

Chichester District Council Local Planning Authority

Southbourne Modified Neighbourhood Plan 2014-2029

DECISION STATEMENT

1. Introduction

- 1.1 Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of Neighbourhood Plans and Orders and to take plans through a process of examination, referendum and adoption. The Localism Act 2011 (Part 6 Chapter 3) sets out the local planning authority's responsibilities under Neighbourhood Planning.
- 1.2 This report confirms that the modifications proposed by the examiner's report have been accepted, the draft Southbourne Modified Neighbourhood Plan 2014-2029 has been altered as a result of it and that this plan may now proceed to referendum.

2. Background

- 2.1 The Southbourne Modified Neighbourhood Plan 2014-2029 relates to the area that was designated by Chichester District Council as a neighbourhood plan area by Chichester District Council on 5 March 2014. This area is coterminous with the Southbourne Parish Council boundary that lies within the Chichester District Council local planning authority area.
- 2.2 Following the submission of the Southbourne Modified Neighbourhood Plan 2014-2029 to the Council, the plan was publicised and representations were invited. The publicity period ended on 14 April 2023.
- 2.3 Mr John Slater was appointed by Chichester District Council, with the consent of Southbourne Parish Council, to undertake the examination of the Southbourne Modified Neighbourhood Plan 2014-2029 and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that, subject to making modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Plan referendum.

2.5 Having considered each of the recommendations made in the examiner's report, and the reasons for them, the Parish Council has decided to make the modifications to the draft plan referred to in Section 3 below, to ensure that the draft plan meets the basic conditions as set out in the legislation.

3. Decision

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

3.2 Having considered each of the recommendations made by the examiner's report, and the reasons for them, Chichester District Council in consent with Southbourne Parish Council, has decided to accept the modifications to the draft plan. Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38 A of the Act) in response to each of the examiner's recommendations and the justification for them.

Table 1: Recommendations by the Examiner agreed by Chichester District Council in consent with Southbourne Parish Council

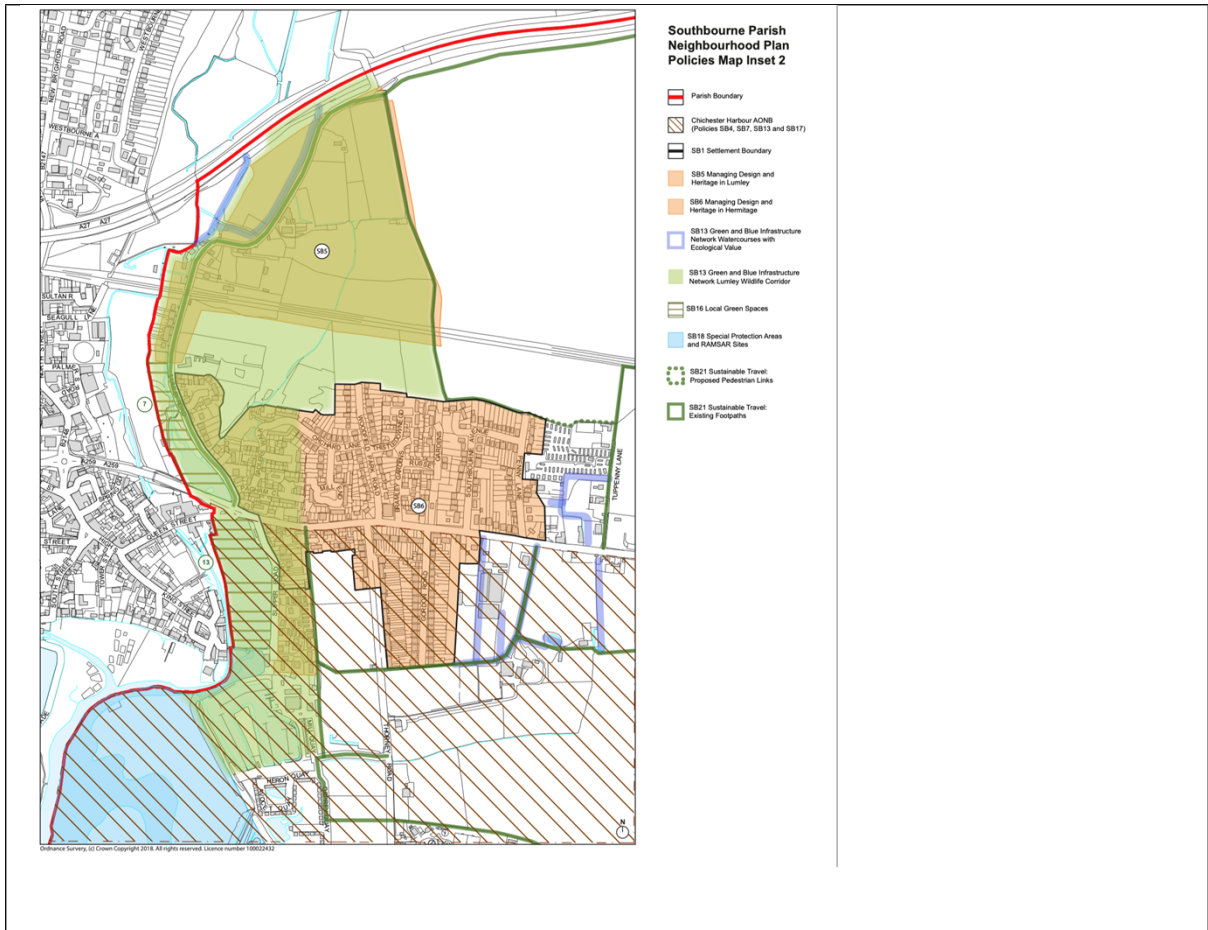
NB Where modifications are recommended to policies they are identified in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

POLICY / PARAGRAPH	MODIFICATION RECOMMENDED	JUSTIFICATION
All text	<i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i>	For completeness.
Policy SB2: Land North of Cooks Lane, Southbourne Village	<i>Replace "allocates" with "recognises as a planning commitment". At the start of the second sentence insert "Alternative" After "provided" in the second sentence, insert "the following provisions are met, so long as they can be justified having regard to the approved development for the site". In the 6th bullet point replace "12%" with "10%"</i>	To meet the basic conditions
Policy SB3: Local Housing Needs	<i>In Clause B, replace "2 or 3" with "1 or 2"</i>	To meet the basic conditions

<p>Policy SB4: Design in Southbourne Parish</p>	<p><i>At the end of Clause B, insert “Development within the Lumley, Hermitage, Prinsted Conservation Area and Nutbourne West Character Areas will be expected to also comply with the relevant policy for that character area as set out in Policies SB5-8”</i></p> <p><i>In Clause C After “AONB Management Plan” insert “and proposals which harm that character will not be permitted”</i></p> <p><i>Delete all text after “coastal path.” and insert “Rooms within an existing roof space are not considered to increase the building’s storey height”.</i></p> <p><i>Insert a new Clause D “Proposals within the parish which cause significant harm to long views from the South Down National Park will not be permitted.”</i></p>	<p>To meet the basic conditions</p>
<p>Policy SB5: Design and Heritage in Lumley</p>	<p><i>At the end of the first paragraph, insert “where relevant to the proposal:”</i></p>	<p>To meet the basic conditions</p>
<p>Policy SB6: Design and Heritage in Hermitage</p>	<p><i>At the end of the first paragraph, insert “where relevant to the proposal:”</i></p>	<p>To meet the basic conditions</p>
<p>Policy SB8: Design and heritage in Nutbourne West</p>	<p><i>At the end of the first paragraph, insert “where relevant to the proposal</i></p>	<p>To meet the basic conditions</p>
<p>Policy SB9: Local Heritage Assets</p>	<p><i>Replace the first sentence with “The Neighbourhood Plan identifies the following as local heritage assets, to be designated as non-designated heritage assets:</i></p> <ol style="list-style-type: none"> <i>1. The Stables, Eames Farm, Thorney Road, PO10 8DE</i> <i>2. Postbox in Wall, Wayside, 139 Main Road, Southbourne, PO10 8EZ</i> 	<p>To meet the basic conditions</p>

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| | <ol style="list-style-type: none">3. <i>Two Milestones, Main Road, Southbourne, - west PO10 8EZ and east PO18 8RL</i>4. <i>Nutbourne Tidal Mill (remains), Farm Lane, Nutbourne, PO10 8SA</i>5. <i>The Forge, 250 Main Road, Southbourne, PO10 8JJ</i>6. <i>Frarhurst (now Prinsted Care Home). Prinsted Lane, Prinsted, PO10 8HR</i>7. <i>Gingerbread Cottage, 147 Stein Road, Southbourne, PO10 8PN</i>8. <i>War Memorials, St John the Evangelist, Main Road, Southbourne, PO10 8LB</i>9. <i>The Green Ring Gateway and Seating, Parham Place, Main Road, Southbourne, PO10 8FS</i>10. <i>Padwick House and Padwick Villas, (nos. 237,239,241,243) Main Road, Southbourne, PO10 8JD</i>11. <i>Signalman's Cottage (now named Gate House), Inlands Road, Nutbourne, PO18 8RJ</i>12. <i>Slipper Tidal Gates and Sluice, Slipper Road, PO10 8XD</i>13. <i>New Building in Signal Box style, Stein Road, Southbourne, PO10 8LW</i>14. <i>Signalman's Cottage, 61 Stein Road, Southbourne, PO10 8LB</i>15. <i>Southbourne Free Church, 21 The Drive, Southbourne, PO10 8JP</i>16. <i>Tuppenny Barn, Main Road, Southbourne, PO10 8EZ</i> | |
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	<p>17. Mission Hall (Tin Tabernacle), Thorney Road, PO10 8BL</p> <p>18. Slipper Mill, (now nos 1,2,3,4) Slipper Road, PO10 8XD</p> <p>19. Nos 322 (Rose Cottage) & 320 (Laburnham Cottage) Main Road, Southbourne, PO10 8JN</p> <p>20. Eagle House, Main Road, Nutbourne, PO18 8RY</p> <p>21. Prinsted Oyster Beds, Prinsted Basin, Prinsted, PO10 8HS</p> <p>22. Long Acre, Prinsted Lane, Prinsted, PO10 8HR</p> <p>23. Freeland, Prinsted Lane, Prinsted, PO10 8HT”</p> <p><i>In the second sentence after “Local Heritage Asset “as described in Appendix C”</i></p> <p><i>Insert the evidence report showing the significance of each of the local heritage assets as Appendix C.</i></p>	
<p>Policy SB10: Employment Land</p>	<p><i>Retitle policy as “Employment Land within Settlement Boundaries”.</i></p> <p><i>In Clause B, delete” all text between “supported” and “and they accord”.</i></p>	<p>For completeness and clarity</p>
<p>Policy SB11: Community Facilities and Local Shops</p>	<p><i>At the end of Clause B insert at the end “including compliance with the General Requirements of Marketing as set out in Appendix E of the Local Plan”</i></p> <p><i>At the end of the first sentence of Clause C insert “and car parking in accordance with the adopted car parking standards is available”</i> <i>Delete the last sentence of the policy.</i></p>	<p>To meet the basic conditions</p>



<p>Policy SB13: Green and Blue Infrastructure Network</p>	<p><i>Insert the above modified Policies Map at the rear of the plan.</i></p> <p><i>Delete Plan D</i></p> <p><i>In Clause B, after “required” insert “where relevant,” and after “biodiversity value” insert “and wildlife connectivity”</i></p> <p><i>In Clause E after “development schemes” insert “for housing, commercial, business and service development”</i></p>	<p>To meet the basic conditions</p>
<p>Policy SB15: Trees, Woodlands and Hedgerows</p>	<p><i>Delete Clause D</i></p>	<p>To meet the basic conditions</p>
<p>Policy SB16: Local Green Space</p>	<p><i>In Clause A insert “following” before “land” and replace “listed” with “as described”</i></p> <p><i>At the end of Clause A, insert “1. Prinsted Foreshore</i></p>	<p>To meet the basic conditions</p>

	<p>2. Land on NE corner of Garsons Road/A259 junction</p> <p>3. Priors Orchard open spaces (a, b and c)</p> <p>4. Southbourne Fields open space</p> <p>5. Meadow View open space</p> <p>6. Clump of beech trees in field west of Stein Road</p> <p>7. Peter Pond and Brook Meadow land east of county boundary</p> <p>8. Land on NW corner of Stein Road and Hartland Court</p> <p>9. Garsons Road allotments between numbers 48 and 50</p> <p>10. Flanders Close allotments (a and b)</p> <p>11. Manor Way allotments between numbers 47 and 49</p> <p>12. Smallcutts Avenue allotments between numbers 25 and 27, and 40 and</p> <p>13. Slipper Mill Pond</p> <p>14. Field SW of Prinsted Foreshore, south of lane</p> <p>15. Field NE of Prinsted Foreshore”</p>	
Policy SB17: Achieving Dark Skies	<p><i>In Clause A after “All” insert “major” and replace “employing energy efficient forms of lighting that also reduce” with “reducing”</i></p> <p><i>In Clause B replace “all” with “10 or more residential units or over 1000 m² for other”</i></p>	To meet the basic conditions
Policy SB19: Zero Carbon Buildings	<p><i>In Clause A delete “be zero carbon ready by design”</i></p> <p><i>Delete Clauses B, C and D</i></p>	To meet the basic conditions
Policy SB20: Water Infrastructure and Flood Risk	<p><i>In Clause A (i) after “waste water” insert “conveyance” and after “treatment” insert “capacity”</i></p> <p><i>Omit Clause A (ii)</i></p> <p><i>Add new criteria (v) “Surface water should be managed as close to source as possible, following the drainage hierarchy and will not be</i></p>	To meet the basic conditions

	<p><i>permitted to drain to the foul or combined sewer system.”</i></p> <p><i>In Clause D, after “Chichester Harbour” insert “as shown on the Policies Maps or on a separate map”</i></p>	
Policy SB21: Sustainable Travel	<p><i>In Clause A, replace “major development” with “residential development of 10 units or more or over 1000sqm for other development”</i></p>	To meet the basic conditions

4. Conclusion

- 4.1 The Authority (Chichester District Council) confirms that the Southbourne Modified Neighbourhood Plan 2014-2029, as revised, meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act and complies with the provisions made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Southbourne Modified Neighbourhood Plan can now proceed to referendum.
- 4.2 It is recommended that the Southbourne Modified Neighbourhood Plan 2014-2029 should proceed to referendum based on the neighbourhood plan area defined by Chichester District Council on 5 March 2014.
- 4.3 This decision has been made according to the advice contained in the above report in response to the recommendations of the examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to the Neighbourhood Development Plan.