

Boxgrove Neighbourhood Development Plan Review 2023- 2039

**A report to Chichester District Council and
the South Downs National Park Authority
on the Boxgrove Neighbourhood
Development Plan Review**

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Executive Summary

- 1 I was appointed by Chichester District Council in May 2026 to carry out the independent examination of the review of the Boxgrove Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 15 July 2026.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on maintaining the character and appearance of the neighbourhood area and allocating sites for residential development.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the review of the Boxgrove Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
30 September 2026

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the review of the Boxgrove Neighbourhood Development Plan 2023-2039 (the 'Plan').
- 1.2 The Plan has been submitted to Chichester District Council (CDC) by Boxgrove Parish Council (BPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan. Part of the neighbourhood area lies within the South Downs National Park.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018, 2019, 2021, 2023, 2024 and 2026. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative Plan, or a potentially more sustainable Plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan. It has a clear focus on maintaining the character and appearance of the neighbourhood area and allocating sites for housing development.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by CDC, with the consent of BPC to conduct the examination of the Plan and to prepare this report. I am independent of BPC, CDC and the SDNPA. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 43 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.
- 2.8 Section 98 of the Levelling-up and Regeneration Act 2023 was enacted in March 2026. It requires that a neighbourhood plan:
- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, must be designed to ensure that the development

and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and

- so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

2.9 I have addressed the matters identified in paragraph 2.8 of this report and have taken account of the information in the revised Basic Conditions Statement (May 2026). I am satisfied that the submitted Plan complies with these two requirements.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan;
- Appendices 1-4;
- the Basic Conditions Statement;
- the Consultation Statement;
- the SEA report update (December 2025);
- the HRA Report (September 2025);
- BPC's responses to the clarification note;
- BPC's responses to the representations received from the South Downs National Park Authority;
- the representations made to the Plan;
- the adopted Chichester Local Plan 2021 to 2039;
- the adopted South Downs Local Plan 2014 -2033;
- the National Planning Policy Framework (December 2024 and August 2026);
- Planning Practice Guidance; and
- relevant Ministerial Statements...

3.2 I visited the neighbourhood area on 15 July 2026. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in Section 5 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined by written representations and without the need for a public hearing.

The examination process for the review of a neighbourhood plan

3.4 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

3.5 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of

the independent examiner, are not so significant or substantial as to change the nature of the plan; or

- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

3.6 The statement produced by BPC on this matter is very comprehensive. It comments that the modifications to the policies constitute a material amendment to the Plan which require examination and a referendum.

3.7 I have considered the Modifications Statement very carefully. I agree with BPC that the changes proposed to the Plan are so substantial and significant to change the nature of the Plan and require both an examination and a referendum. This report has been prepared accordingly.

3.8 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing.

Revised Basic Conditions

3.9 The enactment of Section 99 of the Levelling Up and Regeneration Act 2023 on 25 March changed the basic conditions against which a neighbourhood plan is assessed. The submitted Basic Conditions Statement took account of this matter. The basic conditions are addressed in detail in Section 6 of this report.

NPPF (August 2026)

3.10 This Plan has been prepared in the context of the version of the National Planning Policy Framework (NPPF) published in December 2024. A revised NPPF was published as the Plan was being examined (on 17 August 2026). However, based on the contents of Annex A of the 2026 version of the NPPF, its content does not apply for the purposes of this examination. Unless otherwise stated, all references in the report are to the December 2024 NPPF and the accompanying Planning Practice Guidance (PPG).

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 BPC prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (January to February 2025). It captures the key issues in a proportionate way.
- 4.3 Sections 4 and 5 of the Statement set out details of the range of consultation events that were carried out in relation to the initial stages of the Plan.
- 4.4 Section 9 advises about the organisations that were consulted on the Plan. Section 10 provides helpful information from the well-attended community event in February 2025 and the feedback from that event.
- 4.5 Appendix A of the Statement provides specific details about the comments received during the consultation process associated with the pre-submission versions of the Plan. They identify the principal changes that worked their way through into the submission version of the Plan.
- 4.6 Based on all the evidence, I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach towards seeking the opinions of all concerned throughout the process. CDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.8 Consultation on the submitted plan was undertaken by CDC in May and June 2026. This exercise generated comments from the following organisations:
 - Smith Simmonds obo Brooks
 - Historic England
 - Chichester District Council
 - Southern Water
 - Shorewood Homes
 - Environmental Agency

- West Sussex County Council
- Natural England
- British Horse Society
- National Highways
- South Downs National Park Authority

4.9 I have taken account of the various representations in examining the Plan. Where it is appropriate to do so, I make specific reference to the individual representations in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Boxgrove. The Parish is set at the foot of the South Downs within rolling countryside. Boxgrove is approximately four miles to the north-east of Chichester and to the immediate north of the A27 Trunk Road. The A285 (Stane Street) runs diagonally through the parish. The part of the parish to the north of Stane Street is located within the South Downs National Park. The neighbourhood area was designated by CDC on 4 December 2012 and by SDNPA on 14 March 2013. In 2021 its population was 1011 persons.
- 5.2 As the Plan comments, the parish has an area of 1,169 hectares and is comprised of four distinct villages/hamlets. Boxgrove is a small village located on relatively flat land between the A27 and Halnaker. Goodwood House, with which the village has strong historical associations, lies about a mile to the north west at the foot of the South Downs. Halnaker is a dispersed, linear village with the majority of its buildings being cottages or modestly sized village houses. Boxgrove and Halnaker have designated conservation areas.
- 5.3 The two smaller settlements are Crockerhill and Strettington. Crockerhill is a small hamlet north of the A27. It has seven listed buildings. Strettington is a small hamlet to the west of Boxgrove and is linear stretching north-south along Strettington Lane. Temple Bar Business Park has been created from a series of farm buildings. In the round the neighbourhood area is a very interesting place within which to prepare a neighbourhood plan.

Development Plan

- 5.4 The Chichester Local Plan 2021-2039 was adopted in August 2025. It sets out the basis for future development up to 2039.
- 5.5 The broader strategy for the parish is set out in a series of important policies in the Local Plan. Policy S1 sets out a Development Strategy which sets out to ensure that new residential and employment development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. Policy S2 sets out a Settlement Hierarchy within which Boxgrove is one of a series of Service Villages.
- 5.6 Policy H3 comments about non-strategic parish housing requirements. It advises that housing allocations will be identified to help provide for the needs of local communities in accordance with the parish housing requirements minus extant permissions for 5 dwellings or more within the parish since 1 April 2021. It also comments that suitable sites will be identified either through neighbourhood plans or a subsequent development plan document. The figure for Boxgrove is 50 homes, of which Table 5.2 advises 26 homes are already committed. Policy H3 also comments that in order to demonstrate delivery of the housing requirement, in instances where work on a neighbourhood plan stalls, the plan is turned down by the community at the referendum stage, or the parish council hands back the allocation of housing to the council, sites will be identified and a review of settlement boundaries will be undertaken by the council in the Site Allocation DPD or a review of the Local Plan (whichever is sooner).

5.7 The following other policies in the Local Plan are particularly relevant to the submitted Plan:

- Policy NE2 Natural Landscape
- Policy NE11 Development in the Countryside
- Policy H5 Housing Mix
- Policy P1 Design Principles
- Policy P3 Density
- Policy P9 Historic Environment
- Policy P17 Local and Community Facilities including Local Shops

5.8 The South Downs Local Plan (SDLP) was adopted in July 2019. It sets out the basis for future development in the National Park up to 2033.

5.9 The SDLP takes a landscape-led approach to development to reflect the special qualities of the National Park. This acknowledges the purposes of national parks to conserve and enhance the natural beauty, wildlife, and cultural heritage of the area, and promote opportunities for the understanding and enjoyment of the special qualities. The Local Plan and its policies seek to ensure that the benefits and services people and wider society get from the natural environment are recognised and enhanced. Many of the Plan's policies require development proposals to conserve and enhance various aspects of natural beauty, wildlife, and cultural heritage. The extent to which development proposals will be expected to both conserve and enhance is proportionate to the scale and impact of the development.

5.10 Both CDC and SDNPA are preparing new local plans. CDC is preparing a Plan for the period up to 2045. It will follow the Gateway system. Adoption is anticipated in April 2029. The Regulation 19 consultation on the emerging South Downs Local Plan closed in June 2026. Subject to the Authority's decision, the Local Plan is expected to be submitted for examination before the end of 2026. The Local Development Scheme anticipates that the Plan will be adopted in Q3 2027-28.

5.11 The adoption of both of these plans may alter the strategic planning policy for their respective areas. In this context I address the potential implications for the neighbourhood plan later in this report.

Unaccompanied Visit

5.12 I visited the neighbourhood area on 15 July 2026. I drove into the neighbourhood area from the A27 to the south. This gave me an initial impression of its setting and character in general, and its relationship to the strategic road network.

5.13 I looked initially at the village centre of Boxgrove. I saw the importance of the Village Store, the School and the Village Hall. I also looked at Boxgrove Priory and the adjacent St Mary's and St Blaise Church.

5.14 I then looked at the proposed housing site at The Old Granary on the northern and eastern edge of the village. I saw its close relationship with the built-up form of the village.

- 5.15 I then drove to Halnaker. I looked at the land west of Oakford Park (Policy H6) and land north-west of 56 Stane Street (Rohan Stables) Halnaker (Policy H7). I saw their relationship with Stane Street. I took the opportunity to walk to Halnaker Windmill on the well-used footpath.
- 5.16 During the visit I also took the opportunity to visit Crockerhill and Strettington.
- 5.17 I left the neighbourhood area along the A27 (Chichester bypass). This helped me to understand the relationship between the neighbourhood area and the City.

6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan:

- must have regard to national policies and advice contained in guidance issued by the Secretary of State;
- must contribute to the achievement of sustainable development;
- the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made
- must be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
- must not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

6.3 I assess the Plan against the basic conditions under the following headings:

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in December 2024. This approach is reflected in the submitted Basic Conditions Statement.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the review of the Boxgrove Neighbourhood Plan:

- a plan led system – in this case the relationship between the neighbourhood plan and the adopted Chichester Local Plan and the South Downs Local Plan;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF

indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 I have considered all the evidence and representations available as part of the examination. I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms subject to the recommended modifications included in this report. It has a clear focus on maintaining the character and appearance of the neighbourhood area and allocating sites for housing development. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance Paragraph ID:41-041-20140306 which indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.10 As submitted, the Plan does not fully accord with this range of practical issues. Several of the recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for economic development (Policies EE1-EE5), and for the development of land for residential use (Policies H5-H7). In the social role, it includes a series of policies on community-related uses (Policies LC1-LC7). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It includes policies on design (Policy H1) and a series of environmental matters (Policies EH1-EH15). BPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

The making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made

- 6.12 I have already commented in detail on the development plan context in Chichester and in the SDNPA in Section 5 of this report. In general terms, I consider that the submitted Plan delivers a local dimension to this strategic context.

- 6.13 Policies H5, H6 and H7 comment about the way in which BPC has addressed the requirement for the delivery of 50 homes in the neighbourhood area as set out in Policy H3 of the adopted Chichester Local Plan. The Plan advises that the 'Call for Sites' process brought forward additional sites, one of which, at Rohan Stables, was granted planning permission for 26 units in September 2024, while the Neighbourhood Plan was still being developed. It also advises that two other sites are proposed in the Plan (in Policies H5 and H6).
- 6.14 Section 7 of this report has recommended a package of modifications to Policies H5/H6 and H7 of the submitted Plan. This would result in the Plan delivering 28 homes rather than the 38 homes proposed in the three policies (in response to the 50 homes required in Policy H3 of the Local Plan). I have considered this matter carefully. On the one hand the neighbourhood plan will not in itself deliver the residual amount of the strategic housing allocation. However, on the other hand the Plan does not propose that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made. It simply does not allocate sufficient land for development to take place. This matter is reinforced by the mechanisms included in Policy H3 of the Local Plan should the relevant neighbourhood plan fail to deliver sufficient land to deliver the required amount of housing in the parish concerned. This matter is addressed further in Section 7 of this report alongside recommended modifications to the relevant policy and the associated supporting text.

Strategic Environmental Assessment

- 6.15 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.16 In order to comply with this requirement, CDC undertook a screening exercise on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, CDC concluded that the Plan is likely to have significant effects on the environment and accordingly would require a SEA.
- 6.17 On this basis BPC commissioned a SEA. The Environmental Report (ER) (November 2025) is thorough and comprehensive. It draws the following conclusions:

'Minor positive effects are concluded as most likely in relation to biodiversity given the spatial strategy of the Boxgrove NDP Review avoids habitat loss and the wider plan policies seek to both mitigate the impacts and maximise the potential for biodiversity improvements in development proposals.

Minor positive effects are also concluded as most likely in relation to climate change and flood risk. This relates to the avoidance of development in areas at risk of flooding, and the supporting policy protections that seek to reduce flood risk, improve drainage, and increase climate resilience. However, the SEA supports consultation with WSCC as local lead flood authority where possible.

In relation to community wellbeing, whilst minor positive effects are considered likely through the delivery of new housing and wider policy provisions that support community wellbeing, minor negative effects are also considered likely given the plan

falls short of the housing requirement set at the district scale and given the allocations in slightly less accessible areas of the Parish (in Halnaker). By not meeting the housing requirement set at the district scale, minor negative cumulative effects are also considered likely.

Whilst the spatial strategy has the potential to negatively affect the historic environment, plan policies seek to mitigate these effects. Whilst the views of Historic England and Chichester District Council's heritage officers are being sought through consultation the overall effects are not considered likely to be of significance at this stage, particularly as small-scale development is being proposed. Minor negative effects are therefore concluded as most likely with an element of uncertainty.

In relation to land, soil, and water resources minor negative effects are concluded as most likely given the small-scale loss of greenfield and high-quality agricultural land expected in development. However, the plan policies are noted for wider benefits in relation to this theme, particularly by efforts to ensure that quarry land is reinstated to greenfield status.

The plan proposes extensive policy mitigation that seeks to reduce the effects of development on landscape character, however, with small-scale greenfield development proposed so close to a nationally protected landscape, minor negative effects are concluded as most likely in relation to the landscape SEA theme.

With regards to transport, the development proposed is considered likely to increase local traffic to some degree, and with development in less accessible areas of the Parish minor negative effects are predicted as most likely.'

- 6.18 The ER also comments about the reasonable alternatives for the delivery of new houses in the parish. Paragraphs 2.1 to 2.3 sets the scene in commenting about the requirement for new housing in the neighbourhood area as set out in the (now-adopted) Local Plan.
- 6.19 The ER advises that the evidence base supporting the Local Plan Review includes a Housing and Economic Land Availability Assessment (HELAA) 2020 and updated in 2021. Using this as a starting point, the HELAA identifies a total of 9 sites in Boxgrove Parish – outside of the National Park – that could contribute towards housing needs over the plan period. In addition, it advises that BPC was also considering an additional three sites, again outside of the National Park. It also advises that one of these three sites is to intensify the development proposed at 'The Old Granary' to deliver six new homes rather than three. The full list of sites assessed was as follows:
- Site HBX0002a: Land North of Boxgrove Primary School (50 homes)
 - Site HBX0002b: Land North West of Boxgrove Primary School (224 homes)
 - Site HBX0003a: Land South of Crouch Cross Lane (115 homes)
 - Site HBX0006: Land East of The Street (30 homes)
 - Site HBX0007: Land North of Boxgrove Priory (72 homes in part of the site)
 - Site HBX0010: Stane Street, Halnaker (24 homes)

- Site HBX0011: Farm Buildings (North of Temple Bar Business Centre) (30 homes)
- Site HBX0012: Land South of Corner Cottage (42 homes)
- Site HBX0013: Land East of Strettington Lane (23 homes)
- Site A: Rohan Stables (26 homes)
- Site C: South West of Oakford Park (The Folly) (10 homes)
- Site D: The Old Granary (6 homes - net 3 additional homes)

6.20 The SEA does not offer any comments about the package of sites to be included in the Plan.

Habitat Regulations

6.21 BPC commissioned separate Habitats Regulations Assessment (HRA) of the Plan. The resulting report (September 2025) is both thorough and comprehensive. This HRA undertook likely significant effects screening and, where required, an appropriate assessment of the Plan. All the policies and the sites proposed for potential allocation in the Plan were assessed in relation to the following Habitats sites:

- Singleton and Cocking Tunnels SAC;
- Duncton to Bignor Escarpment SAC;
- Chichester and Langstone Harbours SPA/ Ramsar;
- Solent Maritime SAC;
- Pagham Harbour SPA/ Ramsar;
- Kingley Vale SAC;
- Arun Valley SAC;
- Arun Valley SPA/ Ramsar;
- Ebernoe Common SAC; and
- The Mens SAC.

6.22 A range of impact pathways were considered in relation to these Habitats sites, including recreational pressure, loss of functionally linked habitat (FLH), visual and noise disturbance (during construction), atmospheric pollution, water quantity level and flow, and water quality. Likely significant effects were excluded regarding all impact pathways except for impacts on loss of FLH, atmospheric pollution and water quantity, level and flow (in relation to the Singleton and Cocking Tunnels SAC, Arun Valley SAC/ SPA/ Ramsar and the Duncton to Bignor Escarpment SAC). These impact pathways were taken forward to appropriate assessment. Following on from this exercise it was concluded that adverse effects on the integrity of all relevant habitat sites, alone and in-combination, are excluded. In this context it also concluded that no policy mitigation was required. This exercise underpinned CDC's conclusion in April 2026 that having considered the mitigation measures contained in the Local Plan (Policy NE6) and in the submitted Plan (Policy EH12) that the submitted Neighbourhood Plan will not lead to any adverse effects on the integrity of the Singleton and Cocking Tunnels SAC.

6.23 I have reviewed the information provided to me as part of the examination. I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. The wider process provides assurance to all concerned that the

submitted Plan takes appropriate account of important ecological and biodiversity matters. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan obligations.

Human Rights

- 6.24 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.25 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and BPC have spent time and energy in identifying the issues and objectives that they wish to be included in the review of the Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity, this section of the report comments on all the policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1-4)

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional fashion. It makes a very effective use of well-selected maps. A very clear distinction is made between its policies and the supporting text.
- 7.9 The Introduction (Section 1) addresses the background to the neighbourhood planning agenda. It comments about how the Plan has been prepared and how it will be used within the Plan period. It comments on when the neighbourhood area was designated and includes a map of the defined area (on page 8). Whilst the Plan period is defined on the front cover, I recommend that it is set out in this part of the Plan.

At the end of paragraph 1.2 add: 'The Plan period is 2023 to 2039.'

- 7.10 Section 2 comments about the planning policy context within which the Plan has been prepared.
- 7.11 Section 3 describes keys elements of the neighbourhood area. It does so in a very effective fashion. It is comprehensive in its coverage and is an important element of the overall Plan.
- 7.12 Section 4 sets out a Vision and the Core Objectives of the Plan. The Vision is as follows:

'In 2039 Boxgrove Parish will continue to be an attractive place to live and work, maintaining its intrinsic rural character whilst allowing for sustainable development and improving local services, communications and infrastructure.'

7.13 The Core Objectives of the Plan are:

- Environment and Heritage;
- Employment and Enterprise;
- Leisure and Community;
- Housing; and
- Getting Around.

7.14 The remainder of the section of the report addresses the policies as described in paragraphs 7.5 to 7.7 of this report.

SB1: Settlement boundary

7.15 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan. It also comments that the settlement boundary has been amended to reflect planning consent on land west of The Street.

7.16 This policy identifies land outside the settlement boundary as countryside and applies national and local planning policies to such locations. Based on the representation from SDNPA I recommend that both the policy and the supporting text are modified so that they address the part of the parish within the SDNPA. I also correct an error in the policy numbering in the Plan insofar as it references the relevant policy in the Chichester Local Plan.

7.17 Otherwise, I am satisfied that the policy continues to have regard to national policy and meets the basic conditions. It will ensure that development is well-related to the existing settlements. In this context it will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Land outside of the settlement boundary (shown on Map E) is considered as countryside. Development proposals will only be supported where they are:

- **in accordance with a specific allocation or policy in this neighbourhood plan; and/or**
- **can demonstrate that they require a countryside location in accordance with national policy and the Chichester Local Plan or the South Downs Local Plan (as appropriate to their location).’**

Replace paragraph SB1.1 with:

‘The settlement boundary sets the distinction between the built form of the Parish of Boxgrove and the surrounding countryside and will protect the countryside from unnecessary development. Chichester Local Plan policy NE11 establishes criteria to be met by development outside the settlement boundary. The South Downs Local Plan will apply to development proposals outside the settlement boundary in the parts of the neighbourhood area within the National Park.’

EH1: Protection of trees and hedgerows

7.18 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.

- 7.19 The policy sets a context within which development proposals should protect and safeguard trees and hedgerows. In general terms it takes a positive response which has regard to Section 15 of the NPPF.
- 7.20 CDC comment that:
- 'the policy and supporting text are overly prescriptive and go beyond what a policy can control, for example paragraphs 3 and 4 relating to hedge planting and roads being tree lined etc. There are times that hedges would not form an appropriate boundary treatment/screen for hard boundary treatment – this should be considered on a case-by-case basis depending on the context of a scheme. Policy should be positively worded and more flexible.'*
- 7.21 West Sussex County Council comments that:
- 'whether the requirement for roads and streets to be tree-lined is appropriate in terms of highway safety would depend on its maintenance and its impact on visibility. To avoid doubt, matters concerning the maintenance responsibility of boundary or screening hedges on public land falls outside the scope of this consultation response.'*
- 7.22 Shorewood Homes make a series of technical comments.
- 7.23 The equivalent policy in the made Plan is general in nature. The submitted Plan seeks to expand its remit into detailed design areas. On the one hand, this approach is very positive. However, on the other hand, this results in a very prescriptive policy which makes assumptions that it will be practicable for all developments to comply with its intentions.
- 7.24 In these circumstances, I recommend that the policy is recast to address these matters. In doing so I have taken into account the representations received. In some cases, this results in elements of the policy being repositioned into supporting text given the level of detail contained. I also recommend other consequential modifications to the supporting text.
- 7.25 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'Wherever practicable, development proposals should be designed to incorporate a measurable net increase in biodiversity within and around developments and to enhance ecological networks, seeking to retain ancient trees of arboricultural and amenity value and hedgerows.'

Proposals which significantly affect sites with existing trees or hedgerows should be accompanied by a survey to establish the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained. Wherever practicable, existing trees and hedges should be retained and sensitively incorporated into the design and layout of development proposals. Retained hedgerows should be laid and filled-out to improve health and appearance where necessary.

Wherever practicable, houses, utility and roadway structures should be constructed to avoid conflict with retained trees, and future growth of new

plantings. Species should be selected to minimise contention with these structures.

Development proposals that result in the loss of or adverse impacts on trees of arboricultural, amenity or historic value or loss of hedgerows and/or priority habitat, or which significantly damages ecological networks will not be supported unless it can demonstrate that the benefits of the development in that location clearly outweigh the loss.'

At the end of EH1.4 add: 'Species should be selected for impact on air quality, CO2 absorption, and for suitability for wildlife (insects, birds, bats, fungi).'

At the end of EH4.2 add: 'The second part of the policy comments about the retention and sensitive incorporation of trees and hedges into the design and layout of development proposals. Such an approach will help to avoid future issues such as large trees close to houses, root problems by roads, footways, utilities, trees/hedgerows not maintained on private land. In addition, and where it appropriate to do so, long-term maintenance provision (such as a funded management company) should be set up for hedge cutting, tree pollarding, leaf collection, annual safety inspections, remedial and replanting works.'

EH2: Renewable Energy

7.26 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.

7.27 CDC comments that:

'Question if there is any need to go beyond national planning policy. Criterion a) requiring energy generating infrastructure to be as close to and in proportion to the existing buildings or proposed development is more restrictive than Local Plan Policy NE1, however, CDC appreciates this has not been identified as a strategic policy in the Local Plan.'

7.28 In its response to the clarification note, BPC advised that:

'(it) acknowledges that Local Plan Policy NE1 supports renewable and low carbon energy development. However, Policy EH2 is intended to provide locally specific guidance reflecting the rural character of Boxgrove Parish.'

The parish is characterised by dispersed villages, a high-quality rural landscape, extensive views towards and from the South Downs National Park, numerous heritage assets and conservation areas. Through public consultation, residents expressed support for renewable energy generation provided that associated infrastructure remained proportionate to the development it serves and did not result in unnecessary visual intrusion within the rural landscape.

Criterion (a) therefore seeks to ensure that energy-generating infrastructure is appropriately related in scale and location to the buildings it serves. The intention is not to prevent renewable energy development but to ensure that installations are sensitively integrated into the parish's distinctive landscape and built environment.'

7.29 I have considered this matter carefully. On the balance of the evidence, I am not satisfied that the approach taken in criterion a) is appropriate and has regard to Section

14 of the NPPF. In particular it introduces an unnecessarily restrictive approach towards such developments. I recommend a modification to remedy this matter.

7.30 I have also taken account of the representation from SDNPA about the relationship between the policy (as submitted) and Policy SD51 of the SDLP. I recommend a modification to criterion f to address this matter.

7.31 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace a) with: ‘The energy generating infrastructure is appropriately sited and proportionate to the scale and character of the proposed development and its setting and is appropriate to the location;’

Replace f) with: ‘Proposals for energy generating infrastructure on Grades 1, 2 or 3a agricultural land will not be supported;’

EH3: Reinstatement and restoration of land at Boxgrove and Earham Quarries

7.32 This is a new policy. It comments that land at Boxgrove and Earham quarries must be reinstated in line with the agreed Restoration Plan.

7.33 The supporting text advises that the reinstatement of the quarries is an important part of the management of biodiversity in the parish and that a management plan was agreed for the restoration. The supporting text comments further that whilst it is accepted that this Plan cannot influence ‘excluded development’ the site is almost completed and a planning application is being considered by CDC therefore it is not a County Matter. The text also comments that local people wish to see the site returned to its former state and that the planning application is using the rationale that as this is previously developed land it should be suitable for development.

7.34 I appreciate the significance of the site and the intentions of BPC to ensure that the site is properly restored. I also note the commentary in paragraph EH3.1 of the Plan. Nevertheless, the policy addresses ‘excluded development’ for the purposes of a neighbourhood plan. In addition, it is also a statement of fact rather than a land use policy. As such, I recommend the deletion of the policy. In reaching this conclusion I have taken account of the representations made by both CDC and West Sussex County Council (as the minerals authority) and BPC’s response to the clarification note. Furthermore, CDC will reach its own conclusion on non-minerals related applications on the site.

Delete the policy

Delete paragraph EH3.1

EH4: Flooding, Drainage and new development

7.35 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan. It seeks to expand on the equivalent policy in the made Plan

7.36 CDC comments that:

‘It is questioned as to whether there is a need for additional policies (MNP Policies EH4a and EH4b) in this respect beyond the policies and guidance already set out the CDC LP and the NPPF. CDC LP Policy NE16 Flood Risk and Water Management

along with Policy NE17 Water Management and Water Quality provide detailed policies in relation to development proposals and refer to relevant Strategic Flood Risk Assessments and other related flood defence plans and strategies as required. The Planning Practice Guidance (PPG) also provides detailed guidance in relation to flood risk issues. Additional neighbourhood level policy in this regard is likely to lead to increased complexity when assessing relevant applications.

In addition, Policy EH4a as currently worded only covers water compatible development and states that this cannot be provided in areas at risk of flooding which is incorrect. This policy needs to be amended in order to properly frame the type of development being considered, otherwise it will not be consistent with either the Local Plan or the NPPF. There are also additional elements of inconsistency with the NPPF and PPG, for example in relation to how surface water flood risk needs to be considered in light of recent amendments to the PPG, this supports the assertion above that these policies are somewhat problematic in terms of how they relate to the existing policy framework.'

7.37 In its response to the clarification note, BPC advised that:

'the policy has been overtaken by the CDC Local Plan; however, the concerns of residents must be addressed. Would the Examiner consider an amendment to the following which removes duplication with national and Local Plan policy but retains what matters to Boxgrove?'

7.38 I have considered this matter carefully. It is not the role of a neighbourhood plan to repeat or to restate national policy. On this basis I recommend that the policy is recast. In doing so the recommended modifications:

- simplify the policy;
- introduce a proportionate element;
- allow it to focus on matters relating to the neighbourhood area;
- incorporate the suggested technical revisions proposed by the SDNPA; and
- incorporates the made policy as its first part.

7.39 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'A Flooding

New development should not increase the risk of flooding elsewhere, and wherever possible, reduce overall flood risk.

B Reducing Flood Risk

As far as reasonably practicable, development proposals on undeveloped land should demonstrate no net increase in peak surface water run - off rates and run off volumes from the application site.

As appropriate to their scale, nature and location, development proposals should integrate sustainable drainage systems, to minimise and control surface water run-off, provide flood storage capacity and improve habitats and species

migration. SuDS measures should include source control components such as rainwater re-use/harvesting, green roofs, rain gardens, trees, permeable paving. Multi-functional SuDS features should be used to meet several planning policy requirements within the same area of the site such as biodiversity, amenity, green infrastructure, flood risk, drainage.

Development proposals should comply with the drainage approach applied by either Chichester District or South Downs National Park standard conditions (as relevant to the site concerned).

C- Sewage

All development proposals should demonstrate that sewage infrastructure cannot release into or be infiltrated by, surface water. Surface water from new development will not be permitted to discharge to the foul or combined sewer network, to minimise the risk of sewer flooding and protect water quality.

Where practicable, development proposals should connect to the main sewerage network.

Development proposals within any Source Protection Zones will be subject to a drainage condition(s) based on the sustainable drainage principles of SuDS Manual C753 and on a comprehensive assessment of the hydrological and hydrogeological context of the development. Details of how the scheme shall be maintained and managed after completion should also be included.'

EH5 Development on agricultural land

- 7.40 This is a saved policy.
- 7.41 CDC advises that the policy now appears out of date with Local Plan Policy NE2 Natural Landscape as it relates to best and most versatile agricultural land. In its response to the clarification note BPC comments that:
- 'the policy does not seek to prevent development on agricultural land in all circumstances. Rather, it requires applicants to demonstrate that the loss of Best and Most Versatile agricultural land has been properly justified, that alternative lower quality land has been considered where appropriate, and that proposals supporting the diversification of existing agricultural enterprises are recognised. These are matters of particular local importance in Boxgrove, where agriculture continues to play a significant role in the parish's character and economy. The Parish Council therefore considers that the policy complements the strategic objectives of Local Plan Policy NE2 by providing locally specific guidance rather than duplicating it.'*
- 7.42 I have considered these comments carefully. On the balance of the evidence, I am satisfied that the policy is both appropriate and complements the approach taken in Policy NE2 of the Local Plan. In addition, it incorporates specific criteria that are not directly addressed in the Local Plan policy.
- 7.43 In this context, I am satisfied that the policy has regard to national policy and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

EH6: Development in Conservation Areas

- 7.44 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.
- 7.45 The policy takes account of the Conservation Area Character Appraisals and Townscape Appraisals for Boxgrove and Halnaker.
- 7.46 I am satisfied that the policy continues to have regard to national policy (now Section 16 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

EH7: Dark Skies

- 7.47 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan. The policy has been expanded from the general approach taken in the made Plan. In addition, it proposes a section indicating that street lighting will not be supported unless it can be proved that there is a threat to life from the street being unlit.
- 7.48 CDC comments that the street lighting element is too prescriptive and that the need for such lighting should be assessed on a case-by-case basis.
- 7.49 I have also considered carefully the representation from SDNPA.
- 7.50 I have considered carefully the policy's approach towards street lighting. In doing so I have not found any evidence to support the approach taken. As such I recommend that it is deleted and repositioned a more general way in the supporting text. This involves revisions to the existing text in EH7.2 and EH7.3.
- 7.51 I recommend modification to address the SDNPA's comments on the relevant policy in the South Downs Local Plan.
- 7.52 In a more general way, I recommend that the first part of the policy is recast so that the positive element comes first. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'External lighting should minimise light spill, glare and sky glow and protect dark skies and wildlife. New lighting should conform to the highest standard of light pollution restrictions in force at the time and be neighbourly in its use, including floodlighting at equine establishments, and on sports fields or sports grounds.

Development proposals for external lighting in the part of the neighbourhood area within the South Downs National Park should conform with the approach taken in Policy SD8 of the SDLP and its Dark Sky Zone Description

Development proposals which detract from the unlit environment of the Parish will not be supported.'

Replace EH7.2 with:

'Most of the Parish is unlit and residents are concerned about light pollution. The introduction of street lighting would need to be very carefully controlled. Whilst it is understood that there may sometimes be a need to provide street lighting along main

highways for safety reasons the Parish this will not necessarily apply within new housing developments. The special qualities of the dark skies in the South Downs National Park are recognised in its International Dark Sky Reserve status as reflected in the South Downs Local Plan and the Parish would wish to play a part in retaining that status. The NPPF states that lighting should minimise impact upon local amenity.'

In EH7.3 delete 'The use of street lights will be resisted.'

EH8: Respecting Landscape and Historic Environment

7.53 This is a saved policy.

7.54 I am satisfied that the policy continues to have regard to national policy (now Section 16 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

EH9: South Downs National Park

7.55 This is a saved policy.

7.56 SDNPA comments that there is a discrepancy between the information in the made Plan and the submitted Plan about the proportion of the neighbourhood area that is within the SDNPA. For the purpose of the examination of the Plan, this matter is an academic issue given that the boundaries of the two local planning authorities are clear. As such I recommend that the wording is modified so that it takes on a general format.

7.57 Otherwise I am satisfied that the policy continues to have regard to national policy (now Section 15 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the first sentence of paragraph EH9.1 with: 'The northern part of Boxgrove Parish is located with the South Downs National Park.'

EH10 Utility Infrastructure

7.58 This is a saved policy.

7.59 In general terms I am satisfied that the policy continues to have regard to national policy (now Sections 5 and 8 of the NPPF). However, in this broader context I recommend that the policy is recast so that it distinguishes between new and improved infrastructure and more clearly comments about relating to other policies in the Plan. Its overall approach remains unchanged. Otherwise, it meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'The development of new or improved utility infrastructure will be supported in order to meet the identified needs of the community where it otherwise complies with other policies in the Plan.'

EH11 Green Infrastructure and Ecosystem Services

7.60 This is a new policy. It comments that new development should seek to protect and where practical, improve and extend the green and blue infrastructure network as shown on Map F and as detailed in Appendix 1,

7.61 In general terms this is a good policy which has regard to Section 15 of the NPPF. Appendix 1 carefully captures key elements of the green infrastructure in the neighbourhood area.

7.62 CDC comments that:

'EH11 (d) requires any off site Biodiversity Net Gain (BNG) to be within Boxgrove Parish. Suggest it might be reasonable to set out a hierarchy; e.g., within the parish if available, then within same local plan area or National Character Area, then with adjacent LPA or Nature Conservation Area, then in any location. However, just to specify one parish as the only acceptable solution goes against the national BNG guidance.'

7.63 In its response to the clarification note BPC commented that:

'(the) intention in criterion (d) was to maximise the local environmental benefits arising from development within the parish by encouraging biodiversity enhancements to be delivered as close as possible to the development giving rise to the requirement. This reflects the importance attached by the local community to strengthening ecological networks within Boxgrove.'

However, the Parish Council accepts that national policy and legislation provide a framework for the delivery of off-site Biodiversity Net Gain. If the Examiner considers the wording to be too restrictive, the Parish Council would support a modification to establish a preference for off-site BNG to be delivered within Boxgrove Parish where suitable land is available, whilst allowing alternative locations where this is consistent with the statutory BNG framework.'

7.64 In this context I recommend that part d of the policy is modified accordingly. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the second sentence of part d of the policy with:

'Where it is not practicable to deliver biodiversity net gains on site, developers should contribute to new or restoration projects off-site to deliver overall net gains within the following hierarchy – elsewhere in the parish, elsewhere in the two local plan areas or the same National Character Area, and then within an adjacent local planning authority area or Nature Conservation Area.'

At the end of EH11.1 add:

'Part d of Policy EH11 comments about a hierarchy for the delivery of biodiversity net gains when it cannot be accommodated on the development site. For clarity the second element of the hierarchy refers both to Chichester District and the South Downs National Park Authority areas.'

EH12 Singleton and Cocking Tunnels SAC

7.65 This is a new policy.

7.66 The Plan advises that the context to the policy is that the Singleton and Cocking Tunnels SAC has been designated for its internationally important bat populations, including Barbastelle and Bechstein's bats, which are known to forage and commute

over long distances from roost sites. The supporting text also advises that much of Boxgrove Parish lies within the SAC's 12km Wider Conservation Area, within which land may function as supporting habitat essential to maintaining site integrity. Habitats Regulations Assessment evidence identifies the loss of functionally linked land and severance of commuting routes as a key impact pathway. The policy sets out to ensure that development proposals avoid adverse effects on SAC integrity in accordance with the Habitats Regulations.

- 7.67 The policy comments that development proposals on greenfield land within the Parish must ensure that there is no adverse effect on the integrity of the Singleton and Cocking Tunnels Special Area of Conservation (SAC) or its qualifying features.
- 7.68 In general terms this is a well-constructed policy which has regard to Section 16 of the NPPF. I note that Natural England supports the policy.
- 7.69 I have noted Shorewood Homes comments on the policy. Nevertheless, they raise an issue that relates to the way in which planning applications would be determined rather than a policy issue in its own rights. I am satisfied that the policy has properly addressed the relevant issues.
- 7.70 In summary I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

EH13 non-designated heritage assets

- 7.71 This is a new policy. It proposes the identification of a package of non-designated heritage assets (NDHAs). The approach is underpinned by the details in Appendix C.
- 7.72 I looked at a selection of the proposed NDHAs during the visit. In general terms I am satisfied that the policy has regard to paragraph 216 of the NPPF.
- 7.73 In this broader context I recommend that the first part of the policy is recast so that it is clear that the Plan has identified the NDHAs. I also recommend that the second part of the policy is also recast so that relates only to proposals that would affect a NDHA, introduce a proportionate demonstration and avoid the need for the preparation of a heritage statement for proposals where the harm would be modest. This will be the case in the majority of minor or domestic proposals which may affect such buildings in the Plan period. I have also taken account of the representations from SDNPA on this matter.
- 7.74 Otherwise, it meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'The Plan identifies a series of non-designated heritage assets shown in Appendix 3. Development proposals affecting the Non-designated Heritage Assets shown in Appendix 3 should be designed so as to conserve or enhance them, so as to reinforce the quality, character and distinctiveness of the villages.

Development proposals that would directly or indirectly affect a non-designated asset and/or its setting should incorporate a proportionate demonstration of the scale of any harm to the significance of the non-designated heritage asset.

Where appropriate this should be through a heritage statement.'

EH14 Important views and vistas

- 7.75 This is a new policy. It identifies a series of views which are shown on Map G. The policy comments that development proposals should respond positively to the identified views and demonstrate consideration of matters relating to design, height and massing, either individually or cumulatively. The supporting text comments that the long views into and out of the parish are important to local people and contribute to the sense of place. Residents speak of walking the footpath and enjoying the long vistas and views.
- 7.76 I looked at a series of the views during the visit. I saw the long vistas and views as described in the Plan.
- 7.77 The policy takes a positive and non-prescriptive approach to this important matter. I am satisfied that the policy has regard to Section 15 of the NPPF and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

EH15 Sustainable development and climate change

- 7.78 This is a new policy which seeks to address climate change. It advises that measures to mitigate and adapt to climate change should, where appropriate, be incorporated into the design of new developments, and through conversion or extension proposals, opportunities to retrofit such measures into existing housing should be taken as appropriate to the site.
- 7.79 In general terms this is a good policy which has regard to Section 14 of the NPPF. I recommend that the vague reference to the Design Guidelines and Codes is removed from the first part of the policy and repositioned in the supporting text. This will bring the clarity required by the NPPF. I also recommend that the second part of the policy is recast so that it is clear that it relates to measures to mitigate and adapt to climate change and more clearly relates to the development management process. I have also taken account of detailed comments from the SDNPA on this matter.
- 7.80 Otherwise, the policy will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Measures to mitigate and adapt to climate change should, where appropriate, be incorporated into the design of new developments, and through conversion or extension proposals, opportunities to retrofit such measures into existing housing should be taken as appropriate to the site.

Development proposals to mitigate and adapt to climate change should take a sensitive approach to safeguard the special character of the conservation areas and to the fabric and/or the setting of designated and non-designated heritage assets.’

At the end of paragraph EH15.1 add: ‘Details of how this could be achieved are included in the Design Guidelines and Codes.’

EE1: Employment Uses

- 7.81 The Modifications Statement advises that the policy is a material modification which does not change the nature of the Plan. In general terms the policy takes a positive approach towards employment uses, including home working and has regard to Section 6 of the NPPF.
- 7.82 In this context I recommend that the supporting text is modified so that it clarifies that parking requirements for development proposals should relate to those set out in the relevant guidance in the local planning authority in which the site concerned is located. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace paragraph EE1.8 with:

'Parking at residential and non-residential developments should accord with either the West Sussex County Council Guidance on Parking at New Developments (September 2020) or the South Downs National Park (SDNP) Guidance on Parking for Residential and Non-Residential Development Supplementary Planning Document (based on its location in the neighbourhood area).'

EE2: Buildings in employment uses

- 7.83 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.
- 7.84 In general terms I am satisfied that the policy continues to have regard to national policy (now Section 6 of the NPPF). However, for clarity I recommend that the supporting text is modified so that it will ensure that marketing information includes appropriate reference to technical information on this matter in the Local Plan.
- 7.85 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

At the end of paragraph EE2.1 add: 'Where relevant the information about marketing work should make reference to Appendix C: Additional Guidance of the adopted Local Plan.'

EE3: Tourism activities

- 7.86 This is a saved policy.
- 7.87 In general terms, I am satisfied that the policy continues to have regard to national policy (now Section 6 of the NPPF). However, for clarity I recommend that the use of 'in principle' is deleted from the opening element of the policy. It is unnecessary given the range of criteria in the policy. I also recommend that the supporting text is modified so that it clarifies that parking requirements for development proposals should relate to those set out in the relevant guidance in the local planning authority in which the site concerned is located.
- 7.88 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

In the opening element of the policy delete 'in principle'

Replace paragraph EE3.2 with:

‘Parking at residential and non-residential developments should accord with either the West Sussex County Council Guidance on Parking at New Developments (September 2020) or the South Downs National Park (SDNP) Guidance on Parking for Residential and Non-Residential Development Supplementary Planning Document (based on its location in the neighbourhood area).’

EE4: Communications infrastructure

- 7.89 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.
- 7.90 In general terms the policy takes a positive approach to communications infrastructure and has regard to Section 10 of the NPPF.
- 7.91 In this context I recommend that the first part of the policy is modified so that it includes a proportionate element. I recommend that the second part is recast so that it has the clarity required by the NPPF and can be implemented by CDC through the development management process. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘As appropriate to their scale, nature and location, new residential, employment and commercial development should be designed to connect to high quality communications infrastructure.

Development proposals to provide improved access to the mobile telecommunication network will be supported where their siting, design and massing respond positively to the amenities of adjoining premises and the character and appearance of their immediate localities.’

EE5: Rural Buildings

- 7.92 This is a saved policy.
- 7.93 In general terms, I am satisfied that the policy continues to have regard to national policy (now Section 6 of the NPPF). However, for clarity I recommend that the use of ‘in principle’ is deleted from the opening element of the policy. It is unnecessary given the range of criteria in the policy. In reaching this conclusion I have taken account of BPC’s response to the clarification note on this matter. I also recommend that the supporting text is modified so that it clarifies that parking requirements for development proposals should relate to those set out in the relevant guidance in the local planning authority in which the site concerned is located.
- 7.94 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

In the opening element of the policy delete ‘in principle’

Replace paragraph EE5.3 with:

‘Parking at residential and non-residential developments should accord with either the West Sussex County Council Guidance on Parking at New Developments (September

2020) or the South Downs National Park (SDNP) Guidance on Parking for Residential and Non-Residential Development Supplementary Planning Document (based on its location in the neighbourhood area).'

LC1: Support independent living

7.95 This is a saved policy.

7.96 I am satisfied that the policy continues to have regard to national policy (now Sections 5 and 8 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

LC2: Health Care

7.97 This is a saved policy.

7.98 I am satisfied that the policy continues to have regard to national policy (now Section 8 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

LC3: Assets of Community Value

7.99 This is a saved policy.

7.100 I am satisfied that the policy continues to have regard to national policy (now Section 8 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

LC4: Local Green Spaces

7.101 This is a saved policy.

7.102 I am satisfied that the policy continues to have regard to national policy (now Section 8 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

LC5: Local Open Space

7.103 This is a saved policy.

7.104 I am satisfied that the policy continues to have regard to national policy (now Section 8 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

LC6: Village Shop

7.105 This is a saved policy.

7.106 I am satisfied that the policy continues to have regard to national policy (now Section 8 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

LC7: Boxgrove School

7.107 This is a saved policy.

7.108 I am satisfied that the policy continues to have regard to national policy (now Section 8 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

H1: Quality of Design

- 7.109 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.
- 7.110 This policy is substantively modified from the equivalent policy in the made Plan. It is underpinned by the Design Code (Appendix 4). In the round, the policy and the Code are well-considered and make a strong local response to Section 12 of the NPPF.
- 7.111 In this broader context I recommend that the first part of policy is recast so that it has the clarity required by the NPPF. However, its focus and approach remain unchanged.
- 7.112 I also recommend that the focus of the second part of the policy is shifted from one which offers support to developments to one which sets out requirements for development proposals. This acknowledges that CDC will need to assess all relevant material planning considerations (rather than simply design matters) in determining planning applications. I also recommend that the wording includes a proportionate element.
- 7.113 I also recommend detailed modifications to the wording used in criteria 5 to bring the clarity required by the NPPF and to respond to the helpful comments received from the SDNPA.
- 7.114 The policy includes an extensive range of criteria based on topic areas. However, in some cases they refer to other matters rather than design. In this context they read out of place in a criteria-based design policy. I recommend that three issues (criteria 13/15/17) are positioned at the end of the policy rather than as design criteria.
- 7.115 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with:

‘New residential developments should conserve local distinctiveness by demonstrating high quality design which respects existing character, responds to the distinctive character of the area, and responds positively to the Boxgrove Design Code (Appendix 4). Where a design and access statement is required as part of a planning application, the development proposal concerned should demonstrate how the proposal has responded to these matters as an integral part of the design process.’

At the beginning of the second part of the policy replace ‘Development will be supported where it’ with ‘As appropriate to their scale, nature and location, development proposals should’

Replace 5 with: ‘Conserves or enhances the significance of heritage assets and their setting;’

Delete criteria 13/15/17

At the end of the policy add:

‘Other Matters relating to residential development

Proposals for new residential development should also:

- **provide affordable housing in accordance with the relevant policies in either the Chichester Local Plan or the South Downs Local Plan (as appropriate to the location of the site);**
- **incorporate the sensitive use of energy efficiency measures and where appropriate, the retrofitting of micro-renewables in historic buildings, including the retrofitting of listed buildings, buildings of solid wall or traditional construction and buildings within conservation areas, whilst safeguarding the special characteristics of these heritage assets for the future; and**
- **considering the presence of minerals and the need to accord with Policy M9 of the Joint Minerals Local Plan.'**

H3: Windfall sites

7.116 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.

7.117 In general terms the policy takes a positive approach towards development on windfall sites and has regard to Section 5 of the NPPF. However, in this wider context I sought advice from BPC about the extent to which:

- the first criterion is necessary as the development plan is read as a whole;
- the sixth criterion is a matter of commercial judgement rather than a land use matter;
- the extent to which should the seventh criterion should comment about a preference for development on brownfield sites when development proposals are considered on their merits, and it is unlikely that an applicant or land owner would have control over several parcels of land.

7.118 In its response to the clarification note, BPC commented that:

'The Parish Council welcomes the Examiner's comments. The amendments to Policy H3 were intended to strengthen the policy and encourage high quality windfall development within the settlement boundary. However, the Parish Council accepts that criteria (i), (vi) and (vii) may not be necessary to achieve that objective.

Criterion (i) reflects the general principle that proposals should accord with the Development Plan, but the Council accepts that this applies to all planning applications and could therefore be deleted without affecting the operation of the policy.

Criterion (vi) was intended to ensure that windfall developments properly address infrastructure and affordable housing obligations. However, the Council accepts that matters of viability and deliverability are generally considered through the planning application process and would not object to the removal or amendment of this criterion.

Criterion (vii) reflects the Parish Council's support for the reuse of previously developed land in accordance with national planning policy. However, the Council recognises that planning applications must be determined on their individual merits and that applicants may not have control over alternative sites. The Council would therefore be content for this criterion to be deleted, with the supporting text amended to encourage the reuse of previously developed land where opportunities arise.'

- 7.119 On this basis, I recommend that the three criteria are deleted from the policy. I have considered BPC's comment on the previously-developed land issue carefully. On the balance of the evidence, I am satisfied that this matter should be identified in the supporting text whilst acknowledging that planning applications must be determined on their individual merits and that applicants may not have control over alternative sites.
- 7.120 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Delete criteria i, vi and vii

At the end of paragraph H3.1 add: 'Wherever practicable development proposals for infill development within the settlement boundary should be promoted on previously developed land. However, planning applications will be determined on their individual merits to acknowledge that applicants may not have control over alternative sites.'

H4: Outdoor space

- 7.121 This is a saved policy.
- 7.122 I am satisfied that the policy continues to have regard to national policy (now Section 8 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Proposed Housing Development/Allocated Sites

- 7.123 Policies H5/H6/H7 set out the Plan's approach towards new residential development. They have been formulated to address the requirement in Policy H3 of the Local Plan for the parish to deliver 50 new homes in the Local Plan period (up to 2039). As section 5 of this report has already advised the Local Plan comments that the residual requirement is for 24 homes (based on extant planning permissions at 31 January 2025).
- 7.124 The commitment of 26 homes relates to the planning permission for the redevelopment of Rohan Stables, which was granted planning permission for 26 units in September 2024. The development of that same site is proposed in Policy H7 of the submitted Plan. In addition, the Plan proposes two allocations. The first is for the development of land at the Old Granary site in Boxgrove (to deliver a net growth of two homes). The second is for the development of land west of Oakford Park (The Folly) for ten dwellings (one of which is intended to be for self-build). On this basis the overall effect of the implementation of the Plan would be development of 38 of the 50 homes required by Policy H3 of the Local Plan.
- 7.125 Section 5.7 of the Plan addresses this matter. It advises that:
- '(the) Plan brings forward 38 units. However, due to ongoing land supply issues, it is unable to allocate land for the remaining 9 units. The Parish Council has agreed that the Plan should be submitted to ensure that the extensive work undertaken is recognised and adopted by CDC. The Neighbourhood Plan team will continue to work on identifying suitable land and will revise the Plan once additional land is found to accommodate the remaining units unless the Examiner determines that the figure is unachievable.'*

- 7.126 I revert to this matter once I have commented on the three policies in turn.

H5: Development of the Old Granary site

- 7.127 This is a modified version of the equivalent policy in the made Plan. The site is located on the northern and eastern edge of Boxgrove and is shown on Map C. The policy advises that the Plan allocates the land for residential development comprising of 5 units (only 2 units can be counted towards the allocation as 3 have already been counted in the Chichester Local Plan 2021 - 2039 Housing Supply Background Paper).
- 7.128 I looked at the site carefully during the visit. I saw that it is well-located to the village and its community and commercial facilities.
- 7.129 The policy is a combination of policy and supporting text (mainly explaining its relationship to the delivery of the strategic housing figure for the parish as identified in the Local Plan). I recommend that the second part of the policy is relocated into the supporting text on this basis.
- 7.130 In a general way I am satisfied that the criteria in the third part of the policy are appropriate and locally-distinctive. However, I recommend the deletion of the first criteria which relates to an existing planning permission on the site. A planning policy sets the context for the determination of planning applications rather than commenting that a future proposal should follow the layout of an earlier proposal. In reaching this conclusion I have taken account of BPC's response to the clarification note. I agree with its proposition that this issue can be more properly addressed in the supporting text.
- 7.131 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'The Plan allocates land at The Old Granary shown in Map C and identified on the policies map for housing purposes provided that the development meets the requirements of the policies set out in this Plan, the Chichester District Local Plan and the Boxgrove Design Guide.

Proposals for residential development on the site will be supported where the following criteria are met:

- **vehicular and pedestrian access is secured onto The Street from the existing access road leading to The Old Granary;**
- **the design, layout and massing of proposals respond positively to the significance of nearby heritage assets, including the setting of Priory Farmhouse and views into and out of the Conservation Area, and its contribution to landscape and townscape character; and**
- **new dwellings should be no more than two storeys in total and respond positively to the topography of the site.'**

At the end of paragraph H5.2 add: 'Policy H5 allocates the land for residential development comprising of 5 units at the Old Granary (only 2 units can be counted towards the allocation as 3 have already been counted in the Chichester Local Plan 2021-2039 Housing Supply Background Paper). An illustrative example of an acceptable layout is set out on drawing 2401 which was prepared and submitted for public consultation purposes during the preparation of the Neighbourhood Plan.'

H6: Development of land West of Oakford Park

7.132 This is a new policy.

7.133 The policy advises that the Plan allocates the land for residential development comprising of 10 units one of which will be a self-build unit delivered on land west of The Folly site. It is a criteria-based policy. The site is located to the south of the A285 and to the west of Oakford Park.

7.134 CDC comment that:

'The (Local Plan) at Policy H3 Non-Strategic Parish Housing Requirements 2021-2039 sets out a requirement for the parish of Boxgrove of 50 dwellings. MNP Policy H7 Residential development of land north west of 56 Stane Street (Rohan Stables) Halnaker identifies a commitment of 26 units. The allocation in Policy H6 Land West of Oakford Park (The Folly) identifies 10 units of which one must be self-build. This provides a total of 36 dwellings only, below the (Local Plan) requirement.

From the evidence provided and the site boundary identified (Map C page 71 and Map H Proposals Map Page 78) it does not appear that the best and most effective use of land (NPPF para 130) is necessarily being made for this site (Land West of Oakford Park). In addition, there may be other sustainable sites that may provide opportunities to meet the housing requirements figure.

In relation to the specific site policy, criteria 3 should be amended to remove reference to specific drawings; it is not clear what they relate to and no planning application has yet been approved on the site. In addition, the SEA Environmental Report (AECOM December 2025) identifies on Page 70 that early archaeological investigations on-site are recommended.'

7.135 In its response to the clarification note, BPC commented that:

'(it) carefully considered the capacity of the site during the site assessment process. In determining the allocation, the objective was not simply to maximise the number of dwellings but to achieve a form of development that responds positively to the site's particular constraints, including its relationship with adjoining development, landscape character, access arrangements, drainage requirements, existing trees and the Boxgrove Design Code. Due to the ecology requirements of the site the net developable area is only 0.6ha.

(It) had regard to Section 11 of the NPPF, which seeks the effective use of land, but notes that paragraph 125 also requires decisions to take account of the desirability of maintaining an area's prevailing character and setting and optimising site density in a manner consistent with those considerations. The Council considers that the proposed allocation represents an appropriate balance between making effective use of land and achieving a high-quality development that respects the character of the parish.

Criterion 3 refers to drawings because it illustrates the development concept that was consulted upon with residents during preparation of the Neighbourhood Plan. It demonstrates one acceptable way in which the site can be developed whilst respecting the site's constraints and complying with the policy requirements. It was not intended to prescribe the final detailed layout which is why it states that the design should be in general conformity with the drawings.'

- 7.136 During the course of the examination CDC advised me that a planning application for the development of the site for housing purposes (25/01874/FUL) was refused planning permission.
- 7.137 I have considered carefully the proposed allocation of the site. There are two important matters that arise. The first is the location of the site. It is located in the open countryside adjacent to Oakford Park. In this context it is approximately 600 metres from the community and commercial facilities in Boxgrove. On this basis I have concluded that it is not in a sustainable location.
- 7.138 The second issue is the extent to which the proposed allocation would make the best use of land in accordance with paragraph 129 of the NPPF and the wider guidance in Section 11 of the NPPF. I am not satisfied that this is the case. Whilst I note BPC's response to the clarification note, the overall effect of the development would be a very low-density scheme which occupies a significant amount of land for the delivery of ten homes
- 7.139 In these circumstances I recommend the deletion of the proposed allocation. It does not have regard to national policy and would not result in the local delivery of sustainable development.

Delete the policy

Delete paragraphs H6.1 to H6.3

Delete the proposed allocation from Map C

H7: Development of land north west of Stane Street

- 7.140 This is a new policy.
- 7.141 The Plan advises that a planning permission was granted (subject to Section 106 Agreement) while the Plan was being prepared. It advises that the site is therefore included to meet the parish housing allocation. In June 2025 an application was submitted to vary the affordable housing tenure mix on the site. In these circumstances, the policy supports the development of the site for housing purposes rather than allocating the site.
- 7.142 CDC comments that:
- 'planning permission has already been granted for development on this site although it is yet to be commenced. The examiner in relation to the Southbourne Modified NP most recently commented on this matter in relation to Cooks Lane where similarly planning permission had been granted on an allocated site and the Examiner's report and comments on the Southbourne Modified NP are relevant. The Examiner concluded the Cooks Lane site was a planning commitment, rather than a planning allocation. CDC similarly considers the site at Rohan Stables represents a commitment.'*
- 7.143 The policy properly advises that planning permission has been granted for the Rohan Stables site. In these circumstances I sought advice from BPC about if there is any evidence that the development will not proceed within the timescale of the existing planning permission. In its response BPC advised that:

'(it) acknowledges that planning permission has been granted for the Rohan Stables site and, based on the information currently available, has no evidence to suggest that the permission will not be implemented within its lifetime.'

7.144 BPC also advised in relation to my question about the need for the policy that:

'However, (it) does not consider that the grant of planning permission necessarily renders Policy H7 redundant. First, the existence of a planning permission does not preclude the submission of further planning applications relating to the site, whether for amendments, variations under section 73 of the Town and Country Planning Act, or alternative development proposals. In those circumstances, Policy H7 would continue to provide the locally specific policy framework against which such proposals should be assessed, alongside the wider Development Plan.'

Secondly, the allocation forms part of the Neighbourhood Plan's strategy for meeting the parish housing requirement identified in the Chichester Local Plan. The inclusion of the site within the Plan contributes towards demonstrating that the Neighbourhood Plan allocates sufficient housing to meet the parish's identified requirement. The Parish Council considers that this is relevant to the operation of paragraph 14(b) of the National Planning Policy Framework, which provides additional weight to neighbourhood plan policies where the qualifying conditions are met. Removing the allocation would reduce the extent to which the Plan itself demonstrates how the parish housing requirement is to be delivered.'

7.145 I have considered these comments carefully. In all the circumstances it is appropriate for the policy to remain in the Plan to guide any future applications if the development does not proceed or lapses. However, I recommend that the policy is simplified, and that the supporting text more clearly sets out its purpose.

7.146 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'The Plan supports the development of housing on land at Rohan Stables shown on Map C and identified on the Policies Map where it meets the requirements of the policies set out in this Plan and the Boxgrove Design Guide.'

Replace paragraph H7.2 with:

'The site was granted planning permission (subject to Section 106 Agreement) while the Plan was being prepared. The permitted development of 26 homes on the site contributes towards the neighbourhood area meeting the parish housing allocation as set out in Policy H3 of the Local Plan.'

Delete paragraph H7.3

The Implications of the recommended modifications to Policies H5/H6/H7

7.147 The mathematical effect of the recommended modifications is that the Plan will include policies that would contribute 28 homes to the strategic requirement for the parish should the sites be delivered.

7.148 On the one hand, I acknowledge that the combined effect of the recommended modifications will have an impact on the ability of the wider development plan to deliver

the 50 dwellings for the parish as required by the Local Plan. However, on the other hand, I note that the Local Plan policy includes mechanisms for how such an outcome is addressed strategically. In this context I am satisfied that the recommended modifications do not conflict with the basic condition on housing delivery as there are other mechanisms available to secure the level of strategic growth needed in the Plan period. Whilst the outcome of this examination is not one of the scenarios addressed in Policy H3 of the Local Plan its effect is the same as those included in that policy.

7.149 I have noted earlier that BPC has advised that the Neighbourhood Plan team will continue to work on identifying suitable land and will revise the Plan once additional land is found to accommodate the remaining units unless the Examiner determines that the figure is unachievable. For clarity, my remit is to examine the Plan as submitted rather than to comment on the extent to which the strategic allocation for the parish is achievable. That figure has been subject to its own examination and is included in the adopted Local Plan.

7.150 Paragraph 7.161 of this report comments about the potential need for further monitoring and review of the Plan. Such processes may need to take account of any work undertaken by CDC in securing the strategic housing in the parish.

GA1: Footpath and Cycle Path Network

7.151 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.

7.152 The proposed policy broadens the approach taken in the equivalent policy in the made Plan. It takes a positive approach which has regard to Sections 8 and 9 of the NPPF. In this context I recommend that the policy is recast to bring the clarity required by the NPPF. In specific terms this involves:

- a revision to the format of the policy so that it mirrors that used in other policies;
- revisions to the wording used; and
- the clarification of the scope and remit of the second part of the policy (on the relationship between existing properties and any proposed revisions to footpaths).

7.153 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Development proposals that improve and extend the existing footpath, cycle path and bridleway network to create public bridleways, allowing greater access to the village centres, green spaces and the open countryside for walkers, cyclists and horse riders will be supported. Proposals that would involve the loss of existing footpaths, cycle paths and bridleways will not be supported.

Any proposed alterations and enhancements to footpaths, cycle paths and bridleways should be appropriately screened and fenced from existing properties in the immediate locality.’

GA2: Parking

7.154 The Modification Statement advises that the policy is a material modification which does not change the nature of the Plan.

- 7.155 In general terms the policy addresses parking in a positive way and which has regard to Section 9 of the NPPF. In this context I recommend that the policy is modified so that it clarifies that parking requirements for development proposals should relate to those set out in the relevant guidance in the local planning authority area in which the site concerned is located. I also recommend that the first part of the policy advises about the requirement for development proposals to make provision of car parking rather than offering support for proposals that do so. This acknowledges that development proposals are determined on a range of issues rather than simply on the provision of car parking spaces.
- 7.156 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Development proposals should incorporate the level of off-street parking consistent with the most current standards (currently West Sussex County Council Guidance on Parking at New Developments (September 2020) or the South Downs National Park (SDNP) Guidance on Parking for Residential and Non-Residential Development Supplementary Planning Document based on their location within the neighbourhood area.

Development proposals that reduce the amount of off-street parking currently available will only be supported if they make enforceable provision for equivalent off-street parking nearby. Parking spaces provided in connection with such proposals should be made available in perpetuity.’

GA3: Streets and access ways

- 7.157 This is a saved policy.
- 7.158 I am satisfied that the policy continues to have regard to national policy (now Sections 8 and 9 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

GA4: Promoting sustainable movement

- 7.159 This is a saved policy.
- 7.160 I am satisfied that the policy continues to have regard to national policy (now Sections 8 and 9 of the NPPF) and meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Monitoring and Review of the Plan

- 7.161 The Plan does not address the need for further monitoring and review. In the same way in which there is no requirement for a parish council to produce a neighbourhood plan, there is no need for a ‘made’ plan to be reviewed. Nevertheless, both Chichester District Council and the National Park Authority are reviewing their local plans. These processes will alter the development plan context in the neighbourhood area. In this context, I recommend that this part of the Plan comments about the potential significance of the emerging Local Plans and identifies their adoption as key stages for BPC to assess the need or otherwise for a review of the Plan.

At the end of Section 2 add:

'Potential further review of the Plan

2.14. The Plan has been prepared within the context of the current Chichester Local Plan and the South Downs Local Plan. Both Chichester District Council and the National Park Authority are currently reviewing their local plans. This will alter the development plan context in the neighbourhood area within its Plan period. In this context, the Parish Council will assess the need or otherwise of a review of the neighbourhood plan within six months of the adoption the Local Plan which reaches that stage at the latest.'

Other matters - General

- 7.162 This report has recommended a series of modifications both to the policies and to the text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for CDC, SDNPA and BPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Other Matters – Specific

- 7.163 SDNPA's representation suggests a series of amendments to specific policies and to the more general parts of the Plan. They have been very helpful for examination purposes. Where the proposed amendments relate to specific policies, I have addressed them in earlier parts of this report (on the policy concerned). I recommend the following specific modifications on more general matters which are necessary to ensure that the Plan meets the basic conditions:

- General
- Paragraph 1.1
- Paragraph 1.2
- Paragraph 2.8 (each of the three points)
- Map E
- Map H
- Glossary

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2039. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Boxgrove Neighbourhood Development Plan review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to Chichester District Council and the South Downs National Park Authority that subject to the incorporation of the modifications set out in this report, the review of the Boxgrove Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Chichester District Council on 4 December 2012 and by the South Downs National Park Authority on 14 March 2013.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth way. CDC managed the overall process very efficiently, and BPC responded to the questions in the clarification note in a timely and detailed fashion.

Andrew Ashcroft
Independent Examiner
30 September 2026