

Chichester District Council

THE CABINET

6 September 2016

Bosham Parish Neighbourhood Development Plan

1. Contacts

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2. Recommendations

- 2.1. That the Cabinet gives its approval for the Decision Statement as set out in the appendix to this report to be published.
- 2.2. That the Cabinet gives its approval to the examiner's recommendation that subject to modifications as set out in the Decision Statement the Neighbourhood Development Plan proceeds to a referendum be approved.

3. Background

- 3.1. The examination into the Bosham Parish Neighbourhood Plan Submission Plan has now been completed and the examiner's report published. The examiner's summary and conclusion at the beginning of the report is of particular note as it clearly sets out the examiner's general findings.
- 3.2. The examiner has carefully considered the contents of the Bosham Neighbourhood Plan in relation to the requirements of the Basic Conditions. In order to ensure the Neighbourhood Plan meets these requirements the examiner recommends a number of modifications that should be made to the Plan. Subject to the inclusion of these modifications (which includes the deletion of Policy 2 – Housing Allocations along with revisions to the wording and content of other policies and text), she finds that the Plan would meet the Basic Conditions.
- 3.3. The most significant amendment to the Bosham Neighbourhood Plan, recommended by the examiner, relates to the deletion of Policy 2 – Housing Allocations. The examiner has given careful consideration to this policy and sets out her detailed reasoning and justification for this recommended change in her report ([paragraphs 40 to 66](#)). Paragraph 53 is of particular relevance as it sets out the examiner's fundamental concern relating to the Neighbourhood Plan's identification of housing sites in the Area of Outstanding Natural Beauty (AONB). It is on this basis that she recommends the deletion of Policy 2 to meet the Basic Conditions.

- 3.4. In making such a significant recommendation the examiner acknowledges not only the hard work of local people in producing the Neighbourhood Plan, but also their likely disappointment with such a change. Her summary states that it is important to note that local people will still be able to get involved with the process of identifying sites to be allocated in the Council's Site Allocation Development Plan Document (DPD). In this regard a site has now been identified as part of that process and is included in the further consultation on the DPD.
- 3.5. On the basis that the Plan is amended to accommodate the identified modifications to ensure it meets the Basic Conditions, the examiner then goes on to recommend that the draft Plan as modified should be submitted for referendum.
- 3.6. The Decision Statement (attached as an appendix to this report) sets out the examiner's recommended modifications along with the justification for each of them. This Decision Statement has been produced and agreed jointly with Bosham Parish Council.
- 3.7. It is also the examiner's role to consider the referendum area and whether or not it is appropriate if the Plan is to proceed to referendum. In this respect the examiner considers that the referendum area should extend to the Plan area, comprising the parish boundary in accordance with the designated area as confirmed on 18 March 2013.

4. Outcomes to be Achieved

- 4.1. That the Decision Statement for the Bosham Parish Neighbourhood Plan is agreed for publication and that the Plan, subject to the modifications set out in the Decision Statement, proceeds to referendum.

5. Proposal

- 5.1. In the light of the examiner's recommendation, it is proposed that the Decision Statement is agreed for publication. It is further proposed that the Bosham Parish Neighbourhood Plan should be modified as set out in the Decision Statement and should then proceed to referendum.

6. Alternatives Considered

- 6.1. The examiner has recommended amendments to the Neighbourhood Plan to meet the basic conditions. These amendments are acceptable and, therefore, with these in place the Neighbourhood Plan can move forward to referendum. There may also be a negative community impact if the Bosham Neighbourhood Plan is not agreed to proceed to referendum. The Parish and community may lose confidence in the neighbourhood planning process. Consequently, the alternative to not proceed to referendum is not recommended.

7. Resource and Legal Implications

- 7.1. The referendum will incur appropriate costs in line with the Council's duties and procedures. These costs will be met through existing budgets.
- 7.2. There are no legal implications beyond those set out in the body of the report.

8. Consultation

- 8.1. Bosham Parish Council and the local members have been involved in the completion of the Decision Statement and have agreed its contents.

9. Community Impact and Corporate Risks

- 9.1. The Bosham Parish Neighbourhood Plan, subject to successful referendum, will, in all likelihood become a 'made' plan and form part of the development plan for the area. As such it will be beneficial to the local community and allow them to influence the way in which the area is developed.

10. Other Implications

Crime and Disorder	None
Climate Change	None
Human Rights and Equality Impact	None
Safeguarding and Early Help	None
Other - please specify eg biodiversity	None

11. Appendix

- 11.1 Bosham Parish Neighbourhood Plan Decision Statement

12. Background Papers

- 12.1. None