

REPORT TO:	Full Council - 19 March 2025
SUBJECT:	To Make the Ford Neighbourhood Development Plan 2 - 2024-2041
LEAD OFFICER:	Richard Sherman, Senior Planning Officer (Policy and Conservation)
LEAD MEMBER:	Cllr Gill Yeates, Chair - Planning Policy Committee
WARDS:	Ford
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
The recommendations support: - <ul style="list-style-type: none"> • Improving the wellbeing of Arun; • Delivering the right homes in the right places. 	
DIRECTORATE POLICY CONTEXT:	
Under section 61E (4) of the 1990 Act, Arun District Council as the Local Planning Authority must make a Neighbourhood Development Plan if it meets the statutory requirements.	
FINANCIAL SUMMARY:	
There are no financial implications arising from the recommendations of this report.	

1. PURPOSE OF REPORT

- 1.1. To request that Full Council ‘makes’ (adopts) the Ford Neighbourhood Development Plan 2 (2024-2041), without referendum, following an independent examination that identified it meets the basic legislative requirements.

2. RECOMMENDATION

That the Ford Neighbourhood Development Plan 2 (2024-2041) be ‘made’ such that it becomes part of the Development Plan for the Arun District.

3. EXECUTIVE SUMMARY

- 3.1. The Ford Neighbourhood Development Plan 2 (2024-2041) passed Examination in January 2025. This is an update to the Ford Neighbourhood Plan (2017 to 2031) that was made on 9 January 2019. The Examiner’s report concluded that, subject to incorporating various modifications to policies and supporting text, the Plan meets the basic conditions set out in the applicable legislation and should proceed to be ‘made’ without needing a Neighbourhood Planning Referendum.

- 3.2. The 'making' of the plan by Full Council will give it legal force and it will then form part of the statutory Development Plan for Arun Local Planning Authority area. Consequently, decisions on planning applications in the neighbourhood area will need to be made in accordance with the Neighbourhood Development Plan, unless material considerations indicate otherwise.
- 3.3. Following the independent examination, the Ford Neighbourhood Planning Group has incorporated all the modifications as required by the Examiner and officers are content that the Ford Neighbourhood Plan 2 should now proceed to be formally made.

4. DETAIL

- 4.1. The Localism Act 2011 introduced new rights and powers to allow local communities to shape new development by coming together to prepare Neighbourhood Plans and Orders. Neighbourhood forums and Parish Councils can use new Neighbourhood Planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as 'Neighbourhood Development Plans'. Such plans have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations.
- 4.2. The Ford Neighbourhood Development Plan 2 (FNDP2) relates to the area that was designated by Arun District Council as a neighbourhood area on 6 December 2013. The area is coterminous with the Ford Parish Council boundary that lies within the Arun Local Planning Authority area.
- 4.3. Mr Andrew Ashcroft was appointed by Arun District Council with the consent of the Parish Council, to undertake the examination of the Ford NDP2 (2024-2041) and to prepare a report of the independent examination.
- 4.4. The Examiner's report concluded that subject to various recommended modifications as detailed in the published Decision Statement, the NDP meets the basic conditions set out in the legislation and should proceed to be 'made' without the requirement for a Neighbourhood Planning Referendum. The Plan has since been updated by the Neighbourhood Planning Group through a Post-Examination version that incorporates all the modifications required by the Examiner.
- 4.5. The District Council cannot refuse to 'make' a Neighbourhood Development Plan if the Plan meets the 'Basic Conditions' and other legal requirements as set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

- 4.6. During the various consultation stages, the Council did raise certain concerns about the content of the draft Neighbourhood Plan 2, particularly Policy EH7 relating to the 'Local Gap.' This policy is saved from the made Plan (January 2019). The policy says that within the Local Gap development will not be permitted unless it does not prejudice openness. The supporting text advises that the Local Gap will prevent coalescence between Yapton and Ford and preserve their separate identities. It reinforces that this issue is important to residents who do not wish to see further development extending to the west of Ford. The Examiner looked at the Local Gap during a visit and considered it plays an important role in providing a gap/separation between Ford and Yapton (to the west).
- 4.7. ADC and West Sussex County Council officers commented separately about the County Council's preferred site for the provision of a new secondary school to meet the identified education needs in the County (known as Site F) and its relationship with the Local Gap and suggested the policy should either be deleted in its entirety, or the wording should be amended to allow for the delivery of a new secondary school site as an exception to the draft policy.
- 4.8. Alternatively, it was suggested a specific allocation for a secondary school could be included within the NP on the basis that it would provide the necessary infrastructure to support allocations in the both the adopted Arun Local Plan and the Ford NP. In its response to the clarification note, Ford Parish Council commented that it has always contested this site as a location for the Secondary School due to the Local Gap allocation and to the unsuitability of the surrounding infrastructure to support such an allocation. They declined to include an allocation in the FNP2.
- 4.9. The Examiner considered these different approaches very carefully but was not satisfied the suggestion that the policy is deleted would be in the best interests of planning in this part of the district and said the Local Gap serves a broader purpose in separating the two communities. In addition, the Examiner noted that the proposed site for the school (known locally as Site F) is the County Council's preferred location, and discussions are taking place with the landowners. In these circumstances there is no clarity on the site on which the school will proceed and there is no specific information about the potential impact of the development of a school on the openness of the Local Gap.
- 4.10. In all the circumstances, the Examiner recommended that the supporting text is expanded to identify that part of the Local Gap is being considered as a potential site for a new school. He also said the text should also advise that, that if Site F is selected, the planning application will need to consider the way in which its development would comply with the requirements of the policy and the wider development plan. Otherwise, he felt the policy meets the basic conditions in that it will contribute to the delivery of the social and the environmental dimensions of sustainable development.

4.11. In conclusion, the Examiner recommended the following modification:

“At the end of EH7.1 add: ‘West Sussex County Council preferred site for the provision of a new secondary school to meet identified education needs (known as Site F) is within the Local Gap. The requirement for a new secondary school is set out in Policy INF SP2 of the adopted Arun Local Plan 2018 which requires a minimum of one 6 form entry Secondary School with expansion land for a 4-form entry expansion adjacent shall be provided on a site of at least 10 hectares to serve the new growth in Arun District. Should Site F be selected as the site for the school, the planning application will need to consider the way in which its development would comply with the requirements of Policy EH7 of the neighbourhood plan and the wider development plan.’”

4.12. The Parish Council have accepted this modification, and the above supporting text has been added to paragraph EH7.1 in the post-examination version of the Neighbourhood Plan; this being the version now proposed to be ‘made.’

4.13. ADC officers still have some concerns that the allocation of this land as a Local Gap could, potentially, make it more difficult for a new secondary school to be delivered on Site F, should this ultimately end up being the site chosen to take forward. However, the recognition in the revised wording of the supporting text to Policy EH7 that this land includes WSCC’s preferred site is, at least, a step in the right direction from the position in the current Ford Neighbourhood Plan that was made in January 2019 and post-dates the adoption of the Arun Local Plan. This is on the basis that made Policy EH7 in the earlier Neighbourhood Plan did not provide any reference, whatsoever, to the ambition for the delivery of a new secondary school.

4.14. On 19 February 2025 the ‘Decision Statement’, which is a report that outlines all the Examiner’s modifications and confirms these are accepted by all parties, was signed under delegated powers by the Group Head of Planning and was published on the Arun District Council website. The Decision Statement recommends the Ford Neighbourhood Development Plan 2 (2024-2041) should proceed to be ‘made’ but does not require a referendum.

4.15. Because it will form part of the statutory Development Plan for the area, under the provisions of the Council’s Constitution the decision to formally ‘make’ a Neighbourhood Plan must be taken by Full Council.

5. CONSULTATION

5.1. Various rounds of statutory consultation with the parishes, the community, statutory bodies, and relevant stakeholders as per the regulations, have been undertaken as part of the Neighbourhood Plan process. ADC officers have provided representations on the emerging plan at each stage.

6. OPTIONS / ALTERNATIVES CONSIDERED

6.1. The options are:

1. To make the 'Ford Neighbourhood Plan 2 (2024-2041)' to become part of the Development Plan for Arun District **OR**
2. To not 'make' the Ford Neighbourhood Plan 2 (2024-2041) which would not become part of the Development Plan for Arun District Council - it should be noted that a decision to not make the Neighbourhood Plan could leave Arun District Council open to legal challenge. Furthermore, an independent examiner has examined the plan and has concluded that it meets the basic conditions and should be made. There are considered to be no justifiable reasons for departing from this advice.

7. COMMENTS BY THE GROUP HEAD OF CORPORATE SUPPORT/SECTION 151 OFFICER

- 7.1. There are no financial considerations arising from this report.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1. Once 'made' the Ford NDP2 will become part of the Development Plan for the District and will be used by the council when determining planning applications for this area.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 9.1 The designation of Neighbourhood Forums, Areas, and the making of Neighbourhood Plans, are governed by the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning Act 2017, and the Neighbourhood Planning (General) Regulations 2012 (as amended).

10. HUMAN RESOURCES IMPACT

- 10.1. There are no human resource implications.

11. HEALTH & SAFETY IMPACT

- 11.1. The proposals may help to improve housing delivery through evidenced plan making, having a positive impact on health and wellbeing.

12. PROPERTY & ESTATES IMPACT

- 12.1. There are no direct implications for council property.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 13.1. The proposal may help to improve access to housing through plan making for all sections of the community, having a positive impact on health and wellbeing.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1. There are no direct adverse implications for Climate Change from this report. However, in the production of the Neighbourhood Plan, the environment and biodiversity of the local area/Arun have been considered at every step.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1. There are no direct adverse implications for crime and disorder.

16. HUMAN RIGHTS IMPACT

16.1. There are no direct adverse implications for human rights.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1. There are no implications.

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BACKGROUND DOCUMENTS:

The web link provides access to the background stages and formulation of the NDP.
[Ford neighbourhood development plan 2 | Arun District Council](#)