehicles.

An alternative option is simply to cite the updated August 2019 WSCC parking standards guidance and for the policy to adhere to it, given that it is far clearer than previous guidance, that it was produced in the context of the new NPPF, and that what it requires for Behaviour Zone 1 is in fact only slightly less generous than what is proposed in the draft policy. This option, if acceptable to the Parish Council, would save considerable time and expense in terms of evidence-gathering. However, the August 2019 guidelines, though at first glance similar to those proposed by the draft Neighbourhood Plan, include parking for both residents and visitors.

Whichever policy development option is chosen, it would be helpful if the policy wording could be made slightly less restrictive to allow for relevant exceptions, such as for example small-scale developments.

The good news for the Parish Council if it wishes to progress with the first option is that there are other adopted neighbourhood plans in West Sussex setting parking standards diverging from the West Sussex standard.

If the Parish Council wishes to retain the existing draft standards and to build an evidence base to support them, it is recommended that a standalone evidence base report be drafted that incorporates ideally all of the following: an update of the baseline survey from 2011; more detailed interrogation and presentation of Census 2011 data on car ownership; more detailed case studies of locations like Garmans and Great Meadow, ideally supported by photographic evidence; information on local garage dimensions to use as precedents to support Clause 2; reference to the up-to-date County and national evidence base (i.e. the WSCC August 2019 parking standards update and NPPF 2019, including the need to provide spaces for plug-in and other ultra-low emission vehicles); and citing of relevant precedents elsewhere in West Sussex.

### **New Policy 2: Communications and Connectivity**

This policy is considered sound in general terms but would benefit from the following amendments:

- Updating of the evidence base on broadband, for example through local survey to capture developments in the village since 2011;
- Additional editing and updating of the supporting text to the previous policy so that it does not appear out-of-date;
- Adding support for the cabinet to the north of the village to the policy itself;
- Referencing as appropriate the NPPF 2019 throughout the supporting text and if necessary, in the policy itself;
- Rewording the first line of the policy for added clarity; and
- Making the policy stronger and clearer by using the same or similar wording to that suggested by the Pluckley Neighbourhood Plan examiner for their very similar policy E2.

### **New Policy 3: Biodiversity**

This policy would benefit from clearer and more accurate citation of references and supporting evidence and in particular needs to be supported by more local and Plan area-specific biodiversity evidence. The first step is the relevant Biodiversity Action Plan and the Local Plan but it would be even better to identify and map the Plan area's green networks/existing biodiversity.

The policy needs to make relevant exceptions so that it does not apply to all developments needing planning permission, some of which are so minor that it would not realistically be possible to ensure a net gain in biodiversity.

Other than these recommendations, the draft is a good basis for an effective policy.

### **Recommendations for next steps**

This Neighbourhood Plan evidence base and policy review has aimed to provide WGPC with recommendations on policy and evidence for the emerging Neighbourhood Plan. We recommend that the Parish Council should, as a next step, implement the recommended changes to finalise draft policies, at which point it can be resubmitted to Chichester District Council for informal/unofficial comment in advance of formal submission.

# 1. Introduction

## 1.1 About this document

1. The 2011 Localism Act introduced Neighbourhood Planning, allowing parish and town councils or neighbourhood forums across England to develop and adopt legally binding development plans for their neighbourhood area.
2. Wisborough Green Parish Council is revising its 'made' Neighbourhood Plan (adopted in 2016) for its designated area, which lies within the Chichester District of West Sussex.
3. As part of the development of the Neighbourhood Plan and its evidence base, WGPC applied successfully to Locality for support from AECOM as part of its Supporting Communities in Neighbourhood Planning project.
4. This document comprises an Evidence Base and Policy Development (EBPD) study provided by AECOM to WGPC. There has been close communication between WGPC and AECOM throughout its development and, as such, feedback from WGPC has informed the final report.
5. This EBPD covers all three new policies set out in the revised draft Wisborough Green Neighbourhood Plan. These policies are named as follows:
  - Parking Provision and Standards
  - Communications and Connectivity
  - Biodiversity
6. In addition to these new policies, this EBPD covers revisions to eleven of the existing adopted policies. The revisions aim to provide greater clarification where it has been evidenced that the policy has produced some ambiguity in practice. These policies are named and numbered as follows:
  - OA1: Development Allocation
  - OA2: Spatial Strategy
  - OA3: Settlement Boundary
  - OA5: Local Gaps
  - EN4: Conserving the Heritage Environment
  - EN5: Local Green Space
  - ED1: Development of New and Existing Business
  - ED2: Encourage and Support Business Home Working
  - ED3: Site Specific Policy
  - IN3: Street Lighting and Dark Night Skies
  - IN4: Climate Change, Energy Conservation and Renewable Energy Schemes
  - DS2: Vernacular for New Developments-
7. The aim of the EBPD is to review the existing evidence base, identify any gaps within it, and then present policy options and recommendations based not only on the existing evidence base but also on any additional relevant information that applies.
8. Where draft policy text already exists, as is the case for all three new and eleven revised policies, the aim of the EBPD is to review and comment on those policies, in particular in terms of any amendments that may be required to ensure that the policy meets the Basic Conditions of Neighbourhood Planning.<sup>1</sup>

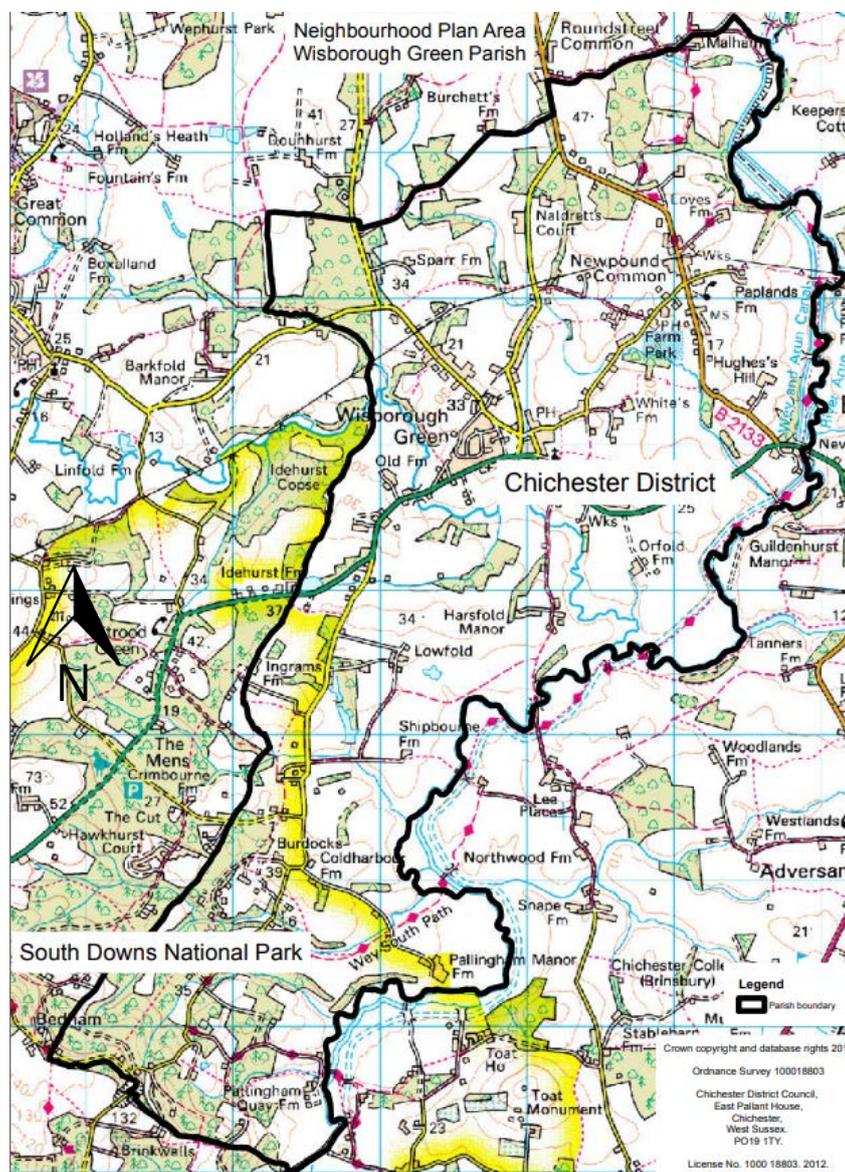
<sup>1</sup> Available at <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

9. The review of policies will be comprehensive, in that it will assess not only the policy text itself but also, where relevant and appropriate, the evidence upon which that policy is based. It seeks to verify that:
  - Evidence has been assembled from robust sources;
  - Stakeholder-derived evidence has been considered in a way that reflects the views of all sections of the community;
  - Relevant third-party comments/issues have been addressed;
  - Reasonable conclusions have been drawn from that evidence;
  - All useful evidence available has been referenced;
  - There are no evidence gaps that need to be filled;
  - The draft policy is clearly written, distinct from and in general conformity with the strategic policies in the development plan; and
  - In so doing, the policy meets the Basic Conditions.
10. If the AECOM review finds that the draft policy or the evidence on which it is based has any potential for strengthening or improvement, recommendations in this regard will be clearly set out.

## 1.2 Local context

11. Figure 1 below illustrates the Neighbourhood Plan area. It covers the whole of Wisborough Green Parish and a third of the Parish to the south west which is located in the South Downs National Park (SDNP).

**Figure 1: Wisborough Green Neighbourhood Plan Area**



Source: Chichester District Council <sup>2</sup>

<sup>2</sup> <https://www.chichester.gov.uk/CHttpHandler.ashx?id=16551&p=0>

## 1.3 Planning Policy and Evidence Base

12. This sub-section summarises the planning policy and evidence base for the Neighbourhood Plan at the national, County, District and parish levels.

### 1.3.1 West Sussex Transport Plan

13. West Sussex Transport Plan (2011-2016) was adopted in February 2011. The main objective of this Plan is to improve quality of life for the people of West Sussex by:

- promoting economic growth;
- tackling climate change;
- providing access to services, employment & housing; and
- improving safety, security and health.

### 1.3.2 Chichester Local Plan: Key Policies 2014-2029.

14. The Chichester Local Plan: Key Policies 2014-2029<sup>3</sup> was adopted on 14<sup>th</sup> July 2015.
15. The adopted Chichester Local Plan sets out the policy framework and long-term strategy that will guide decision on planning applications and development for Chichester District (excluding the area within the South Downs National Park) up to 2029.
16. Policy 2 of the Local Plan (Development Strategy and Settlement Hierarchy) defines Wisborough Green as a 'service village'.
17. Policy 25: Development in the North of the Plan area states that provision will be made for small scale development in this location through neighbourhood plans. Specifically, the Council will encourage and support development proposals and other initiatives that:
- Conserve and enhance the rural character of the area, the quality of its landscape and the natural and historic environment;
  - Safeguard existing local facilities and expand the range of local facilities; and
  - Improve accessibility to facilities in nearby centres outside the North of the Plan area.
18. When 'made' (adopted), NPs become part of the development plan. They will sit alongside the Local Plan adopted at the time and become a material consideration in deciding whether or not planning permission should be granted.
19. Throughout this EBP, other relevant policies of the Chichester Local Plan have been referenced as appropriate. To pass the Basic Conditions, the Examiner must be satisfied that the Neighbourhood Plan is in general conformity with its strategic policies. At the same time, the Neighbourhood Plan should avoid restating any policies that already appear in the Chichester Local Plan. Further information on this requirement is available in the General Conformity toolkit on the Locality Neighbourhood Planning website.<sup>4</sup>

### 1.3.3 Chichester Local Plan Review 2016-2035: Preferred Approach

20. In response to the requirement to complete a review within five years set out in the Planning Inspector's findings<sup>5</sup> of the adopted Local Plan, the Council is currently reviewing its adopted policies and strategic allocations to ensure that sufficient housing is planned to meet the needs of the area. The Review is currently at Stage 2, whereby the preferred approach version of the draft policies was published for consultation between December 2018 and

<sup>3</sup> <https://www.chichester.gov.uk/CHttpHandler.ashx?id=24759&p=0>

<sup>4</sup> <https://neighbourhoodplanning.org/toolkits-and-guidance/general-conformity-strategic-local-planning-policy/>

<sup>5</sup> <https://www.chichester.gov.uk/CHttpHandler.ashx?id=24307&p=0>

February 2019, and responses are currently being reviewed by the Council. Once adopted, the Chichester Local Plan Review policies will replace the policies in the current adopted Local Plan (July 2015).

21. Policy S2: Settlement Hierarchy proposes to retain Wisborough Green in the category of 'service village'.
22. Policy S5: Parish Housing Requirements states that small scale housing sites will be identified to help provide for the needs of local communities in accordance with parish housing requirements, with suitable sites being identified either through neighbourhood plans or subsequent development plan documents. Wisborough Green is allocated a total of 25 homes.
23. Policy S19: North of the Plan Area retains Policy 25 broadly unchanged from the adopted Local Plan.

#### 1.3.4 South Downs Local Plan

24. The South Downs Local Plan<sup>6</sup> was adopted on 2<sup>nd</sup> July 2019 and is the statutory development plan for the whole National Park. The plan sets out how the National Park Authority will manage development over the next 15 years.
25. The purpose of the Plan is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. Unlike the Chichester Local Plans, it does not specifically mention Wisborough Green by name.

#### 1.3.5 Neighbourhood Plan activities

##### **Wisborough Green Neighbourhood Plan (2014- 2029)**

26. The first Neighbourhood Plan for Wisborough Green was adopted in 2016. Since then it has formed part of the development plan. The three years during which the Plan has been in place have highlighted some ambiguities in some existing policies and the need for some additional policies- in some cases, policies that were proposed in the original but were struck out by the Examiner.
27. The existing adopted policies, the results of the Parish Council's most recent call for sites (2019) and comments made by the District Council and the Planning Inspectorate will be collectively reviewed and then applied to evidence the case for revision to existing policies.
28. Following this EBPD, WGPC intends to undertake further consultation to evidence the potential new policies. The plan will then be submitted to CDC prior to further external examination and the final public referendum.
29. For simplicity and consistency, AECOM has confined its comments to the early revision of the adopted plan document, which outlines the new and revised policies received from the Parish Council on 14<sup>th</sup> August 2019.

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<sup>6</sup> [https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD\\_LocalPlan\\_2019\\_17Wb.pdf](https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD_LocalPlan_2019_17Wb.pdf)

## 2. Assessment methodology

### 2.1 Assessment of evidence base

30. The evidence base for Neighbourhood Planning needs to be 'proportionate', i.e. relating well in terms of breadth, depth and scope to the policy being proposed. In line with this approach, the Government's Planning Practice Guidance (PPG) expects most evidence in Neighbourhood Planning to be 'secondary' (i.e. already collected by another party), making evidence gathering more of an exercise in assembling, interpreting and showing understanding of existing data.
31. Any evidence used should be clearly referenced and presented in an accessible way to justify policies, both for the purpose of examination and for the benefit of residents reading a plan as well as interested parties such as landowners and developers, all of whom may be impacted.
32. Evidence can come from several sources, including:
  - the adopted or emerging Local Plan (from a policy conformity perspective<sup>7</sup>);
  - Local Plan evidence base studies that inform policy documents (e.g. Strategic Housing Land Availability Assessments or equivalent and Employment Land Reviews);
  - primary technical evidence generated or commissioned by the Parish Council itself (e.g. Green Infrastructure assessment);
  - stakeholder-derived primary evidence generated or commissioned by the Parish Council (e.g. surveys of local households and businesses);
  - relevant national reports, studies and data, such as the 2011 Census;
  - Examiner's Report to the first iteration of the Neighbourhood Plan; and
  - Inspector's reports in response to planning appeals in the area.

### 2.2 Evidence base (see also Appendix 1)

33. AECOM's review of the evidence base focuses on three lines of inquiry:
  - **Policy understanding**, which summarises what assessors think the policy intent is and follows on from an inception call with the group;
  - **Evidence assembly**, which covers basic checks including:
    - Whether evidence has been gathered from verifiable and reputable sources;
    - Whether any third-party comments have been taken into account (e.g. from developers, landowners, and/or statutory bodies); and
    - Whether there are any gaps and obvious sources not referred to (e.g. Local Plan background studies);
  - **Evidence analysis**, which considers whether the evidence referred to has been appropriately understood and analysed, and reasonable conclusions reached in drawing up policy. This stage of the review also considers:
    - Whether evidence is, on balance, proportionate; and
    - Whether the evidence has already had a degree of external scrutiny (e.g. from the Local Planning Authority (LPA)) in which case such comments are considered.

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<sup>7</sup> In applying Basic Condition E, 'general conformity' relates to the adopted, not emerging Local Plan (see PPG, Paragraph: 065 Reference ID: 41-065-20140306, at <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>). However, the evidence behind any emerging Local Plan is part of the evidence base for the NDP and it is important the NDP takes account of policy development within it, given that, once adopted, the new Local Plan policies may supersede those in the NDP.

## 2.3 Policy review (see also Appendix 1)

34. After examining the evidence that underpins each policy, the review considers the following questions in terms of meeting the Basic Conditions<sup>8</sup> of a Neighbourhood Plan:

- Is the policy spatial in nature and therefore within the scope of a development plan or is it supporting a community project?
- Can the policy be reasonably implemented by planning officers (within planning legislation) when deliberating on planning applications?
- Does the policy have due regard to national policy and guidance?
- Does the policy comply with human rights law?
- Is the policy in general conformity with adopted strategic local plan policy? Does it add value to that policy, rather than reiterate policy principles?
- Is the policy clearly written and easy to understand?

## 2.4 Policy wording

35. Planning practice guidance<sup>9</sup> states:

*“A policy in a Neighbourhood Plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*

36. Precise wording of policies is, broadly speaking, considered a matter more for the neighbourhood group itself than for AECOM, based not only on the conclusions and recommendations of this report, but also taking into account feedback from other relevant stakeholders, including the LPA.

37. Nevertheless, in cases where minor changes to policy wording may have the effect of increasing soundness and robustness, we have set out any changes we recommend (which, as with all our conclusions and recommendations, comprise non-binding advice).

## 2.5 About Appendix 1

38. Appendix 1 is our detailed review of each of the three new policies using the methodology described above, which considers the draft policies alongside the policies of the adopted Local Plan, relevant evidence base documents and the National Planning Policy Framework (NPPF)<sup>10</sup>. It aims to provide an answer to the questions raised above. Recommendations are provided in terms of actions the Parish Council should take in terms of further evidence gathering and/or policy development.

39. The column headings in the Appendix 1 table can be explained as follows:

- **Policy name, number and theme:** The policy name and number as it appears in the Draft Plan. Wherever possible, policies are grouped into themes;
- **Policy intent:** This column summarises AECOM’s understanding of the policy intent;
- **Evidence source and type:** This column identifies and checks the source of evidence and whether it is technical evidence or based on local surveys and engagement;

<sup>8</sup> For further information on the Basic Conditions, please see <https://neighbourhoodplanning.org/toolkits-and-guidance/create-neighbourhood-plan-step-by-step-roadmap-guide/>

<sup>9</sup> Paragraph: 041 Reference ID: 41-041-20140306, available online at <https://www.gov.uk/guidance/neighbourhood-planning--2>

<sup>10</sup> Available online at

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/740441/National\\_Planning\\_Policy\\_Framework\\_web\\_accessible\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf)

- **Evidence analysis:** This column analyses whether the evidence has been appropriately analysed and reasonable conclusions drawn;
- **Proportionality and gaps:** This column indicates, in AECOM's view, whether the evidence is proportionate and where, if necessary, further potentially useful evidence in support of the policy, theme or objective could be found and referenced;
- **Effectiveness of the policy:** This column analyses whether the policy is clearly written, easy to understand and implementable;
- **Conformity:** This column provides AECOM's assessment of the extent to which the policy conforms with the relevant policies or provisions of the Local Plan, the NPPF and/or the local plan evidence base as well as with human rights and European law; and
- **Conclusion and recommendations:** This column summarises our thoughts on the policy and outlines our overall recommendations for any necessary changes to policy or evidence, including whether specific issues need to be discussed with third parties (e.g. the LPA) to develop it further. If we consider that a policy should be deleted entirely, for example because it duplicates Local Plan policy, we state this here.

## 2.6 About Appendix 2

40. As explained in the Introduction above, the Wisborough Green EBPD is unusual in that most of the policies within the emerging neighbourhood plan will be minor revisions of eleven existing policies rather than entirely new policies.
41. It would not be proportionate or necessary to provide an Appendix 1 level of detailed analysis on minor revisions to existing policies that have already been deemed to meet the Basic Conditions. For this reason, more limited comments have been provided on the eleven revised policies, and these are set out in Appendix 2.

## 2.7 About Appendix 3

42. Appendix 3 lists policies in 'made' (i.e. adopted) Neighbourhood Plans from across England that are relevant to some of the policies assessed at Wisborough Green. The value of assessing a 'made' plan policy is that it has passed Examination and thus has been found to be in full conformity with the Basic Conditions of Neighbourhood Planning.
43. In most cases, the examples of policies from 'made' plans have been taken from those where AECOM advised the group, but in cases where a relevant policy can only be found in a 'made' plan that AECOM had no involvement in, that has been used as an example instead.
44. If any of the policy examples in Appendix 3 are considered of particular interest or relevance, then it may be helpful to search online for the relevant Neighbourhood Plan Examiner's Report, which should in every case be publicly available (if it is not, contact the relevant Local Authority). The Examiner's Report may show how and why the policy in question was amended to conform with the Basic Conditions, unless the draft policy was considered to meet the Basic Conditions without amendment.

## 2.8 About Appendix 4

45. As noted above, Appendix 4 briefly sets out further information on Neighbourhood Plan policy drafting, including links to resources that may be helpful in this regard.

## 3. Conclusions and Recommendations

### 3.1 General findings

#### 3.1.1 Referencing national policy and guidance

46. An important general finding is that all references to the NPPF are now outdated, because the first Wisborough Green Neighbourhood Plan was examined against the NPPF 2012. Since that time, the NPPF 2012 has been replaced by the NPPF 2019. Therefore, it has now become necessary to state at the start of the document the NPPF revision that is referenced throughout the plan, which should now be NPPF 2019 only.
47. Both the wording and the paragraph numbers of the NPPF changed between its two iterations. This means that where individual NPPF paragraphs are referenced, the numbering needs to be updated. Therefore, in our comments on the revised policies (presented in Appendix 2) the correct paragraph references have been incorporated. There are some additional changes required across the rest of the plan document, and these are listed below;
- Page 4, Section 2: should read 'NPPF, **2019**'.
  - Page 11, Section 4: should read '**paragraph 151**' rather than 'paragraphs 95 and 97'. Reference could also be added on this page to paragraph 180 c) which supports dark skies.
  - Page 17, Section 3: should read '**paragraphs 149-154**' rather than 'paragraphs 93-99'.
  - Page 30, Section 5: no change required as these paragraphs remain the same.
  - Page 36, Section 6: should read '**paragraph 77**' rather than 'paragraph 55'.
  - Page 42, Section 2: should read '**paragraphs 99- 100**' rather than paragraphs 76-77'.
  - Page 48, Section 2: should remove the reference to NPPF paragraph 47 as it is no longer a stated requirement for LPAs to set out their own approach to housing density. There is, however, potential to replace this reference with one to **paragraph 123**, which requires plans to use minimum density standards for city and town centres and other locations that are well served by public transport, and to consider using minimum density standards for other parts of the plan area.
48. The same consideration is required for Planning Practice Guidance (PPG) references- particularly as the PPG updates on a much more regular basis than does the NPPF. However, the first version of the Neighbourhood Plan does not reference the PPG therefore there are no changes required at present.
49. Nevertheless, it is recommended that if reference were to be made to the PPG, a clear and up to date reference to the relevant paragraph and its revision date would be required.

#### 3.1.2 Referencing the Local Plan

50. The examiner's report for the NP required that the plan be updated in line with the Local Plan cycle- at the time of Examination, the current Local Plan was being adopted. As the CDC Local Plan is currently under review, it may be appropriate to refer to this in the plan, reflecting the most recent iteration (at the time of writing, this was the Regulation 18 Preferred Options document).

## 3.2 Headline summary of policy specific findings (full details in Appendix 1)

### **New Policy 1: Parking Provision and Standards**

51. In the context of the first parking policy having been struck out by the Examiner, it is very important that this second attempt is supported by a stronger, more robust evidence base with less risk of being considered anecdotal. The increased emphasis on sustainable transport in the 2019 NPPF further strengthens the case for robust evidence, as well as for explicit consideration and reference of sustainable modes of transport within the policy, for example spaces for electric vehicles.
52. An alternative option is simply to cite the updated August 2019 WSCC parking standards guidance and for the policy to adhere to it, given that it is far clearer than previous guidance, that it was produced in the context of the new NPPF, and that what it requires for Behaviour Zone 1 is in fact only slightly less generous than what is proposed in the draft policy. This option, if acceptable to the Parish Council, would save considerable time and expense in terms of evidence-gathering. However, the August 2019 guidelines, though at first glance similar to those proposed by the draft Neighbourhood Plan, include parking for both residents and visitors.
53. Whichever policy development option is chosen, it would be helpful if the policy wording could be made slightly less restrictive to allow for relevant exceptions, such as for example small-scale developments.
54. The good news for the Parish Council if it wishes to progress with the first option is that there are other adopted neighbourhood plans in West Sussex setting parking standards diverging from the West Sussex standard.
55. If the Parish Council wishes to retain the existing draft standards and to build an evidence base to support them, it is recommended that a standalone evidence base report be drafted that incorporates ideally all of the following: an update of the baseline survey from 2011; more detailed interrogation and presentation of Census 2011 data on car ownership; more detailed case studies of locations like Garmans and Great Meadow, ideally supported by photographic evidence; information on local garage dimensions to use as precedents to support Clause 2; reference to the up-to-date County and national evidence base (i.e. the WSCC August 2019 parking standards update and NPPF 2019, including the need to provide spaces for plug-in and other ultra-low emission vehicles); and citing of relevant precedents elsewhere in West Sussex.

### **New Policy 2: Communications and Connectivity**

56. This policy is considered sound in general terms but would benefit from the following amendments:
  - Updating of the evidence base on broadband, for example through local survey to capture developments in the village since 2011;
  - Additional editing and updating of the supporting text to the previous policy so that it does not appear out-of-date;
  - Adding support for the cabinet to the north of the village to the policy itself;
  - Referencing as appropriate the NPPF 2019 throughout the supporting text and if necessary, in the policy itself;
  - Rewording the first line of the policy for added clarity; and

- Making the policy stronger and clearer by using the same or similar wording to that suggested by the Pluckley Neighbourhood Plan examiner for their very similar policy E2.

### **New Policy 3: Biodiversity**

57. This policy would benefit from clearer and more accurate citation of references and supporting evidence and in particular needs to be supported by more local and Plan area-specific biodiversity evidence. The first step is the relevant Biodiversity Action Plan and the Local Plan but it would be even better to identify and map the Plan area's green networks/existing biodiversity.
58. The policy needs to make relevant exceptions so that it does not apply to all developments needing planning permission, some of which are so minor that it would not realistically be possible to ensure a net gain in biodiversity.
59. Other than these recommendations, the draft is a good basis for an effective policy.

### **3.3 Recommendations for next steps**

60. This Neighbourhood Plan evidence base and policy review has aimed to provide WGPC with recommendations on policy and evidence for the emerging Neighbourhood Plan. We recommend that the Parish Council should, as a next step, implement the recommended changes to finalise draft policies, at which point it can be resubmitted to Chichester District Council for informal/unofficial comment in advance of formal submission.

## Appendix 1: Detailed policy and evidence review

Policy name and number	<b>New Policy 1: Parking Provision and Standards</b>
<b>AECOM understanding of policy intent</b>	<p>The policy considers parking provision for new residential development and for new and expansions of existing employment development, with the aim of mitigating the worsening parking problems in and around the village.</p> <p>It seeks to set minimum standards for off-street parking related to the number of bedrooms per dwelling as well as setting standards for garage size when this is considered as the location for off-street parking.</p> <p>The policy seeks to set minimum standards of visitor parking, additional to residential parking. Additional on street parking is welcomed but should not substitute for off street parking.</p> <p>Parking for all non-residential uses should be decided upon on a case by case basis, taking into account a number of factors.</p>
<b>Evidence source and type</b>	<p>CDC Local Plan baseline survey<sup>11</sup> and subsequent consultation events are referenced in the supporting text. WGPC have provided comment on the availability of public transport and cited the 2011 Census. The requirements set out by the NPPF are evidenced- however, the paragraph reference is incorrect- the text states paragraph 39 when it should read paragraph 105.</p>
<b>Evidence analysis</b>	<p>The baseline survey<sup>12</sup> provides evidence highlighting the issues the area has with parking and a lack of alternatives to the private car, but there could be potential for it to be updated given that it was carried out in 2011.</p> <p>The text refers to WSCC parking guidelines, and states that they are not appropriate for or relate specifically to rural environments- this is clearly intended to address the concerns raised by the Examiner for the first NP, who struck out the draft parking policy partly on the basis that guidelines already existed. Specific local examples are mentioned (Garmans in Newpound Lane, and potentially also Great Meadow).</p> <p>However, in the context of the Examiner having struck out the parking policy at the Examination of the first neighbourhood plan, it is recommended that the evidence supporting a second attempt at this policy needs to be strengthened, ideally through a standalone, robust and impartial evidence report separate from the Plan that informs this policy. The evidence needs to: expand on the Garmans and the Great Meadow cases, and potentially other relevant locations; provide more detail on local car ownership levels (e.g. from Census 2011); and consider the potential for provision for low emission vehicles.</p> <p>In the absence of such a separate evidence base, the comments on the current state of public transport, traffic, parking and its relationship to facilities around the village, and the suitability of existing garages could be perceived (rightly or wrongly) as anecdotal, and the Examiner could strike out the policy a second time.</p> <p>However, the good news is that there are other adopted plans in West Sussex that did get Plan area- specific parking standards through at Examination, and these offer helpful precedents. Further details appear below in the Recommendations section.</p>
<b>Proportionality and gaps</b>	<p>While the supporting text recognises a lack of public transport, it would be helpful to investigate either here or elsewhere in the Plan improvements to public transport with the potential to reduce individual car ownership/ use and visitor use of cars. While the degree to which a neighbourhood plan can influence this is questionable, it could be important to demonstrate that this is being taken seriously and not being ignored- for example, support could be articulated for relevant policies from the adopted and emerging LP.</p>

<sup>11</sup> Available at <http://www.wisboroughgreen.org/pc-np-evidence/>

<sup>12</sup> Available at <http://www.wisboroughgreen.org/pc-np-evidence/>- the 2011 Community Survey.

	<p>The WSCC parking standards<sup>13</sup> are mentioned but the new August 2019 guidance<sup>14</sup>, which is far clearer than the previous document, should also be considered and referenced. It divides the county into a number of Behaviour Zones for the purposes of parking standards (Behaviour in this context referring to travel mode choices) and places Wisborough Green in Behaviour Zone 1, where 1-bedroom houses are expected to offer 1.5 spaces, 2 bedrooms 1.7, 3 bedrooms 2.2 and 4 or more bedrooms 2.7. These guidelines are not in fact dissimilar to the draft policy in the Neighbourhood Plan, so one option for WGPC would simply be to align with them- though they may not be considered ideal, adhering to them would remove the requirement for significant new evidence-gathering. However, it should be noted that the guidelines take into account parking for both residents and visitors.</p> <p>Clause 2 of the policy specifying dimensions for garages as off-street parking would need to be supported by stronger evidence, for example local precedents.</p>
<p><b>Effectiveness of policy</b></p>	<p>In general terms, the policy is clearly set out and worded.</p> <p>However, it could be argued that the policy is potentially too restrictive. The minimum standards set do not allow for exceptional circumstances, and small-scale housing developments may have difficulties implementing the visitor parking standards.</p> <p>While it is quite a complex policy with specific requirements, it is considered effective if supported by more detailed evidence (see recommendations below).</p>
<p><b>Conformity check</b></p>	<p>The policy is considered in conformity with Policy 39 Transport Accessibility and Parking in the adopted Local Plan. The policy states that the level of car parking should be in accordance with West Sussex guidance- this states that Parking provision at new residential development should provide enough spaces to accommodate the expected number of vehicles at the site and to manage on street parking so that it complements off street parking provision and maintains the vitality of village centres.</p> <p>The Policy is considered in conformity with Policy DM8: Transport, Accessibility and Parking in the emerging Local Plan as it requires proposals to provide for adequate parking provision.</p> <p>The policy could be seen not to align with the NPPF 2019 (paragraphs 102 and 105) focus on promoting sustainable transport. This could be rectified with additional consideration of modes of transport other than the private car and of plug-in and other ultra-low emission vehicles.</p>
<p><b>Conclusion and recommendations</b></p>	<p>In the context of the first parking policy having been struck out by the Examiner, it is very important that this second attempt is supported by a stronger, more robust evidence base with less risk of being considered anecdotal. The increased emphasis on sustainable transport in the 2019 NPPF further strengthens the case for robust evidence, as well as for explicit consideration and reference of sustainable modes of transport within the policy, for example spaces for electric vehicles.</p> <p>An alternative option is simply to cite the updated August 2019 WSCC parking standards guidance and for the policy to adhere to it, given that it is far clearer than previous guidance, that it was produced in the context of the new NPPF, and that what it requires for Behaviour Zone 1 is in fact only slightly less generous than what is proposed in the draft policy. This option, if acceptable to the Parish Council, would save considerable time and expense in terms of evidence-gathering. However, the August 2019 guidelines, though at first glance similar to those proposed by the draft Neighbourhood Plan, include parking for both residents and visitors.</p> <p>Whichever policy development option is chosen, it would be helpful if the policy wording could be made slightly less restrictive to allow for relevant exceptions, such as for example small-scale developments.</p>

<sup>13</sup> Available at [https://www.westsussex.gov.uk/media/2276/parking\\_standards.pdf](https://www.westsussex.gov.uk/media/2276/parking_standards.pdf)

<sup>14</sup> Available at [https://www.westsussex.gov.uk/media/1847/guidance\\_parking\\_res\\_dev.pdf](https://www.westsussex.gov.uk/media/1847/guidance_parking_res_dev.pdf)

The good news for the Parish Council if it wishes to progress with the first option is that there are other adopted neighbourhood plans in West Sussex- in particular, Yapton<sup>15</sup> and Burgess Hill<sup>16</sup>, where the Examiner permitted policies (PK1 and S4 respectively) setting parking standards diverging from the West Sussex standard. In this context, it could be argued that WGPC were unlucky, and/or Examiners were inconsistent, when the first policy was struck out. However, the Yapton and Burgess Hill policies were not adapted in the context of the 2019 NPPF, and it now seems much more likely that Yapton's extremely generous provision (four off-road spaces for the largest houses, and no mention of low-emission vehicles- all passed by the Examiner without comment in his report<sup>17</sup>) would not be considered in line with the important need to encourage sustainable modes of transport as set out in NPPF 2019.

Both the Yapton and Burgess Hill policies were supported by clear evidence- Yapton by Census data on car ownership and Burgess Hill by a consultant study of existing parking provision. This demonstrates the importance of robust evidence when seeking to diverge from County standards. It should also be noted that Yapton is, like Wisborough Green, in WSCC's Behaviour Zone 1 for the purposes of parking standards.

If the Parish Council wishes to retain the existing draft standards and to build an evidence base to support them, it is recommended that a standalone evidence base report be drafted that incorporates ideally all of the following: an update of the baseline survey from 2011; more detailed interrogation and presentation of Census 2011 data on car ownership; more detailed case studies of locations like Garmans and Great Meadow, ideally supported by photographic evidence; information on local garage dimensions to use as precedents to support Clause 2; reference to the up-to-date County and national evidence base (i.e. the WSCC August 2019 parking standards update and NPPF 2019, including the need to provide spaces for plug-in and other ultra-low emission vehicles); and citing of relevant precedents, such as Yapton and Burgess Hill (ideally, contacting Burgess Hill to ask if their parking evidence base developed by consultants WSP could be provided and used for inspiration, as it does not appear online).

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<sup>15</sup> Neighbourhood Plan available at [http://www.yaptonpc.gov.uk/Yapton\\_Neighbourhood\\_Plan.aspx](http://www.yaptonpc.gov.uk/Yapton_Neighbourhood_Plan.aspx)

<sup>16</sup> Neighbourhood Plan available at [https://www.midsussex.gov.uk/media/3174/burgess\\_hill\\_neighbourhood\\_plan\\_jan\\_2016.pdf](https://www.midsussex.gov.uk/media/3174/burgess_hill_neighbourhood_plan_jan_2016.pdf)

<sup>17</sup> Available at <https://www.arun.gov.uk/download.cfm?doc=docm93ijjm4n4210.pdf&ver=3882>

<b>Policy name and number</b>	<b>New Policy 2: Communications and Connectivity</b>
<b>AECOM understanding of policy intent</b>	To actively support any development that requires installation or expansion of telecommunication infrastructure networks. In addition, all residential developments must contain a Connectivity Statement to demonstrate how the proposal will take communication connectivity into account.
<b>Evidence source and type</b>	CDC Local Plan baseline survey (2011) WSCC Better Connected Broadband Delivery Plan <sup>18</sup>
<b>Evidence analysis</b>	<p>The baseline survey from 2011 suggests that with the level of locally based businesses and number of people who work from home that high speed internet is required in the area. This part of the text was already included in the original NP.</p> <p>As noted elsewhere, the 2011 survey is now in need of update, and this is particularly the case in the fast-moving field of broadband coverage. The next survey should provide strong evidence on broadband penetration, in terms of both quantity and quality, since 2011 by asking people to report their connection speed and satisfaction with the quality of provision. This is not, however, included on the draft version of the questionnaire.</p>
<b>Proportionality and gaps</b>	<p>It is recommended that the supporting text is clarified by significant further editing of the retained 2014 Plan text to bring it up to date (i.e. not including text such as “will enable faster broadband from September 2014”) because otherwise this is confusing for the reader. In the same way, the Better Connected Broadband Delivery Plan is no longer available online and has presumably now been superseded, so it would be helpful to remove reference to it.</p> <p>In the supporting text it is stated that a cabinet on the northern side of village is supported. In this case, support for this outcome should be added to the policy text itself.</p> <p>There is potential for the supporting text to add further up-to-date policy context, for example by referencing paragraph 112 of NPPF 2019.</p>
<b>Effectiveness of policy</b>	<p>The policy as drafted is likely to be effective with the following exceptions:</p> <p>Firstly, the first sentence could be more simply reworded to state ‘Development proposals <b>for</b> the installation...’</p> <p>Secondly, while the requirement for all residential developments to provide a connectivity statement is consistent with a number of other adopted Neighbourhood Plans, the wording suggested by the Pluckley Neighbourhood Plan Examiner in his report<sup>19</sup> for their very similar policy E2 (‘Applications for new residential development will only be approved if they are accompanied by a communications statement that demonstrates that the development will be able to connect to the best available broadband network and to take advantage of future improvements to it.’) could make the policy even stronger and clearer.</p>
<b>Conformity check</b>	<p>The policy is considered in conformity with Policy 9: Development and Infrastructure Provision of the adopted Local Plan.</p> <p>The policy is considered in conformity with Policy S12: Infrastructure Provision of the emerging Local Plan.</p> <p>The policy is in conformity with para 113 of NPPF as it states new communications installations should not impact on local character and distinctiveness.</p>
<b>Conclusion and recommendations</b>	<p>This policy is considered sound in general terms but would benefit from the following amendments:</p> <ul style="list-style-type: none"> <li>• Updating of the evidence base on broadband, for example through local survey to capture developments in the village since 2011;</li> <li>• Additional editing and updating of the supporting text to the previous policy so that it does not appear out-of-date;</li> <li>• Adding support for the cabinet to the north of the village to the policy itself;</li> <li>• Referencing as appropriate the NPPF 2019 throughout the supporting text and if necessary, in the policy itself;</li> </ul>

<sup>18</sup> Original document no longer available online but see <https://www.westsussex.gov.uk/business-and-consumers/broadband-in-west-sussex/>

<sup>19</sup> Available at <https://www.ashford.gov.uk/media/2763/pluckley-examination-final-report.pdf>

- Rewording the first line of the policy for added clarity; and
- Making the policy stronger and clearer by using the same or similar wording to that suggested by the Pluckley Neighbourhood Plan examiner for their very similar policy E2.

<b>Policy name and number</b>	<b>New Policy 3: Biodiversity</b>
<b>AECOM understanding of policy intent</b>	To ensure that all new development includes mitigation to protect, conserve and enhance biodiversity and geodiversity.
<b>Evidence source and type</b>	NPPF (but the paragraph references need updating- see below) Nerd 2006 (this is a typo for NERC 2006, i.e. the Natural Environment and Rural Communities Act 2006, which should be cited without acronym) <sup>20</sup> The Lawton Review (it would be more accurate to cite this as 'Making Space for Nature: A Review of England's Wildlife Sites' <sup>21</sup> (2010)) IPBES report (May 2019) <sup>22</sup> Joint Nature Conservancy Committee (this should be Joint Nature Conservation Committee, JNCC) June 2019- this is not clear as the citation should be to a document or a report, not an organisation. This could be a reference to the JNCC's June 2019 bulletin. Evidence citation should separate references to legislation (NERC) from other documents, which are non-statutory.
<b>Evidence analysis</b>	The evidence cited indicates clearly that biodiversity is an important aspect to address in a plan, though the citations need to be corrected. However, there is a lack of Wisborough Green-specific evidence. The questionnaire is a good opportunity to gather data to back this up; there may also be relevant data in the Local Plan evidence base and/or from organisations such as Sussex Wildlife Trust. For example, the CDC Local Biodiversity Action Plan should be cited, as it supports the development of biodiversity policies in NPs.  Policy 49 of the CDC LP could also be used as evidence. Its aim is to protect and manage the District's network of ecology, biodiversity and geological sites, including the international, national and local designated sites (statutory & non-statutory), priority habitats, wildlife corridors and stepping-stones that connect them.
<b>Proportionality and gaps</b>	The references made to the NPPF in the intro policy wording are out-of-date- paragraphs '109, 107 and 118' need to be replaced with '170'. The reference made to NPPF at the end of the policy wording is also incorrect, paragraph 118 should be replaced with 175. In addition, reference could be made to CDC emerging LP Review Policy DM29: Biodiversity that states; ' <i>The benefits of development outweigh any adverse impact on the biodiversity on the site. Exceptions will only be made where no reasonable alternatives are available; and planning conditions and/or planning obligations may be imposed to mitigate or compensate for the harmful effects of the development.</i> '  The plan could identify and map the Plan area's green networks, wildlife corridors and wildlife rich habitats, in conformity with NPPF paragraph 174. See Ashton Keynes' Neighbourhood Plan policy on biodiversity (referenced in Appendix 3) as an example. This exercise, importantly, would allow for the identification of specific locations deficient in nature provision and hence support area-specific interventions.
<b>Effectiveness of policy</b>	The requirement of the policy for any and all development without exception to provide a net gain in biodiversity and/or to incorporate biodiversity features is not realistic; a standard policy wording such as 'where reasonable and proportionate to do so' would need to be added.  Subject to this recommended change, the policy is effective and practical to implement.
<b>Conformity check</b>	The policy is in conformity with Policy 40 Sustainable Design and Construction and Policy 49 Biodiversity in the adopted LP.  The policy is in conformity with Policy 20: Design and Policy DM29: Biodiversity in the emerging LP review.

<sup>20</sup> Available at <http://www.legislation.gov.uk/ukpga/2006/16/section/40>

<sup>21</sup> Available at <https://webarchive.nationalarchives.gov.uk/20130402170324/http://archive.defra.gov.uk/environment/biodiversity/documents/201009space-for-nature.pdf>

<sup>22</sup> Available at [https://www.ipbes.net/sites/default/files/downloads/spm\\_unedited\\_advance\\_for\\_posting\\_htn.pdf](https://www.ipbes.net/sites/default/files/downloads/spm_unedited_advance_for_posting_htn.pdf)

	<p>Necessary changes to NPPF references have been noted above, but it is welcome that the NPPF is cited in both the policy and the supporting text.</p>
<b>Conclusion and recommendations</b>	<p>This policy would benefit from clearer and more accurate citation of references and supporting evidence and in particular needs to be supported by more local and Plan area-specific biodiversity evidence. The first step is the relevant Biodiversity Action Plan and the Local Plan but it would be even better to identify and map the Plan area's green networks/existing biodiversity.</p> <p>The policy needs to make relevant exceptions so that it does not apply to all developments needing planning permission, some of which are so minor that it would not realistically be possible to ensure a net gain in biodiversity.</p> <p>Other than these recommendations, the draft is a good basis for an effective policy.</p>

## Appendix 2: Comments on minor revisions to existing Neighbourhood Plan text

This Appendix sets out AECOM's comments on WGPC's minor revisions to existing Neighbourhood Plan text. For each minor revision commented on, the table below references the revision, its location, and AECOM's response. It can be assumed that for any minor revision made by WGPC that does not appear in the table below, AECOM has no comments to make and/or implicitly supports the revision as an improvement to the existing text.

### AECOM comments on WGPC minor revisions to existing Neighbourhood Plan text

Location/reference	WGPC minor revision	AECOM comment
Page 1	<b>Definition of development for the purposes of the Neighbourhood Plan</b>	This definition is not in conformity with the Town and Country Planning Act 1990 definition of 'development' which relates to the carrying out of any building, engineering, mining or other operations in, on or over land. Only this definition of development can or should be used in Neighbourhood Plans and across the planning system as a whole. As such, this revision should be deleted.
Policy OA2: Spatial Strategy	<b>such as an 'island' or Rural Exception Site</b>	The meaning of 'island' in this context is not clear and should be explained (e.g. in supporting text). Additionally, this text is ambiguous- does it refer to development within the settlement boundary, or to an allocated site? Rephrasing should make this clear.
Policy OA2: Spatial Strategy	<b>Local Gaps are retained</b>	AECOM supports this revision to the text, as while it does not change the meaning it provides further clarity. Appeal Ref. APP/L3815/W/17/318007823 highlighted the lack of clarity in the previous wording. The increased clarity will reduce the potential for challenge or misinterpretation.
Figure 8	<b>Settlement boundary and proposed development</b>	It is not currently clear if it is proposed to redraw the settlement boundary. AECOM recommends it be extended to include the Land South of Meadowbank and Winterfold Fields sites, as well as existing intervening development between the current settlement boundary and the latter site. This will need to be explained in the supporting text but is standard practice at the plan-making stage in cases where new development abuts an existing tightly-drawn boundary.
Policy OA5: Local Gaps	<b>will only be supported in exceptional circumstances and</b>	The addition to this policy is supported in the context of Appeal Ref: APP/L3815/W/17/3180078 that development would only be allowed in exceptional circumstances.
Policy OA5: Local Gaps	<b>ensures the retention of the....</b>	AECOM supports this revision to the text, as while it does not change the meaning it provides further clarity. Appeal Ref. APP/L3815/W/17/3180078 highlighted the lack of clarity in the previous wording.

<sup>23</sup> Available at <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3180078>

Location/reference **WGPC minor revision**

**AECOM comment**

Policy OA5: Local Gaps	<b>The proposal does not cause harmful change (see definition).</b>	The concept of 'harmful change' is relatively common in similar Neighbourhood Plan and Local Plan policies, but no definition is provided (and, in general, no definition needs to be provided, as this retains flexibility in policy implementation) so the text within the brackets can be deleted. It is noted that the phrase 'harmful change' appears in many locations throughout the draft plan- in some locations it has initial capitals, but this is incorrect in grammar terms and is not necessary in planning terms.
Policy EN4: Conserving the Historic Environment	<b>Deletion throughout of 'and enhancing'</b>	This change is not supported as the NPPF 2019 (Chapter 16) continues to require the enhancement as well as the conservation of the historic environment. Retaining the term 'conservation and enhancement' means the plan is more likely to meet the Basic Conditions, and moreover there is no specific evidence supporting the proposed deletion.
Page 7, section 4	<b>LGS2—Songhurst Meadow</b>	AECOM supports the designation of this land as a Local Green Space given its recreation and environmental value. To strengthen the evidence for this policy, however, it is recommended that WGPC consider how this area is demonstrably special and how they can prove this to the examiner. One option would be to ask local people their feelings about this specific site in forthcoming survey work rather than consulting upon Local Green Spaces in a more general sense.
Policy EN5: Local Green Space	<b>exceptional circumstances when it does not cause harmful change</b>	The change to 'exceptional' from 'very special', and the addition of the text 'when it does not cause harmful change' are not supported because they are inconsistent with NPPF wording. The NPPF (paragraph 101) makes it clear that policies for managing development within a Local Green Space should be consistent with those for Green Belts and NPPF paragraph 143 (on managing development within the Green Belt) uses the phrase 'very special circumstances' but not the phrase 'when it does not cause harmful change'.
Policy ED1: Development of New and Existing Business	<b>would not lead to unacceptable impact on the local highway network or traffic in WG village</b>	While this point is logical and reasonable, it is recommended that in the supporting text some evidence is given on current issues (e.g. parking, congestion) on the highway network and traffic (this evidence could be integrated with or the same as the evidence supporting the new parking standards policy recommended in Appendix 1). Otherwise, there is a risk that this clause does not appear justified by the evidence
Policy ED1: Development of New and Existing Business	<b>provision can be made for sufficient off-road vehicle parking as required</b>	This clause can be deleted as non-residential parking provision is already covered by New Policy 1 on Parking Standards (see Appendix 1)

Location/reference WGPC minor revision

AECOM comment

Policy ED1: Development of New and Existing Business	<b>and would not instigate commercial creep along radial routes</b>	The concept of 'commercial creep' is not clear and should be explained in the supporting text (it does not appear in the first Plan). In so doing, areas (and/or Character Areas) where it will be specifically resisted, with justification for doing so, should be highlighted, for example on a map or a list of locations. Is the issue, for example, changes of use along radial routes within the settlement boundary, or new greenfield commercial development outside it? Clarification is needed.
Page 12, Sections 7-9	<b>All new text in these three sections</b>	This addition provides clarity on what exactly should be taken into consideration. However, this text looks more like policy rather than supporting text. It should be moved to the policy itself so that it becomes a material consideration in a development proposal. At the same time, some supporting text should be substituted in this location to justify this policy text, citing appropriate evidence. Additionally, the reference to E1 or E2 of Environmental Zones in Section 8 is currently unclear but could be further developed as part of the supporting text that would need to be retained in this location once the existing text is moved into policy. In the same way, any future supporting text should reference South Downs Local Plan <sup>24</sup> , paragraph 5.62 and CDC emerging Local Plan Review Policy DM23: Lighting.
Policy IN3: Street Lighting and Dark Night Skies	<b>The installation of light is to be avoided where possible..... (and subsequent new text)</b>	As per comments above the policy should be expanded in any case, but as part of that remodelling it would be much clearer if this text were provided as bullet points.
Page 17, Section 5	<b>The retro-fit of Heritage properties, assets and listed buildings is encouraged.....(and remainder of paragraph)</b>	AECOM support this addition as it illustrates the sensitivity of this type of work. However, the justification could be strengthened by referencing Historic England's Planning Responsible Retrofit of Traditional Buildings guidelines <sup>25</sup> , which provides best practice guidance.
Policy IN4: Climate Change, Energy Conservation and Renewable Energy Schemes	<b>Any technologies, infrastructure and materials used to conserve or generate energy must not detract from the rural, visual and historical character of the environment or detract from the vernacular design of the Parish.</b>	Given that these types of technologies sometimes do not blend easily into a rural village environment, a more nuanced approach could be taken. For example, Malborough Neighbourhood Plan Policy 13 (see Appendix 3) states on this point that such development will be supported 'where impacts can be made acceptable or where adverse impacts are outweighed by the benefits of the scheme'.
Policy IN4: Climate Change, Energy Conservation and Renewable Energy Schemes	<b>All materials used must meet current construction standards.</b>	It is not necessary to restate this in policy as it is an existing requirement under the Building Regulations.
Policy DS2: Vernacular for New Developments	<b>open space/environment</b>	The addition of the word 'environment' to this policy is confusing and not necessary. It is recommended that this revision be deleted.

<sup>24</sup> Available at [https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD\\_LocalPlan\\_2019\\_17Wb.pdf](https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD_LocalPlan_2019_17Wb.pdf)

<sup>25</sup> Available at <https://historicengland.org.uk/images-books/publications/planning-responsible-retrofit-of-traditional-buildings/responsible-retrofit-trad-bldgs/>

## Appendix 3: Relevant ‘made’ Neighbourhood Plan policies

Alongside the advice presented in this report, the Parish Council may find it helpful to refer to the following Neighbourhood Plans that have now been ‘made’ or adopted, and many of which AECOM advised as the Neighbourhood Planners developed their plans. All of the Neighbourhood Plans listed are available online.

<b>‘Made’ Neighbourhood Plan</b>	<b>Relevant policy/policies</b>	<b>Corresponding WGPC policy</b>
Yapton Neighbourhood Plan 2014-2029	PK1: Parking Standards for New Residential Development	New Policy 1: Parking Provision and Standards.
Burgess Hill Neighbourhood Plan 2015-2031	S4: Parking Standards for New Developments	New Policy 1: Parking Provision and Standards.
Ashurst Wood Neighbourhood Plan 2015-2031	ASW 21 – Parking Provision	New Policy 1: Parking Provision and Standards.
Clutton Neighbourhood Plan 2015- 2035	CNP 20 – Car Parking Provision	New Policy 1: Parking Provision and Standards.
Birdham Neighbourhood Plan	Policy 24: Broadband Infrastructure	New Policy 2: Communications Connectivity.
Welbourn Neighbourhood Plan 2015-2030	Policy H4 – Broadband and Telecommunications	New Policy 2: Communications Connectivity.
Ashurst Wood Neighbourhood Plan 2015-2031	ASW 18- New and Expanding Business	Policy ED2: Encourage and support Home Working
Malborough Parish Neighbourhood Plan 2014-2034	Policy 12: Dark Skies	Policy IN3: Street Lighting and Dark Night Skies.
Malborough Parish Neighbourhood Plan 2014- 2034	Policy 13: Support for Small Scale Renewables and Low Carbon Energy Schemes	Policy IN4: Climate Change, Energy Conservation and Renewable Energy Schemes
Bosham Neighbourhood Plan 2014- 2019	Policy 7- Ecology, Wildlife and Biodiversity	New Policy 3: Biodiversity
Ashton Keynes Neighbourhood Plan 2015-2016.	Policy ENP1: Protection of biodiversity and wildlife sites.	New Policy 3: Biodiversity

## Appendix 4: Further guidance on Neighbourhood Planning policy

Further advice can be found in the following places:

- The full range of technical support packages available through Locality can be found at: <https://neighbourhoodplanning.org/about/technical-support/>
- Advice on writing planning policies is can be found by following the link below: <https://neighbourhoodplanning.org/toolkits-and-guidance/write-planning-policies-neighbourhood-plan/>
- Advice on drafting Neighbourhood Development Orders and bringing forward community-led housing is available on the Locality website: <https://neighbourhoodplanning.org/toolkits-and-guidance/neighbourhood-development-orders-community-right-build-orders/>

These best practice toolkits, together with a final health check, which is available free of charge, will aid the Forum in ensuring the Plan meets the Basic Conditions that enable a draft plan to proceed to referendum.

