

20 Saxon Meadow
Tangmere
West Sussex
PO20 2GA

**Secretary of state for Levelling Up, Housing and Communities
Planning Casework Unit
23 Stephenson Street
Birmingham
BN2 4BH**

Submitted by email to:
PCU@levellingup.gov.uk

Date 3 May 2023

Dear Sir/Madam

CPO OBJECTION LETTER

Chichester District Council (Tangmere) (no2) Compulsory Purchase Order 2023 (CPO)
(www.chichester.gov.uk/tangmerestrategicdevelopment)

Firstly, my husband and I write to object formally to the CPO above.

An objection has been submitted on behalf of residents of Saxon Meadow by Saxon Meadow Tangmere Ltd (SMT Ltd). This was submitted by SMT Ltd through its legal advisor.

Although we agree that plots 6,7,8,9,9a,and 9b (parcels of land) should not be included in the CPO, we believe that the CPO itself is fundamentally flawed.

Furthermore, we believe that there is a viable alternative of an existing brown-field site of the disused airfield at Tangmere that would enable the Chichester District Council (CDC) to achieve its objective of house building with minimum disruption to the historical heart of Tangmere village (as highlighted in the Tangmere Conservation Area – Character appraisal and management proposals – approved 2014 and attached) existing biodiversity (veteran hedgerow, trees etc) and high-grade agricultural land (designated as “high quality arable”) that surrounds the Tangmere Conservation Area.

We are relatively recent owners at Saxon Meadow having completed our purchase of number 20 in January 2022. However, my parents purchased number 15 Saxon Meadow when the development was new and one of the key reasons for purchasing our property having visited my parents, was that we noted the tranquillity, peace and quiet, together with the semi-rural nature of the setting of Saxon Meadow itself. It is situated next to the Saxon Church, St.Andrews (mentioned in the Domesday Book and the site of Commonwealth graves from the WWII – notably the Battle of Britain), situated at the historical core of Tangmere village, within the recognised conservation area and surrounded by high-grade arable land which is currently organically farmed. Saxon Meadow is an example of a very successful and sympathetic conversion of old agricultural farm buildings and is designated as a rural heritage site. Its meadow and the historical views of Chichester Cathedral from the meadow out to and farm land adds value to the sense of space, amenity and is vital for our well-being and mental health.

There are a number of points we wish to raise specifically in objection of the CPO in relation to plots 6,7,8,9,9a,and 9b (the parcels of land). The parcels of land represent a tiny percentage of the 77 hectares (or 770,000 square metres) of CDC's master plan. It is notable that the statement of reasons of the CPO fails to acknowledge that part of plot 7 falls within the boundary of the Tangmere Conservation Area.

The points we wish to raise at this time are:

1. Chichester District Council (CDC) has failed in its duty to follow due process in terms of the CPO, in terms of proper engagement and communication and generally and has rushed the process despite our efforts to open-up discussions and seek a "pause" in the process. The CPO process is a method of last resort and should not, in our view, be used as an on-going strategic tool to circumvent CDC's failings to follow due process to achieve its objectives.
2. Access to our property (and all residents' properties) will be impacted directly by the CPO with no clarity of ownership our existing rights of access to our own properties are likely to be hugely negatively impacted (this refers to plots 6,7 and 8 in the CPO). None of these plots which relate to our access are necessary for house building.
3. Inclusion of plots 9, 9a and 9b are not required for house building. Saxon Meadow needs to retain and protect its open space (meadow) situated to the west of the converted agricultural farm buildings that constitute Saxon Meadow. Why? For a number of reasons: It is vital to achieve our objective of using that space to provide a green energy solution for our properties as gas boilers are phased out as well as protecting existing biodiversity, wildlife and our enjoyment of the same as a wildflower meadow (this refers to plots 9, 9a and 9b in the CPO).
4. Little or no regard has been made of the impact on our human rights to the use and enjoyment of our amenity, i.e. our meadow (land to the west of Saxon Meadow plots 9, 9a, 9b and access driveway plot 8 and a small part of plot 7) and the negative impact on existing wildlife, biodiversity, veteran trees and hedgerow and our plans for properly wilding the meadow to improve biodiversity as well as providing a source of green /sustainable energy for our properties.
5. CDC has failed to address our real concerns about the lack of planned infrastructure within its plans when the existing infrastructure is inadequate e.g. provision of adequate processes and systems to manage flooding and surface water drainage (particularly relating to plot 6) and inadequate road infrastructure to cater for the increase in traffic of 1,000-1,300 new builds, GP surgery has no more capacity, accessibility for essential service vehicles and emergency services etc.
6. The CPO enables a plan that is not compatible with the national planning policy framework (NPPF) with respect to hierarchy of land use and availability of sustainable transport. CDC could achieve its objective of housebuilding by using the existing brownfield site of the discussed airfield without harming the natural environment and high-grade agricultural farm land at the historical core of Tangmere enjoyed by all villagers for e.g. dog walking, model aircraft flying, birdwatching, night sky observation (due to lack of light pollution).
7. In terms of due process, the draft CPO should not be approved until after the Planning Inspectorate hearing on the Chichester Local Plan regulation 19 consultation as a point of procedure and principle.

CDC has failed in its duty of proper engagement and communication

I (Elsbeth) was among those representatives (including a Director of SMT Ltd) who raised questions to the Cabinet on 20 March 2023 about our concerns of the lack of proper community engagement including the fact that due process seems to have been ignored. An example of this is the setting of a very tight deadline of Friday 17 March 2023 (given that Saxon Meadow residents comprise a large number of elderly residents, and some residents with disabilities and some without access to email/internet) and holding the Cabinet meeting on the following Monday morning at which it passed a resolution to proceed with the CPO – the Cabinet failed to explain how 2 days was enough to demonstrate compliance with the principles set out in its statement of community involvement, given the scale of changes to housing in Tangmere between the 2015 plan and the draft plan.

During covid CDC made the decision not to send individual notification to any residents. How long has it been since covid restrictions applied? CDC finally changed this policy in March 2023. How can this fulfil proper communication and demonstrate genuine willingness of CDC to engage with residents at Saxon Meadow?

How has CDC failed in this duty of proper engagement and communication?

Failure to apply its own “Statement of Community Involvement” principles ¹

1. The legality of the Local Plan Consultation process is underpinned by 5 principles, and CDC has not demonstrated compliance with them:
 - a. Be clear
 - b. Be inclusive
 - c. Be accessible
 - d. Be transparent
 - e. Be accountable

For clarity the "Local Plan Consultation" is related to the "Regulation 19" consultation that closed on 17 March 2023 and has not yet come before the Planning Inspector. The current local plan, which is the basis of any CPO is still the 2014 "adopted local plan". From a procedural point of view, CDC's rush into a CPO is of concern. [Adopted Chichester Local Plan: Key Policies 2014-2029: Chichester District Council](#)

It is unclear to us whether the CPO is linked to the current local plan or the “adopted local plan” as these are materially different in respect of the 1000 versus 1300 homes target. This represents an increase of 30% meaning that Tangmere will have 1/8 of all new homes in the Chichester District.

2. There has been a complete lack of transparency and clarity about why either of these plots comprising the parcels of land is included in the CPO and why they are needed to achieve CDC's building objectives. It is our view that they are not required for house building in any way so should be removed from the CPO.

CDC seems to have failed to follow due process including:

CDC does not seem to have applied the Crichel Down Rules

Government guidance (para 19 of Crichel Down Rules guidance) states that authorities such as CDC should “**help those affected**”. We are not aware that any such offer has been made to us or any other residents of Saxon Meadow. Indeed there would appear to have been a reluctance to engage and “help those affected” with the focus being on rushing through a CPO.

CDC has failed to make a compelling public interest case:

¹ [Statement of Community Involvement 2017 \(chichester.gov.uk\)](#)

1. **The CPO does not seem to apply the Crichel Down Rules.** In our view it is hard to see how a compelling case can be made that it is in the public interest to acquire the parcels of land in relation to the removal of our only right of way and access to our homes (plots 6,7 and 8) and our main communal space, our meadow to the west (plots 9, 9a and 9b) that we depend on given neither is needed for house building – so a CPO is not permitted (government guidance page 5).
2. **Use of the land:** given the site specific issues (biodiversity, conservation area, veteran trees, hedgerows, water courses) and lack of clarity for what purpose the land will be put in the statement of reasons, a CPO is not permitted (government guidance, page 9).
3. Certain **special kinds of land are afforded some protection** against compulsory acquisition (including compulsory acquisition of new rights across them) land.

The underlying reason for the CPO - CDC's local plan is "not sound" as it fails to set out clearly why the parcels of land are needed

The Local Plan Consultation highlights good reasons to leave the parcels of land out of the prospective Local Plan and therefore out of the CPO:

1. **Amenity Value** - Paragraph 6.29 of the local plan states that "communal land contributes to amenity" – which is incompatible with seizing our meadow and removing our only access road and right of way to get to our own properties.
2. **Conservation Areas** - The local plan, page 155 and Policy P11 of the local plan states that "conservation areas contribute positively to areas" and "views into and out of the area" should be protected. Saxon Meadow is inside the Tangmere Conservation Area. We strongly hold that the historic view of Chichester Cathedral from Saxon Meadow should not be impacted by the build and provision made for its preservation for future generations.

CDC's CPO fails to satisfy the requirements of the 2012 Town and Country Planning Regulations, Section 99

The regulations state that a CPO is not allowed unless it passes of three tests. In our view CDC has not demonstrated fulfilment of these tests in relation to the CPO in respect of the parcels of land.

(a)the promotion or improvement of the economic well-being of their area: These parcels of land are not needed for house building and will harm our economic interests and those of other residents of Saxon Meadow.

(b)the promotion or improvement of the social well-being of their area: These parcels of land are essential for our well-being and that of the other residents. We stand to lose amenity value of huge social benefit to us as a community and access rights which we believe have a negative social impact.

(c)the promotion or improvement of the environmental well-being of their area: The meadow is already a natural source of biodiversity and there are veteran trees and hedgerows, so there would be no environmental improvement. In addition, our plans for properly wilding the meadow to improve biodiversity for our bees as well as providing a source of green /sustainable energy for our properties is an improvement of the environmental well-being of the parcels of land which far outweighs environmental benefits of CDC's proposed "community orchard".

The CPO enables a plan that is not compatible with the national planning policy framework

We believe the CPO is fundamentally flawed because CDC has failed to provide an objective assessment of what brownfield sites are available as viable alternatives to enable it to achieve its house building target. We believe that CDC is rushing the use the CPO

process without having given this proper attention. A thorough, objective and independent assessment is needed to consider whether Chichester District Council's assessment of Brownfield sites has been prepared properly, and why large tracts of such land within the district boundary appear to have been ignored even when these would provide a more sustainable land use than the destruction of high-quality agricultural land.

[National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-planning-policy-framework)

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Saxon Meadow and surrounding farm land should be designated as rural just as Boxgrove is

In the brownfield site information produced by CDC, Tangmere is designated as non-rural/urban. Parts of Tangmere around Malcolm Road where the community amenities are located (i.e. co-op store, Dental and GP practices, playground and outdoor gymnasium) and much of the modern housing might well come within the designation of non-rural/urban. However, we strongly believe that Saxon Meadow and its surrounding fields at the historic "core" of Tangmere village, situated next to the Saxon Church of St Andrew's, should be treated in the same way as Boxgrove (which has similar build design values as Saxon Meadow) and is designated as rural. This designation would impact on how CDC's local plan (and how development plans) would be applied. Saxon Meadow should have its historical and rural design values protected in the same way as Boxgrove is. This would preserve Saxon Meadow and its surroundings for the benefit of all current villagers and future generations. Furthermore, we believe that there is an opportunity to extend the existing Tangmere Conservation Area. This would comply with the local plan that states that "conservation areas contribute positively to areas" and "views into and out of the area" should be protected (page 155 and Policy P11). The fields surrounding Saxon Meadow would constitute "communal land contributes to amenity" as per the local plan (Paragraph 6.29). CDC can achieve its building objective by moving its plan to the disused airfield at tangmere without destroying existing biodiversity, impacting on farmland that is designated as "excellent", thereby complying with NPPF. (Photos attached). There is an opportunity to extend the existing Tangmere Conservation Area to include this land for the benefit of the entire village of tangmere who currently use it for e.g. dog walking, relaxation, bird watching, model aircraft flying etc.

The CPO land required for building "should be located elsewhere"

In accordance with CPO objection guidance, we believe that the CPO land required for building "should be located elsewhere" i.e. the disused Tangmere airfield. Indeed, there is precedent for house building on it. (Photos attached)

[Compulsory purchase and compensation: guide 1 - procedure - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/compulsory-purchase-and-compensation-guide-1-procedure)

50. Objections usually fall into 3 categories as follows:

- you may agree with the purpose of the scheme but you would like to see minor amendments to minimise the impact on you. Objections of this nature may secure changes, for example, to reduce the visual or noise intrusion of a scheme, or minor adjustments to the land required;
- **you may agree with the purpose of the scheme but you feel that it should be located elsewhere**
- you may object to the scheme completely. However, as stated in paragraph 50 above, this cannot be solely on the grounds that you object to adopted planning policy

Summary

So for the reasons above, and because CPOs are supposed to be a method of last resort and not a “go to” strategy to achieve a public authority’s objectives, we believe the CPO should not be approved. We believe that that the parcels of land should remain out of the CPO as they are not required for house building and CDC has failed to show in its statement of reasons why the parcels of land are required and for what purpose.

We believe CDC has rushed the CPO without proper consideration of the “Regulation 19 Consultation that closed on 17 March. There has been insufficient time to work towards resolution of outstanding issues including unclear property boundaries, rights of access to our properties compounded by an apparent reluctance by CDC and its representatives to work with residents of Saxon Meadow towards such a resolution.

We believe that CDC’s house building objectives can be successfully met by locating the site “elsewhere” to the more appropriate site of Tangmere’s disused airfield which is of similar size and has been the site of housing development in the past. This would achieve the house building targets whilst protecting and conserving Tangmere’s heritage assets, enabling us to upgrade to alternative /green energy sources for our homes, protect biodiversity, keep “excellent” grade arable farmland thereby maintaining the rural amenity surrounding Saxon Meadow for our mental health and ensure access to our properties as well as community amenities such as car parking that we currently enjoy (as do visitors to Saxon Meadow).

If CDC were to locate the site “elsewhere”, Tangmere’s “historical core” would be protected for future generations. If CDC were to do this then we would be minded to support it in achieving its house building objectives.

We reserve our right to amend this objection letter at a future date.

Kind regards

Elspeth (Mills) Rendall and Jamie Hutchinson

Please see attachments:

Photos of appropriate alternative brownfield site – Tangmere’s disused airfield (3 Photos)
Photos of Tangmere’s historic core, Saxon Meadow and views from Saxon Meadow



Disused airfield 1



Disused airfield 2



Disused airfield 3

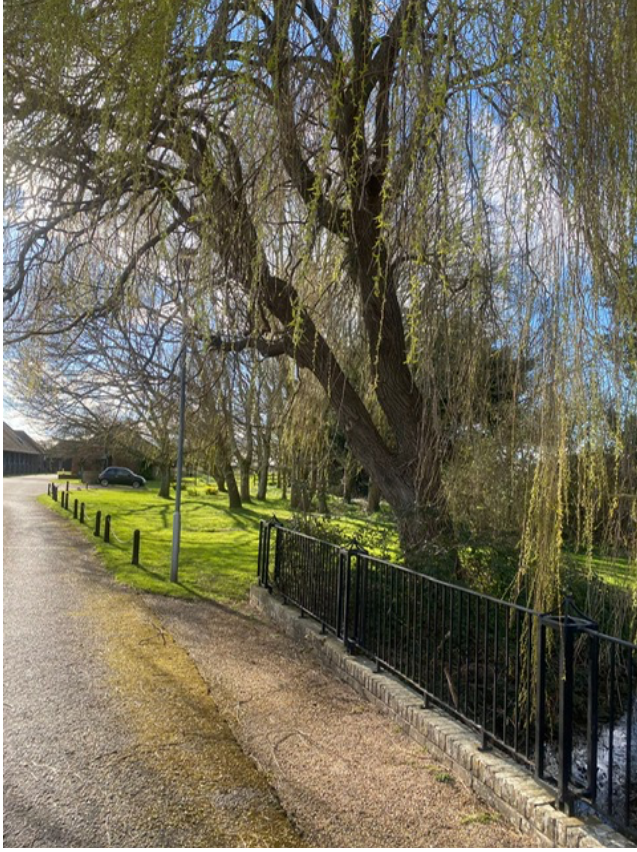


Photo of access to Saxon Meadow from Church Lane



Early morning looking from no 28 Saxon Meadow to the entrance to Saxon Meadow



Allied and German war graves, St Andrew's Church

he died in 1806 his estates totalled 17,000 acres. He administered these estates very carefully and was easily the largest landowner in the area. The only other estate

building of a railway station at Drayton did something to relieve Tangmere's isolation and there was a telegraph office there.

War graves in St Andrew's Saxon Church Yard – historical importance and a place of peace and respect for those fallen in WWII

east around what appears to be a communal space beside a north-south trackway that subsequently became Tangmere Road. The arrival of the Royal Air Force in the early twentieth-century led to significant growth, which continued into the post-war period and formed the catalyst for subsequent development.

The Character Appraisal concludes that the most significant features of the Tangmere Conservation Area are:

- Medieval and later post-medieval core of the village now largely surrounded by 20th century housing development;
- Historic buildings and boundary walls generally constructed of brick and flint;
- Long narrow front gardens, although regrettably many now converted to hard standings for car parking;
- Trees and green areas help to retain village atmosphere;
- High quality early-mid 20th century development to the north, including The Spitfire Club, which contrasts with more modern development
- RAF airfield to the south had a profound effect on the village's development.
- Tranquil and rural character of the earlier historic core along Church Lane.

1.3 WHY A CHARACTER APPRAISAL IS NEEDED

This document has been produced for Chichester District Council following consultation with the local community. Local authorities are required by law to preserve or enhance their Conservation Areas and part of that process is the production of a character appraisal to explain what is important about the area.

Part I of this document therefore defines the key elements that contribute to the special historic and architectural character of the Tangmere Conservation

Area 2: Church Lane and earlier medieval core

Earlier medieval settlement indicative of a manorial arrangement centred on St Andrew's Church. A particular feature of this is the agricultural landscape at the centre of the village and its importance in expressing its rural situation.

Key characteristics:

- Distinctly rural quality of Church Lane
- Medieval core on the periphery of the modern village centre
- Flat landscape surrounding with long distance views to Chichester Cathedral and neighbouring church spires
- Views to the South Downs in the distance

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View of the St Andrew's Tangmere from the fields

View from houses into fields Saxon Meadow - below



View with Oving church spire