

THE TOWN AND COUNTRY PLANNING ACT 1990 AND
THE ACQUISITION OF LAND ACT 1981

CHICHESTER DISTRICT COUNCIL (TANGMERE) (NO
2) COMPULSORY PURCHASE ORDER 2023

REBUTTAL STATEMENT OF EVIDENCE

OF

HANNAH CHIVERS

Principal Planning Policy Officer

1 INTRODUCTION

- 1.1 I have read the statements of evidence of Saxon Meadow Tangmere Limited ("SMTL"), John and Moira Wolfenden, Matthew Rees and Paula Riches and make the following comments.

2 CYCLE PATH

- 2.1 I wish to clarify some uncertainty around the proposed cycle path in response to paragraphs 5, 9 & 10 of SMTL's statement, paragraph 1.3.2 of Mr and Mrs Wolfenden's statements, paragraphs 4.4 and 4.5 of Mr Rees' statement and paragraph 3 of Paula Riches statement.
- 2.2 The approved Access and Movement Parameter Plan (attached as **Appendix HC1**) shows the locations and routes for the proposed principal segregated cycleway (illustrated on the plan in orange), including setting out the proposed cycle route which runs to the north of Saxon Meadow linking to Church Lane. The Parameter Plan seeks to demonstrate compliance with the Tangmere Sustainable Movement Network which is established in Policy 9 of the Tangmere Neighbourhood Plan (attached as **Appendix HC2**). The Sustainable Movement Network also reflects some policy aspirations of Policy 8 (Green Infrastructure Network) of the Neighbourhood Plan. The Neighbourhood Plan informed the preparation of the endorsed masterplan and the outline planning application. In addition to taking cues from established policy, the masterplan evolved through considerable community engagement and liaison, including with relevant groups such as the Chichester Cycle Forum, on topics including cycle links.
- 2.3 Provision for walking and cycling is dealt with in paragraphs 8.80 to 8.83 inclusive of the 2021 Planning Committee report (**CD17**). As the application is in outline, technical detail relating to cycleways across the site will be considered within future reserved matters applications, however I would draw attention to paragraph 8.83 which states that *"it is considered that the proposed on-site pedestrian and cycle routes are proposed to be in accordance with national guidance and established local policy. In particular, the proposed network meets the expectations of Tangmere Neighbourhood Plan Policy 9..."* The paragraph goes on to mention that some representations made towards the outline application questioned the technical design of the on-site cycling facilities, with the officer concluding that *"these can and should be properly considered at any future reserved matters applications stages but there is adequate space within the required areas for the proposed facilities to be provided to appropriate standards..."*

- 2.4 In designing cycle infrastructure, regard should be had to the relevant guidance, which in this circumstance includes the West Sussex Cycling and Walking Strategy, the West Sussex Cycling Design Guide and LTN 1/20 Cycle Infrastructure Design. One overriding principle of these documents is the requirement for the design of cycle infrastructure to be safe. In this regard, minimum widths for cycleways are set out, for a range of circumstances including allowing extra width where the cycleway is adjacent to kerbs or vertical features for safety purposes for both users of the cycleway and those who occupy its surroundings. Paragraph 5.5.4 of the LTN 1/20 Cycle Infrastructure Design guidance sets out that “*where a cycle track is bounded by a vertical feature, people will not be able to use the entire width as they will naturally be wary of riding immediately next to walls and kerbs. Designers should provide additional width...*” The officer who will be responsible for determining the reserved matters applications will need to be satisfied that the proposed cycleway is acceptable from a safety perspective, and it is my opinion that any proposed cycleway considered to be unsafe for users or neighbours would not be approved. In this regard I note the suggestion in paragraph 1.3.2 of John and Moira Wolfenden’s statement that they would be unable to open their windows.
- 2.5 The route of the proposed cycleway contributes to an overall strategic network which is based in policy and has been evolved through community engagement. It intends to integrate the new development with the existing village to satisfy the ‘one village’ vision of the Neighbourhood Plan, and has been considered acceptable by my colleagues through the determination of the outline planning application, which is subject to a resolution to grant.

3 DRAINAGE AND FLOOD RISK

- 3.1 In response to paragraph 7 of SMTL’s statement, paragraph 8.6 of Matthew Rees’ statement and paragraph 1.4 of John and Moira Wolfenden’s statement concerning drainage, I wish to draw attention to paragraphs 8.11 and 8.12 of the August 2023 Planning Committee report (**CD19**). These paragraphs outline the position in relation to flood risk and surface water drainage, and I would highlight the following: “*During the consultation process West Sussex County Council, as Lead Local Flood Authority (LLFA), raised some concerns that the updated Flood Risk Assessment was not sufficient to demonstrate that the site would be adequately drained. Following discussions with the LLFA, the applicant has provided additional information to address the concerns raised. The LLFA has considered the additional information provided and has confirmed that the proposal would be acceptable subject to a range of conditions to control the detailed design of the surface water drainage scheme...*”
- 3.2 The full list of draft conditions is set out following paragraph 8.21 of the Committee report (**CD19**), but those relevant to this point include (but are not necessarily limited to): 5, 15, 17, 18, 20, 28, 29, 30, 31, 32 and 65. For reference, the consultation response provided by the LLFA is attached at **Appendix HC3**.
- 3.3 It is also relevant to note paragraph 8.12 of the Committee report (**CD19**) which states that “*No objections have been received from the LLFA regarding the proposed measures to manage surface water on the site, and no further comments have been received from the Environment Agency. It is therefore considered that it remains the case that the proposal would be acceptable in respect of surface water and flood risk.*”

30 November 2023